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DX-000-542

R E P O R T

ON

LIEU SELECTIONS, ETC.

WITHIN

THAT PORTION OF THE STATE OF ARIZONA

LYING

NORTH AND WEST OF THE COLORADO RIVER

Ogden, Utah, March 1, 1915.

Report on Lieu Selections (Act of June 4, 1897; 30 Stat., 36), Sioux Half Breed Scrip (Act of July 17, 1854; 10 Stat., 304), Valentine Scrip (Act of April 5, 1872; 17 Stat., 649), and other claims, located within that portion of the State of Arizona lying north and west of the Colorado River.

The report, resulting from a joint investigation made by John A. Smith, a Special Agent of the General Land Office, and myself, is respectfully submitted for consideration and such action as may be deemed advisable.

R. E. Gery.

Assistant in Lands.

Approved MAR 5, 1915.

T. C. Howe

Assistant District Forester.

Approved MAR 5, 1915.

F. KNEIPP

District Forester.

Approved _____, 1915.

_____

Chief of Field Division.

PREFACE

The various selections which are under consideration in this report are situated both within the Kaibab and Dixie National Forests and on the open public domain, the major portion being, however, under the direct jurisdiction of the Interior Department. As the control by private parties of the open public domain subject to and good only for grazing purposes adjoining National Forests materially affects the grazing of National Forest lands, and vice versa, a joint investigation by the two Departments was deemed advisable. For reasons of economy and expediency, it was arranged that a single report should be prepared, which was to be supplemented by a memorandum from Mr. Smith.

The attempt to secure control of the prominent watering places throughout that entire portion of Arizona lying north and west of the Colorado River is so apparent that a report covering the whole area is deemed preferable to a single report on each selection. The report, however, includes a specific reference to each individual selection.

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NOTE.

In this report the land office is always referred to as at Phoenix, when in fact at the time these selections were made the office was at Prescott. The selection numbers, therefore, refer to the Prescott series, although the serial numbers are those of the Phoenix office.

Kingsberry afterwards transferred his interests as agent in the range, which he described as "35 miles northerly and southerly and 50 miles easterly and westerly," to Saunders. Up to this time sales simply meant the use of range and of water previously used by the vendor, and all recognized that there was no actual transfer of legal title to land. Saunders, realizing the value of the country from a grazing standpoint, began systematically to secure control of the range. His efforts and apparent success are considered later in the report.

Much of the land has no value for cultivation under present conditions, because either too rough or because the soil was considered too light for growing crops with the small amount of precipitation common to that section. Along the north border of the area and south of the Utah state line, where some irrigation water is available, a considerable number of enterprising farmers have grown successful crops very recently by dry farm methods. To date approximately four townships have been surveyed in the entire area, but the dry farmers on the north will soon be clamoring for public surveys. The dry farmer has invaded the territory of the Grand Canyon Cattle Company by locating on what is known as their Cane Bed Ranch lying just south of the Arizona-Utah state line. According to information obtained from one of the settlers, the company at first strenuously objected to the encroaching of these dry farm settlers, but finally realized the futility of their objections. Farther to the south will be found many tracts

that might, if conditions were favorable, be considered agricultural. These tracts are located in the flat lands both in the valleys and on the mountains. Some of the areas in the lower lands might be cultivated through the aid of irrigation if water were available, and some might be dry farmed. At higher elevations and on the mountains are many small parks, but the soil is so gravelly that cultivation would be impossible without extensive irrigation. This condition also applies to a great extent to House Rock Valley, a portion of which is also too sandy to be farmed without irrigation.

Like all arid localities, there is a deplorable dearth of water, the main supply of which is at present under control of the Grand Canyon Cattle Company, a California corporation, and Preston Nutter, of Price, Utah. The precipitation is low and the available water consists of small springs, natural pools, seeps, and washes. These washes are in evidence all over the northern end of the tract, but never contain water excepting during a short time after rains and the melting of the snow. Most of them constitute well known land marks in that section of the country.

Mr. Isaiah Bowman, in his work on "Forest Physiography" says of this particular part of the country that:

GENERAL HISTORY

The greater portion of that part of the State of Arizona which lies North and West of the Colorado River always had, has now, and for many years to come will have an almost exclusive value for grazing purposes. In contrast to this general condition, the Kaibab National Forest sustains a stand of 1,677,863,000 feet of merchantable timber. The timber situation on the Arizona Division of the Dixie National Forest, which has approximately 135,000,000 feet, is not so important. The country is, for the most part, exceedingly rough and mountainous. The country generally, and particularly the portion nearer the river, is cut up by deep and, in most cases, impassable canyons. The General Land Office, in its Circular No. 259, dated July 1, 1913, classifies certain open public domain, including the land in question, as "mountainous, grazing, timber," and "arid, grazing, broken." The area may be reached from the south side of the Colorado River at but three places, in a river length of about 200 miles, namely, Lee's Ferry, Bright Angle Trail, and Bass' Trail. At Lee's Ferry only is it possible to secure passage for teams and wagons. One has but to see the Grand Canyon of the Colorado to realize its potentiality as a natural boundary line. Because of this condition the earlier cattlemen drifted in from the North, and the first utilizers of the range were individual

stockmen from the little villages of Kanab and St. George, Utah, Fredonia, Ariz., and neighboring settlements. These individual owners, to some extent, divided the range to suit their conveniences, but in the main the use was in common, different individuals assuming responsibility in a way for upkeep of improvements at watering places at a stated place, but not restricting the use to any appreciable extent. These individual possessory claims and interests were acknowledged and respected by stockmen grazing cattle in that particular section of the country, but such acknowledgment did not go to the extent of admitting exclusive right. The earliest associations of stockmen were the "VT" Cattle Company, composed of Messrs. Nick, Gillette, Elsa, Gibson, Kennison, the "OUO" outfit, the K Company, and the Canaan outfit, branding with a cross (+), and, with the exception of the Canaan outfit, taking the name from the brand used. The first two of these associations, like the major portion of their successors, grazed their cattle on and near the Buckskin Mountains and in House Rock Valley, the others west of the Kanab Gulch and more in the vicinity of the Trumbull and Pahshent or Parishent Mountains, now covered by the Arizona Division of the Dixie National Forest. About the year 1885 the interests of the "OUO" and "VT" companies were purchased by the Kaibab Cattle Company, and it in turn sold, during the year 1897, to one T. S. Kingsberry, an agent for B. F. Saunders, a cattleman of Salt Lake City, Utah.

"The most celebrated and best known portion of the Colorado Plateaus is the Grand Canyon district. . . . . Named in order from west to east, the plateaus are the Shivits, Uinkaret, Kanab, and Kaibab. Their elevations increase in the same order; the Shivits is 5000 feet, and the Kaibab, the highest of all, is 8000 to 9000 feet above the sea. . . . . The elevations of all the plateaus,except the Kaibab, are not great enough to cause a precipitation adequate for a forest growth. In contrast to the hot, dreary, and barren plateaus about it, the Kaibab plateau is moist, and bears meadows and parks and forests of spruce and pine." (p. 268)

"Below an altitude of 7000 feet the rainfall of the Colorado Plateaus is probably not more than 8 inches a year; with increase of altitude above that figure there is increasing rainfall, and the highest of the High Plateaus receive the equivalent of 24 inches in rain, though a large part of it occurs in the winter months and is mostly in the form of snow." (p. 287)

"The growth of grass is in most places scant, and at lower elevations diminishes in quantity and disappears in the lower and more desert country except where springs occur. The grasses grow characteristically in bunches, and are thus in part protected among themselves from wind and blown sand. . . . They cure on the stalk and are highly nutritious, furnishing winter pasturage of great value to stockmen." (p. 288)

The locations of these different plateaus may be seen by referring to the map attached to the end of the report.

An effort was made to secure information regarding all available water in the entire country, and inquiry was made of Forest officers and cattlemen, and it is believed that practically all springs of any value, pools, seeps, etc., are included in the following descriptions:

1. Jacobs Lake (D-18). A natural pool or basin about 200 feet in diameter. Contains water the entire year except in exceedingly dry seasons. Patented to B. F. Saunders

as Jacobs Lode mining claim and transferred to Grand Canyon Cattle Company. Water appropriated by B. F. Saunders and R. J. Millitt, et al. This was the only mining claim on which an affidavit of assessment work was filed (Appendix, p. 27).

2. House Rock Spring (C-19). A lieu selection described elsewhere. The water flowing from this spring is easily conveyed in a one inch pipe. Water used by "VT", "OUO", and various small individual owners until appropriated by B. F. Saunders.

3. One Mile Spring (C-20). A spring at One Mile patented to B. F. Saunders as the Noonday mining claim and transferred to the Grand Canyon Cattle Company. A half-inch pipe would carry all the water flowing from this spring.

4. One Mile Spring (C-19). A lieu selection described elsewhere. The water from these springs could be conveyed in a one-eighth or one-fourth inch pipe.

5. Two Mile Spring (B-19). A lieu selection described elsewhere. Enough water was flowing from the spring to fill a quarter or half inch pipe. Water formerly used by range occupants generally until appropriated by B. F. Saunders.

6. Jacobs Pools (B-21). A lieu selection described elsewhere. Enough water to fill a half inch pipe was flowing from the spring. Water formerly used by "OUO," "VT," and small individual owners until appropriated by B. F. Saunders.

7. Jacobs Pools (D-21). A small spring near Jacobs Pools patented to B. F. Saunders as the Sunset millsite and transferred to Grand Canyon Cattle Company. Probably enough water flowing from the spring to fill a half-inch pipe.

8. Jacobs Pools (D-21). A small spring near Jacobs Pools patented to B. F. Saunders as the Sunset lode and transferred to the Grand Canyon Cattle Company. Enough water to fill approximately half-inch pipe flows from the spring.

9. Emett Spring (D-21). A small spring patented to B. F. Saunders as the Emett lode mining claim and transferred to the Grand Canyon Cattle Company. Probably enough water flows from the spring to fill a half-inch pipe. Water originally used by "VT" and others. Later appropricted by James S. Emett and sold to B. F. Saunders.

10. Soap Creek (C-22). A lieu selection described hereafter and claimed by Grand Canyon Cattle Co. Enough water is probably flowing from seeps to fill a two-inch pipe. The waters have been appropriated by a great many persons at different times.

11. North Lake (E-18). A lieu selection described hereafter and claimed by Grand Canyon Cattle Co. A sort of pool about 600 feet in diameter which generally holds some water the entire year. In summer often little more than a swamp or wet meadow.

12. Middle and South Lakes (E-18). Covered by a lieu selection hereafter described, and lying so close to North

Lake as to constitute practically one watering place. Claimed by Grand Canyon Cattle Co. Two natural pools, one about 100 feet and the other 200 feet in diameter, which generally contain water entire year.

13. Fracas Lake (E-17). Covered by B. F. Saunders with the Alaska millsite, and transferred to Grand Canyon Cattle Company. The location has been canceled. A small depression or pool about 150 feet in diameter and generally containing water. Water originally used by "OUO" and others, and appropriated in 1899 by Murray Averett.

14. Mile-and-a-Half Lake (E-18). Covered by B. F. Saunders with the Alaska mining claim and transferred to Grand Canyon Cattle Company. This location has been canceled. A small pool about 100 to 150 feet in diameter which usually contains water the greater portion of the entire year.

15. East Lake (E-18). Covered by B. F. Saunders with the Noonday mining claim and transferred to Grand Canyon Cattle Company. The location has been canceled. A small natural pool about 200 feet in diameter which generally contains water.

16. Snipe Lake (F-18). Covered by B. F. Saunders with Snipe mining claim and transferred to Grand Canyon Cattle Company. The location has been canceled. A natural pool about 150 feet in diameter which generally holds water. Originally used by Lute Fuller, F. T. Tilton, and others. Also by "VT"

and "OUO" outfits.

17. Frank Lake (F-18). Covered by B. F. Saunders with Frank mining claim and transferred to Grand Canyon Cattle Company. The location has been canceled. A natural pool about 425 feet long and 300 feet wide, which generally contains water.

18. Crane Lake (F-18). Covered by B. F. Saunders with Crane mining claim and transferred to Grand Canyon Cattle Company. The location has been canceled. A natural pool about 500 feet long and 150 feet wide. Generally contains water. Originally used by "OUO" and other small cattle owners.

19. Kane (E-20). A lieu selection which contains no water except what is conveyed to it by a pipe line, and is hereinafter described.

20. Kane Spring (E-19). A small spring covered by B. F. Saunders with Kane millsite and transferred to Grand Canyon Cattle Company. The location has been canceled. Enough water to fill an inch pipe flows from the spring.

21. Kane Spring (E-19). A small spring covered by B. F. Saunders with Kane mining claim and transferred to Grand Canyon Cattle Company. The location has been canceled. Enough water to fill an inch pipe flows from the spring.

22. Warm Spring (D-17). Sufficient water to fill a half-inch pipe. Located at one time by Petoskey Mining Company as millsite. Appropriated by James Little March 27, 1902.

Located as millsite by John E. Myers November 10, 1897. Used ever since first occupancy of the range country by Stewart Bros. and others.

23. Coyotte Spring or Coyote Hole (A-19). Simply a hole where water stands in the bottom of a wash. Waters a few cattle but not possible of much development. Appropriated by Jett M. Johnson March 24, 1905. Also by Murray Averett Feb. 11, 1905. Formerly used by John G. Kitchen and others.

24. Seeps (A-17). A number of seeps, the combined water supply of which is generally sufficient to fill a two-inch pipe. Claimed by Jett M. Johnson. Appropriated March 15, 1897, by Lorum Pratt, et al. Formerly used by Betts and Stafford, R. S. Robinson, and others. Very inferior water and of little consequence as a watering place.

25. Navajo Wells (A-18). Simply a cave. No running water. Not possible of much development. Claimed by Jett M. Johnson.

26. Reservoir on Johnson Run (A-17). Artificial reservoir which contains water about 4 months out of each year. Constructed and controlled by stockmen. Appropriated by Walter C. Little et al., July 8, 1905. Also by Frank Little and M. M. Johnson June 14, 1913. Has very flat area and large catchment, so that it is constantly washing out the dam, making it entirely unreliable as a permanent watering place.

27. Badger Spring (B-22). A small pool among the rocks which has been dammed up and would water about 800 head of cattle, but is situated in land with little forage of any kind and therefore is of little consequence as a watering place. The spring rises in what is known as Badger Creek, and seven placer locations were made on this creek in May, 1911, which covered the source of the water supply.

28. North Canyon Spring (G-20). Sufficient water to fill a two-inch pipe. Used by Grand Canyon Cattle Company. Is supplied from a gravelly wash. Subsurface flow dependent on the snow supply up the mountain. Not permanently reliable. No improvements.

29. South Canyon Spring (H-20). Sufficient water to fill an inch pipe. Water has been piped about 3 miles by the Grand Canyon Cattle Company to a reservoir.

30. Buck Farm Spring (H-20). Sufficient water to fill a half-inch pipe. No improvements. Because of topography is of little value as a watering place.

31. Oak Spring (D-17). Sufficient water to fill a quarter-inch pipe. No improvements. Of very little value, both on account of meager water supply and rough topography.

32. Hequitch Spring (E-17). Two small springs, one of which has sufficient water to fill an inch pipe and the other an eighth-inch pipe. No improvements. Proximity to other and

better water renders it of only small importance, so long as other water is available.

33. Mangum Spring (E-16). Sufficient water to fill a two-inch pipe. Water at one time piped to Ryan by Coconino Copper Company, but now used by stockmen. Appropriated by Jos. E. Ray Dec. 30, 1899. By L. P. Boyle Nov. 17, 1900. By E. J. Kennedy Dec. 28, 1906. By M. D. Ditto May 1, 1908. Proximity to Big Spring (No. 35) detracts materially from its value as a watering place. Originally occupied by a family by the name of Nail as a range headquarters.

34. Morning Dove Spring (E-16). Sufficient water to fill quarter-inch pipe. Appropriated by Taylor Button and now used by Forest Service.

35. Big Spring (E-16). Sufficient water to fill a three-inch pipe. Appropriated by Park Harper March 2, 1898. By Aquilla Hebaker Oct. 27, 1900. By E. J. Kennedy Dec. 28, 1906. By M. D. Ditto May 1, 1907. Piped by Coconino Copper Company, but now used by Forest Service for irrigating purposes. Originally the main source of supply of the Nail ranch. Later acquired by the Coconino Copper Company and piped to mill at Ryan.

36. Castle Spring (E-17). Sufficient water to fill a three-fourths inch pipe. Appropriated by Wm. Tracy et al. Aug. 3, 1900. Water piped to trough and corral through cooperation of Forest Service and sheepmen. Originally used by "VT" outfit and Nail family.

37. Riggs Spring (E-17). Sufficient water to fill an inch-and-a-half pipe. Appropriated by Ernest Pratt March 4, 1898. By Aquilla Nebeker Oct. 27, 1900. Now piped about 700 feet by Forest Service to tank and corral in cooperation with stockmen.

38. Bee Spring (G-17). Sufficient water to fill an eighth-inch pipe. Piped about 200 yards to tank by Forest Service in cooperation with stockmen.

39. Parishawampitts Spring (G-17). Sufficient water to fill an inch pipe. Piped about 50 feet to tank and corrals by Forest Service and stockmen.

40. Locust Spring (G-17). Sufficient water to fill a three-fourths inch pipe. Water piped 15 feet to tank by Forest Service.

41. Timp Spring (G-17). Sufficient water to fill a three-fourths inch pipe. Water piped about 25 feet to tank and corral by Forest Service.

42. Squaw Seep Spring (G-17). Sufficient water to fill an eighth-inch pipe. Piped 20 feet to tank by Forest Service.

43. Quaken Asp Spring (H-17). Sufficient water to fill one-fourth inch pipe. Water piped 150 feet to tank and corral by Forest Service.

44. Two Spring (H-17). Sufficient water to fill a one-fourth inch pipe. Troughed 6 feet to a tank by stockmen.

45. Tilton or Pipe Spring (D-17). Sufficient water to fill a three-fourths inch pipe. Water piped at one time to a tank some two miles distant, but pipe now out of commission. Originally developed by F. T. Tilton and Arthur Weymouth for a sheep watering place and dipping vats.

46. Pigeon Spring (D-16). A small seep with sufficient water to fill a one-sixteenth inch pipe. Water piped about 10 feet to a tank by stockmen. Serves but very little range.

47. Willow Spring (D-16). Sufficient water to fill a half-inch pipe. No improvements. Serves only small area.

48. Rock Spring (E-15). Sufficient water to fill three-fourths inch pipe. Small dam constructed by stockmen to hold water.

49. Slide Spring (D-14). Sufficient water to fill an inch-and-a-half pipe. At one time piped by Forest Service, but now out of commission. In gulch and serves but little range.

50. Horse Spring (D-14). Practically a seep, with sufficient water to fill a sixteenth-inch pipe. Small dam constructed and water run into trough by stockmen. In gulch and serves but little range.

51. Little Spring (E-14). Sufficient water to fill one-inch pipe. Accessible to horses only. Appropriated Sept. 10, 1901, by Lew Jepson. Serves only a few head of horses.

52. Jumpup Spring (E-14). Sufficient water to fill quarter-inch pipe. Piped about 50 feet to trough by stockmen.

53. Sowats Spring (F-15). Sufficient water to fill half-inch pipe. Piped 150 feet to trough by Forest Service and stockmen.

54. Little Sowats Spring (F-15). Sufficient water to fill half-inch pipe. Piped one-eighth mile to trough by Forest Service and stockmen. In walled canyon and serves restricted area only.

55. Bear Spring (H-18). Sufficient water to fill one-inch pipe. No improvements.

56. Tipover Spring (H-18). Sufficient water to fill half-inch pipe. No improvements.

57. South Big Spring (H-18). Sufficient water to fill one-inch pipe. No improvements.

58. Kanabenits Spring (H-18). Sufficient water to fill one-inch pipe. No improvements.

59. Milk Creek (I-18). Sufficient water to fill one-and-a-half inch pipe. No improvements.

60. The Basin (I-19). Sufficient water to fill half-inch pipe. At one time piped to trough but not now in commission.

61. Robbers' Roost Spring (H-19). Sufficient water to fill one-and-a-half inch pipe. No improvements.

62. Upper Thompson Spring or Niggers (I-19). Sufficient water to fill quarter-inch pipe. No improvements.

63. Lower Thompson (I-19). A seep with about enough water to fill a sixteenth-inch pipe. No improvements.

64. Bright Angel Spring (I-19). Enough water to fill one-eighth inch pipe. Used by Forest Service at Ranger Station.

65. Fuller Spring (I-19). Sufficient water to fill one-sixteenth inch pipe. Piped 20 feet by Cattle "O" Co. to trough to water buffalo.

66. Heal Spring (I-20). A small seep walled up by Grand Canyon Cattle Co. and run into pond surrounded by corral.

67. Greenland Spring (I-20). Sufficient water to fill three-fourths inch pipe. Piped about 200 yards to troughs by B. F. Saunders.

68. "VT" Spring (G-18). A small seep walled up by Forest Service and Grand Canyon Cattle Company and used for domestic purposes and watering saddle horses.

69. Sour Dough Spring (G-19). Sufficient water to fill half-inch pipe. No improvements.

70. Oquor Spring (F-17). Sufficient water to fill one-eighth inch pipe. No improvements. All the above named springs lie east of the Kanab Gulch and serve range on or tributary to the Buckskin Mountain or Kaibab Plateau and mainly within the Kaibab National Forest.

The following are west of the Kanab Gulch and serve more characteristically desert country, except Nos. 95, 99, 103, and 135, which lie on the East.

71. Two Mile Spring (B-12). Sufficient water to fill three-inch pipe. During the irrigating season the water is reservoired to irrigate a small area,or supplement by irrigation the welling up of a sort of natural meadow. Appropriated July 30, 1901, by E. D. Woolley. By Two Mile Reservoir Company April 2, 1907. Originally the headquarters of the "K" Cattle Company. Now within the Kaibab Indian Reservation, and serves only restricted grazing.

72. Cannan Reservoir (C-12). A lieu selection reported on hereafter. This reservoir was constructed by a series of dams across some washes. They were destroyed several years ago. Appropriated March 12, 1914, by J. M. Lauritzen. Reservoirs have been repeatedly built on this tract, but, on account of the large drainage, have so repeatedly washed out that the usefullness of the area is questioned.

73. Bull Rush Spring (A-12). Reported on elsewhere. The half breed lieu selection covering this spring was recently canceled by the General Land Office. Appropriated by E. D. Woolley July 10, 1900. By H. S. Cutler Feb. 2, 1911. By a number of sheep owners of Glendale, Utah, Feb. 19, 1912. By H. S. Cutler Feb. 19, 1912. By Ed Little et al. Feb. 20, 1912. Withdrawn by Executive Order of Feb. 20, 1913. (Appendix, p. 1)

74. Foremaster Spring (A-11). Sufficient water to fill sixteenth-inch pipe. Spring is surrounded by corral and the water used to water saddle horses.

75. Corral Canyon Spring (A-11). Sufficient water to fill quarter-inch pipe. Piped 20 feet to a trough. Appropriated March 21, 1906, by C. H. Hughes et al.

76. Lost Spring (A-11). Sufficient water to fill sixteenth-inch pipe. Water conducted to a trough. Appropriated Dec. 20, 1899, by Thurston et al.

77. Clay Holes (A-10). Small natural reservoirs in the bottom of a wash. Storage of rain water only. Surrounded by stockade and used originally to trap wild horses. Appropriated by T. Sterling Aug. 4, 1896. By H. F. Sulton Dec. 11, 1909. By H. S. Cutler July 7, 1911.

78. Point of Rocks Lake (A-11). A natural depression which has been dammed up to hold rain water. The pool was withdrawn from entry by Executive Order of Feb. 20, 1913 (Appendix, p. 1). The spring was included in the transfer from Jolly et al. to Saunders. (Appendix, p. 24.)

79. Cottonwood Spring (Not Dixie - A-11). Sufficient water to fill quarter-inch pipe. Spring fenced in by Grand Canyon Cattle Company and used in connection with its Cane Beds ranch.

80. Cane Beds (A-12). This ranch includes three small springs and is controlled by Grand Canyon Cattle Company (Appendix, p. 22, deed, Cutler to Saunders; also Appendix, p. 24, deed, Cutler et al. to Saunders).

81. Little or Oak Spring (H-9). A very small stream usually furnishing water the entire year. Claimed by C. F. Foster et al. This spring, in connection with Hixon Spring, controls about six townships of grazing land.

82. Hixon Spring (G-9). A small spring used by Forest Service, mill operators, and stockmen. Claimed by A. D. Findlay et al.

83. Death Valley Reservoir (G-8). A small reservoir which contains water only a portion of the year. Improved under Forest Service permit. Appropriated March 20, 1907, by W. B. Baker et al.

84. Quaken Asp Spring (G-9). This is an exceedingly small spring that might be developed. Of no present consequence as a watering place.

85. Orson Spring (G-9). A very small spring that might be developed. Not a permanent supply.

86. The Logs (I-5). A seep and well recently improved by Andrew Sorenson. Appropriated by J. D. Pynn et al. April 17, 1906. By Willard Sorenson June 5, 1912. Underflow in bottom of gravel wash. Will require pumping to develop.

87. Gardner Wells (J-5). Every indication of water, but it will be necessary to dig wells to secure same. Does not come to surface. Pumping necessary if developed.

88. Twin Springs (K-5). Capable of watering about 75 head of cattle. Claimed by Andrew Sorenson et al. On account of topography, serves only a small area of range.

89. Neilsen Spring (K-5). Runs about three quarts of water per minute. Claimed by John Neilsen. Waters only a few horses a part of the year.

90. Tinemahita Spring (J-4). Runs about a quart of water in 68 seconds. Appropriated Aug. 12, 1910, by Tom Sullivan. Of very little consequence as a watering place.

91. Joe Spring (K-5). Capable of watering about 25 head of cattle. Appropriated Dec. 10, 1910, by C. R. Sullivan et al.

92. Snap Spring (I-3). Runs about half a gallon in 60 seconds. Appropriated May 25, 1901, by John Stursenegger.

93. Kelly Spring (L-6). Runs about a quart of water in 3¾ minutes. Appropriated by F. G. Spencer et al. Feb. 27, 1900. By Alex. Swapp et al. April 8, 1910. Sold by Saunders to Hutter (Appendix, p. 3).

94. Ames Spring (L-6). Runs about half gallon of water in 72 seconds. This spring was sold by Saunders to Hutter (Appendix, p. 3.).

95. Midway Spring (C-20). An abandoned and exceedingly small spring, affording no water for stock. Appropriated by L. E. Stewart et al. Dec. 19, 1907.

96. Pymm Well (I-5). Water developed by means of a well. Work done by Prescott Lamb. No stock can water.

97. Lake Flat Lake (J-5). Water held by construction of dam by Andrew Sorenson et al. Water is available only until some time in July of some years.

98. Willow Spring (L-5). Sufficient water to fill three-fourths inch pipe. Appropriated by E. W. Terry et al. April 18, 1910. For topographic reasons, serves but little range.

99. Clay Spring (A-19). An exceedingly small spring or seep. Not a watering place except in early spring and winter.

100. Russel Spring (F-7). Capable of watering about 30 head of cattle a portion of the year. Some times practically dry. Appropriated by Thos. Judd Nov. 16, 1906.

101. Salt Spring (G-5). An exceedingly small spring. The water is so inferior that cattle will seldom drink it. Appropriated by Minor Laub Jan. 30, 1906. By Willard Sorensen et al. June 16, 1911.

102. Poverty Spring (G-5). Capable of watering 200 head of cattle a portion of each year. Appropriated by Minor Laub et al. Sept. 24, 1906.

103. Walt Spring (C-20°. A very small seep of no value as a watering place for stock.

104. Peckum Springs (C-3). Have no information regarding these small springs, only that they are claimed and used by various stockmen. Are not permanently reliable as source of water supply for stock.

105. Sullivan Reservoir (H-5). An artificial reservoir which usually contains water until some time in May of each year. Appropriated by Samuel Sullivan Oct. 24, 1910.

106. Hale Reservoir (E-7). An artificial reservoir being constructed by the Clay Spring Cattle Company. It is intended to store flood waters. Never used heretofore. Success of project yet to be demonstrated.

107. Mokiac (not same as Cottonwood - B-4). Capable of watering about 600 head of cattle. Claimed by Seegmiller Bros.

108. Quail Spring (B-5). Capable of watering 75 head of cattle. Claimed by John M. McQuarrie et al.

109. Wolf Hole Lake (B-5). A natural pool which contains water the year round excepting very dry seasons. Covered by Franklin squatter claim. This water hole was withdrawn from entry by Executive Order of Feb. 20, 1913 (Appendix, p. 1).

110. Pakoon Spring (F-5). Sufficient water to irrigate 8 or 10 acres, for which purpose it is used.

111. Wolf Hole (B-4). A lieu selection reported on elsewhere. About three quarts of water per minute flowing from spring.

112. Black Rock Spring (B-4). A lieu selection reported on elsewhere. From 3 to 5 miners' inches of water available.

113. White Rock Reservoir (C-3). A lieu selection reported on elsewhere. A natural depression dyked to hold water most of each year.

114. Link Spring (F-4). A lieu selection reported on elsewhere. Sufficient water to fill a half-inch pipe.

115. Rattlesnake Spring (F-4). A lieu selection reported on elsewhere. Sufficient water to fill half-inch pipe.

116. Coin Bed Spring (F-4). A lieu selection reported on elsewhere. Sufficient water to fill quarter-inch pipe. (Not to be confused with Cane Bed.)

117. Hidden Spring (F-4). A lieu selection reported on elsewhere. Sufficient water to fill an inch pipe.

118. Garden Spring (F-4). A lieu selection reported on elsewhere. Sufficient water to fill inch-and-a-half pipe.

119. Andrews Spring (I-5). A lieu selection reported on elsewhere. Sufficient water to fill a one-inch pipe.

120. Oak Grove Spring (J-5). A lieu selection reported on elsewhere. An exceedingly small spring that might be developed.

121. Mokiac Spring (Cottonwood - J-5). A lieu selection reported on elsewhere. The water is pumped from a well.

122. Green Spring (K-6). A lieu selection reported on elsewhere. Sufficient water to fill three-quarter inch pipe.

123. Cottonwood Spring (K-6). A lieu selection reported on elsewhere. Sufficient water flows from seeps to fill half-inch pipe.

124. Penns' Pocket Spring (K-6). A lieu selection reported on elsewhere. The water here is obtained from seeps.

125. Pine Spring (J-5). A lieu selection reported on elsewhere. Consists of tunnels and wells, but unable to designate just the amount of water available.

126. Duke Spring (I-5). A lieu selection reported on elsewhere. The improvements were out of repair and was unable to learn the amount of water available.

127. Parashont (I-5). A lieu selection reported on elsewhere. Consists of a well dug in Parashont Wash.

128. Dan Sill Spring (J-6). A lieu selection reported on elsewhere. Sufficient water to fill quarter-inch pipe.

129. Ivanpaugh Spring (G-6). A lieu selection reported on elsewhere. Sufficient water to fill quarter-inch pipe flowing from end of pipe line.

130. New or Oak Spring (F-5). A lieu selection reported on elsewhere. Alleged to furnish sufficient water to fill quarter-inch pipe.

131. Cold Spring (H-8). A lieu selection reported on elsewhere. Sufficient water to fill inch pipe.

132. Big or Whitmore Spring (H-8). A lieu selection reported on elsewhere. About 11 miners' inches of water available.

133. Antelope Spring (H-8). A lieu selection reported on elsewhere. A number of seeps furnishing a small stream about two inches deep and 12 inches wide. This spring was withdrawn by Executive Order of Feb. 20, 1913 (Appendix, p. 1).

134. Pipe Spring (B-12). A lieu selection reported on elsewhere. Covers two springs, one of which flows a stream 8 inches deep and 2 inches wide.

135. New House Rock (C-19). A 40 acre tract occupied by Grand Canyon Cattle Company containing no springs and referred to elsewhere in this report.

136. Seegmiller Spring (B-6). An exceedingly small spring.

137. Clay Spring (B-6). An exceedingly small spring.

With reference to the springs shown within the exterior boundaries of the Kaibab National Forest, it should be noted that many of them are not accessible to stock from all directions. The rim of the Buckskin Mountain running north and

south forms a natural boundary between the range on the east and that on the west. An additional boundary has been added by a drift fence which runs practically the entire length of the Forest. The entire area east of this drift fence, which was constructed jointly by the Forest Service, the Grand Canyon Cattle Company, and the independent stockmen, is grazed by cattle belonging to the Grand Canyon Cattle Company, and that on the west by the cattle of independent owners. Several of these springs lie on the top of Buckskin Mountain, but many of them are claimed by the Grand Canyon Cattle Company in one or another form. Practically all of the natural pools located on the top of the mountain are on the East side of the drift fence and within the area grazed by the stock of the Grand Canyon Cattle Co. In the early summer when the forage on the lower lands begins to dry up and die, the stock naturally find their way to the greener forage on the mountain. At the first approach of winter, they gradually descend to the valleys. The supply and ownership of water on the mountain, therefore, affect the grazing of the valleys and lower lands, as well, and vice versa.

Prior to the acquisition of some of the springs by Saunders, the Grand Canyon Cattle Company,and Hutter, all the springs were objects of barter and sale, and this is still true of the springs not controlled by Hutter or the Company. They

were always treated as personal property, and constructive possession was the only title asserted. The waters of springs were appropriated by many different individuals, but to give the names of all these appropriators or claimants would be impossible, as well as futile. Where the present claimant of any individual spring is known, that fact is stated, and where appropriations of the waters are matters of record the facts, so far as known, are given.

Naturally the values of individual springs are enhanced by isolation, and the contrary is true when several of the pools or springs lie in proximity. Many of the water sources shown on the map are of exceedingly small value, and practically all the important ones are at present under control of the Grand Canyon Cattle Company or Preston Nutter.

It should be kept in mind that many of the so-called springs, on account of proximity to other water, or their being so situated topographically as to be very difficult of access, or being situated in areas where the range is of practically no value, renders them of small value. Others named are of no actual or practical value as watering places, because they fail at the very time when water is most needed, their appropriation being brought about by the scarcity of water and the appropriator having discovered and appropriated them, only to learn later of their unreliability. This explains how many of these got into the records.

RECOMMENDATIONS

It is respectfully recommended that all the springs and water sources shown to be of any value in this report, and situated on the open public domain, be withdrawn from all forms of entry, unless it be under the provisions of the Act of January 13, 1897 (29 Stat., 484). Such withdrawals within National Forests, except when specifically recommended by the Secretary of Agriculture, are not necessary, as they are amply protected by the regulations of the Secretary and instructions of the Forester.

It appears that the watering places included in the Executive Order of February 20, 1913 (Appendix, p. 1) were withdrawn as public water reserves at the request of C. J. Smith and other members of the Utah State Legislature from southern Utah, who represented a large number of actual settlers who own cattle and sheep and used the water for stock purposes. Protests against the withdrawal of two of the watering places, namely, Wolf Hole Lake and Antelope Spring, were presented. One Edward B. Franklin alleged to have settled on the land surrounding Wolf Hole Lake prior to date of withdrawal from entry. Franklin was for many years an employee of Preston Nutter. His connection with Nutter is alleged to have been severed in May, 1912. The report submitted by a Special Agent

of the General Land Office in response to request contained in the Commissioner's letter (04223 "FS" SHM, Phoenix) of May 24, 1913, gives a clear and concise statement of the facts regarding this claim. The Special Agent states, among other things, that "in the immediate vicinity are many thousands of acres of better agricultural land on which he could have located if he wanted land for farming purposes. From the above it appears that the contention of Smith is right, and that Franklin's 'only purpose is to control the water.'"

The protest filed by James Andrus against the withdrawal of Antelope Spring is based on improvements solely. A description of this spring will be found elsewhere in the report. There are no indications that any improvements were ever placed on or near the spring or seeps excepting the corral mentioned in the report.

The Act of January 13, 1897 (29 Stat., 484), is particularly adapted for the improvement and occupation of the watering places in Northern Arizona, but it is extremely doubtful if its provisions could be applied to a spring that was withdrawn by Executive Order without the release of the withdrawal for that particular purpose. It would, therefore, be advisable to secure legislation allowing the use and improvement of withdrawn springs, in order to avoid a duplication of orders and releases, or to promulgate Departmental instruction governing their occupancy and improvement.

It is also respectfully recommended that the selections mentioned hereafter be canceled on one or more of the following grounds, wherever the facts in each individual case warrant such action.

1. Public policy demands the retention of the springs included within the selected areas for the benefit of the public in general.

2. The perfection of the pending selections would afford the Grand Canyon Cattle Company and Preston Nutter and their successors monopolistic control of vast areas of public grazing lands, and thus destroy the possible use and sale value of adjoining public lands of the United States.

3. Many of said selections were not made in conformity to law and the regulations.

4. The land included in many of said selections was, prior to the passage of equitable or legal title, withdrawn by Executive Order.

5. The greater portion of said selections were made on land not subject to "settlement" as that term is used in the Act of June 4, 1897.

The bases of these recommendations discussed in their order are:

First:- Public policy demands the retention of the springs included within the selected areas for the benefit of the public in general.

Conservation, as applied to the natural resources of the public domain, has been the policy of the National Government for years. This policy was the natural outgrowth of patent as well as covert attempts on the part of individuals and associations to secure the possession or monopolistic control of the different valuable resources without sufficient return to the Federal or State Government, and more frequently in fraudulent violation of the laws and regulations governing the acquisition of the public domain. In the application of this policy of conservation large areas of the public domain have been withdrawn because of their values for coal and oil; phosphate lands have been the subject of withdrawals; also lands bordering on streams have been withdrawn for water power purposes, while large areas have been withdrawn as National Forests that the timber might not be heedlessly destroyed or selfishly wasted, but conservatively used for the benefit of the present and of the future generations of men and that the supply of water might be protected, and for other purposes. In furtherance of this policy Congress passed the Act of June

25, 1910 (36 Stat., 847), in which the President was directly authorized to withdraw from entry public lands of the United States "for water-power sites, irrigation, classification of lands, or other public purposes to be specified in the orders of withdrawals." Under this Act at least two Executive Orders have been issued withdrawing a number of springs within the State of Arizona as "public water reserves."

Two of the springs so withdrawn (Appendix, p. 1) were covered by lieu selections and are reported on herein as Bull Rush Tract and Antelope Tract.

The supply of water in the country surrounding the locations reported on is decidedly limited, and especially is this true of House Rock Valley and the winter range country generally. The precipitation on the mountains is greater and the springs or water holes not so scarce. Not only is the settler and the stockman generally interested in Government control of the scant supply of water, but the general public as well. The Buckskin Mountain and the Grand Canyon embraced in the National Monument are continuously visited by the general public, and the small supply of water should be preserved that these natural wonders may really serve the purpose for which they are so admirably adapted. The entire country north and west of the Colorado River is, as has been said before, mostly valuable for grazing purposes, and the watering places

should not be allowed to pass into private hands. Owing to conditions, water is practically the most important and valuable commodity in that entire section of country, and should therefore be conserved for the benefit of the many, even at the expense of the few. Water power sites are universally withdrawn because it was seen that on account of their value and scarcity they offered the greatest inducement to speculation, and the same action should be taken in respect to the pools and springs covered by the lieu selections hereinafter reported on separately.

Non-action on the part of the Government is neither the "wise" course nor the "right" course. The General Land Office has not lost jurisdiction of the land included in the selections, if the facts are correctly understood, and such being the case it seems that a well established and recognized public policy demands the rejection of the selections and the withdrawal of the pools and springs as public water reserves.

Second:- The perfection of the pending selections would afford the Grand Canyon Cattle Company and Preston Nutter and their successors monopolistic control of vast areas of public grazing lands, and thus destroy the possible use and sale value of adjoining public lands of the United States.

The initial attempt to secure control of the cattle ranges in northern Arizona was made by E. F. Saunders, who, in addition to recognizing the value of the range, saw also the possibility of its control by means of acquiring the watering places. This is plainly shown by the methods he pursued in his attempt to secure title to the various springs and pools. Saunders' activity was not confined to one particular section of the country, but was quite extensive. To secure control in the west, he purchased of the Board of Supervisors of Mohave County (Appendix, p. 5) a one-sixth interest in Rattlesnake and Garden Springs, one-half interest in Hidden Springs Ranch, and one-third interest in the Wild Cat Ranch. On the north he purchased from Cutler & Jelly (Appendix, p. 8) their interest in a tract of land containing one hundred and sixty acres, and known locally as the Short Creek Lake and Reservoir. From H. S. Cutler (Appendix, p. 22) he obtained possession of the Rosencrans Ranch, which adjoins Cane Beds Ranch. From Cutler, Jelly & Co. (Appendix, p. 24) he purchased

Cane Beds Ranch, Buell Pasture, Badger Spring, and Point of Rocks Lake. On the east his operations were more extensive. From Thomas S. Kingsberry (Appendix, p. 54), who acted as agent for Saunders in acquiring title to springs, pools, and ranches, he obtained possession of the "V.T." or Kaibab Ranch, comprising a range about 35 miles northerly and southerly and about 50 miles easterly and westerly, an undivided three-fourths interest in the waters of Two Mile Springs, and all the waters of those certain Springs known as One Mile, Jacobs Pools, House Rock, Soap Creek, Badger Creek, Kane Springs, South Canyon Springs, North Canyon Springs, Wild Cat Springs, Buck Farm Springs, "V.T." Park Spring, Basin Pasture, Three Lakes, Jacobs Lake, Corral Lake, Lookout Lakes, Fracas Lake, and Crane Lake. He also purchased from H. S. Shumway (Appendix, p. 57) the interest Shumway had in Jacobs Lake.

Saunders was not satisfied with the title acquirable under the Act of January 15, 1897 (29 Stat., 484), which has direct reference to the improvement of watering places for stock and is the only and appropriate Act under which the springs here involved should be permitted to be occupied. This Act does not allow absolute and exclusive control of the springs, and therefore did not answer Saunders' purpose. Nothing short of such control would satisfy him, and with this object in view he began plastering the springs and pools of the country with different sorts of claims.

In the western or Paraahaunt country Saunders proceeded to locate placer claims on the following springs:- Yellow John, Little Tommy, Pine, Oak Grove, Mokiac, Penn's Pocket, Watson, Saunders, Gardner, Silman, and Green. He operated in this country, making his headquarters at Oak Grove Spring, for some years, and did some little improvement work by the piping of the springs. At Green Spring he installed a pump and for a number of years pumped the water from the springs to a higher elevation and to a more accessible point. In August, 1896, Saunders sold his interests in these springs to Preston Hutter and ceased operating in the Paraahaunt country. In this transfer (Appendix, p. 3) he surrenders whatever title he has to the following springs:- Oak Grove, Mokiac, Pine, Yellow John, Garden, Silman, Green, Kelley, Amos, Penn's Pocket, and Piten Pockets. Hutter, evidently recognizing the futility of the placer locations should they ever be investigated, failed to perpetuate the placer claims for any great length of time, and in their place proceeded to file lieu selections on the land surrounding the springs that were anything like permanent in character and which controlled the range any portion of which he occupied. In this manner he covered some 22 springs with locations as follows:- Ivanpaugh, Oak (Appendix, p. 74), Duke, Dan Bill

(Appendix, p. 15), Wolf Hole, Link, Rattlesnake, Coin Bed, Garden, Hidden, Parishont, Andrews, Oak Grove, Pine, Green, Penn's Pocket, Cottonwood (Appendix, p. 78), Black Rock, Cold (Appendix, p. 88), Big, Antelope (Appendix, p. 92), and White Rock (Mary Renville Sioux Half Breed). The Register and Receiver have recommended that selections covering six of these springs, namely, Duke, Dan Sill, Black Rock, Cold, Big, and Antelope, be canceled. So far as is known, however, the Commissioner has not taken action, but is awaiting report on other selections. Even should these six be finally canceled, the remaining 16 will give Hutter a monopolistic control of certain extensive grazing areas. According to the best information obtainable, the private ownership of these springs by Hutter or any one else would mean the absolute control of about 65 townships of year long grazing land. Antelope Spring alone controls at least four townships.

Albert Foremaster, who has been thoroughly familiar with the range for the past 30 years, states (Appendix, p.35) "that if one person obtained title to all the springs on which Preston Hutter has filed locations, he would have control of the entire range."

George H. Lytle, another cattleman, states (Appendix, p. 38) "that Preston Hutter has filed locations on practically all the best springs in the country and that if said locations pass to patent said Preston Hutter will have almost complete control of the range in which said springs are located."

Willard S. Sorensen, another cattleman, states (Appendix, p. 40) that with 6 possible exceptions Nutter has filed on all the important stock watering places, and "that if the watering places located by said Nutter should pass into private ownership the owners thereof would have almost complete control of an extensive range in which there is at this time grazing some 13,000 to 15,000 head of cattle."

John Pymm, who was Nutter's foreman for 19 years, states (Appendix, p. 46) "that if the springs on which Preston Nutter has filed locations would be controlled by private parties the entire range would, in affiant's opinion, be under the control of the owner of said springs."

W. B. Mathis, another cattleman, states (Appendix, p. 50) "that if all the springs and wells located by said Nutter should be controlled by him, he would have almost absolute control of the range; that said Nutter at one time informed this affiant that it was his intention to secure control of the entire country so far as grazing was concerned, in order to be in a position, should he ever desire to sell, he would be enabled to dispose of property that would control the entire country."

The greater portion of the area controlled by the springs to which Nutter is endeavoring to obtain title is worthless excepting for its grazing value. Should Nutter, therefore, secure title to the springs, he would not only absolutely con-

trol them, but the surrounding country as well. The grazing land would be worthless unless the springs were accessible.

Under all the circumstances, it seems that these Hutter selections should be rejected to prevent this monopolistic control of both water supply and grazing and other lands.

Hutter was assessed in Mohave County for the year 1915 for the following property and in the following sums: 40 saddle horses, $1,400; 4,000 cattle, $84,000; 160 bulls, $5,600; the total assessed value being $91,000. The taxes paid by him for the year 1915 amounted to $1,246.70.

The Saunders properties on the north and east were transferred to the Grand Canyon Cattle Company, which still claims and occupies the same. The lieu selections which Saunders sold to the Grand Canyon Cattle Company (Appendix, p. 59) are nine in number, and bear the following names:- Kane (Sioux Half Breed Scrip), North Lake, Middle and South Lakes, Jacobs Pools, Soap Creek, House Rock, Two Mile, One Mile, and Caanan Reservoir. All but two of these, namely, Kane and Caanan Reservoir, cover springs or pools. The Kane selection covers the improvements to which water from the canceled Kane lode and millsite are piped. Caanan Reservoir covers what was once an artificial reservoir, but has been useless for a number of years by reason of the washing away of the dam. House Rock, Two Mile, One Mile, and Caanan Reservoir are included within a recommendation for cancellation

by the Register and Receiver. So far as information is available, no action has been taken since the transmission of the papers in the case to the General Land Office, action being suspended until a report on the other lieu selections were transmitted. Notwithstanding the fact that the lands were non-mineral in character, Saunders located many mining locations, among which are the following:- Emett lode (covering Emett Spring), Jacobs Lode (covering Jacobs Lake), Sunset Lode and Millsite (Covering unnamed springs), Noonday Lode (covering unnamed spring in House Rock Valley), Frank Lode (covering Frank Lake), Alaska Lode (covering Mile-and-a-half Lake), Crane Lode (covering Crane Lake), Snipe Lode (covering Snipe Lake), Noonday Lode (covering East Lake), Alaska Millsite (covering Fracas Lake), and Kane Lode and Millsite (covering Kane Spring). The term lake as here used is applied to small pools or ponds in natural depressions and ranging from 150 to 600 feet in diameter. The Emett, Jacobs, Noonday, and Sunset lodes and Sunset millsite were, previous to their transfer to the Grand Canyon Cattle Company (Appendix, p. 59), patented to Saunders. These claims are the subject of litigation in which an attempt is made to set the patents aside. The fraud was easily established, and the only open question is the showing of notice on the part of the company. At the time this report is prepared, the Court has not rendered its decision. Of the 10 notices of location mentioned in the deed of transfer from Saunders & Haley, a partnership composed

of B. F. Saunders and Ora Haley, to the Grand Canyon Cattle Company (Appendix, p. 70), the last two are supposed to be duplications, and are evidently inserted because of some doubt in the minds of the parties regarding just what springs were claimed by Saunders & Haley, and to make sure of a transfer of all interests. The Kane lode and millsite (Appendix, p. 70) were canceled by the Commissioner in 1910. The Frank, Alaska, Crane, Snipe, and Noonday (East Lake) lodes, and the Alaska millsite, were canceled in 1913 by the General Land Office. The company at first denied the charges preferred against the last named claims, but later withdrew its answers and the locations were canceled by default. Saunders & Haley also transferred (Appendix, p. 71) all their interest in the Cane Beds and Rosecrans ranches and, in fact, everything that was held for and used in the stock business, to the Grand Canyon Cattle Co. Outside of the cancellations above mentioned, the Grand Canyon Cattle Company claims ownership and is occupying them all, including the canceled claims. Of all the mining claims located by Saunders, an affidavit of assessment work was filed only on one, Jacobs Lode (Appendix, p. 27). This was done for the reason that one of the mining companies was taking active steps to secure the location, evidently for the water.

Since the acquisition by the Grand Canyon Cattle Company of the Saunders & Haley interests, the company has

secured possession of Lee's Ferry (Appendix, p. 10), which affords the only crossing by team of the Colorado River for more than 400 miles. It has also purchased water rights at Soap Creek and the waters covered by the Hibben millsite (Appendix, p. 19). Taken in connection with the claim at Badger, the possession of these places gives this company all the watering places along the wagon road from Arizona to Utah for nearly 100 miles.

The principal range of the company is found on the east side of Buckskin Mountain and in House Rock Valley. This combination of summer range on the mountain and winter range in the valley is ideal, and it is doubtful if a better range could be found anywhere. Some 45 miles of drift fence enclose the range on the west, with high bluffs along the north, and to the south and east is the Grand Canyon of the Colorado. All the springs of any importance are claimed by the company in one form or other. It is doubtful if any of the land in House Rock Valley will ever be successfully farmed. Along the vermillion cliffs the soil is a red sand, and the soil in the remainder of the valley is so very gravelly that irrigation would be necessary, and water is not available at present and can only be expensively obtained by pumping from the Colorado River.

To all purposes and intent, the Grand Canyon Cattle Company would have control of the grazing situation on the east side of Buckskin Mountain and in House Rock Valley, even if

the cancellations above mentioned were made final. All the water is needed, and badly needed, for the full utilization of the range, and none of the springs or pools should pass into the hands of private parties.

It will probably be asserted that Saunders and the Grand Canyon Cattle Company have spent considerable money in improving the range. This can not be denied, so far as making the water more accessible to stock is concerned. If, however, this money was expended on improvements to enhance the value of the premises for the handling of stock, they will have lost nothing by the cancellation of the selections, except the selfish monopoly of the unreserved range, as the improvements will still be theirs and, so far as the National Forest is concerned, such action would not necessarily imply an abridgment of grazing privileges. If, on the other hand, the expenditures were made for the purpose of securing control of the range, then the company can raise no objection to the loss, because both their purpose and the methods of its accomplishment were entirely unlawful and against public policy.

Charles Dimmick, at one time foreman for Saunders & Haley and for the Grand Canyon Cattle Company, stated in his testimony in the case of the United States vs. The Grand Canyon Cattle Company that the latter company had exclusive control of an area of grazing land measuring 40 by 45 by 60 miles.

The company's interests to the northwest are located at what is known as Cane Beds. Some three springs are piped together to a ranch and about 2,500 acres of public domain enclosed by fencing.

During the year 1913 the Grand Canyon Cattle Company paid taxes on the following property and in the following amount:- On patented claims as follows:- Jacobs Lake, $680; Emett Spring, $595; Sunset Spring, $510; Sunset Spring, $175; Noonday Spring, $545; On scrip land as follows:- Kane Canyon, $220; North Lake, $220; Middle and South Lakes, $220; Jacobs Pools, $220; Soap Creek, $220; Rock House, $220; Two Mile, $220; One Mile, $220. The personal property was assessed as follows: Fence, 10 miles, $700; tools, $50; harness and saddles, $100; improvements on possessory rights, $3,000; pipe lines, $7,000; wagons, $100; water rights, $2,000; 365 range horses, $7,300; 22 work horses, $1,650; 200 saddle horses, $8,000; 5 stallions, $300; 8,581 range cattle, $180,200; 419 bulls, $14,665. Total assessed value of real estate, $4,265. Total value of personal property, $226,066. Total assessed value of all property, $230,331. Amount of taxes paid, $3,669.26. Besides the above taxes, which were assessed in Coconino County, the following assessments were made in Mohave County:- Improvements on possessory rights at Caanan Reservoir, $100; improvements on possessory rights at Cane Bed ranch springs, $500; two hacks, $80; two sets harness, $40; wagon, $30; 4 work horses, $200;

6 saddle horses, $210; one stallion, $500; 400 cattle, $8,400; 8 bulls, $280. Total value of all property, $10,340. Amount of taxes paid in 1915, $141.66.

Recently the Grand Canyon Cattle Company advertised its cattle and other interests in northern Arizona for sale, and the rumor is current that the cattle have been disposed of and the ranches and improvements are being offered for $40,000.

Third:- Many of said selections were not made in conformity to the law and regulations.

It is not known just what acts are necessary to establish a selection under the Act of June 4, 1897, but it is doubtful if Hutter's actions were such as to create any legal or equitable claim. Selections were filed in the local land office on Sept. 20, 1900, and the affidavits of posting of the selections under L. S. 4186 (Phoenix 013384) were made from Oct. 2 to Oct. 11, 1900. These data on the other selections are not available, but it is believed they will show the same state of facts.

After Hutter left Phoenix, Ariz., where he filed his applications, it is alleged that he immediately proceeded, in company with Robert L. Fowler, to post alleged notices. Fowler was alleged to be a surveyor, and Hutter reports his demise since the notices were posted. They arrived on the ground about the first of October, 1900, and immediately began the alleged posting of notices. Neither the notices themselves nor the method of posting the same are in harmony with the customary practices devised by the Land Office in the establishment of other claims to the public domain. Within half an hour after Hutter and Fowler posted a notice on Ivanpaugh Spring Albert Foremaster inspected the same and made a copy of the notice posted. Foremaster was, at the time, claiming this spring and was using it to water his cattle, and, having what

he considered a claim to the spring, was interested in Nutter's notice. In his affidavit (Appendix, p. 33) he gives in full the contents of the notice posted. This copy was made immediately after it was posted, and the copy was retained by Foremaster. It reads as follows:

"Helena, Montana, has this day applied to select the provisions of the Act of June 4, 1897 (30 Stat., 36), the following described tract. Within the next 30 days from date hereof protests or contests against this selection.

Peter M. Collins."

It is reasonable to presume that the same sort of notice was posted on the other claims, if any notices were posted at all.

Such notices are at least ineffective for want of description, as without such a description it becomes necessary to leave the location of the selection to pure conjecture. The question therefore arises, are notices of such a character sufficient to even establish right or claim? Does such a notice describe with sufficient certainty or mark the land with sufficient clearness to identify it on the ground or permit of its being made a matter of record in the land office?

In every case where Nutter located selections he did so by tying to a spring, a method which neither requires an inspection nor a survey in the field. He chose valuable springs as the object of his selections and then proceeded to make paper surveys. In one case, that of Cold Spring, he or

his agent evidently made a mistake, as the spring is, according to the description, outside the selected area. Are such methods to be sanctioned?

There is reason to believe, from evidence furnished by Hutter himself, that notices were not in all cases posted. In the affidavits of posting made by Robert L. Fowler it is stated that notices were posted on Penn's Pocket, Green, Cottonwood, Pine, and Oak Grove on the same day, namely October 2 (Appendix, pp. 105 to 117). It is believed that this is a physical improbability, if not an actual impossibility, considering the fact that the surveyor was unacquainted with the country and when consideration is given to distances and the character of the country. Taking the shortest distances and starting at Penn's Pocket, it is necessary to travel a distance of four miles to Green Spring. Owing to the exceedingly poor character of the trail, this four miles could not be made in much less than an hour. From Green Spring to Cottonwood it is about seven miles. The latter spring is, however, situated in a canyon that is almost inaccessible. Even the cattle do not find their way to this spring. The trip up and down the canyon must be taken afoot, and it would require three hours to reach Cottonwood from Green. From Cottonwood to Pine the distance is about 15 miles and, owing to the want of proper direct trails and the difficulty of getting out of the canyon, it requires at least seven hours to make the trip. From Pine

to Oak Grove the distance is about 6 miles, and might possibly be made in one hour. This makes a total of 12 hours, not making allowance for the time necessary to prepare and post notices, eat lunch, feed the horses, set corners, or make surveys. It is possible that were the data available in the other Nutter selections, this failure to post notices as alleged could be made even more feasible.

All of the 21 lieu selections made by Nutter under the Act of June 4, 1897, were filed in the local land office at Phoenix, Ariz., on September 20, 1900. According to the affidavits of Robert L. Fowler (Appendix, pp. 105 to 117), the notices were posted on the thirteen selections included in L. S. 4188 (Phoenix 018384) from October 2 to October 11, 1900, inclusive. Fowler swears that certain notices were posted on Penn's Pocket (Appendix, p. 105), Green (Appendix, p. 106), Cottonwood (Appendix, p. 107), Pine (Appendix, p.108), and Oak Grove (Appendix, p. 109) on October 2, 1900; on Andrews (Appendix, p. 110) on October 3, 1900; on Parashont (Appendix, p. 111) on October 4, 1900; on Hidden (Appendix, p. 112), Garden (Appendix, p. 113), Cain Bed (Appendix, p. 114), Rattlesnake (Appendix, p. 115), and Link (Appendix, p.116), on October 10, 1900; and on Wolf Hole (Appendix, p. 117), on October 11, 1900. The affidavits of posting in the remaining eight cases are not at hand, but it is believed that they will

allege that such notices were posted between October 2 and 11. As shown above, the last notice was alleged to have been posted on October 11 on Wolf Hole. The affidavits of posting were sworn to in Salt Lake City on October 13. The most direct route from Wolf Hole to Salt Lake City is via. St: George and Lund, Utah. From Wolf Hole to St. George, Utah, it is 50 miles by wagon road. From St. George to Lund via. Cedar City it is 90 miles by wagon road, and to Medina via. Enterprise it is 65 miles. Both Lund and Medina are located on the S. L., S. P., & L. A. R. R., the former being 8½ hours' ride from Salt Lake City, and the latter 9½ hours. While it is possible that the 8½ or 9½ hours' ride on the train and the 95 or 120 miles by team or stage could be made, after posting a notice at Wolf Hole on the 11th., in time to reach Salt Lake City on the 13th, when the affidavits were made, yet it would require exceedingly rapid and constant traveling. The roads are poor, and traveling correspondingly slow.

No survey has ever been made of the locations. Hutter has had two surveyors on the ground, but neither one of them ever attempted to survey the locations. Robert L. Fowler, who is alleged to have posted the notices, could not possibly have made any surveys, as it would have been a physical impossibility to have surveyed more than one tenth of the selections during the time he was in the country.

Many of the selections lie in deep canyons that would be difficult to survey even with a stadia rod. Harvey D. Heist was in the country from March 9 to March 17, 1918, (Appendix, p. 118) and is alleged to have tied the selections to a Forest Service Monument which is located about 50 miles from the nearest Government corner. He did not make a survey of the selections themselves, as this would have been a sheer impossibility. Even from Heist's alleged survey, can it be properly claimed that the selections are properly described in his field notes? In the first place, 40-acre tracts were located so as to include springs without an actual survey, and Heist runs a line from a Forest Service Monument, 50 miles distant from a Government corner, and states that each 40-acre tracts as formerly described on paper constitutes such and such a legal subdivision. Is such a survey anything but worthless? The Act of June 4, 1897, under the provisions of which these selections were made, did not specifically provide for the locations of selections on unsurveyed land. By not denying such liberty it merely acquiesced in such action. The Government has always refused to pass a legal title to its public domain prior to survey, and when Saunders and Hutter filed their locations on unsurveyed land they did so with knowledge of all imperfections that might arise in the title to their selections. If, prior to the extension of the Government sur-

vey, the Government discovers that the selections were not properly made or that land was included which is not subject to selection under the Act, the selectors are not in a position to complain if adverse action is taken.

Rutter's descriptions are also defective for a further reason. Invariably the 40-acre tract is tied to a spring bearing a certain name. Many of the springs are variously known by different names, and then again in some cases there are several springs bearing the same name. For instance, Garden Spring is frequently referred to as Big Spring; Whitmore Spring is known as Big Spring; Ivanpah is called Ivanpaugh and Ivanpatch; Coin Bed is referred to as Cane Bed, Middle Spring, and Sheep Spring No. 2; there are at least three springs known by the name of Cottonwood; Oak Spring is referred to as New Spring; two springs are known by the name of Mokiac, and several are designated as Big Spring. In fact, nearly all the springs have several names. Some people know them by one name and some by another. Under such circumstances, are the descriptions sufficiently definite?

On account of want of facts, the Saunders' selections can not be directly attacked on this ground. Were the original descriptions at hand and the facts known, the same objection might possibly be made to these selections also.

That portion of the Act of June 4, 1897 (30 Stat., 36), which refers to lieu selections, reads in part as follows:

> "That in cases in which a tract covered by an unperfected bona fide claim, or by a patent, is included within the limits of a public forest reservation, the settler or owner thereof may, if he desires to do so, relinquish the tract to the Government, and may select in lieu thereof a tract of vacant land open to settlement not exceeding in area the tract covered by his claim or patent. . . . ."

The proviso in the Act of June 6, 1900, which confined the Forest lieu selections to surveyed lands after October 1, 1900, reads as follows:

> "Provided, that nothing herein contained shall be construed to affect the rights of those who, previous to October first, nineteen hundred, shall have delivered to the United States deeds for lands within forest reservations and make application for specific tracts of lands in lieu thereof."

The only action taken by the selectors in the Hutter selections prior to October 1, 1900, was the filing in the local land office by P. M. Collins, as attorney in fact for F. A. Hyde & Co., and by Preston Hutter, as attorney in fact for C. W. Clarke, of statements that they desired "to relinquish and reconvey" certain lands to the United States and "in lieu thereof select" certain tracts of land therein described by metes and bounds (Appendix pp.13, 74, 78, 88, and 92). The date the deeds for the base lands were delivered to the United States is not known, but it is presumed this was prior to October 1, 1900. According to the

affidavits of Robert L. Fowler (Appendix, pp. 105 to 117), the notices of selection were not posted on the ground until on and after October 2, 1900. Even these notices were defective and not in accordance with the regulations, as will appear from the affidavit of Albert Foremaster (Appendix, p. 33).

It is not believed that the acts performed by the selector fulfill the requirements of said Act of June 6, 1900, and a direct ruling on this point would be much appreciated.

Fourth:- The land included in many of the selections was, prior to the passage of the equitable or legal title, withdrawn by Executive Order.

It is stated in the Commissioner's ("F", YP, Phoenix 015896) letter of March 27, 1914, that (Appendix, p. 30):

> "It was held by the Department in its decision of March 27, 1890, in the Frank Burns case, 10 L. D., 365, that the location of scrip upon unsurveyed land confirms only a preference right to perfect such location after survey as against the claim of all others except the United States, but until the location is adjusted to the public survey the United States has power and authority to dispose of the land covered thereby."

Pipe Spring (Phoenix 04807) has never been adjusted to survey so far as the records of the local land office show. It is included within the boundaries of the Kaibab Indian Reservation, but the date of creation of this reservation is unknown. There are real equities and possessory rights applicable to this tract that might justify a more lenient attitude toward it. It is occupied by houses, corrals, reservoirs and tanks, stables, etc., and has been farmed ever since the settlement of the country. All of the improvements have been the subject of barter and sale for many, many years. The place still has the walls and part of the buildings of the old fort erected there by settlers and cattlemen as protection and refuge from the Indians. Furthermore, the same allegations as to manner of selection can not be made against this claim, and having been made so long ago, when the other

springs and water holes were still open, there is nothing to evidence the taking of this tract as part of a conspiracy to control range.

The following Hutter selections are located within the exterior boundaries of the Dixie National Forest:- Duke, Dan Sill (Phoenix 08919), Cold (Phoenix, 08918), Big (Phoenix 02479), Pine, Oak Grove, Green, Penn's Pocket, Cottonwood and Mokiac (Phoenix 013384). None of these selections was adjusted to survey prior to May 22, 1908, on which date the land was withdrawn by Executive Order as the Dixie National Forest. It would appear, therefore, that these particular selections come within the ruling.

Subsequent to an investigation of these selections in the field, recommendation was made for the elimination of all but 50 sections of the Arizona Division of the Dixie National Forest, and it might be advisable to adjust this question before the elimination becomes effective, provided, of course, such action is taken.

North Lake tract and South and Middle Lake tract (Phoenix 019572) are wholly within the boundaries of the Kaibab National Forest, and the Kane tract (Phoenix 06502), is partly within and partly without. The records of the land office do not show that these selections have been adjusted to survey. The first withdrawal for National Forest purposes was dated Feb. 20, 1893, but it is not known for certain

whether this withdrawal affected the selections, since the north boundary line was stated as a certain degree of latitude which was never determined on the ground. The withdrawal of May 6, 1905, did, however, include the selections. It is believed that the latter withdrawal vitiates the selections.

Fifth:- The greater portion of said selections were made on land not subject to "settlement" as that term is used in the Act of June 4, 1897.

So far as known, no direct interpretation has been placed on the meaning of the word "settlement" as used in the Act of June 4, 1897, by the General Land Office, the Secretary of the Interior, or the Courts. It is earnestly believed, however, that it was intended by Congress to confine the selected tracts to areas that would be subject to "settlement" for agricultural purposes. In other words, to the class of lands subject to entry under those acts requiring settlement as one of the requirements to acquisition of title. It would not be contended for a moment that a lieu selection would be approved which covered an important water power project, and why, therefore, should the selections be allowed to stand when practically all of them are absolutely worthless for agricultural purposes and have value only for the watering places covered thereby? Where the land included in the selection is not susceptible of cultivation, can it be said to be subject to selection under said Act of June 4, 1897? This interpretation is strengthened by reference to the Act passed June 6, 1900, restricting lieu selections to surveyed lands. In that Act Congress directs that lieu selections may be placed on "non-mineral public lands which are subject to

homestead entry", while the original Act allows selections to be filed on "vacant lands open to settlement." It is contended that both phrases should be taken to mean the same thing, and that Congress in the Act of June 6, 1900, used the word "homestead" in order to clear up any possible ambiguity that might be found in the language found in the original Act.

Each selection is discussed separately, and it is recommended that in all cases where the land is non-agricultural the selection be canceled for the reason that the land is not subject to "settlement" under the Act of June 4, 1897.

NORTH LAKE TRACT

(L. S. 4002, Phoenix 019572)

Application for selection under Act of June 4, 1897 (30 Stat., 36), filed Sept. 24, 1900, by Mary E. Coffin in lieu of S½ SW¼ and W½ SE¼ Sec. 30, T. 5 S., R. 20 W., N. M. P. M. (See Appendix, p. 101.) Application dated September ____, 1900, filed by B. F. Saunders as attorney in fact for Mary E. Coffin. All the papers in the case were transferred to General Land Office by local officers on Nov. 14, 1912. Records of local land office show that in letter "K-GH" of March 5, 1913, the time in which a survey should have been made was extended to June 1, 1915, and that on Sept. 30, 1913, the local officers reported no action taken. This selection was included in the transfer from B. F. Saunders to the Grand Canyon Cattle Company, dated Dec. 2, 1907 (Appendix, p. 59). The selection is now controlled by this company.

This 40-acre tract was examined Nov. 17, 1914, by John A. Smith, Special Agent of the General Land Office, Alexander Macfarlane and Daniel Judd of the Forest Service, and myself. The tract lies on the top of the Buckskin Mountain in the Kaibab National Forest, and, as the name implies, covers what is known as North Lake. The lake or pool is a

natural depression and generally contains water the entire year. It lies immediately north of what is known as Middle and South Lakes, and, with these other lakes, is entirely surrounded by a stand of merchantable timber. These three lakes lie so close together as to constitute but one source of water supply, but could not be covered by one 40-acre selection. The pool is approximately 600 feet in diameter, and is surrounded by a pole corral 1,380 feet on the north and south and 900 feet on the east and west. Corner No. 1 of the location was found, and from this corner it measured 450 feet to the southeast corner of the corral. The gate to the corral was closed,but not locked, at time of examination. Near the southeast corner of the corral and inside of same was a small one-room log cabin which was not at the time being used. Just 68 feet to the south of this cabin, and outside the corral, is a second small cabin sadly in need of repair. The location of the improvements, which were originally constructed by Saunders, are shown on the accompanying blue print. A small amount of standing timber is included within the tract. The tract has no value excepting for the water supply. A photograph is enclosed showing standing timber, pool, corral, and character of land. It was late in the evening when the tract was visited, and the picture is a poor one.

The soil surrounding the pool is very gravelly, and, owing to this fact and the further fact that the tract lies on the top of Buckskin Mountain, it is not believed that the land could be successfully cultivated.

The selection is tied to the center of the pool, and as the center of the pool fluctuates with the rise and fall of the water the tie is naturally uncertain and changeable.

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; the land included within the selection was withdrawn for National Forest purposes prior to passage of equitable title; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

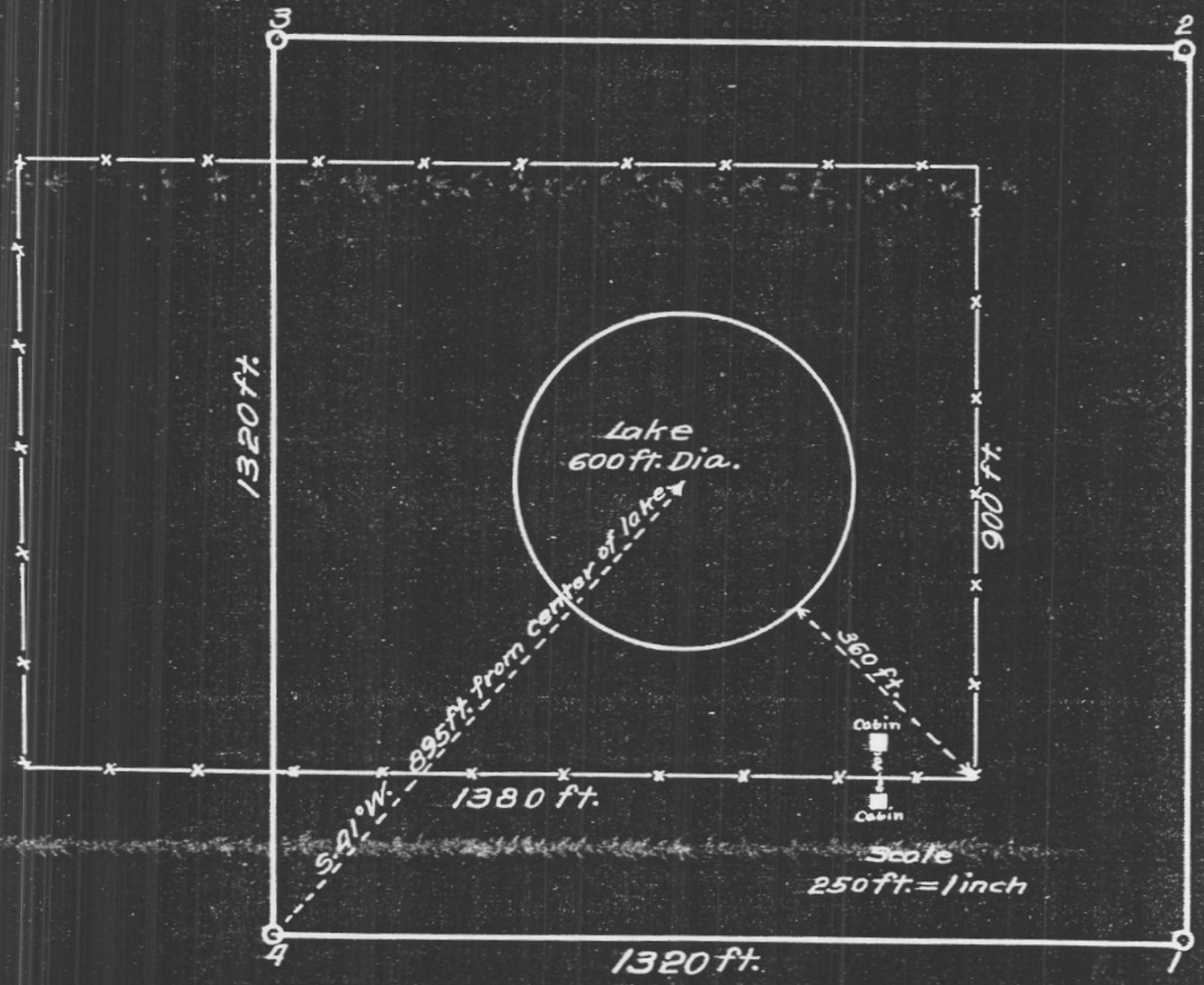
For the above reasons, it is respectfully recommended that the selection be rejected.



North Lake Tract (L. S. 4002; Phoenix, 019572).

Looking north and showing corral, timber, and general character of land. Pool is surrounded by corral shown in picture. Tract located on top of Buckskin Mountain in Kaibab National Forest. For location see E-18 on attached map.

NORTH LAKE
L.S. 4002 - Phoenix 019572



MIDDLE AND SOUTH LAKES TRACT

(L. S. 4002, Phoenix 019572)

Application for selection under Act of June 4, 1897 (30 Stat., 36), filed Sept. 24, 1900, by Mary E. Coffin in lieu of S½ SW¼ and W½ SE¼ Sec. 30, T. 5 S., R. 20 W., N. M. P. M. (Appendix, p. 101). Application dated September _____, 1900, filed by B. F. Saunders as attorney in fact for Mary E. Coffin. All the papers in the case were transferred to General Land Office by local officers on Nov. 14, 1912. Records of local land office show that in letter "E-GH" of March 3, 1913, the time in which a survey should have been made was extended to June 1, 1913, and that on Sept. 30, 1913, the local officers reported no action taken. This selection was included in the transfer from B. F. Saunders to the Grand Canyon Cattle Company dated Dec. 2, 1907 (Appendix, p. 59). The selection is now controlled by this company.

This tract was examined Nov. 17, 1914, by John A. Smith, Special Agent of the General Land Office, Alexander Macfarlane and Daniel Judd of the Forest Service, and myself. This 40-acre tract lies on the top of the Buckskin Mountain in the Kaibab National Forest and, as the name implies, covers what are known as Middle Lake and South Lake. These lakes or pools are natural depressions and generally contain water

the entire year. They lie immediately south of North Lake, and, with that lake, are entirely surrounded by a stand of merchantable timber. These two lakes and North Lake lie so close together as to constitute practically but one water supply. They could not, however, be included within one 40-acre tract. Middle Lake is about 100 feet in diameter and South Lake measures approximately 250 feet north and south and 120 feet east and west. The gates of the corrals were closed on day of examination. As will appear from the enclosed blue print, these lakes are surrounded by a series of corrals to accelerate the handling of cattle. South Lake is surrounded by a corral 180 by 320 feet,and just to the east is another corral approximately 100 feet square. On the north and adjoining South Lake corral is another corral 200 by 254 feet enclosing Middle Lake. To the east of this lake is a branding chute and adjoining this is another corral 75 by 254 feet. These improvements were originally constructed by Saunders.

The soil surrounding the pools is decidedly gravelly and, owing to this fact and the further fact that the land lies on top of Buckskin Mountain, it is not believed that the tract could be successfully cultivated. The tract has no value excepting for the water supply.

Two photographs are enclosed. One shows the timber, the corrals, and the pool at Middle Lake, and the other shows same conditions at South Lake. The pictures were taken late in the evening and are not very good.

The selection is tied to the center of Middle Lake, and as the center of the lake fluctuates with the rise and fall of the water the tie is necessarily uncertain and indefinite.

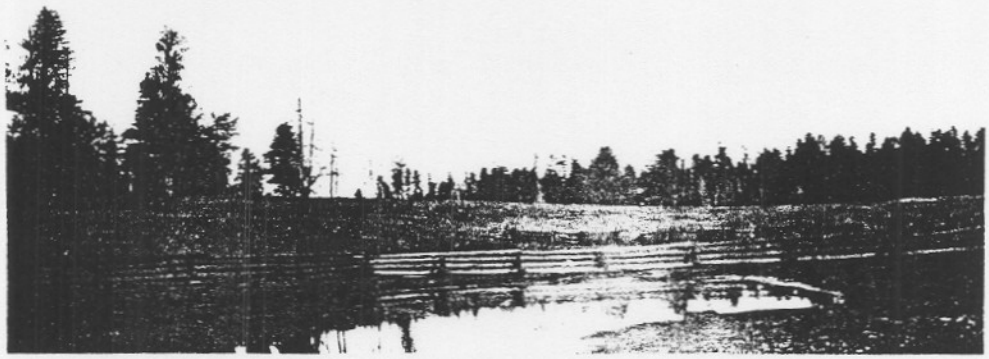
The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; the land included within the selection was withdrawn for National Forest purposes prior to the passage of equitable title; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected.



Middle and South Lakes Tract
(L. S. 4002; Phoenix, 019572).

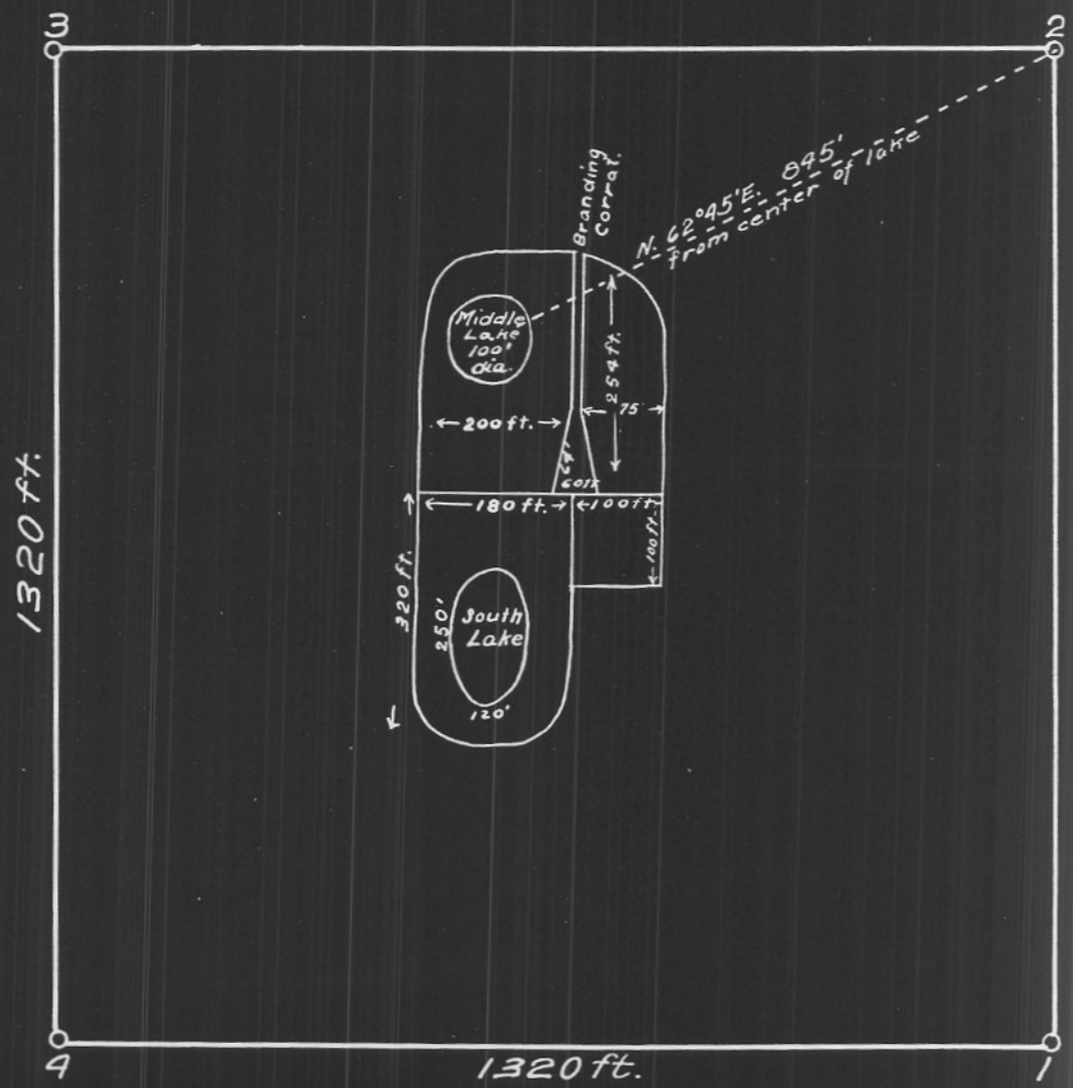
Looking north and showing pool, timber, corral, and character of land at Middle Lake. Pool is located on top of Buckskin Mountain in Kaibab National Forest. For location see E-18 on enclosed map.



Middle and South Lakes Tract
(L. S. 4002; Phoenix 019572).

Looking north and showing pool, corral, timber and general character of land at South Lake. The pool is located on top of Buckskin Mountain in the Kaibab National Forest. For location see E-18 on enclosed map.

MIDDLE and SOUTH LAKES
L.S.4002 - Phoenix 019572



Scale
250 ft. = 1 inch

JACOBS POOLS TRACT

(L. S. 4002; Phoenix 019572)

Application for selection under Act of June 4, 1897 (30 Stat., 36), filed Sept. 24, 1900, by Mary E. Coffin in lieu of S½ SW¼ and W½ SE¼ Sec. 30, T. 5 S., R. 20 W., W. M. P. M. (Appendix, p. 101). Application dated September ___, 1900, filed by B. F. Saunders as attorney in fact for Mary E. Coffin. All the papers in the case were transferred to General Land Office by local officers on Nov. 14, 1913. Records of local land office show that in letter "K-CH" of March 3, 1913, the time in which a survey should have been made was extended to June 1, 1913, and that on Sept. 30, 1913, the local officers reported no action taken. This selection was included in the transfer from B. F. Saunders to the Grand Canyon Cattle Company dated Dec. 2, 1907 (Appendix, p. 59). The selection is now controlled by this company.

This tract was examined Nov. 13, 1914, by John A. Smith, Special Agent of the General Land Office, Alexander Macfarlane and Daniel Judd of the Forest Service, and myself. This 40-acre tract is located at the northern end of House Rock Valley. At what is locally known as Jacobs Pools we located two corners, one of which was marked "N 1 Cor" and the other "SE Cor." These corners, which were the only ones found, were 4-inch stakes standing about 2 feet above ground. About 225 feet southwest of the corner marked "N 1 Cor" we found a

wooden trough 8 by 15 feet. About three-fourths mile north and a little east of the north end of the trough we found a tunnel had been dug into the sandstone hillside. Can not say how long the tunnel was, but as far as could be observed it had been cribbed with timber. Inside the tunnel and about 25 feet from the mouth is a three-inch perforated stand pipe. The water passes into the stand pipe and is conducted in a three-inch pipe to the trough above mentioned. A short distance up the hill from this tunnel is a cribbed opening from which water was at one time evidently obtained. The water obtained from the Sunset Millsite, which is one of the patented claims in litigation, is conveyed through pipes to this selection and joins the pipe leading to the trough about one-fourth mile south of the tunnel.

About 1,260 feet south of the tunnel we found a small trough 1 foot wide, 16 feet long, and 10 inches deep. About 100 feet east of this trough, and up a small canyon, a small stream rises from a seep and this water is run into a small reservoir constructed of loose earth, from which it is conducted through a short one inch pipe into the trough. Enough water to fill a half-inch pipe flows into the trough. The overflow from the trough flows down the canyon a short distance and then sinks into the ground. The reservoir had been repaired but a day or so previous to our visit, and no doubt was done as assessment work. This trough is located on what

is known as the Hibbens Millsite claim, and erroneously referred to as the Haycock Millsite on the blue print (Exhibits Nos. 1, 2, and 3 herewith). This millsite and all the water have been transferred to the Grand Canyon Cattle Company (Appendix, p. 19).

About 200 feet southeast of the trough first above mentioned is a rock house 15 by 30 feet, which had the appearance of not having been used very much for several year. Fifty feet southwest of the trough and 110 feet north and west of the house is a reservoir 50 by 100 feet constructed of earth. The overflow from the trough is conducted through a pipe to this reservoir. The overflow from the reservoir is conducted through a pipe in a southeasterly direction a distance of about four miles to the "Lower Pools."

The records of the local land office fail to show any claim to this "Lower Pools" tract by the Grand Canyon Cattle Company or its predecessors, but it was evidently surveyed at one time, for some purpose, as two corners were found. Each was a stake 4 inches in diameter set 2 feet above the ground. One was marked "NW" and the other "N 1 Cor." On this area we found a stone house 18 by 48 feet, one room of which was temporarily occupied by Charles Lewis, an employee of the Grand Canyon Cattle Company, who was performing the work on the Hibbens Millsite above mentioned. About 500 feet

northwest of this house we found a stake inscribed "N.W." About 180 feet southeast of the house are a series of corrals. The two corrals to the northwest, one 115 by 165 feet and the other 120 by 165 feet, contain a trough 4 by 16 feet and 20 inches deep into which the surplus water from "Jacobs Pools" is piped. Just east of these two corrals are two smaller corrals, one 72 by 72 feet and the other 72 by 93 feet. Still to the south is another corral about 207 by 264 feet. This corral surrounds an earthen reservoir 72 feet in diameter, into which the overflow from the trough is piped. Two blue prints are enclosed showing location of improvements for both Jacobs Pools and "Lower Pools."

The waters of Jacobs Pools were appropriated by B. F. Saunders (Appendix, p. 16). It is there stated that the flow of the spring is 25 gallons per minute. The improvements were originally constructed by B. F. Saunders.

The soil at Jacobs Pools is a fine red sand, and might possibly be cultivated if properly irrigated. It would be impracticable to place water on the land as it is, for the most part, exceedingly undulating.

Four photographs are attached. In one is shown the reservoir constructed on the selection. This reservoir is 50 by 100 feet, but appears to be much larger in the picture. One of the pictures shows the mouth of the tunnel,

which was evidently the original site of the spring. Another shows the house at the "Lower Pools." The remaining pictures show the general character of the country, the corral, and cattle awaiting a chance to water at "Lower Pools."

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public land; the selection was not made in accordance with the law and regulations; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected and the spring withdrawn as a public water reserve subject to the provisions of the Act of January 13, 1897.

- EXHIBIT.1.-

Millsite of Hibben Millsite Claim and water right in Coconino County, Arizona.

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned have this day located a millsite for the purpose of erecting suitable works for reducing ores of the Hibbens' Mining Claim, situated in unknown mining District, in Coconino County, Arizona. The exterior boundaries of said Hibbens millsite claim are as follows, vis: Commencing at a monument of stones in the center of said claim, running thence west to the center of the west side line; thence north 233½ feet to the northwest corner of said claim; thence East 466⅔ feet to the northeast corner of said claim; thence South 466⅔ feet to the southeast corner of said claim; thence West 466⅔ feet to the southeast corner of said claim; thence north 233½ feet to the center of the West side line of said claim. All points designated in the above description are noted by monuments of stone.

This location may be more generally described as being situated about one-half mile northeast of the Pools Corral and about 200 yards east of the old stone fence and about one and one-half miles southeast from the "Hibbens'" Mining Claim and 30 miles west of Lee's Ferry, Arizona.

That we have also located in connection with the said Millsite Claim all the waters of that certain spring

known as Hibbens Spring on the Hibbens Mining Claim, under and in accordance with the laws of the Territory of Arizona, regulating the location and possession of water rights. The dimension of the ditch for diverting the waters from its natural course being as follows: 2 feet wide at top, 18 inches wide at bottom, 12 inches in depth with a uniform grade of 1 inch to the rod.

Witness our hands this 31st day of December, 1906.

(Signed) JAMES S. EMETT,

" H. C. HIBBEN.

Territory of Arizona)
) SS.
County of Coconino)

I, T. E. Pullium, Notary Public in and for the county of Coconino, Territory of Arizona, do hereby certify that on this day personally appeared H. C. Hibben and J. S. Emett, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this 31st day of December 1906.

My commission expires November 22, 1909.

(Signed) T. E. PULLIEM,

Notary Public.

Recorded Dec. 31, 1906.- M. & W. R. Rec.
No. 1. p. 574.

- EXHIBIT 2. -

Notice of Water Location:

KNOW ALL MEN BY THESE PRESENTS, That notice is hereby given of and that the undersigned of the County of Coconino, Arizona,Territory, desire to appropriate and they have this day located and appropriated, and it does hereby locate and appropriate all of the unappropriated surplus and flood waters of and in the Territory of Arizona, for public use, milling, mining, irrigation, mechanical, domestic, stock and other beneficial purposes of that certain spring situated about 31 miles west of Lees Ferry and about one and one-half miles north of the Pools corral in the northeast side of the Houserock Valley which now flows or which may hereafter flow from said spring. That it is our intention to pipe the waters from said spring a mile or more below the spring to reservoirs or tanks for the benefit of passing travel, said spring is situated on unsurveyed government land and to be piped to Hibben Millsite Claim.

This appropriation of said water is made under and by virtue of the Chapter 1 Title LXXll of the revised statutes of Arizona of 1901.

This notice is made in duplicate, one of which is posted at such place of diversion as above stated and

the other a copy hereof to be filed and recorded in the office of County Recorder of Coconino County, Arizona.

Said spring to be known as Hibbens Spring.

Dated and posted on the ground this 14th day of December, 1906.

(Signed) JAMES S. EMETT

" H. C. Hibben

Territory of Arizona)
) ss.
County of Coconino)

Before me, T. E. Pullium, a notary public in and for the County of Coconino, in the Territory of Arizona, on this day personally appeared James S. Emett and H. C. Hibben known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose and consideration therein expressed.

Given under my hand and seal this 31st day of December 1906.

My commission expires November 22, 1909.

(Signed) T. E. PULLIUM,
Notary Public.

Recorded December 31, 1906 - M. & W. R. Rec. No. 1, p. 576.

- EXHIBIT 3. -

Notice of Water Location:

KNOW ALL MEN BY THESE PRESENTS, That notice is hereby given and the undersigned of Coconino County, Arizona desires an appropriation and they have this day located and appropriated and they do hereby locate and appropriate all of the unappropriated surplus or flood waters of and in the Territory of Arizona for public use, milling, mining, irrigation, mechanical, domestic and stock and for treating ores of Hibben mining claim, and for benefit of public travel and other beneficial purposes of that certain spring or seep situated about 30 miles west of Lees Ferry and about ½ mile NE. of Pools Corral on the NE. side of House Rock Valley and which starts within or above the boundaries of the Hibben Millsite claim, or which flow through said wash within which is situated Hibbens Millsite Claim, which now flows or may hereafter flow into, from or over said millsite claim. That it is our intention to build dams on said work in which said Hibbens Millsite Claim is situated, for purpose of impounding said waters for uses above stated. Said water is situated on unsurveyed Government land. The appropriation of said water is made under and by virtue of Chapter 1 Title LXXLL of the revised stats. of Arizona of 1901. This notice is made in duplicate and one copy of which is posted on a monument in said

Cla

claim, and the other to be filed in Office of County Recorder of Coconino County, Arizona. Said seep or spring to be known as Haycock seep.

Dated and posted on the ground this 14th day of December, 1906.

(Signed) H. C. HIBBEN

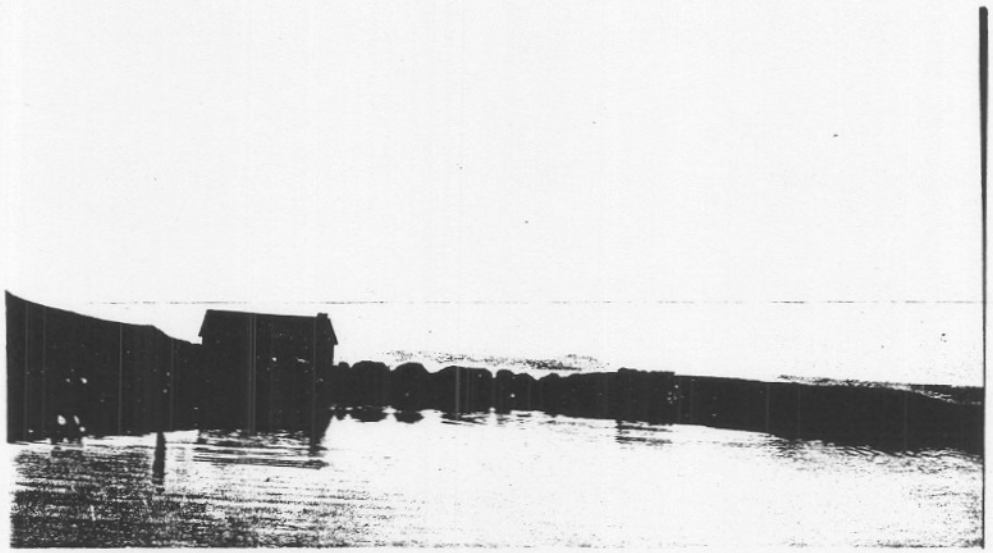
" JAS. S. EMETT.

Recorded February 15, 1907 - M. & W. R. Rec. No. 1, p. 588.



Jacob's Pool Tract (L. S. 4002; Phoenix 019572).

Looking north and showing mouth of tunnel from which water is secured at Jacob's Pool as described in the report. Located near north end of House Rock Valley. For location see D-21 on map.

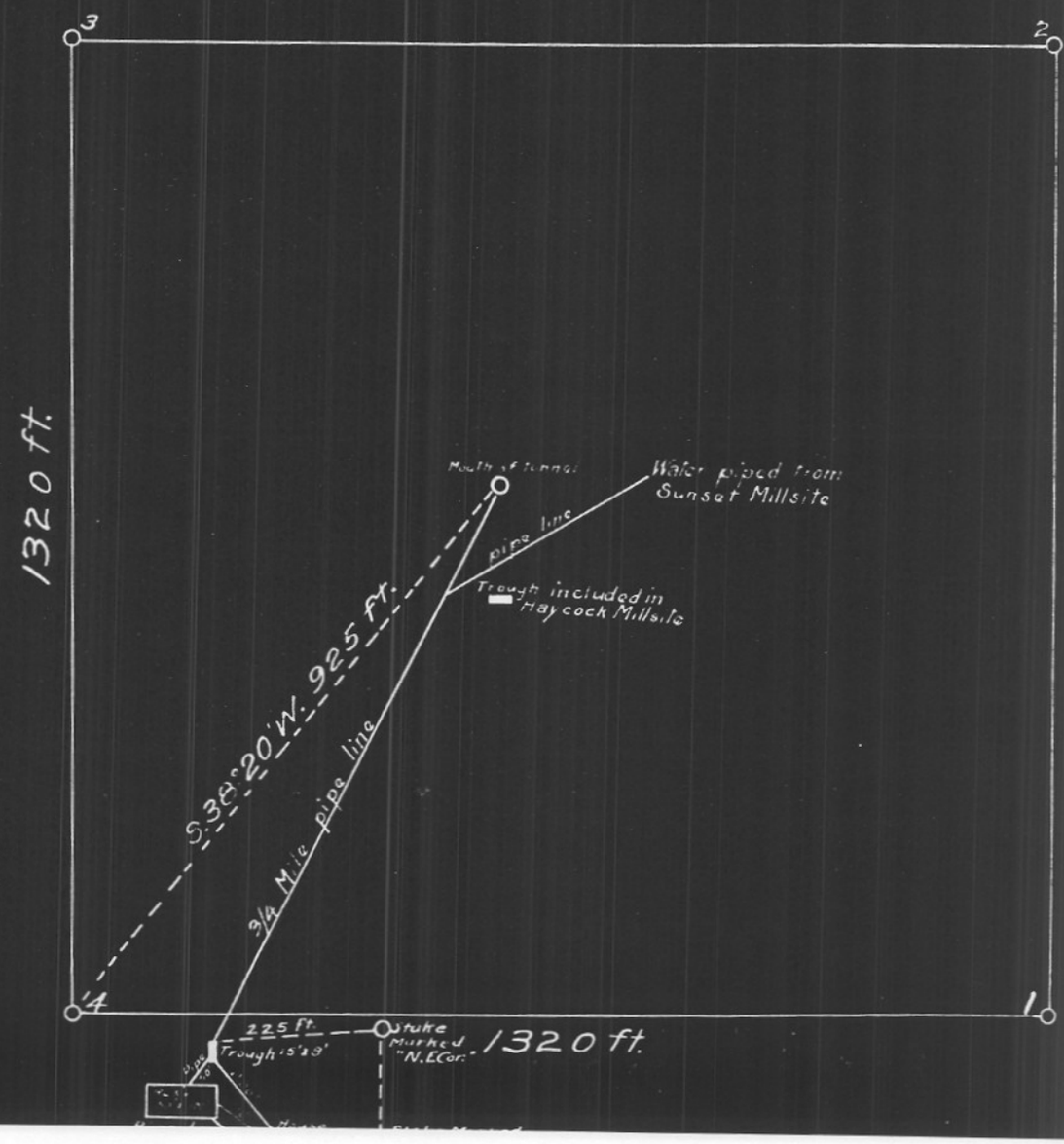


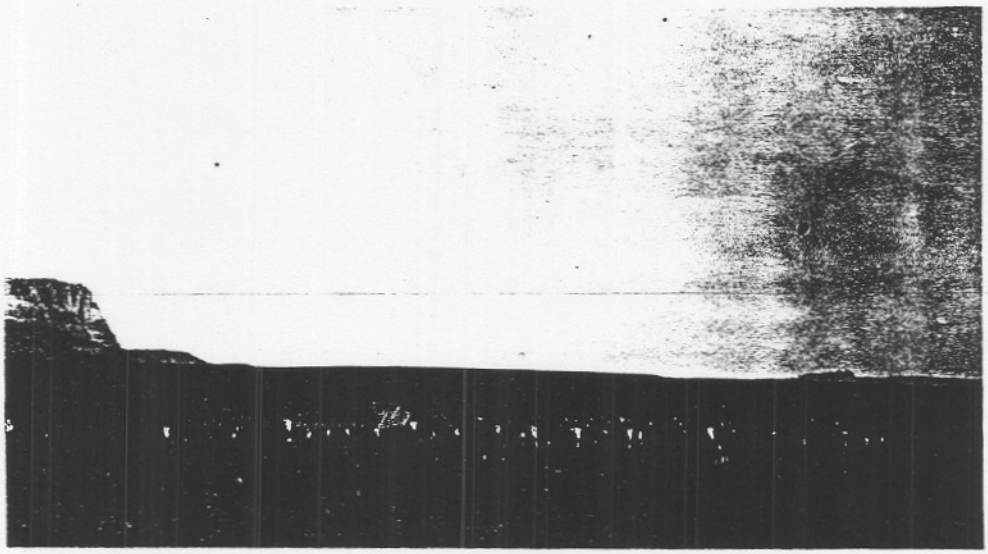
Jacob's Pool Tract (L. S. 4002; Phoenix 019572).

Looking east and showing reservoir, house and general character of land on Jacob's Pool Tract. The dimensions of the reservoir are not so large as appears in the picture. The tract is located near the north end of House Rock Valley. For location see D-21 on enclosed map.

JACOBS POOL SPRING

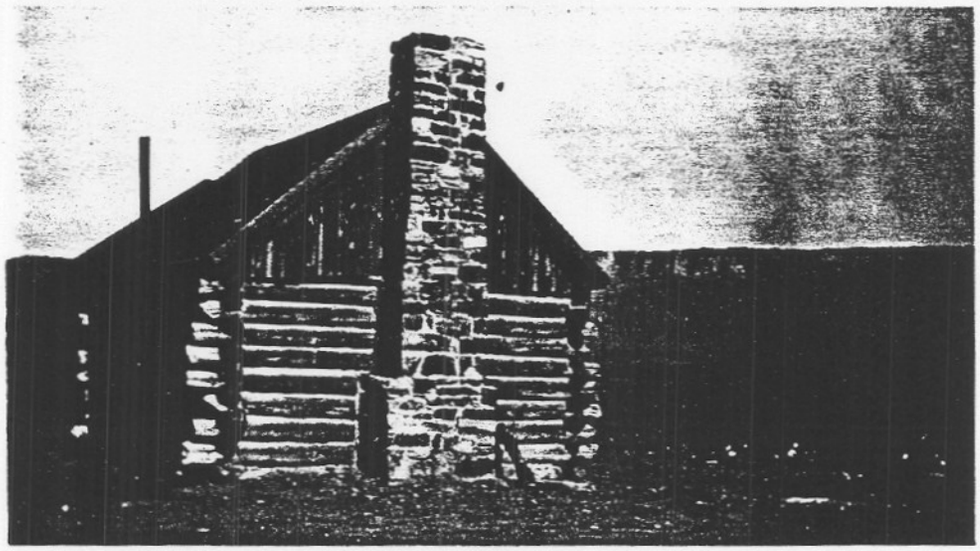
L. S. 4002 - PHOENIX 019572





Jacob's Pool Tract (L. S. 4002; Phoenix 019572).

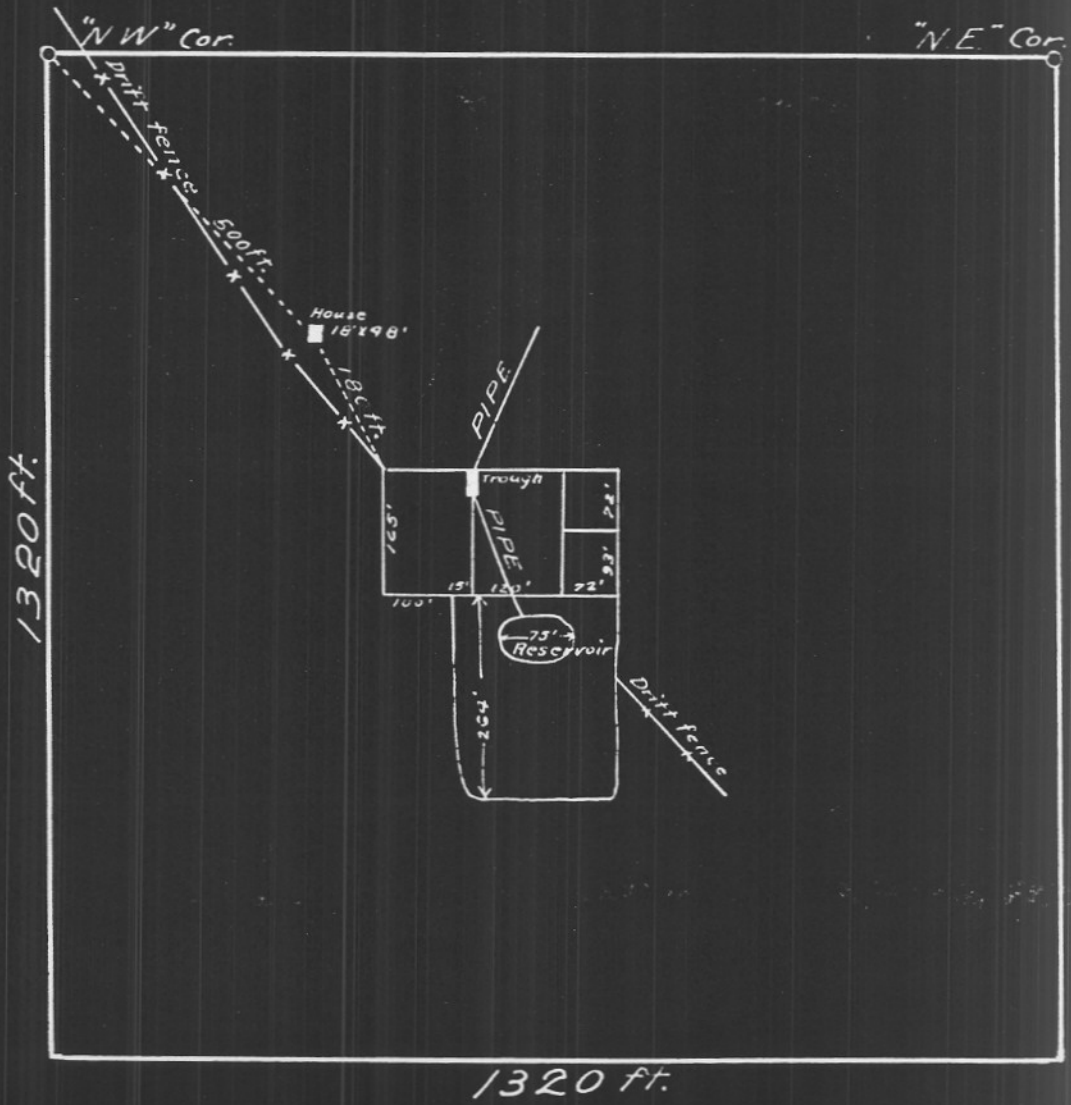
Looking south and showing corral, cattle, and general character of land at Lower Pools which lies about 4 miles south of the Jacob's Pool Tract. Located at north end of House Rock Valley. For location see D-21 on map.



Jacob's Pool Tract (L. S. 4002; Phoenix 019572)

Looking north and showing house and general character of land at Lower Pools which lies about 4 miles south of the Jacob's Pool Tract. Located at north end of House Rock Valley. For location see D-21 on map.

LOWER POOLS


"N W" Cor.
"N E" Cor.
Drift Fence
500 ft.
House
18'x48'
180 ft.
PIPE
Trough
PIPE
165'
15'
100'
105'
24'
33'
72'
73'
Reservoir
264'
Drift fence
1320 ft.
1320 ft.

SOAP CREEK

(L. S. 4002; Phoenix 019572)

Application for selection under Act of June 4, 1897 (30 Stat., 36), filed Sept. 24, 1900, by Mary E. Coffin in lieu of S½ SW¼ and W½ SE¼ Sec. 30, T. 5 S., R. 20 W., W. M. P. M. (Appendix, p. 101). Application dated September ___, 1900, filed by B. F. Saunders as attorney in fact for Mary E. Coffin. All the papers in the case were transferred to General Land Office by local officers on Nov. 14, 1912. Records of local land office show in letter "K-GH" of March 3, 1913, the time in which a survey should have been made was extended to June 1, 1913, and that on Sept. 30, 1913, the local officers reported no action taken. This selection was included in the transfer from B. F. Saunders to the Grand Canyon Cattle Company dated Dec. 2, 1907 (Appendix, p. 59). The selection is now controlled by this company.

This tract was examined Nov. 14, 1914, by Alexander Macfarlane and Daniel Judd of the Forest Service, and myself. The 40-acre tract is located in House Rock Valley and on the road from Fredonia, Ariz., to Lee's Ferry and other points in Arizona. A sufficient amount of water to fill a two-inch pipe rises from seeps near steep red sand stone mountains. The water is of poor quality, being contaminated with alkali.

There are no improvements on the tract. Two supposed corners were located. Each consisted of a stake 2 feet long and 2 inches in diameter supported by a pile of stones. The stakes contained no inscriptions.

Probably four or five acres might be cultivated if irrigated and the alkali washed from the soil. The remainder of the land consists of steep mountain sides and huge boulders.

The waters of this small stream were appropriated by W. M. Emett (Exhibit No. 1) on July 20, 1908, and sold to the Grand Canyon Cattle Company (Appendix, p. 19).

The selection was tied to a seep or spring, and as there are a number of such found at different places in the small stream it can not be definitely determined as to just where the tie was made. In making the examination a tie was made to the main seep, as shown on the enclosed blue print.

Two photographs are attached, showing the character of the land included within the selection, and what is known as Soap Creek.

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; and the selected land is

not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected and that the waters known as Soap Creek be withdrawn as a public water reserve, subject to the provisions of the Act of January 13, 1897.

EXHIBIT 1.

Notice of Appropriation of Water.

Territory of Arizona, }
County of Coconino. } SS.

KNOW ALL MEN BY THESE PRESENTS: That I, W.M. Emmett, a citizen of the United States of America, over the age of 21 years, have this day located and appropriated, and do hereby locate and appropriate all the surplus, flood and unappropriated waters that are now in or that may hereafter flow in or through Soap Creek Canyon in Coconino County, Arizona Territory, and that I intend within a reasonable time to construct and maintain a dam or place for the conservation and storage of water, and that the said dam will be built in said Soap Creek Canyon at the following point:

At a point in said Soap Creek Canyon about 300 yards north of where the main wagon road from Lees Ferry to Fredonia crosses said canyon, and on unsurveyed public lands belonging to the United States of America, and not within any Forest or other Reserve; that the said waters appropriated flow through but one county, to-wit, the County of Coconino, Arizona:

That the waters hereby appropriated are appropriated for stock, domestic, agricultural and other useful and beneficial purposes; that the said dam proposed to be constructed will be built of wood, earth or stones, accord-

ing to which material shall be the most suitable and convenient or serviceable; that a copy of this notice of appropriation is pasted at the point of division of the said waters, which point of division is at the head of the said dam so proposed to be constructed.

This appropriation of water is made under the provision of paragraph 469 and 4170, Title 73, Revised Statutes of Arizona, 1901, relating to waters and water rights.

WHEREFORE, the said W.M. Emett having first appropriated the said hereinbefore mentioned waters,does always claim the first, prior and better right to the said waters.

Dated this 20th day of July A.D. 1908 and a copy of this notice pasted at said division this 20th day of July A.D. 1908.

(Signed) W. M. Emett,
Appropriator

Territory of Arizona,)SS.
County of Coconino.)

Before me, T. E. Pulliam, a Notary Public in and for the County of Coconino, Territory of Arizona, on this day personally appeared W.M. Emett, known to me to be the person whose name is subscribed to the foregoing instrument,and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this 20th day of July, 1908. (Signed) T.E. Pulliam, Notary Public.

My commission expires Nov. 22, 1909.
Recorded at request of Wm. M. Emett--July 20, 1908--Millsite &



Soap Creek Tract (L. S. 4002; Phoenix 019572).

Looking west and showing Soap Creek and general character of land included in selection. Located on north end of House Rock Valley on road to Lee's Ferry. For location see C-22 on attached map.

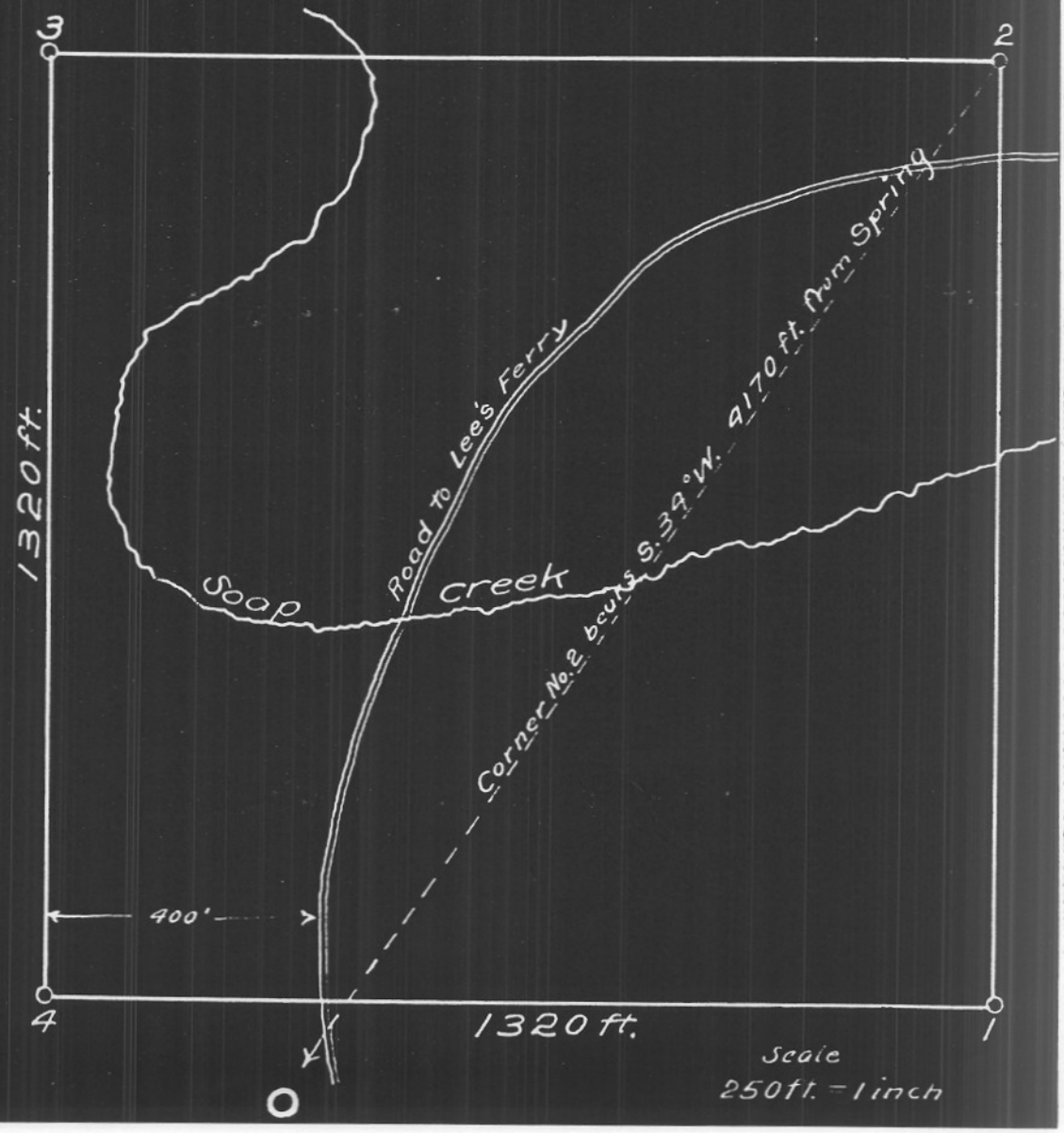


Soap Creek Tract (L.S. 4002; Phoenix 019572)

Looking northeast and showing general character of land in Soap Creek Tract. Small stream shown in picture is Soap Creek. Located at north end of House Rock Valley on road to Lee's Ferry. For location see C-22 on attached map.

SOAP SPRING

L.S. 4002 - Phoenix 019572



HOUSE ROCK TRACT

(L. S. 4002; Phoenix 09301)

Application for selection under Act of June 4, 1897 (30 Stat., 36), filed Sept. 24, 1900, by F. A. Hyde & Co., in lieu of NW¼ Sec. 36, T. 9 S., R. 25 E., M. D. M. (Appendix, p. 96). Non-mineral affidavit filed by B. F. Saunders as attorney in fact for F. A. Hyde & Co. On March 8, 1910, the Commissioner of the General Land Office directed charges against the validity of title to the base land. On Feb. 7, 1911, the Commissioner directed the substitution of the following charge:

> "That said selection is fraudulent and illegal in that the lands offered as base for said selection were procured through fraudulent and corrupt practices from the State of California in violation of Section 3495 of the Political Code of said state in that the application was made for the use and benefit of S. E. Dalton and F. A. Hyde & Co., or some other person or company unknown to the United States, and not for the use and benefit of Charles J. King, the applicant named, with the intent on said S. E. Dalton's and F. A. Hyde & Company's part, or on the part of some other company or person unknown, to present same, or that same shall be presented, to the United States in exchange for public land of the United States in violation of the Act of June 4, 1897."

On May 27, 1913, the Register and Receiver sustained the charges. On June 16, 1913, an appeal was filed, and on July 25, 1913, the entire record was forwarded to the Commissioner of the General Land Office. This selection was included

in the transfer from B. F. Saunders to the Grand Canyon Cattle Company (Appendix, p. 59), dated Dec. 2, 1907. The selection is now occupied and claimed by this company.

This tract was examined on Nov. 16, 1914, by John A. Smith, Special Agent of the General Land Office, Alexander Macfarlane and Daniel Judd, of the Forest Service, and myself. This 40-acre tract lies in House Rock Valley and is located on a spring with sufficient water to fill a one-inch pipe. What was supposed to be the northwest corner of the selection was located. The spring has been developed by constructing a tunnel in the sandstone. This tunnel averages 6 feet in height, 3½ feet wide, and about 80 feet long. Fifty feet of the tunnel runs due east and the remaining 30 feet due south. About three-fourths mile southwest of the spring are two corrals, one about 150 by 250 feet and the other 100 feet square. In the larger corral is an abandoned earthen reservoir to which the water was at one time evidently piped. The water from the spring is piped 1,800 feet in a southwesterly direction, where it joins the pipe from One Mile lieu selection. From this point the water is piped to New or Lower House Rock, about four miles down the valley. There was at one time a stone house near the spring. It was always a land mark in this section of the country and was a stopping place for travelers from and to Lee's Ferry.

The land included in this selection was at one time located as a mining claim (Exhibit 1 herewith).

The water on the selection was appropriated by B. F. Saunders (Appendix, p. 16). It is there stated that the flow of the spring is ten gallons per minute.

The selection was originally tied to a spring and, as the improvements may have interfered with the spring, it would be a hard matter to legally locate the selection at this time.

The selection lies among the sandstone or vermillion cliffs, and not a foot of the area could be cultivated.

The location of the improvements, which were originally constructed by Saunders, are shown on enclosed blue prints.

A photograph is attached, showing the character of the land included in the selection.

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected and the spring withdrawn as a public water reserve, subject to the provisions of the Act of January 13, 1897.

NEW OR LOWER HOUSE ROCK

Four miles to the south of House Rock tract is located what is known as New or Lower House Rock, to which the waters from One-Mile and House Rock tracts are piped. A 40-acre tract has been surveyed to surround the improvements, but the object in making the survey is not known, as there is nothing of record to show the company's intention. In fact, two surveys have been made. The corners of the old survey are indicated by stakes, about 4 inches in diameter, set in a pile of stone. Three corners of the new survey, which differs very little from the other, are indicated by iron pipe driven into the ground. The southeast corner is identical with a boundary post on the Kaibab National Forest which is marked on the south "114 S T 38 E," on the west "FS," on the north "114 S 35," and on the east "R 3 E." About 148 feet southeast of the northwest corner of the survey is a one-story three-room house, 18 by 60 feet in dimensions. About 30 feet due north from the house the pipe line from One Mile and House Rock tracts turns abruptly east and enters the corrals about 354 feet to the east. At the extreme north

end of the corrals is a branding chute some 200 feet long. Just south of the branding corral are two corrals, each about 40 by 100 feet. Adjoining on the south is another corral about 200 feet square. In this corral and the one to the south are six water troughs, each 5 by 18 feet and 14 inches in width. The water enters these troughs on the west and the overflow therefrom enters a pipe which carries the water to a reservoir. Still to the south are two corrals, one 78 by 126 feet and the other 122 by 126 feet. To the east of the above corrals is another about 168 by 366 feet. This corral incloses the earthen reservoir measuring about 90 by 162 feet.

All the improvements excepting the house were in good state of repair.

- EXHIBIT 1. -

House Rock - Notice of Location:

KNOW ALL MEN BY THESE PRESENTS, That I, the undersigned, have this day located 1500 linear feet of this vein or lode bearing precious metals with all dips, spurs, angles and variations, with surface ground 300 feet on each side of center of vein with all mineral deposits contained therein and all timber growing within the limits of said claim, and all water and water privileges thereon or appurtenant thereto, under and according to the provisions of the United States mining laws under which it is located.

This claim commences at this monument and notice placed upon the ledge and runs 750 feet in a northerly and 750 feet in a southerly direction along the ledge. The exterior boundaries are as follows, to-wit: Commencing at a monument and notice placed upon the ledge and running 300 feet in an easterly direction to a monument of stone on east boundary of claim; thence in a northerly direction parallel with ledge 1500 feet to monument of stone at NE corner of claim; thence at right angles across the ledge in a westerly direction 600 feet to monument of stone at NW corner of claim; thence in a southerly direction parallel with the ledge 1500 feet to monument of stone at SW. corner of claim; thence at right angles across the ledge in an easterly direction 600 feet to monument of stone at SE. corner of claim.

This ledge may be more generally described as situated about 2 miles in a southerly direction from Two Mile Mining Claim and 12 miles in a northerly direction from the Pools Mining Claim on the east side of House Rock Valley in Coconino County, Arizona Territory and should be known as the House Rock Mining Claim.

Dated on the ground this 20th day of November, 1894.

(Signed) A. W. IVINS

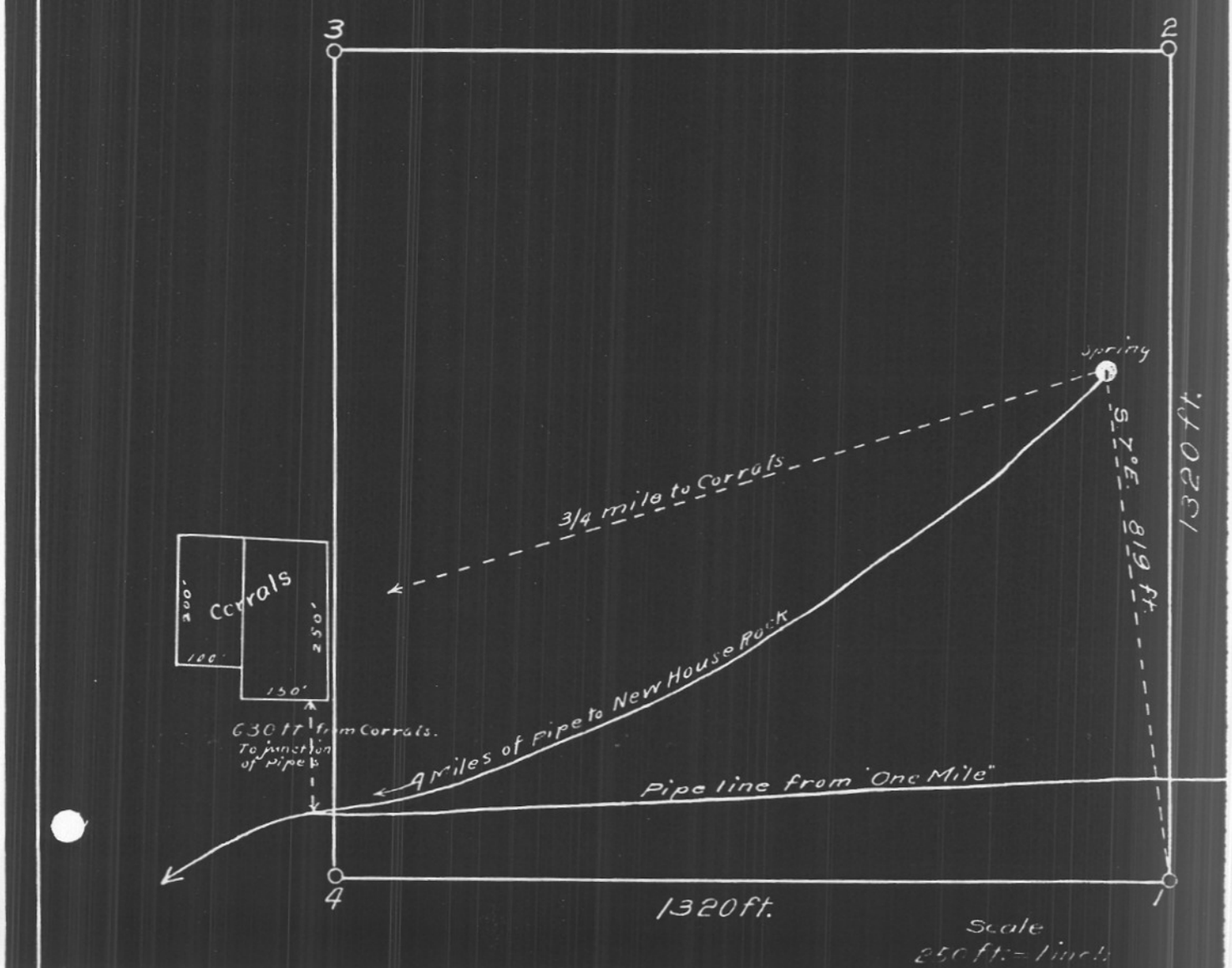
Recorded November 26, 1894 - Record of Mines No. 1, p. 330.

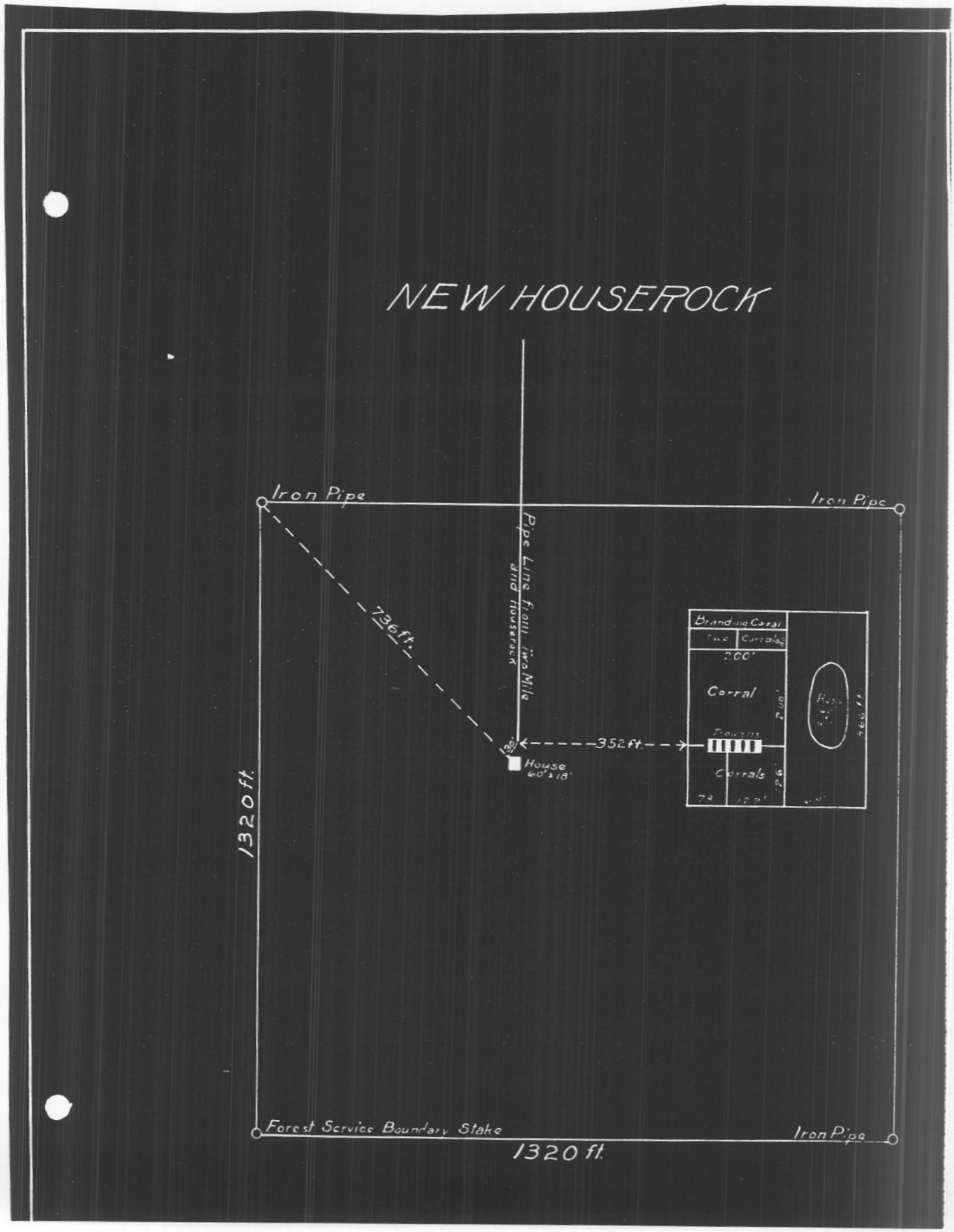


House Rock Tract (L. S. 4003; Phoenix 09301).

Looking West and showing character of land included within this tract. Located near north end of House Rock Valley. For location see C-19 on attached map.

HOUSE ROCK SPR.
L.S. 9003 – Phoenix 09301




NEW HOUSEROCK
Iron Pipe
Iron Pipe
Pipe Line from Two Mile and Houserock
736 ft.
352 ft.
House 60' x 18'
1320 ft.
Branding Corral
Chute
Corrals
200'
Corral
Fences
Corrals
Forest Service Boundary Stake
Iron Pipe
1320 ft.

TWO MILE TRACT

(L. S. 4003; Phoenix 09301)

Application for selection under Act of June 4, 1897 (30 Stat., 36), filed Sept. 24, 1900, by F. A. Hyde & Co. in lieu of NW¼ Sec. 36, T. 9 S., R. 25 E., M. D. M. (Appendix, p. 96). Non-mineral affidavit filed by B. F. Saunders as attorney in fact for F. A. Hyde & Co. On March 2, 1910, the Commissioner of the General Land Office directed charges against the validity of title to the base land. On Feb. 7, 1911, the Commissioner directed the substitution of the following charge:

> "That said selection is fraudulent and illegal in that the lands offered as base for said selection were procured through fraudulent and corrupt practices from the State of California in violation of Section 3495 of the Political Code of said state in that the application was made for the use and benefit of S. E. Dalton and F. A. Hyde & Co., or some other person or company unknown to the United States, and not for the use and benefit of Charles J. King, the applicant named, with the intent on said S. E. Dalton's and F. A. Hyde & Company's part, or on the part of some other company or person unknown, to present same, or that same shall be presented, to the United States in exchange for public land of the United States in violation of the Act of June 4, 1897."

On May 27, 1913, the Register and Receiver sustained the charges. On June 16, 1913, an appeal was filed, and on July 25, 1913, the entire record was forwarded to the Commissioner of the General Land Office. This selection was

included in the transfer from B. F. Saunders to the Grand Canyon Cattle Co. (Appendix, p. 59), dated Dec. 2, 1907. The selection is now occupied and claimed by this company.

This tract was examined Nov. 16, 1914, by John A. Smith, Special Agent of the General Land Office, Alexander Macfarlane and Daniel Judd of the Forest Service, and myself. This 40-acre tract lies in House Rock Valley about two miles north of the House Rock tract. A diligent search was made for corners, but none could be found, excepting an inch-and-a-half pipe located about 60 feet south of the rock house. The pipe had been driven in the soil and five rocks placed at the base. The number of tunnels would indicate that there were several springs on and near the tract. On the date of examination, however, only sufficient water to fill an inch pipe was visible. The main supply of water seeps from the red sandstone hills. The seep is protected by a corral 50 by 225 feet. This corral is constructed on the east and west by poorly installed barb wire fence, on the south by leaning poles, and on the north the sandstone cliffs form a natural boundary. An iron pipe carries the water from this seep to the troughs. About 900 feet south of this seep connection is made with another pipe 40 feet in length, which conveys water from another small seep or spring. Just south of the stone house, which has two rooms of one-story each, badly in need of repair and measuring 16 by 56 feet, a second pipe

line joins the main line. At different points along this pipe line some four tunnels have been dug in the sandstone. One of these tunnels is 4 by 6 by 10 feet, another is 3½ by 6 by 50 feet, another is 3½ by 6 by 100 feet, but the dimensions of the fourth are not known. About 2,250 feet west of the main spring are the corrals, one of which is 204 by 224 feet. Immediately to the north is another corral 135 by 240 feet. In this corral are three troughs. The water is carried to these troughs through the pipe line, and the overflow water is conveyed to the reservoir. Immediately to the west is another corral surrounding a reservoir constructed of earth. The corral is 140 by 200 feet and the reservoir is 40 feet in diameter. The surplus water from this reservoir is piped about 6 miles to New House Rock. Two corrals join the last mentioned corral on the west, and there is another on the south. The two on the west are 60 by 105 and 105 by 105 feet respectively, and the one on the south is 70 by 90 feet.

The water on this location was appropriated by B. F. Saunders (Appendix, p. 16). The application states that the flow of water is ten gallons per minute.

A. W. Irvins filed a mining location on this site in 1894 (Exhibit 1 herewith).

For the most part the land is exceedingly rocky and hilly and, with the possible exception of four or five acres, could not be cultivated. The four or five acres might be

cultivated if water were available. The soil is mostly a fine red sand.

A photograph is attached showing the main spring and the character of the land included within the selection.

A blue print showing the location of the improvements, which were originally constructed by Saunders, is also attached.

The selection was originally tied to the spring, but as there are several of these springs it is difficult to determine the exact location of the tie.

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected and the springs be withdrawn as public water reserves, subject to the provisions of the Act of January 13, 1897.

- EXHIBIT 1. -

Two Mile - Notice of Location:

KNOW ALL MEN BY THESE PRESENTS, That I, the undersigned, have this day located fifteen hundred (1500) linear feet of this vein or lode bearing precious metals, with all dips, spurs, angles and variations, with surface ground 300 ft. on each side of center of vein with all mineral deposits contained therein and all timber growing within the limits of said claim, and all water and water privileges thereon or appurtenant thereto, under and according to the provision of the United States mining laws, under which it is located. This claim commences at this monument and notice placed upon the ledge and runs 750 ft. in a northerly and 750 feet in a southerly direction along the ledge.

The exterior boundaries are as follows, to-wit: Commencing at a monument and notice placed upon the ledge and running 300 feet in an easterly direction to monument of stone on east boundary of claim; thence in a northerly direction parallel with the ledge, 1500 feet to monument of stone at NE. corner of claim; thence at right angles across the ledge in a westerly direction 600 feet to monument of stone at NW. corner of claim; thence in a southerly direction parallel with the ledge, 1500 feet to monument of stone at SW. corner of claim; thence at right angles

across the ledge in an easterly direction, 600 feet to monument of stone at SE. corner of claim.

This ledge may be more generally described as situated about two miles in a northerly direction from House Rock Ranch, Coconino County, Arizona, on the East side of House Rock Valley, Coconino County, Arizona Territory, and shall be known as Two Mile Mining Claim.

Dated on the ground this 19th day of November, 1894.

(Signed) A.W. IVINS

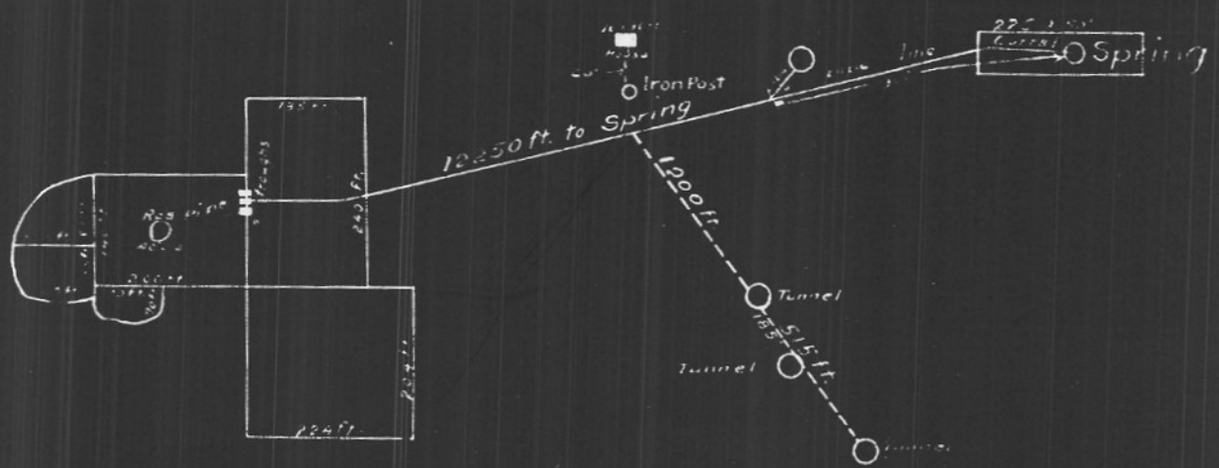
Recorded November 26, 1894, Record of Mines No. 1, p. 329.



Two Mile Tract (L. S. 4003; Phoenix 09301).

Looking east and showing spring on this location; also character of land to some extent. Located at north end of House Rock Valley. For location see C-20 on attached map.

Two Mile Spring
L.S. 4003 - Phoenix 09301



ONE MILE TRACT

(L. S. 4003; Phoenix 09301)

Application for selection under Act of June 4, 1897 (30 Stat., 36), filed Sept. 24, 1900, by F. A. Hyde & Co. in lieu of NW¼ Sec. 36, T. 9 S., R. 25 E., M. D. M. (Appendix, p. 96). Non-mineral affidavit filed by B. F. Saunders as attorney in fact for F. A. Hyde & Co. On March 2, 1910, the Commissioner of the General Land Office directed charges against the validity of title to the base land. On Feb. 7, 1911, the Commissioner directed the substitution of the following charge:

> "1. That said selection is fraudulent and illegal in that the lands offered as base for said selection were procured through fraudulent and corrupt practices from the State of California in violation of Section 3495 of the Political Code of said State, in that the application was made for the use and benefit of S. E. Dalton and F. A. Hyde & Co., or some other person or company unknown to the United States, and not for the use and benefit of Charles J. King, the applicant named, with the intent on said S. E. Dalton's and F. A. Hyde & Company's part, or on the part of some other company or person unknown, to present same, or that same shall be presented, to the United States in exchange for public land of the United States in violation of the Act of June 4, 1897."

On May 27, 1913, the Register and Receiver sustained the charge. On June 16, 1913, an appeal was filed and on July 25, 1913, the entire record was forwarded to the Commissioner of the General Land Office. This selection was included in the transfer from B. F. Saunders to the Grand Canyon

Cattle Co. (Appendix, p. 59). The selection is now occupied and claimed by this company.

This tract was examined Nov. 16, 1914, by John A. Smith, Special Agent of the General Land Office, Alexander Macfarlane and Daniel Judd of the Forest Service, and myself. The selection lies just one mile north of the House Rock tract. The springs covered by this selection are small and the pipe lines were in need of repair. Sufficient water to fill a half-inch pipe seemed available. Corner No. 1, a post 2 inches in diameter set 2 feet above ground and surrounded by a pile of rock, was located. The tunnels are in the sandstone ledges and are protected from the cattle by a barb wire fence on the west. The main tunnel is 4 by 6 by 30 feet. About 2,640 feet of pipe convey the water in a southwesterly direction from a small spring to the main pipe line. Two other tunnels have also been constructed from which water is piped to the main tunnel.

The land included within this selection consists of sandstone ledges and not an acre could be cultivated.

A photograph is attached showing the mouth of the tunnel from which the water is obtained.

A blue print showing location of spring and pipe lines, which were originally laid by Saunders, is also attached.

The selection was originally tied to a spring, but it would be difficult at this time, owing to change in con-

ditions, to definitely determine the location of the original tie.

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

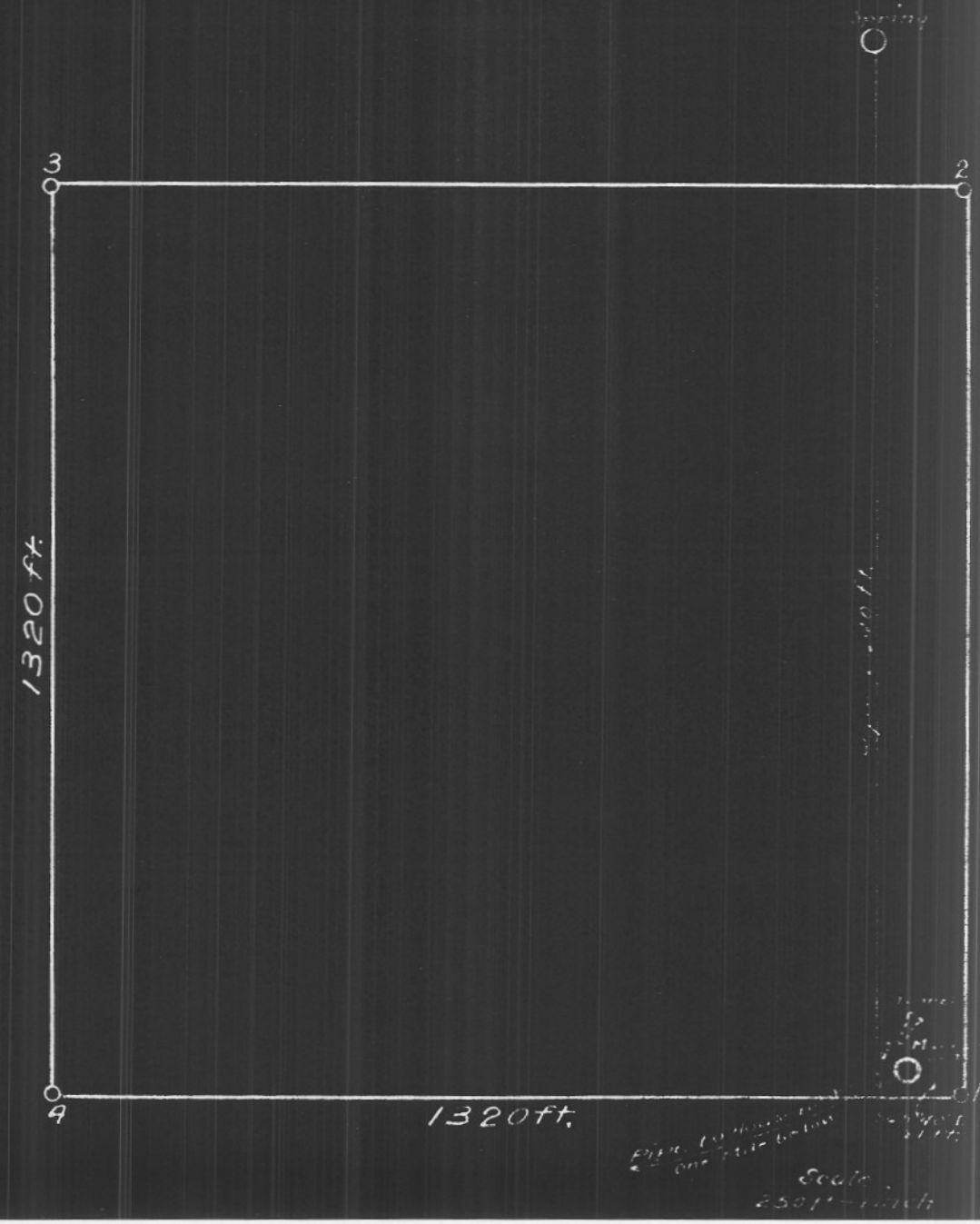
For the above reasons, it is respectfully recommended that the selection be rejected and the springs withdrawn as public water reserves, subject to the provisions of the Act of January 13, 1897.



One Mile Tract (L. S. 4003; Phoenix 09301).

Looking southeast and showing tunnel from which water is secured. Tract lies in north end of House Rock Valley. For location see C-20 on attached map.

ONE MILE SPRING
L.S.4003 – Phoenix 09301



CAAHAN RESERVOIR

(L. S. 4003; Phoenix 09301)

Application for selection under Act of June 4, 1897 (30 Stat., 36), filed Sept. 24, 1900, by F. A. Hyde & Co. in lieu of NW¼ Sec. 36, T. 9 S., R. 25 E., M. D. M. (Appendix, p. 96). Non-mineral affidavit filed by B. F. Saunders as attorney in fact for F. A. Hyde & Co. On March 2, 1910, the Commissioner of the General Land Office directed charges against the validity of title to the base land. On Feb. 7, 1911, the Commissioner directed the substitution of the following charge:

> "1. That said selection is fraudulent and illegal in that the lands offered as base for said selection were procured through fraudulent and corrupt practices from the State of California in violation of Section 3495 of the Political Code of said state in that the application was made for the use and benefit of S. E. Dalton and F. A. Hyde & Co., or some other person or company unknown to the United States, and not for the use and benefit of Charles J. King, the applicant named, with the intent on said S. E. Dalton's and F. A. Hyde & Company's part, or on the part of some other company or person unknown, to present same, or that same shall be presented, to the United States in exchange for the public land of the United States in violation of the Act of June 4, 1897."

On May 27, 1913, the Register and Receiver sustained the charges. On June 16, 1913, the entire record was forwarded to the Commissioner of the General Land Office. This selection was included in the transfer from B. F. Saunders to the Grand Canyon Cattle Co. (Appendix, p. 59) dated

Dec. 2, 1907. The selection is now occupied and claimed by this company.

About 25 or 30 years ago a dam was constructed across some washes in an endeavor to hold water, and the selection was placed to cover this dam or dams. The dam was washed out some years ago and has not been replaced. On account of the deep washes, which traverse the tract, the land included within the selection is not suitable for agricultural purposes.

This tract was not visited, the information being obtained from Alexander Macfarlane of the Forest Service.

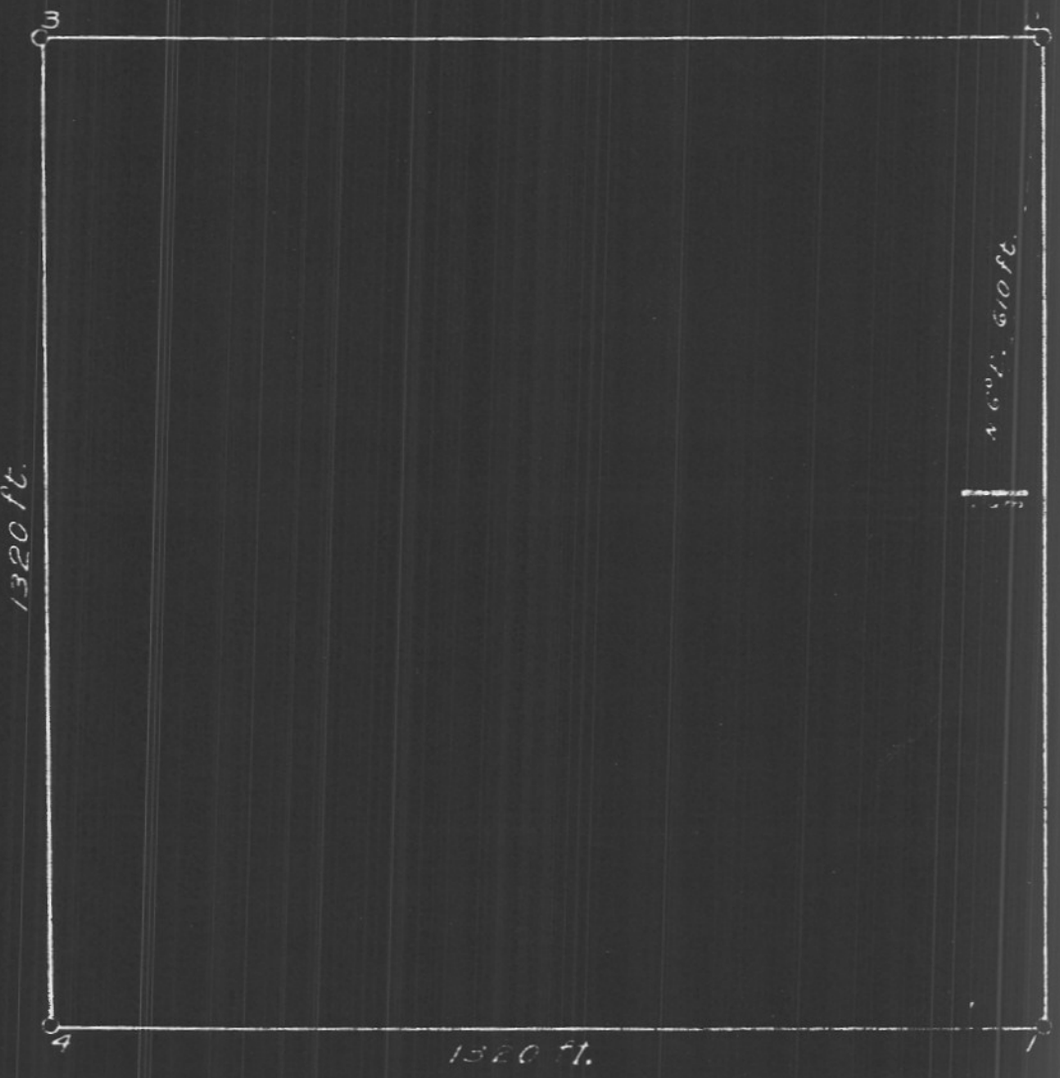
A blue print is attached showing the original location of the main dam, which was constructed by Saunders.

The selection was tied to this dam, but as it was washed out some years ago it would be impossible to properly locate the selection.

The selection was not made in accordance with the law and regulations, and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected.

CAANAN RESERVOIR
L.S. 4003 - Phoenix 09301



KANE TRACT

(Half Breed Lieu Selection 388-A; Phoenix 06502)

Half Breed Lieu Selection located April 9, 1904, by B. F. Saunders as attorney in fact for Margaret Labelle under Act of July 17, 1854 (10 Stat., 304). Last action of the General Land Office, so far as known, is represented in a letter ("FS", Phoenix 06502 - BHC) from the Chief of Field Service, dated March 28, 1913, directing the Chief of Field Division to obtain report. The selection was included in the transfer from B. F. Saunders to the Grand Canyon Cattle Co. (Appendix, p. 59). It is now occupied and claimed by the company.

This 40-acre tract, which is partly within and partly without the Kaibab National Forest, was examined on Nov. 12, 1914, by John A. Smith, Special Agent of the General Land Office, Alexander Macfarlane and Daniel Judd of the Forest Service, and myself. The selection lies on the west side of House Rock Valley. It is used by the Grand Canyon Cattle Co. as winter headquarters, its summer headquarters being at "VT" Park on the Buckskin Mountain. The selection does not include a spring or other natural water supply, but was evidently located to protect the reservoir and other improvements to which the waters of Kane Springs are piped. These springs were located by B. F. Saunders as the Kane lode and millsite, and

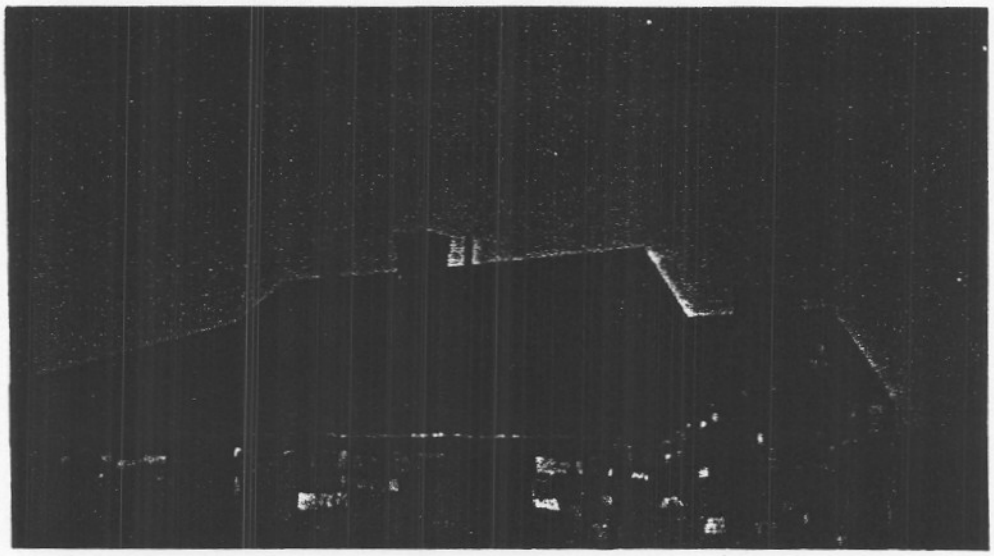
were canceled prior to issuance of patent, but after transfer from Saunders to the Company. The improvements on this selection are quite extensive. The house is of stone with a log addition, and is 34 by 70 feet. It is surrounded on three sides with a fence 90 feet on the north and south and 70 feet on the east and west. About 120 feet north of the northeast corner of the fence is a very substantial barn, with room for about four head of horses, wagon, grain, hay, etc. A part of the barn is also used as a blacksmith shop. About 300 feet north and west of the barn are the corrals shown on the diagram. The water is piped from Kane Springs, located about three miles up the canyon, into three troughs, one of which is 4 feet wide, 2 feet deep, and 16 feet long. The other two are each one 4 feet wide, 2 feet deep, and 24 feet long. The overflow from these troughs is conveyed to the reservoir shown on the diagram. This reservoir is about 90 feet in diameter and is constructed of rock and earth. The rock work on the reservoir consists of a wall on the east and north sides, from two to eight feet in height. In the neighborhood of 640 acres of public domain have been fenced in connection with the improvements.

The land included in the selection is gravelly and in places covered with rocks. It could not be dry farmed, but portions of it might be cultivated if properly irrigated. Sufficient water is not, however, available.

A blue print is attached showing the location of the improvements.

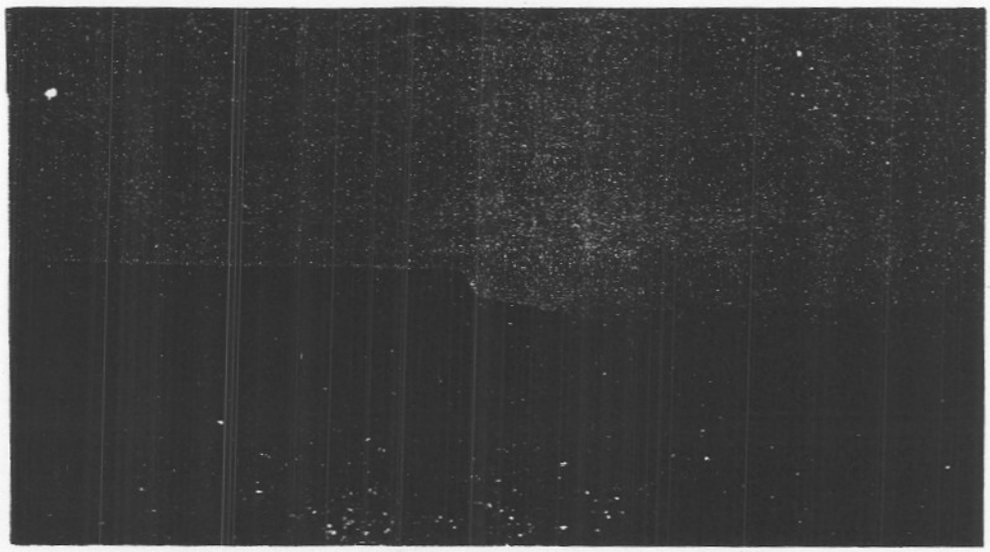
Two photographs are attached, one showing the house and the other the corral. The improvements were originally constructed by Saunders.

The selection does not control a water supply, and there are no serious reasons for objecting to the patenting of the selection. It lies partly within the boundaries of the Kaibab National Forest, but it is felt that this condition alone would not warrant a recommendation for the revocation of the selection.



Kane Tract (Phoenix 06502).

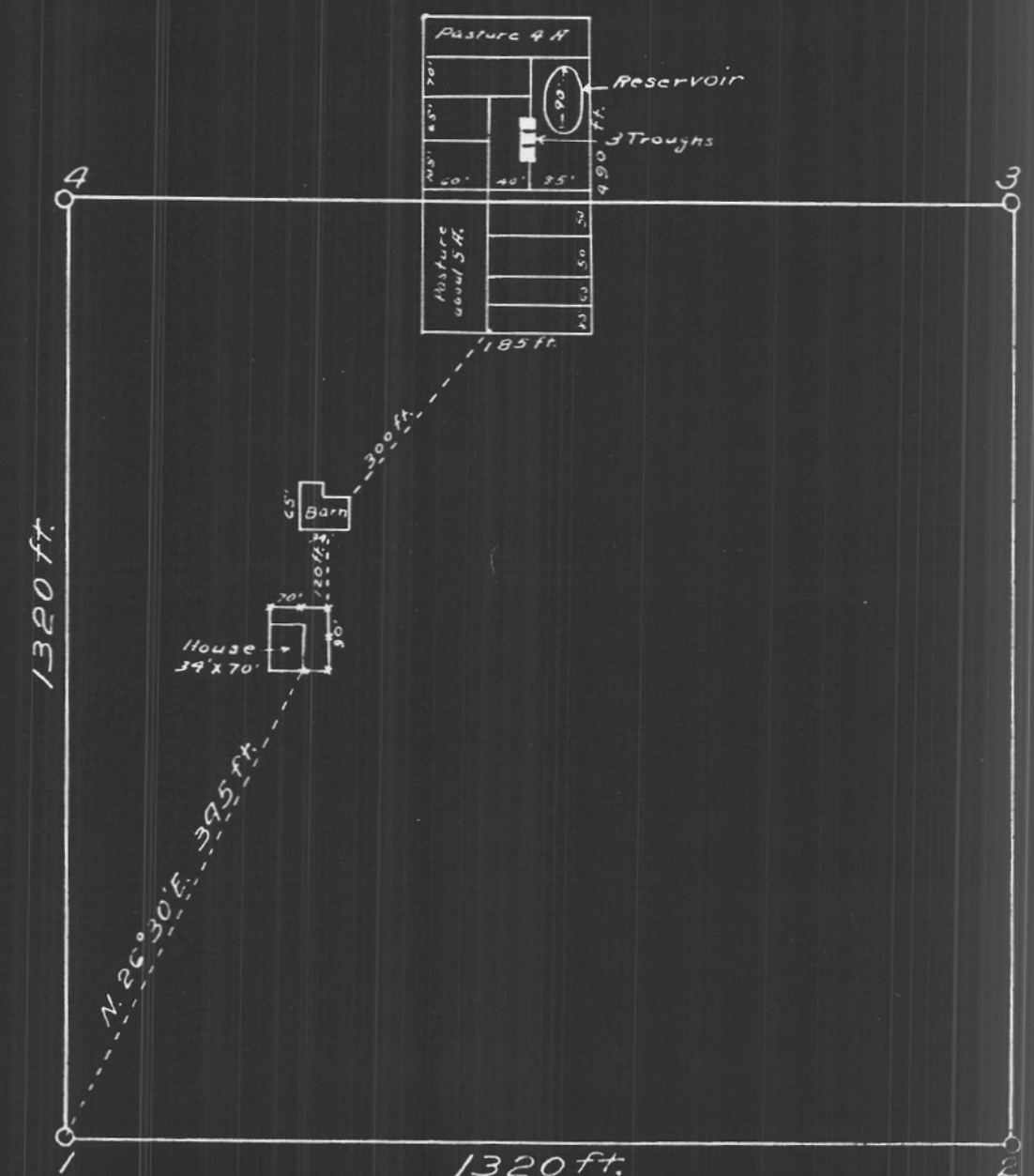
Looking southwest and showing winter headquarters of Grand Canyon Cattle Company. Tract located on west side of House Rock Valley near foot of Buckskin Mountain. For location see E-20 on attached map.



Kane Tract (Phoenix 06502).

Looking northeast and showing corrals and general character of land on this tract. Located on west side of House Rock Valley near foot of Buckskin Mountain. For location see E-20 on attached map.

Sioux Half Breed Script
Certificate No. 388
Letter A. Phoenix 06502



CANE BEDS

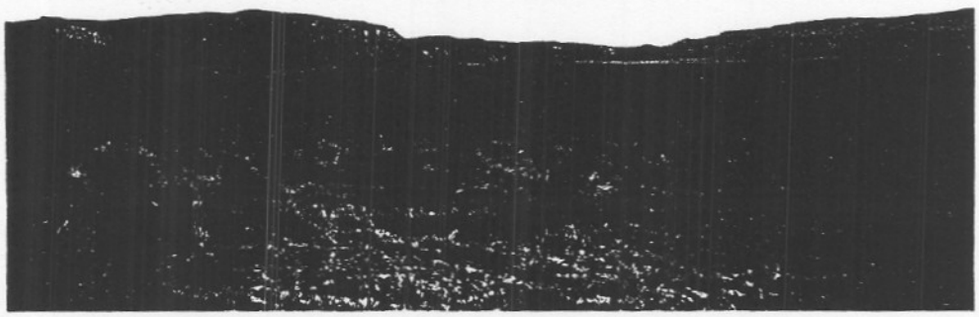
At this point it is thought advisable to call attention to what is known as the Cane Bed Ranch. This unrecorded possessory claim was transferred to B. F. Saunders by Cutler, Jolly & Co. (Appendix, p. 24), and was included in the transfer from Saunders to the Grand Canyon Cattle Co. (Appendix, p. 64).

Sufficient water to fill a two-inch pipe flows from three small springs. This water is piped out of the mountains about eight miles to a reservoir about 75 yards in diameter. The reservoir is inclosed by a corral 150 yards in diameter. There are three other corrals, one 150 by 150 feet, one 125 by 200 feet, and the other 50 by 75 feet. About 2,500 acres of public domain have been enclosed and are used as a pasture by the Grand Canyon Cattle Company. Some two or three squatters recently settled on land within this enclosure, intending to apply dry farm methods.

This information was obtained from Alexander Macfarlane of the Forest Service.

A photograph is enclosed showing the general character of the land near Cane Beds. The springs lie in the mountains in the foreground.

It is respectfully recommended that the springs be withdrawn as public water reserves, subject to the provisions of the Act of January 13, 1897.



Cane Beds

Looking east and showing general character of land at Cane Beds ranch which is occupied by Grand Canyon Cattle Company. Quite a number of settlers are occupying portions of this range. For location see A-12 on attached map.

PIPE TRACT

(Phoenix 04807)

Daniel Seegmiller, on May 3, 1888, filed with the Register and Receiver of the Phoenix Land Office Valentine Scrip E. No. 13 (Phoenix 04807) under the Act of April 5, 1872 (17 Stat., 649). The scrip was assigned to Seegmiller by Thos. B. Valentine. The tract was located by a metes and bounds survey, and so far as known it has not been adjusted to public survey. As will appear from the following abstract of title, this tract at one time was claimed by B. F. Saunders:

Daniel Seegmiller and Artimesia Snow Seegmiller to Benjamin F. Saunders	Quit-claim Deed. Consideration $2,500 Description:- "The following described tract of land known as the Pipe Spring, survey as described in plat of survey made by John M. Macfarlane December 3rd and 4th, 1886, more particularly described as follows, to-wit:- Beginning at a pine tree at the southwest corner of said survey and running thence north eighty rods, thence east eighty rods, thence south eighty rods, thence west eighty rods to the southwest corner, the place of beginning, containing 40 acres." Executed July 23, 1895. Deed Record 12, p. 1.
Benjamin Saunders and Tacy E. Saunders to David Bullock and Lehi W. Jones	Quit-claim Deed. Consideration $5,250. Same description as above. Executed Dec. 2, 1895. Recorded Jan. 1, 1896. Deed Record 12, p. 36.

David Bullock Alice B. Bullock Lehi W. Jones Henrietta L. Jones to A. D. Findlay	Quit-claim Deed. Consideration $4,000 Same description as above. Executed Nov. 3, 1902. Recorded Dec. 20, 1902. Misc. Record 6, p. 124.

While the transfer does not appear of record, it is understood that A. D. Findlay has transferred his interests to J. Heaton & Sons, or the Pipe Spring Land & Live Stock Co.

This tract was examined Nov. 9, 1914, by John A. Smith, Special Agent of the General Land Office, Alexander Macfarlane of the Forest Service, and myself. This ranch was at one time a very prominent headquarters for the traveling public and stockmen, but of late years has fallen somewhat into decay. It is on the road from Fredonia, Ariz., to St. George, Utah, and is still a stopping place for the general public. The main spring covered by the selection, which is one of the most important in the country, flows about half a second foot of water. There are two rock houses, each of two stories, one of which is 32 by 48 feet and the other 36 by 48 feet. These two houses are separated by a driveway 15 feet wide. In the early history of the country these buildings were used as a fort to protect the traveler and natives from the Indians. Besides these houses, there are two reservoirs, one 40 by 80 feet and the other 40 feet square, which are in

a bad state of repair and do not hold water. The barn consists of some low delapidated rock and brush buildings. There are four small corrals north of the barn, one 50 by 70 feet, one 30 by 50 feet, and two 40 by 80 feet each. The other corrals are three in number, one 600 feet square, one 50 by 70 feet, and the other 100 feet square.

The selection is included within the exterior boundaries of the Kaibab Indian Reservation.

It is understood that the fort was originally constructed by the Mormon Church as a much needed protection against the Indians and, while it was included in Saunders' scheme to secure control of the range, such was not the intention of those originally interested in the tract. The old fort has been used as a general headquarters for the traveling public and cattle and sheep men for a great many years, and, as stated, above, is still used to some extent for the same purposes. It is also understood that a portion of the area was farmed for some years. The present claimants of the selection are in no way connected with either the Grand Canyon Cattle Company or Preston Nutter.

Approximately 20 to 25 acres could be dry farmed or irrigated, the remainder being too steep and rocky.

A blue print is attached showing the location of the improvements.

Two photographs are also attached showing the old fort and the spring.

So far as known, the selection has not been adjusted to the public survey.



Pipe Tract (Phoenix 04807).

Looking northwest and showing old fort and other buildings and small portion of land. For location see B-12 on attached map.



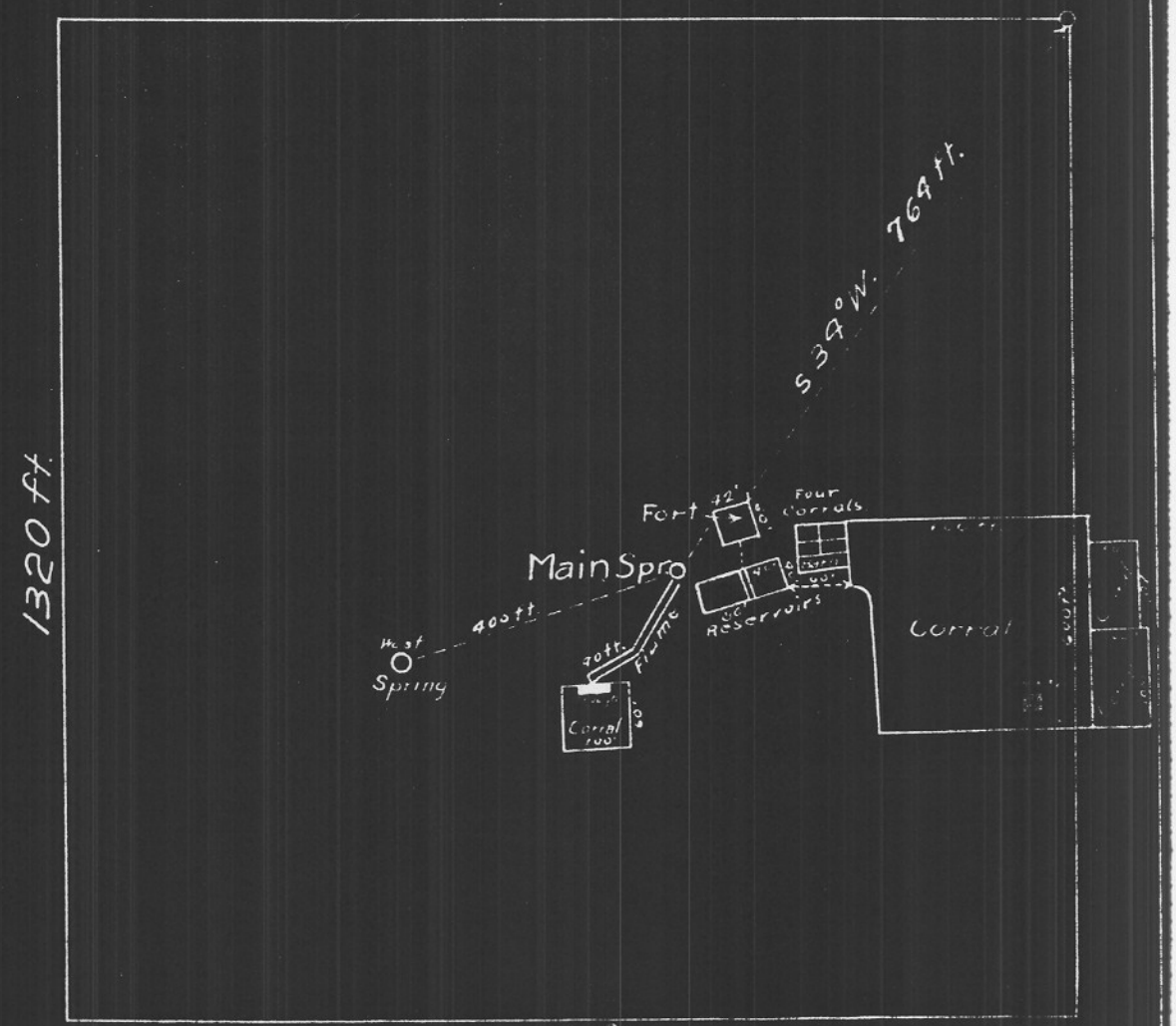
Pipe Tract (Phoenix 04807).

Looking north and showing main spring included in tract. The tract lies within the Kaibab Indian Reservation. For location see B-12 on attached map.

PIPE SPRING

Valentine Script E. No. 13

Phoenix 04807



BULL RUSH TRACT

(Phoenix 015896).

On October 28, 1911, Alexander D. Findlay, as attorney in fact for Ellen Angie Williams, filed Sioux Half Breed Scrip No. 397-B (Phoenix 015896), under the Act of July 17, 1854 (10 Stat., 304), on what was alleged would be when surveyed in the NW¼ of Section 14, T. 39 N., R. 4 W., G. & S. R.M. On Jan. 17, 1914, a Special Agent of the General Land Office "recommended that the location be rejected, as it was for land valuable as a public watering place, and should be kept open for the use of all the settlers in that vicinity." The land was withdrawn from entry by Executive Order of Feb. 20, 1913 (Appendix, p. 1). On March 27, 1914, the Commissioner of the General Land Office canceled the location (Appendix, p. 30). It should be noted that A. D. Findlay, the attorney in fact, is a prominent stockman of southern Utah and northern Arizona.

According to information received from Benjamin Knapp, of the Forest Service, the water on this tract consists of seepage arising from the bottom of a wash, and affords sufficient water to supply about 300 head of cattle. The only improvement is a corral about 100 feet square. Because of alkali the land is not suitable for agricultural purposes.

BULL RUSH

Phoenix 015896

WHITE ROCK TRACT

(Phoenix 018675)

Located under the Act of July 17, 1854 (10 Stat., 304), by Preston Nutter, as attorney in fact for Mary Renville, as Sioux Half Breed Scrip No. 485-B (Phoenix 018675), on July 16, 1912 (Exhibit 1). No information as to action on this selection is at hand.

This 40-acre tract was examined on Oct. 28, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael and Alexander Macfarlane of the Forest Service, and myself. A juniper post 16 feet high and 6 inches in diameter was found near what may have been the northeast corner of the claim. This post is, however, supposed to be Seegmiller's corner of squatter claim. No other corners or posts were found. The selection is placed on a natural depression in the soil, which, through the aid of 225 feet of dikes, holds water a greater portion of the year. On the day of visit the water covered an area of about 4 acres. The improvements consist of about 180 feet of fencing and a pole corral 45 by 63 feet. They were, I was informed, constructed by St. George Stockmen. At one time a man by the name of Seegmiller made settlement on the surrounding land and asserted a squatter claim. His pole-and-bark cabin is still on the land, as well as the post (described above) which supported

his notice. This settlement was made prior to the filing of the location, and it is generally the understanding that Sutter and Seegmiller are each to have a half interest in the selection upon the perfection of the title.

Probably 5 or 6 acres of the tract could be dry farmed, the remainder being cut up by washes or too hilly.

A photograph is attached showing a portion of the pool and the general character of the land.

A blue print is also attached showing location of improvements and pool.

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; and the selection was not made in accordance with the law and regulations.

For the above reasons, it is respectfully recommended that the selection be rejected and the pool withdrawn as a public water reserve, subject to the provisions of the Act of January 13, 1897.

(Copy)

- EXHIBIT 1. -

SIOUX HALF BREED RESERVE AT LAKE PEPIN

(Act of July 17, 1854.)

018675

UNITED STATES LAND OFFICE

Phoenix, Arizona, 189__.

We hereby certify that the attached Half Breed Scrip No. 485, Letter B was on this day received at this Office from Preston Nutter, attorney-in-fact for Mary Renville, formerly Mary Roi, of Roberts County, State of South Dakota.

Register.

Receiver.

I, Mary Renville formerly Mary Roi of Roberts County, State of South Dakota, hereby apply to locate, and do locate, the tract of land as designated by the plats of the Government survey, to-wit:

Commencing at the Northeast Corner or Cor. No. 1, and running thence South 1320 ft. to Cor. No. 2, thence West 1320 ft. to Corner No. 3, thence North 1320 ft. to Cor. No. 4, thence east 1320 ft. to Cor. No. 1, the place of beginning.

Cor. No. 1 bears S. 15° 31' E. 11041 ft. from Wolf Spring, a well known Spring and land mark, commonly and widely known by that designation. There is no corner of the public survey within a radius of over 36 miles, and a survey made to obtain the approximate location, of said tract describes it to be approximately in the NE¼ SW¼ Sec. 33, T. 39 N., R. 12 W., G. & S. R. B. & M.

containing forty acres, in the district of lands subject to sale at the Land Office at Phoenix, Arizona, in satisfaction of the attached Scrip No. 485, Letter "B" issued under the act of July 17, 1854.

Witness my hand and seal, this 16th day of July, 1912, 189

Attest: Mary Renville (Roi)

_____Register By Preston Nutter,
Her Attorney-in-fact.

_____Receiver

UNITED STATES LAND OFFICE

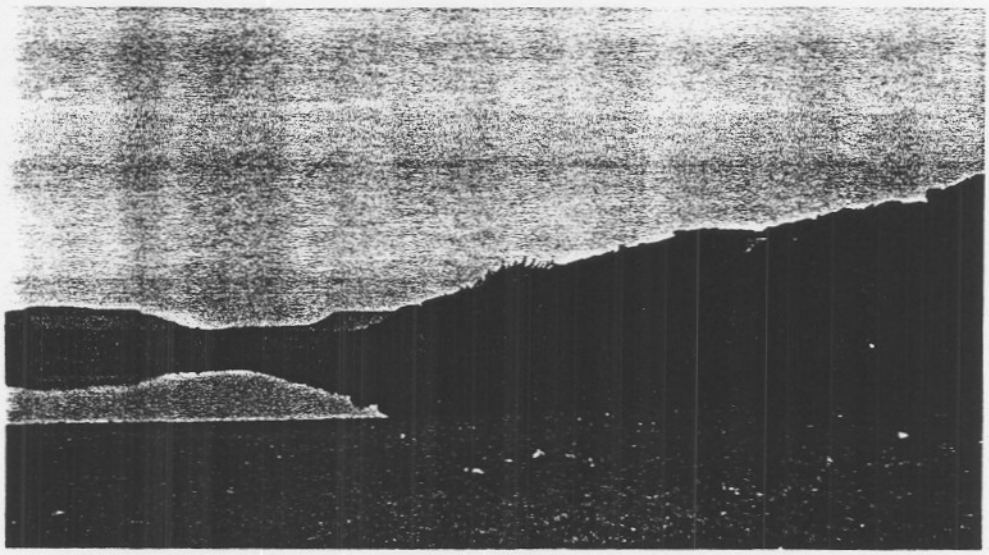
Phoenix, Arizona, July 16, 1912.

We hereby certify that the annexed Scrip No. 485, Letter "B", has this day been located on the tract of land described within, containing Forty acres, agreeable to act of July 17, 1854, and by the party duly authorized to make such location.

_____ Register.

_____ Receiver.

Unsurveyed
Posted in 100/227 Oct. 28, 1912.

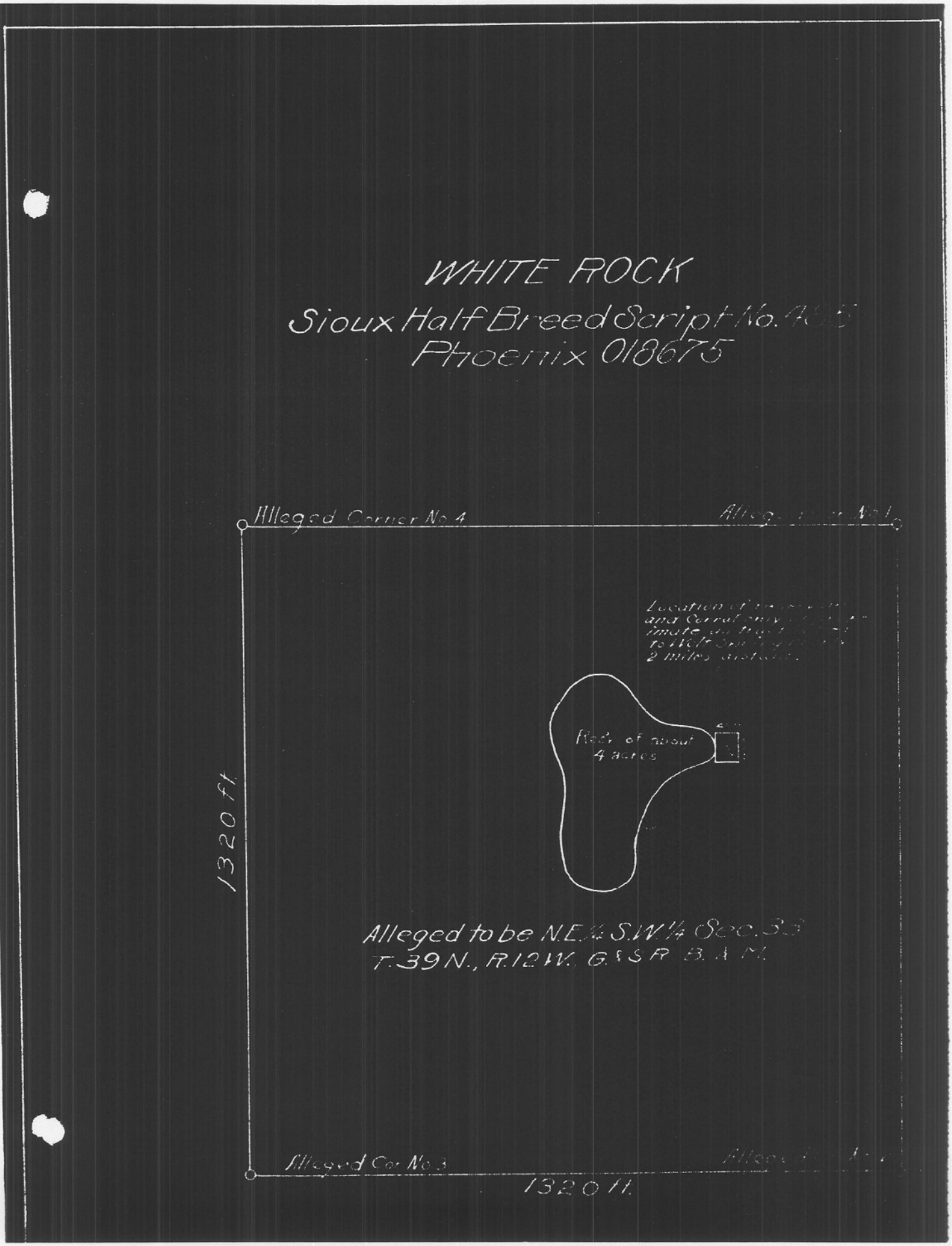


White Rock Tract (Phoenix 018675).

Looking northwest and showing portion of pool and general character of land included within the selection. For location see C-13 on attached map.

WHITE ROCK

Sioux Half Breed Script No. [illegible]
Phoenix 018675



WOLF HOLE TRACT

(L. S. 4188; Phoenix 013384)

Selected Sept. 20, 1900, under Act of June 4, 1897 (30 Stat., 36), by Preston Nutter as attorney in fact for C. W. Clarke (Appendix, p. 78). In the month of March, 1912, one Harvey D. Heist (Appendix, p. 118) is alleged to have located the tract by survey as being, when surveyed, approximately the SW¼ NW¼ Sec. 23, T. 39 N., R. 12 W., G. & S. R. B. & M.

This 40-acre tract was examined Oct. 27, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael and Alexander Macfarlane of the Forest Service, and myself. The only corner or evidence of a corner that could be found was a stake 2 feet long and 2½ inches in diameter set in a pile of rock. The stake had never been placed in the soil, and stood 220 feet northeast of the mouth of the tunnel and at about where Corner No. 1 should have been found. The water, which flows about three quarts to the minute, flows from a tunnel 4 by 6 by 20 feet, dug into the shale and conglomerate of the hillside. There is also an open cut 4 by 12 by 30 feet, which was not being used. The water is carried in a southwesterly direction about 316 feet to a trough 4 by 12 feet. The trough is inclosed by a pole corral about

90 by 100 feet. To the west of this corral is a second one measuring 36 by 48 feet. To the south of these corrals quite an extensive area of the open public domain has been inclosed by wire fencing. The fencing had been erected about a year previous to the visit.

Albert Foremaster, who is familiar with the entire country, states that he never saw any indication of a survey of this tract, that none of the land included within the location could be farmed, and that the spring will water about 200 head of cattle in the dry season (Appendix, p. 33). See also statement of George H. Lytle (Appendix, p. 36).

Willard Sorensen states (Appendix, p. 39) that the land included in this selection can not be cultivated.

John Fymm states (Appendix, p. 45) that this spring will water about 300 head of cattle. He also states (Appendix, p. 47) that none of the land could be cultivated.

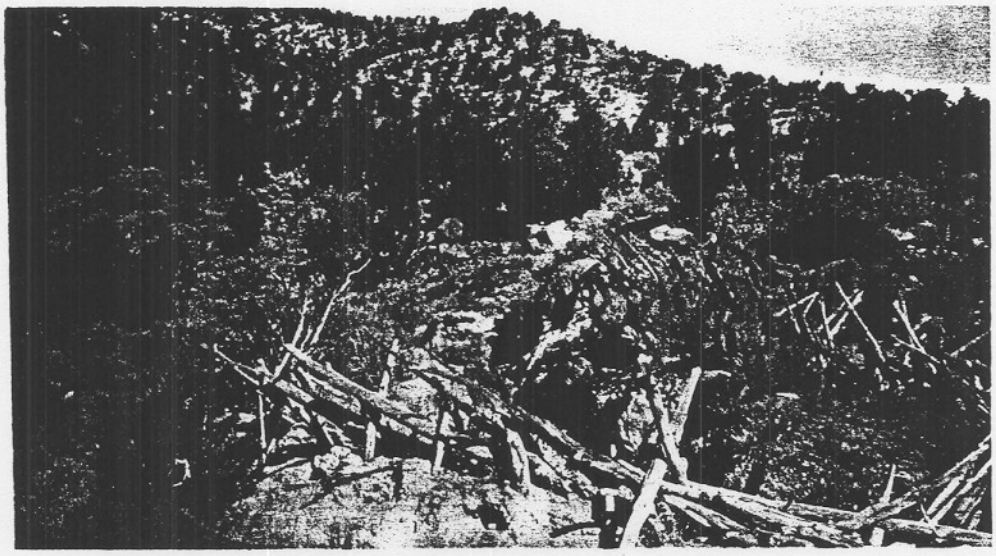
The land included within the tract is covered with volcanic rock, is cut into by gulleys, and in no respect can it be said to be suitable for agricultural purposes. It does not even afford poor grazing facilities. Were it not for the spring it would be absolutely worthless.

Three photographs are attached, one showing the old pole corral, one the character of the land, and the third the location of the spring.

A blue print is also attached showing the location of the improvements. It is understood that the improvements were originally constructed by local stockmen.

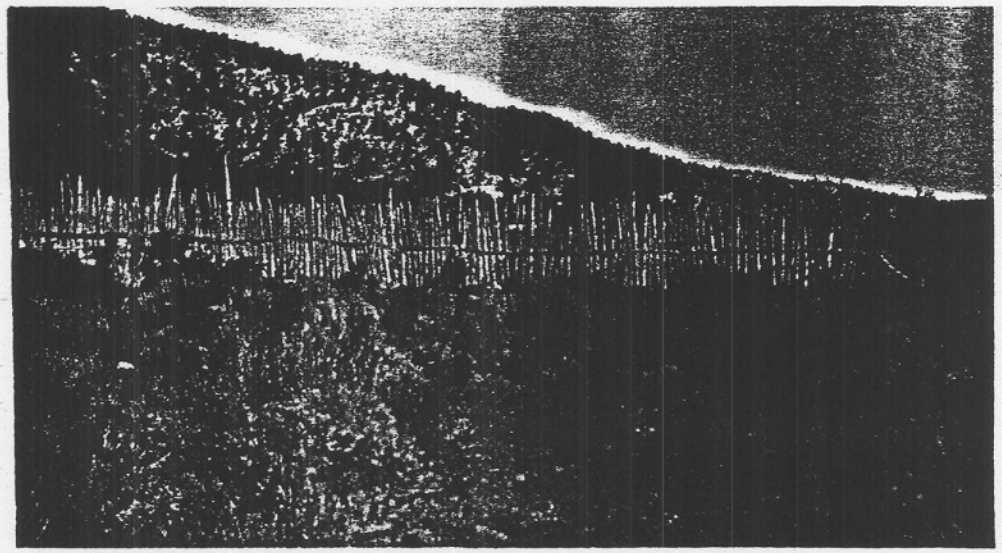
The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected and the spring be withdrawn as a public water reserve, subject to the provisions of the Act of January 13, 1897.



Wolf Hole Tract (L. S. 4188; Phoenix 013384).

Looking northwest and showing location of spring and general character of land. Spring enclosed by pole fence. For location see B-4 on attached map.



Wolf Hole Tract (L. S. 4188; Phoenix 013384).

Looking north and showing corral and character of land to the south of tract. For location see B-4 on attached map.

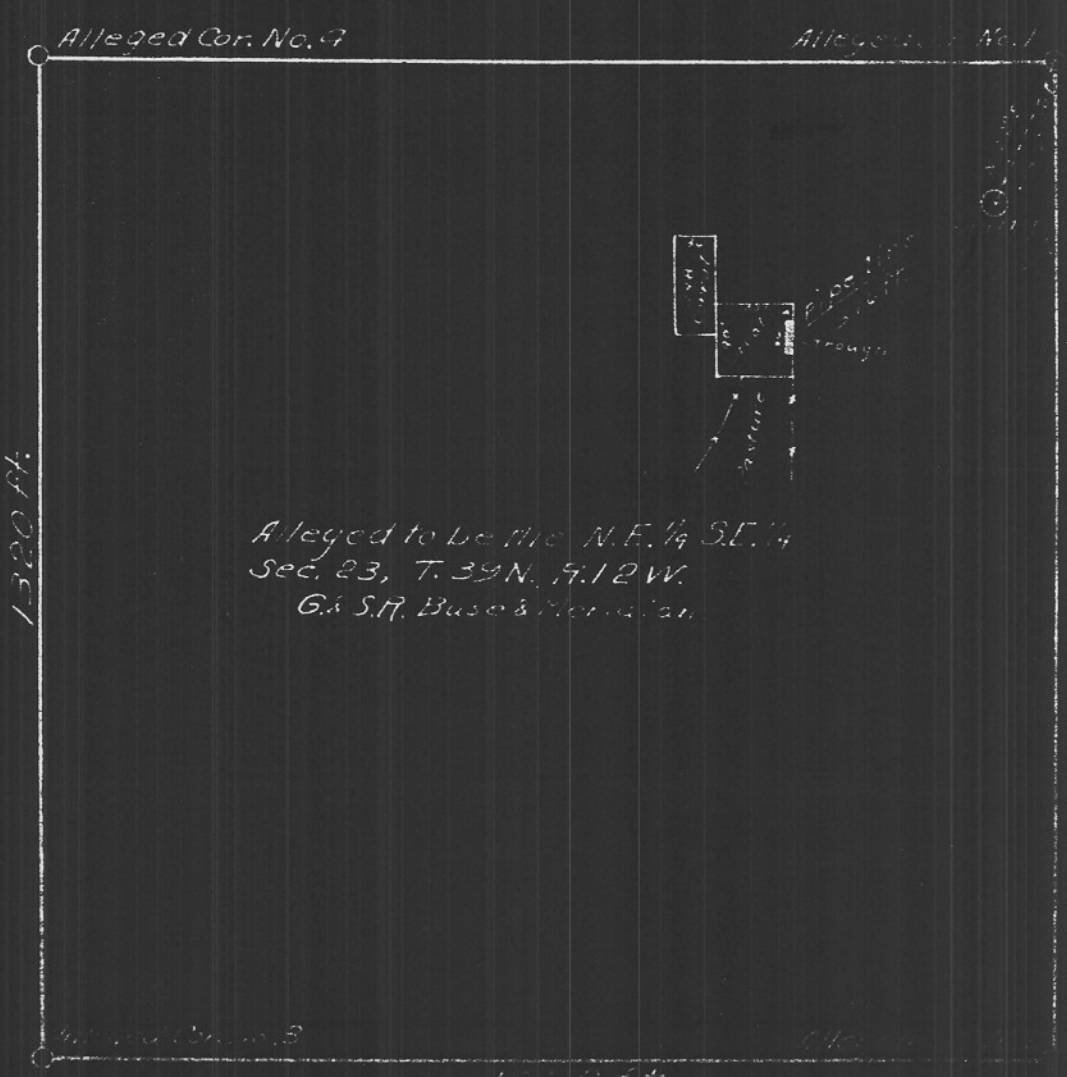


Wolf Hole Tract (L. S. 4188; Phoenix 013384).

Looking northwest and showing location of spring and general character of land. Mouth of tunnel may be seen in center of picture. For location see B-4 on attached map.

WOLF HOLE SPRING

L.S. 4188 - Phoenix 013384



LINK TRACT

(L. S. 4188; Phoenix 013384)

Selected Sept. 20, 1900, under Act of June 4, 1897 (30 Stat., 36), by Preston Nutter as attorney in fact for C. W. Clarke (Appendix, p. 78). In the month of March, 1912, one Harvey D. Heist (Appendix, p. 118) is alleged to have located the tract by survey as being, when surveyed, approximately the SW¼ NW¼ Sec. 22, T. 36 N., R. 13 W., G. & S. R. B. & M.

This 40-acre tract was examined Oct. 29, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael and Alexander Macfarlane of the Forest Service, and myself. The water is obtained from two seeps or springs about 100 feet apart, rising in the sand stone mountain side. The water flows from crevices in the rock into two delapidated reservoirs, one 8 by 10 feet and the other 3 by 6 feet. An 1¼-inch pipe line carries the water, of which there is sufficient to about fill a half-inch pipe, about 500 feet down the mountain side to two troughs, one of which is 4 by 12 feet and the other 2 by 14 feet. The tract lies in a narrow canyon, and by constructing a fence across the canyon above and below the spring, Nutter has control of a pasture of about 700 acres. The gates of this pasture were closed, but not locked. No corners of any description were found.

The tract consists of a steep mountain side and a rocky wash. It is doubtful if even half an acre of cultivable land could be found on the entire tract.

Albert Foremaster states that none of the land about this spring could be cultivated, that he never saw any indications of a survey, and that there is sufficient water to supply 200 head of cattle (Appendix, p. 33). See statement of George Lytle (Appendix, p. 36).

Willard Sorensen states (Appendix, p. 39) that Hutter purchased this spring from Anton Ivans and that none of the land could be cultivated.

John Pymm states (Appendix, p. 44) that this spring will water about 300 head of cattle. He also states (Appendix, p. 47) that none of the land could be cultivated.

Three photographs are attached. Two show the location of the two springs, and the third the general character of the country.

A blue print showing the location of the improvements, which were constructed by Hutter, is also attached.

There are two springs about 100 feet apart, and it is not known to which of these springs the selection was tied.

The water covered by the selection should be retained for the benefit of the general public, the patenting

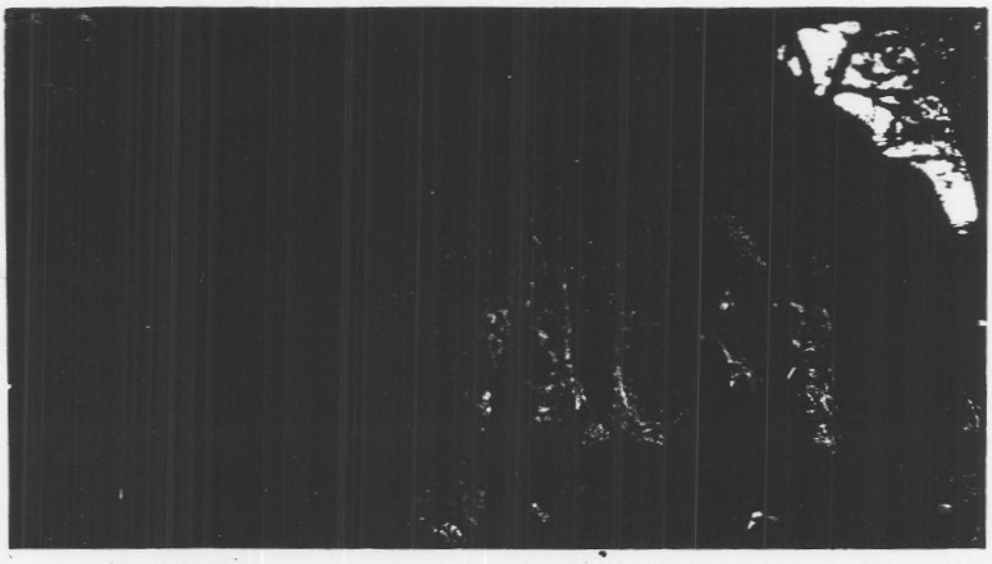
of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected and the spring withdrawn as a public water reserve, subject to the provisions of the act of January 15, 1897.



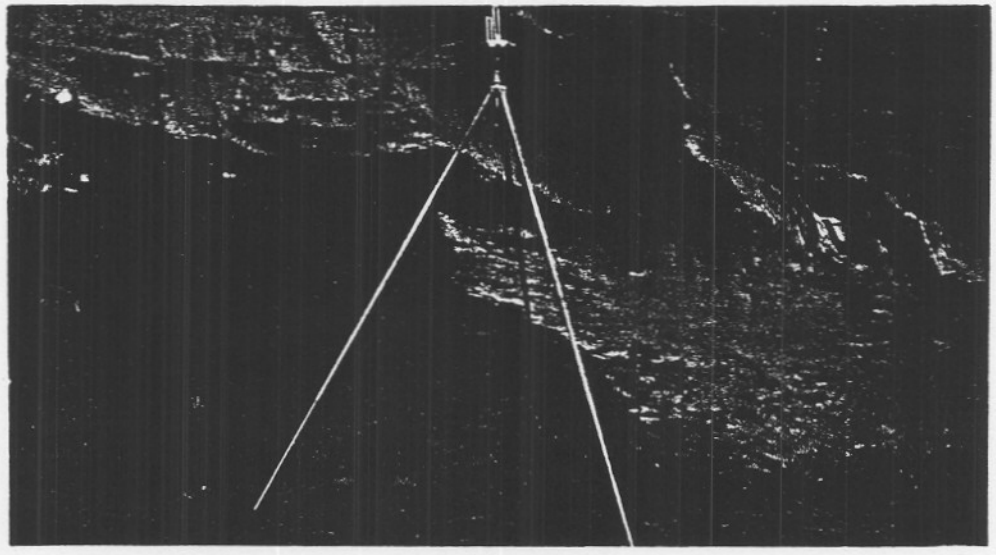
Link Tract (L. S. 4188; Phoenix 013384).

Looking southwest and showing general character of land. Springs lie about half way up steep mountain side. For location see F-4 on attached map.



Link Tract (L. S. 4188; Phoenix 013384).

Looking west and showing location of one of the two springs which flows from among the rocks. For location see F-4 on attached map.

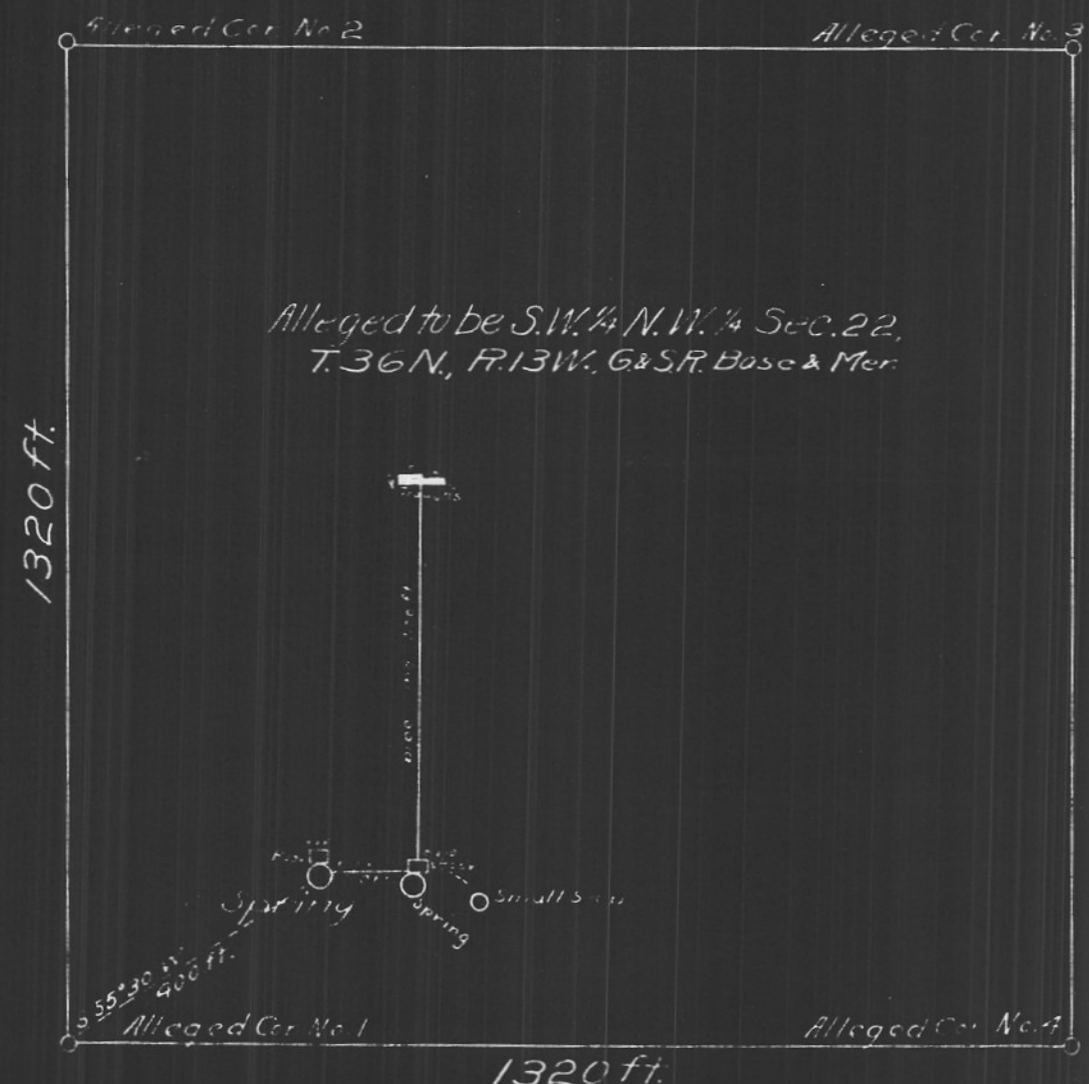


Link Tract (L. S. 4188; Phoenix 013384).

Looking west and showing location of most northerly of two springs which flow from the rocks. For location see F-4 on attached map. Spring is located at bottom of picture.

LINK SPRING

L.S. 4188 - Phoenix 013384



RATTLESNAKE TRACT

(L. S. 4188; Phoenix 013384)

Selected Sept. 20, 1900, under Act of June 4, 1897 (30 Stat., 36), by Preston Hutter as attorney in fact for C. W. Clarke (Appendix, p. 78). In the month of March, 1912, one Harvey D. Heist (Appendix, p. 118) is alleged to have located the tract by survey as being, when surveyed, approximately the SW¼ NW¼ Sec. 34, T. 36 N.,R. 13 W.,G. & S.R.B.& M.

This 40-acre tract was examined Oct. 29, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael of the Forest Service, and myself. About 100 feet southwest from the spring we found a small scrub oak stake about 2 inches in diameter set in the ground. This was the only thing resembling a corner that could be found. The water, of which there is sufficient to fill a half-inch pipe, seeps from the bottom of sandstone ledges and is carried about 30 feet in an inch and a half pipe to a trough 20 inches wide, 11 feet 3 inches long, and 1 foot deep. The canyon in which this tract is located was at one time fenced by Hutter, but the fencing was removed and used on the Link Tract. This spring was sold by Supervisors of Mohave County to B. F. Saunders (Appendix, p. 5).

As stated above, the tract lies in an exceedingly narrow canyon and the land included consists of steep mountain sides which are almost perpendicular in places. Not an acre of the land could be farmed.

Albert Foremaster states that none of the land could be cultivated and that he never saw any indications of a survey or a notice of any character (Appendix, p. 33). See statement of George H. Lytle (Appendix, p. 36).

Willard Sorensen states (Appendix, p. 39) that Nutter purchased this spring from Anton Ivans and that none of the land can be cultivated.

John Pymm states (Appendix, p. 44) that this spring will water about 100 head of cattle. He also states (Appendix, p. 47) that none of the land could be cultivated.

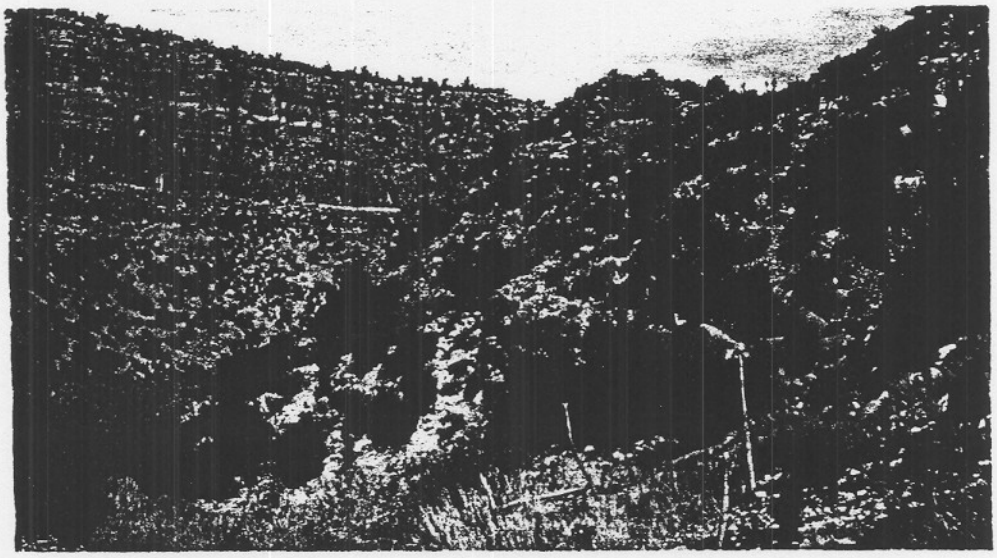
Two photographs are attached. One shows the general character of the land and the other the source of water supply.

A blue print is also attached showing the location of the improvements, which were originally constructed by Saunders.

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public land; the selection was not made in accordance with

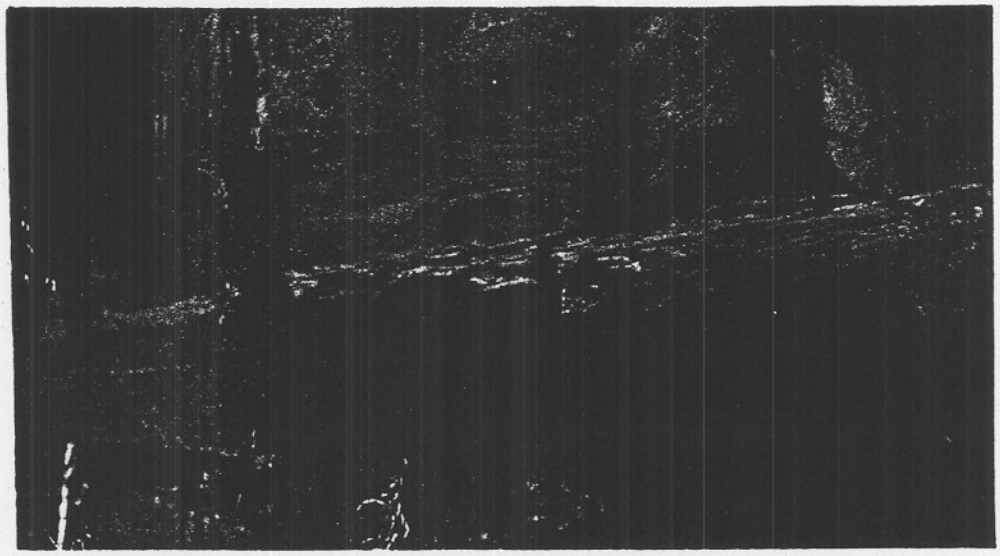
the law and regulations; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected and the spring withdrawn as a public water reserve, subject to the provisions of the Act of January 13, 1897.



Rattlesnake Tract (L. S. 4188; Phoenix 013384).

Looking north and showing character of land included in selection. Spring is located immediately to right of picture. For location see F-4 on attached map.



Rattlesnake Tract (L. S. 4188; Phoenix 013384).

Looking east and showing location of spring which is at the bottom of the picture. For location see F-4 on attached map.

RATTLESNAKE SPR.
L.S. 4188 – Phoenix 013384



Scale
250 ft – 1 in.

COIN BED TRACT

(L. S. 4188; Phoenix 013384)

Selected Sept. 20, 1900, under Act of June 4, 1897 (30 Stat., 36), by Preston Nutter as attorney in fact for C. W. Clarke (Appendix, p. 78). In the month of March, 1912, one Harvey D. Heist (Appendix, p. 118) is alleged to have located the tract by survey as being, when surveyed, approximately the NW¼ NW¼ Sec. 26, T. 36 N., R. 13 W., G. & S. R. B. & M. This surveyor states that the name should be "Cane Bed" and not "Coin" Bed. The spring is, in fact, known by both names, but most frequently called "Coin" Bed.

This 40-acre tract was examined October 29, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael of the Forest Service, and myself. No corners could be found. Two notices of appropriation of water were found about 20 feet from the spring, in an empty tin can. One was dated June 22, 1914, and signed by J. A. Crosby and Hyrum Atkin. In this notice the spring is designated as "Sheep Spring No. 2" and appropriates two miners' inches. The other appropriation was filed Oct. 20, 1907, by Herbert May and R. Young, and the spring is designated as "Middle Spring." They appropriate the spring and five acres of land

to be used for stock purposes. The spring, which supplies sufficient water to fill an inch pipe, was found on a steep mountain side. The water is conveyed 15 feet through an inch-and-a-half pipe to a trough 8 feet long, 14 inches wide, and 10 inches deep. The spring and trough are surrounded by a poorly constructed brush corral 100 by 400 feet.

The land included in the selection is so steep, rugged, and rocky that it could not possibly be cultivated. Not an acre could be farmed.

Willard Sorensen states (Appendix, p. 39) that this spring was purchased from Anton Ivans or Pymm and Foremaster and that none of the land could be cultivated.

John Pymm states (Appendix, - p. 44) that this spring will water about 300 head of cattle. He also states (Appendix, p. 47) that none of the land could be cultivated.

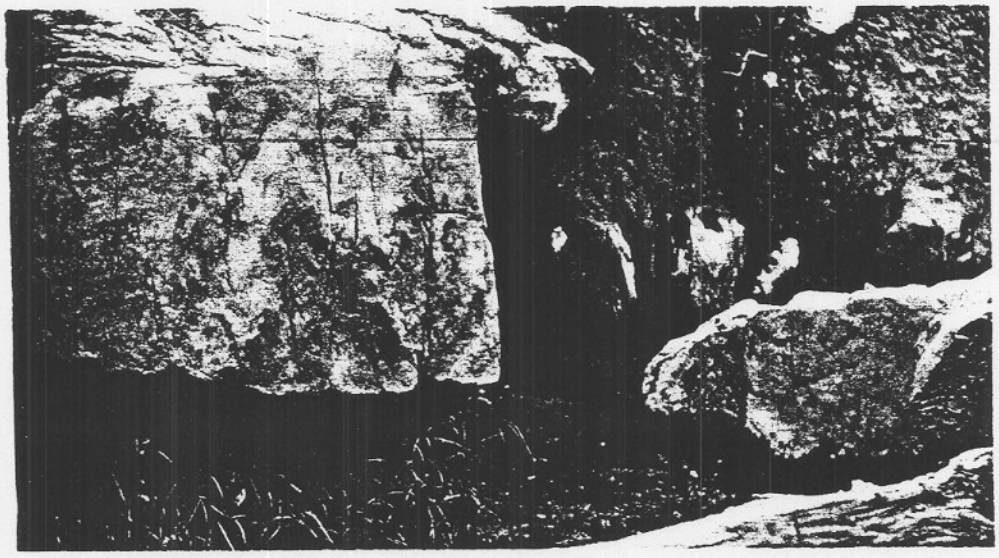
Two photographs are attached. One shows the source of water supply and the other the general character of the country.

A blue print is also attached showing the location of the improvements, which were originally constructed by Saunders.

The spring is locally known as Coin Bed, Cane Bed, Middle, and Sheep Spring No. 2. A title to a spring by one of these names would appear to be defective.

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected and the spring withdrawn as a public water reserve, subject to the provisions of the Act of January 13, 1897.



Coin Bed Tract (L. S. 4188; Phoenix 013384).

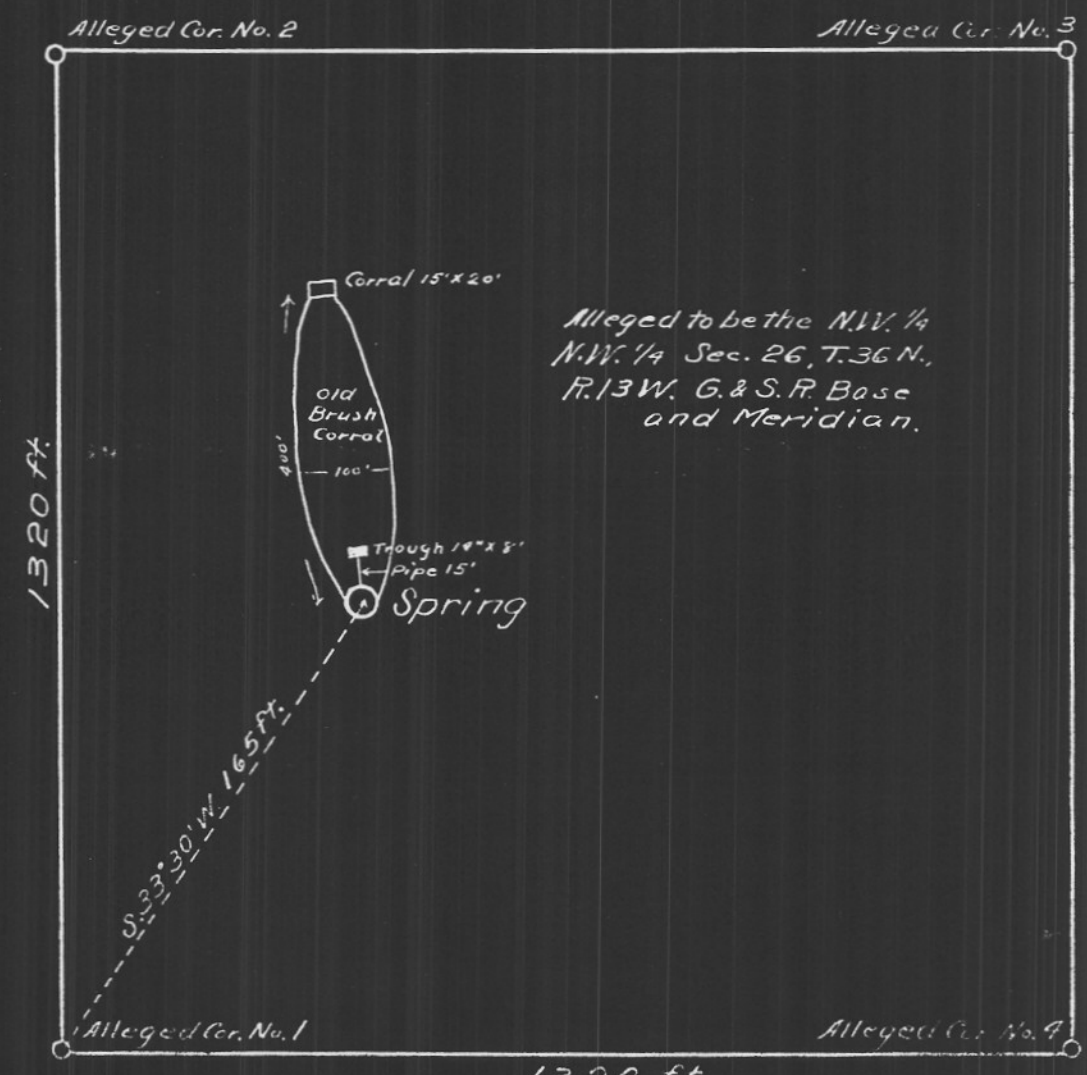
Looking west and showing location of spring which flows from among the rocks. For location see F-4 on attached map.



Coin Bed Tract (L. S. 4188; Phoenix 013384).

Looking east and showing general character of land. Spring lies to south of picture on steep mountain side. For location see F-4 on attached map.

COIN, or CANE BED SPR.
L.S. 4188 - Phoenix 013384



HIDDEN TRACT

(L. S. 4188; Phoenix 013384)

Selected Sept. 20, 1900, under Act of June 4, 1897 (30 Stat., 36), by Preston Nutter as attorney in fact for C. W. Clarke (Appendix, p. 78). In the month of March, 1912, one Harvey D. Heist (Appendix, p. 118) is alleged to have located the tract by survey as being, when surveyed, approximately as SE¼ SE¼ Sec. 25, T. 36 N., R. 13 W., G. & S. R. B. & M.

This 40-acre tract was examined Oct. 27, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael of the Forest Service, and myself. We were unable to find any corners. The spring is located about 300 feet up a steep mountain side. To accelerate the flow of water some rock has been shot from the point where the spring makes its appearance. Sufficient water is flowing from the spring to fill an inch pipe. The water is conveyed 300 feet down the hill to a trough 3 feet wide, 12 feet long, and 20 inches deep. The trough is inclosed by a corral 65 feet in diameter. This spring was sold by Supervisors of Mohave County to B. F. Saunders (Appendix, p. 5).

There is not a foot of agricultural land included within the selection. It is by far too steep and rocky, and broken as well.

Albert Foremaster states that he never saw any notice posted or any indications that the land has been surveyed, and that none of the land could be farmed (Appendix, p. 33). See statement of George H. Lytle, (Appendix, p. 36).

Willard Sorensen states (Appendix, p. 39) that Hutter purchased this spring from Anton Ivans, and that none of the land could be cultivated.

John Pymm states (Appendix, p. 44) that this spring will water from 800 to 1000 head of cattle. He also states (Appendix, p. 47) that none of the land could be cultivated.

Two photographs are attached, one showing the source of water supply and the other the brush corral and the general character of the country.

A blue print is also attached, on which the location of the improvements are shown. The improvements were originally constructed by Saunders.

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected and the spring withdrawn as a public water reserve, subject to the provisions of the Act of January 13, 1897.



Hidden Tract (L. S. 4188; Phoenix 013384).

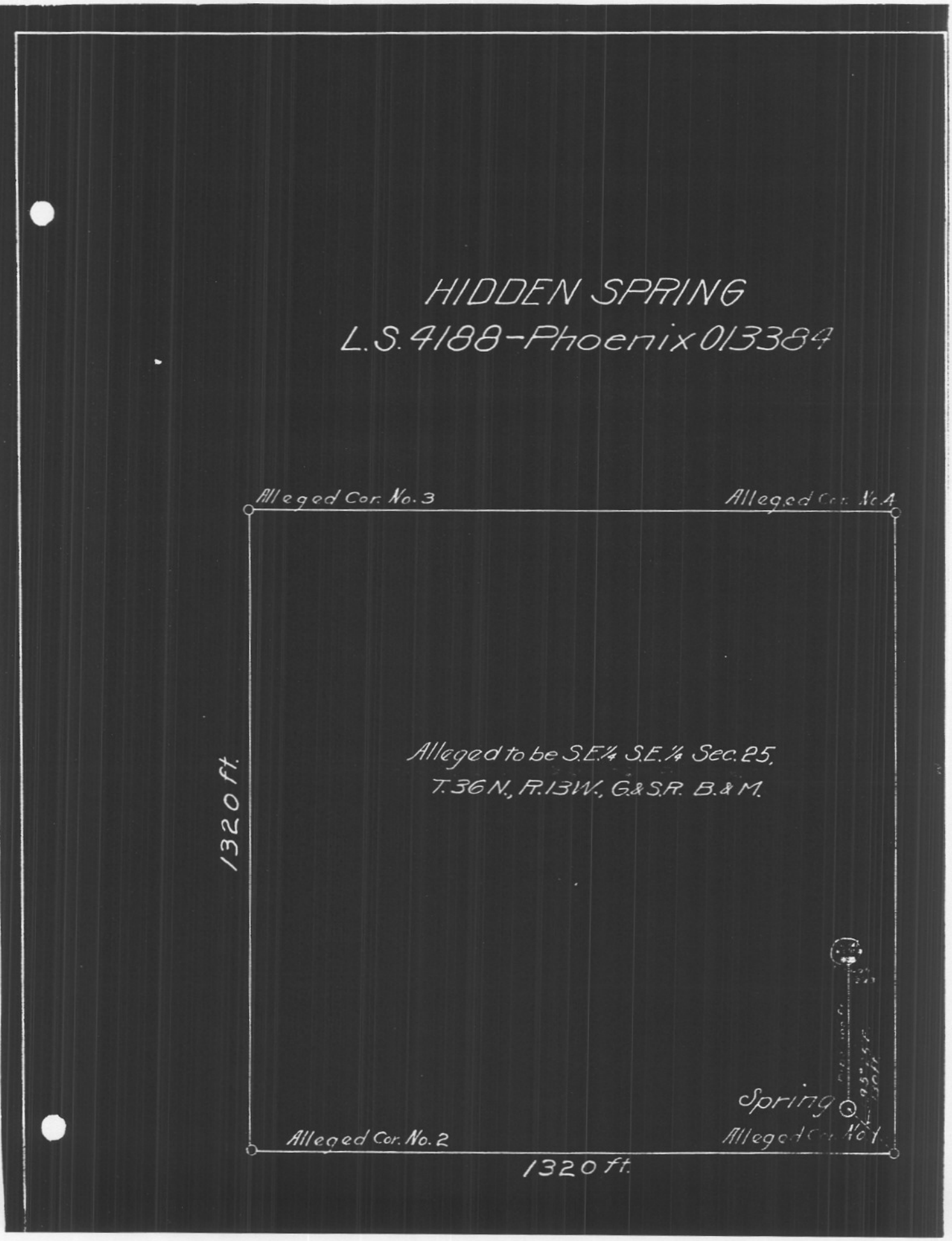
Showing location of brush corral and general character of land. Spring lies up the hill to the right of the picture. For location see F-4 on attached map.



Hidden Tract (L. S. 4188; Phoenix 013384).

Looking south and showing location of spring which flows from among the rocks. For location see F-4 on attached map.

HIDDEN SPRING
L.S. 4188 - Phoenix 013384



ANDREWS TRACT

(L. S. 4188; Phoenix 013384)

Selected Sept. 20, 1900, under Act of June 4, 1897 (30 Stat., 36) by Preston Nutter, attorney in fact for C. W. Clarke (Appendix, p. 78). In the month of March, 1912, one Harvey D. Heist (Appendix, p. 118) is alleged to have located the tract by survey as being, when surveyed, Approximately the SW¼ SE¼ Sec. 18, T. 33 N., R. 11 W., G.& S. R. B. & M.

This 40-acre tract was examined Oct. 30, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael and Alexander Macfarlane of the Forest Service, and myself. No corners could be found. The main spring, which flows sufficient water to about fill a one-inch pipe, rises about half way up a steep mountain side. A 15 foot tunnel has been cut in the side of the hill to accelerate the flow of water. Ten feet of the tunnel is dug in earth and 5 feet in rock. The mouth of the tunnel measures two by five feet. There are two poorly constructed corrals on the tract, each 40 by 60 feet. The water from the spring is piped 85 feet in an inch-and-a-half pipe to two troughs inclosed by one of the corrals. These troughs are 18 inches wide, 12 feet long, and 20 inches wide. There are two small seeps on the hillside, the waters from which were at one time piped into

the troughs. These pipe lines were out of commission on date of visit. There is also another spring farther up the hill and outside the selection. Willard Sorensen at one time filed on the waters of this spring and sold to Frank Hepworth, who transferred to Preston Nutter.

The land included within the selection lies on a steep mountain side, is very rocky, and not a foot of the land could be cultivated.

Albert Foremaster states that he saw no notice posted nor any indication of a survey. He also states that none of the land could be cultivated (Appendix, p. 33). See statement of George H. Lytle (Appendix, p. 36).

Willard Sorensen states (Appendix, p. 39) that Nutter purchased this spring from Anton Ivans and that the land could not be cultivated.

John Pymm states (Appendix, p. 44) that this spring will water 1,000 head of cattle. He also states (Appendix, p. 47) that none of the land could be cultivated.

Two photographs are attached. One shows the mouth of the tunnel from which the water flows, and the other the general character of land included within the selection.

A blue print is also attached showing the location of the improvements. It is not known who originally constructed the improvements.

There are at least four small springs within the area, and while it is not known to which the selection was tied, it is believed that the tie was made to the larger spring. It appears that a tie of this kind is very indefinite.

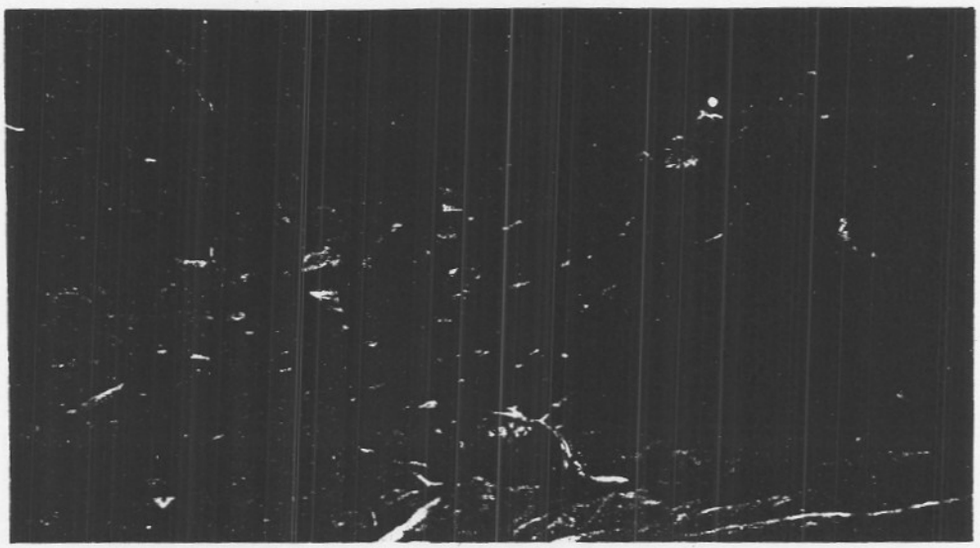
The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected and the springs withdrawn as public water reserves, subject to the provisions of the Act of January 13, 1897.



Andrews Tract (L. S. 4188; Phoenix 013384).

Showing opening of tunnel from which water flows. The tunnel is constructed in mountain side. For location see I-5 on attached map.

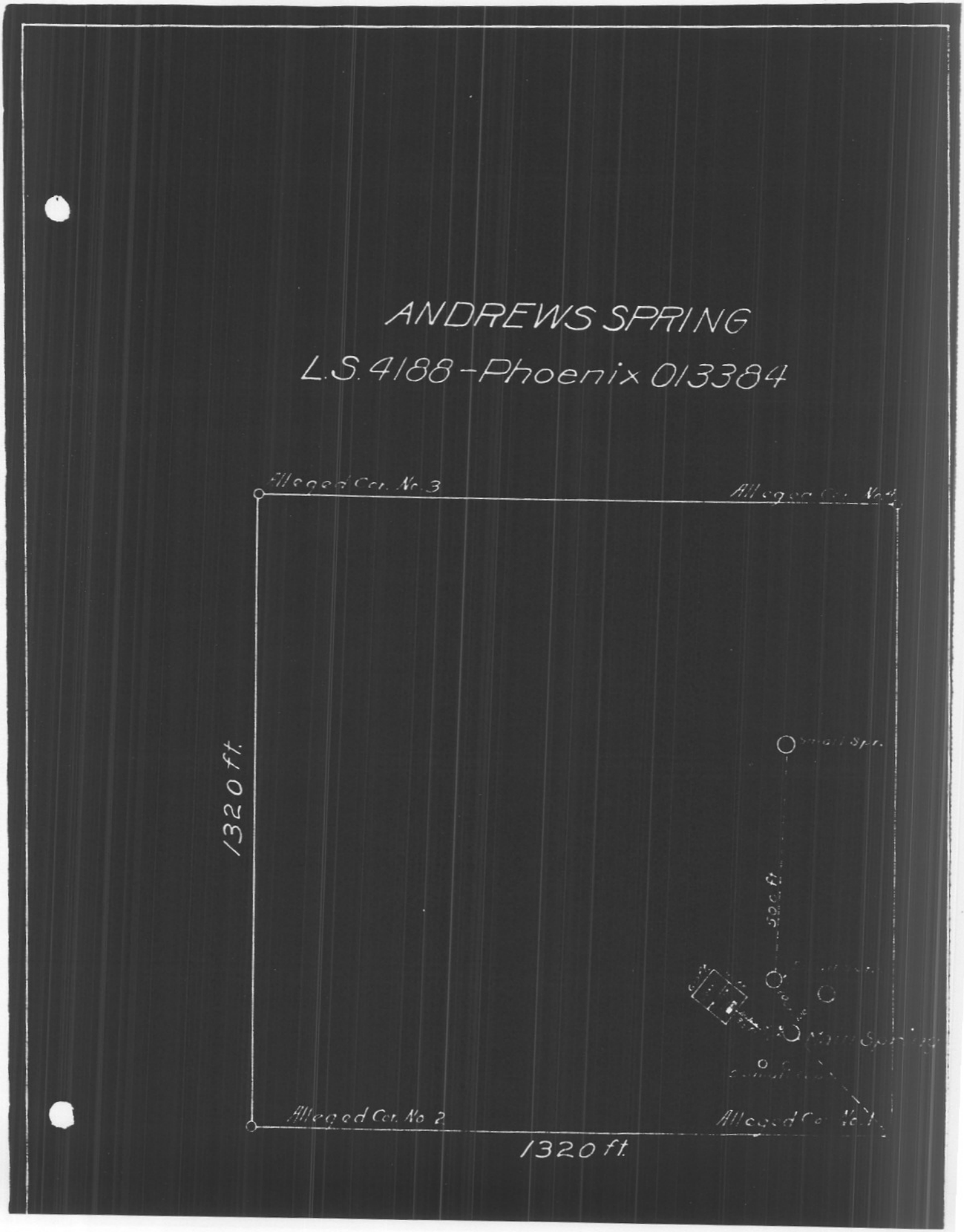


Andrews Tract (L. S. 4188; Phoenix 013384).

Looking south and showing general character of land included within tract. For location see I-5 on attached map.

ANDREWS SPRING

L.S. 4188 - Phoenix 013384



PARASHONT TRACT

(L. S. 4188; Phoenix 013384)

Selected Sept. 20, 1900, under the Act of June 4,1897, (30 Stat., 36) by Preston Nutter as attorney in fact for C. W. Clarke (Appendix, p. 78). In the month of March, 1912, one Harvey D. Heist (Appendix, p. 118) is alleged to have located the tract by survey as being, when surveyed, approximately the SE¼ NW¼ Sec. 22, T. 33 N., R. 12 W., G. & S. R. B. & M.

This 40-acre tract was examined Nov. 2, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael of the Forest Service, and myself. The headquarters of the Nutter outfit is located on this tract. The water is obtained from a well dug in the bottom of a wash and is pumped into troughs by hand. It is understood that two tunnels were constructed leading into the bottom of the well, with the object of securing a greater flow of water. The water from the well is pumped into a trough 12 feet square and 20 inches deep. The well is surrounded by a corral 100 by 800 feet. To the west of the well is another corral 90 by 200 feet, and to the southwest is still another one 75 feet in diameter. About 350 feet due west of the well is a group of old buildings measuring 28 by 48 feet. About 50 feet west of the southwest corner of these old buildings

is the northeast corner of a fence inclosing the house. The wire fence surrounding the house is 70 by 100 feet. The house, constructed of lumber and one story high, is 16 by 24 feet. About 400 acres of public domain have been inclosed by Hutter as a pasture.

Probably all of the selection not covered by the wash could be dry farmed.

Albert Foremaster states that he never saw any notice posted or any indication that a survey had been made, and that the land might be dry farmed (Appendix, p. 33).

Willard Sorensen states (Appendix, p. 39) that he saw a small stake, but is not sure that it was intended as a corner nor that it was set by Hutter or his agents. He also states that he saw a notice of location posted by Hutter. He further states that the seep was purchased from Ivans & Sorensen, and that the tract might possibly be dry farmed.

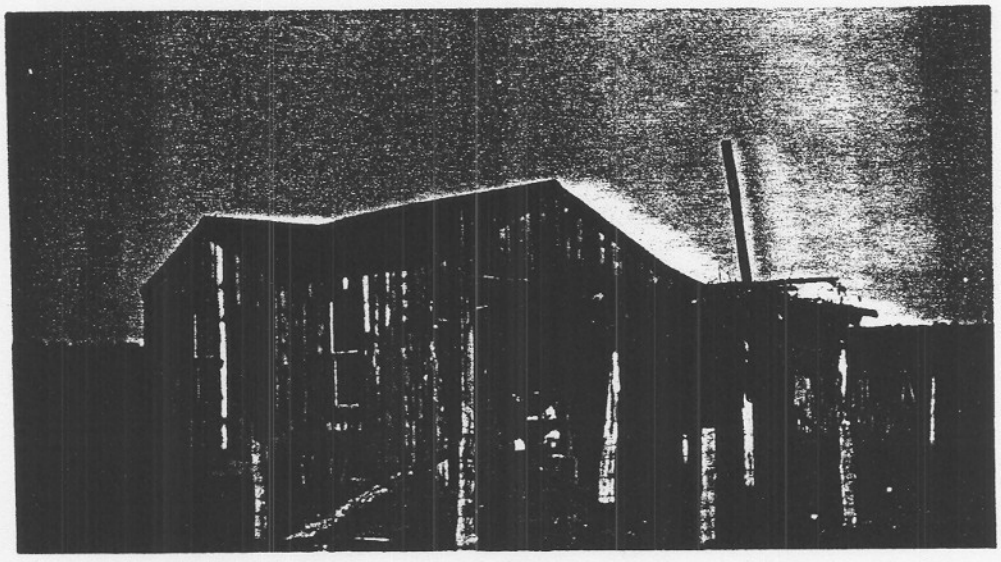
John Pymm states (Appendix, p. 44) that 1,000 head of cattle can be watered at this well. He further states (Appendix, p. 47) that this tract might be dry farmed.

Two photographs are attached. One shows the frame work at the well and the other the house, or headquarters.

A blue print is also attached showing the location of the improvements, which were originally constructed by Ivans & Sorensen.

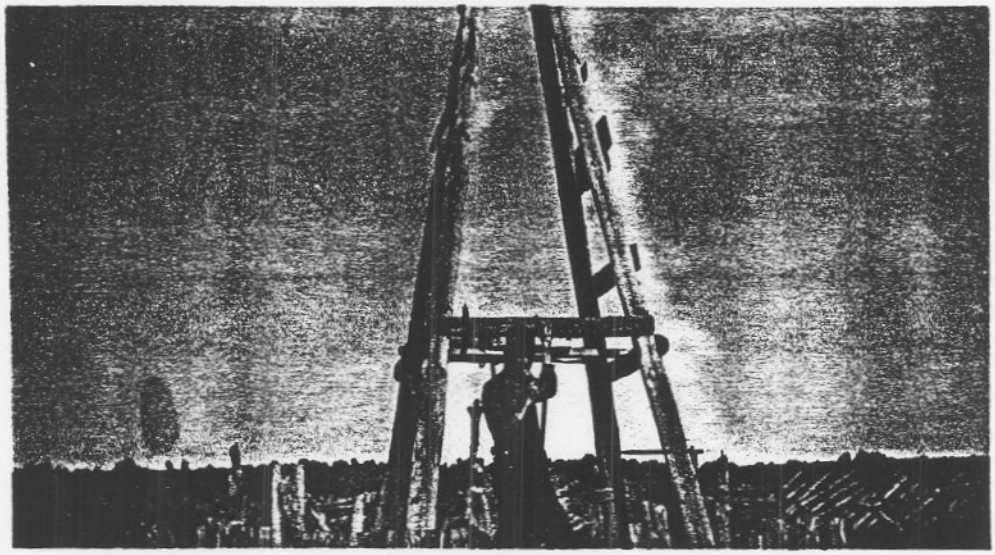
The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; and the selection was not made in accordance with the law and regulations.

For the above reasons, it is respectfully recommended that the selection be rejected and the seep withdrawn as a public water reserve, subject to the provisions of the Act of January 13, 1897.



Parashont Tract (L. S. 4188; Phoenix 013384).

Looking south and showing Nutter headquarters and general character of land. For location see I-5 on attached map.

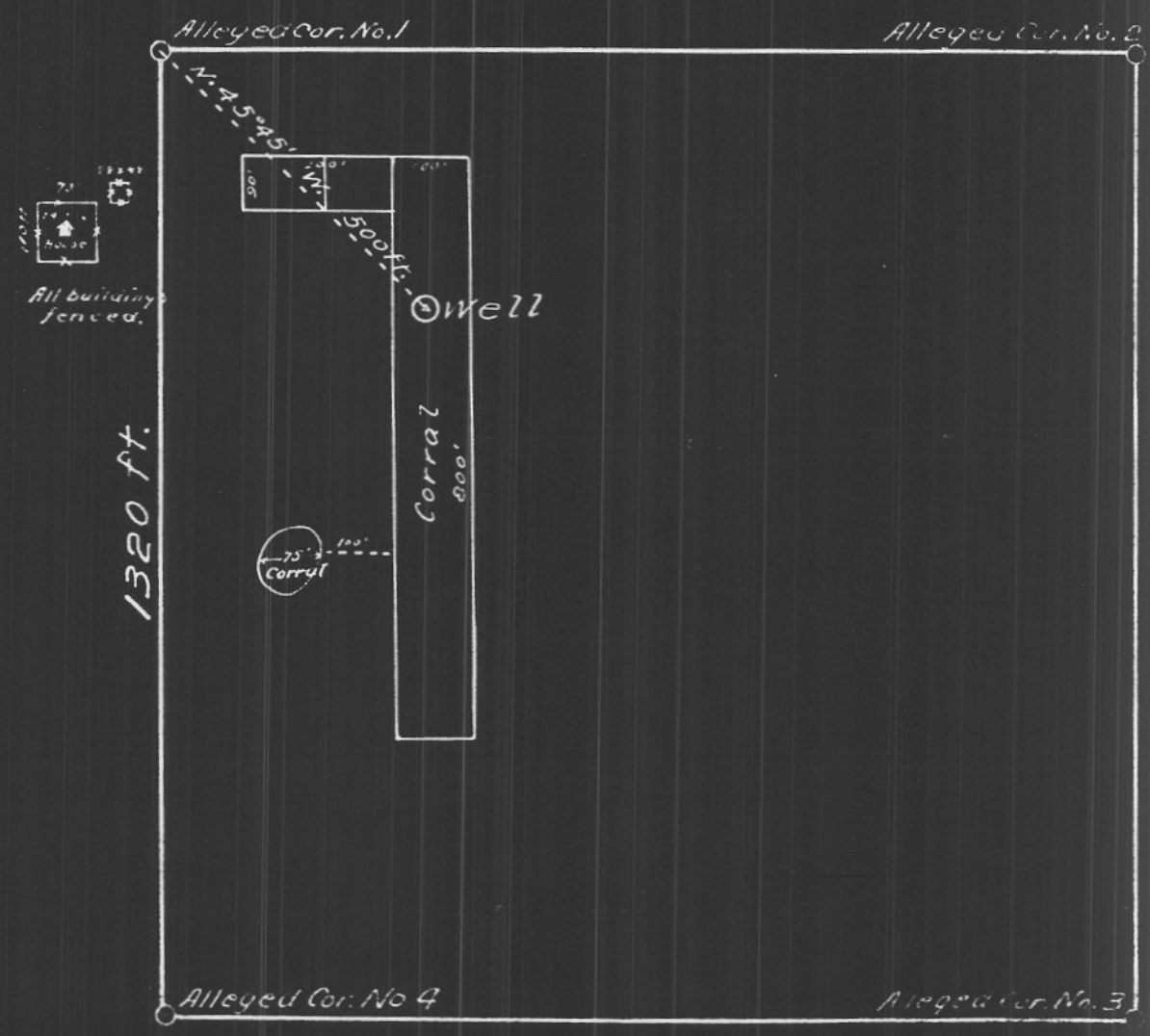


Parashont Tract (L. S. 4188; Phoenix 013384).

Looking east and showing frame for well, corral, and general character of land. For location see I-5 on attached map.

PARASHONT WELLS

L.S. 4188 - Phoenix 013384



OAK GROVE

(L. S. 4188; Phoenix 013384)

Selected Sept. 20, 1900, under Act of June 4, 1897 (30 Stat., 36), by Preston Nutter as attorney in fact for C. W. Clarke (Appendix, p. 78). In the month of March, 1912, one Harvey D. Heist (Appendix, p. 118) is alleged to have located the tract by survey as being, when surveyed, approximately the NE¼ NW¼ Sec. 21, T. 32 N., R. 12 W., G. & S. R. B. & M.

This 40-acre tract was examined Oct. 31, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael and Alexander Macfarlane of the Forest Service, and myself. The only evidence of a corner was an oak stake 3 inches in diameter and 3 feet long, which contained no markings. This stake was located at a point near where Corner No. 1 would be located. A well, 2 by 3½ by 12 feet, was dug at what apparently was the site of the spring, and 100 feet of tunnel connecting with the well was constructed to accelerate the flow of water. At the time of the examination the tunnel was caved in and the water was percolating through the earth into the end of the pipe line. Sufficient water to about fill a one-eighth inch pipe was available at the time of the examination. From the end of the 100 foot tunnel the water is conveyed through 350 feet of one-inch pipe to a wooden trough 18 inches wide, 12 feet long, and 15 inches deep.

Approximately 408 acres near this spring are under permit for pasturage purposes from the Forest Service to Preston Nutter. Near the spring is a delapidated log cabin 15 by 21 feet. This was the headquarters for the B. F. Saunders outfit at the time he was interested in this particular part of the country. This spring was sold to Nutter by B. F. Saunders (Appendix, p. 3).

About one half the land included within the location is broken and exceedingly rocky and could not be cultivated. The remaining or west half might possibly be dry farmed.

Albert Foremaster states that he never saw a notice posted on the claim or any indications that a survey had been made. He states that none of the land within the selection could be farmed (Appendix, p. 33).

George H. Lytle states (Appendix, p. 36) that he never saw a notice posted or any indications of a survey. He is of the opinion that none of the land included within this selection could be cultivated, but that some of the land nearby could.

Willard Sorensen states (Appendix, p. 39) that Nutter purchased this spring from B. F. Saunders and that the land might possibly be dry farmed.

John Pymm states (Appendix, p. 44) that this spring will water about 75 head of cattle. He further states (Appendix, p. 47) that the land might be farmed.

Two photographs are attached. One shows the source of water supply and the other the general character of the land.

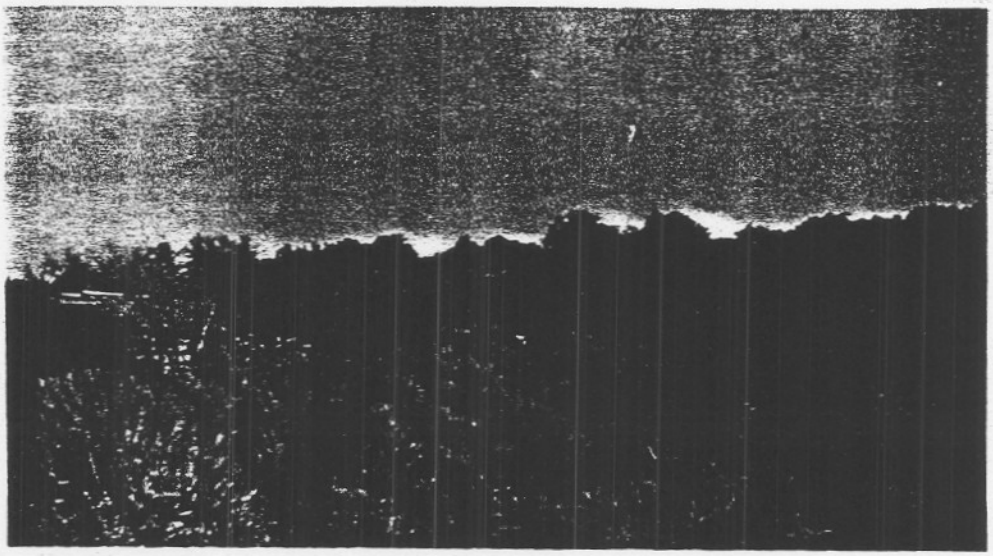
A blue print is also attached on which is shown the location of the improvements, which were originally constructed by Saunders.

So much work had been done on and near the spring that it was impossible to locate the point where the alleged tie was made.

The land was included within the Dixie National Forest by Proclamation of May 22, 1908.

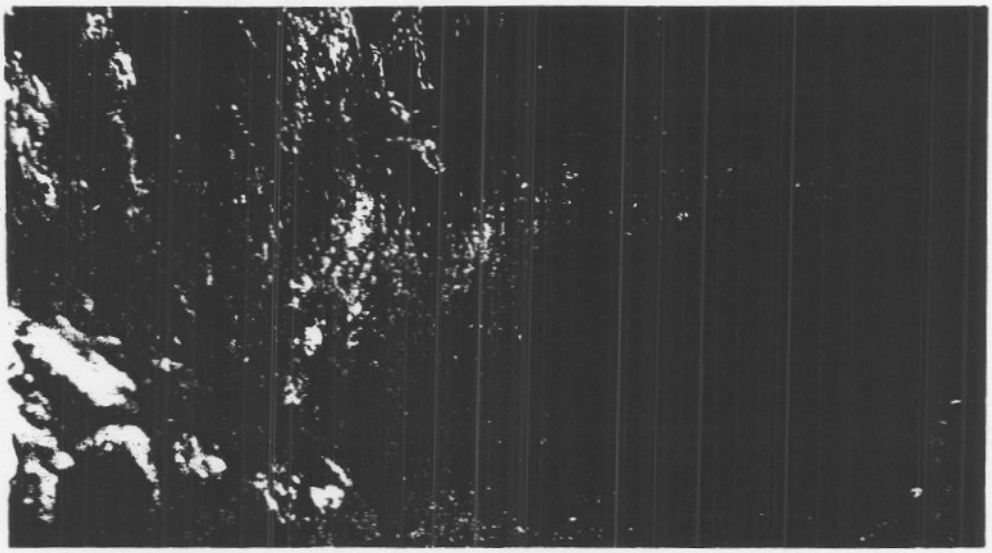
The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; the land included within the selection was withdrawn for National Forest purposes prior to passage of equitable title; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected.



Oak Grove Tract (L. S. 4188; Phoenix 013384).

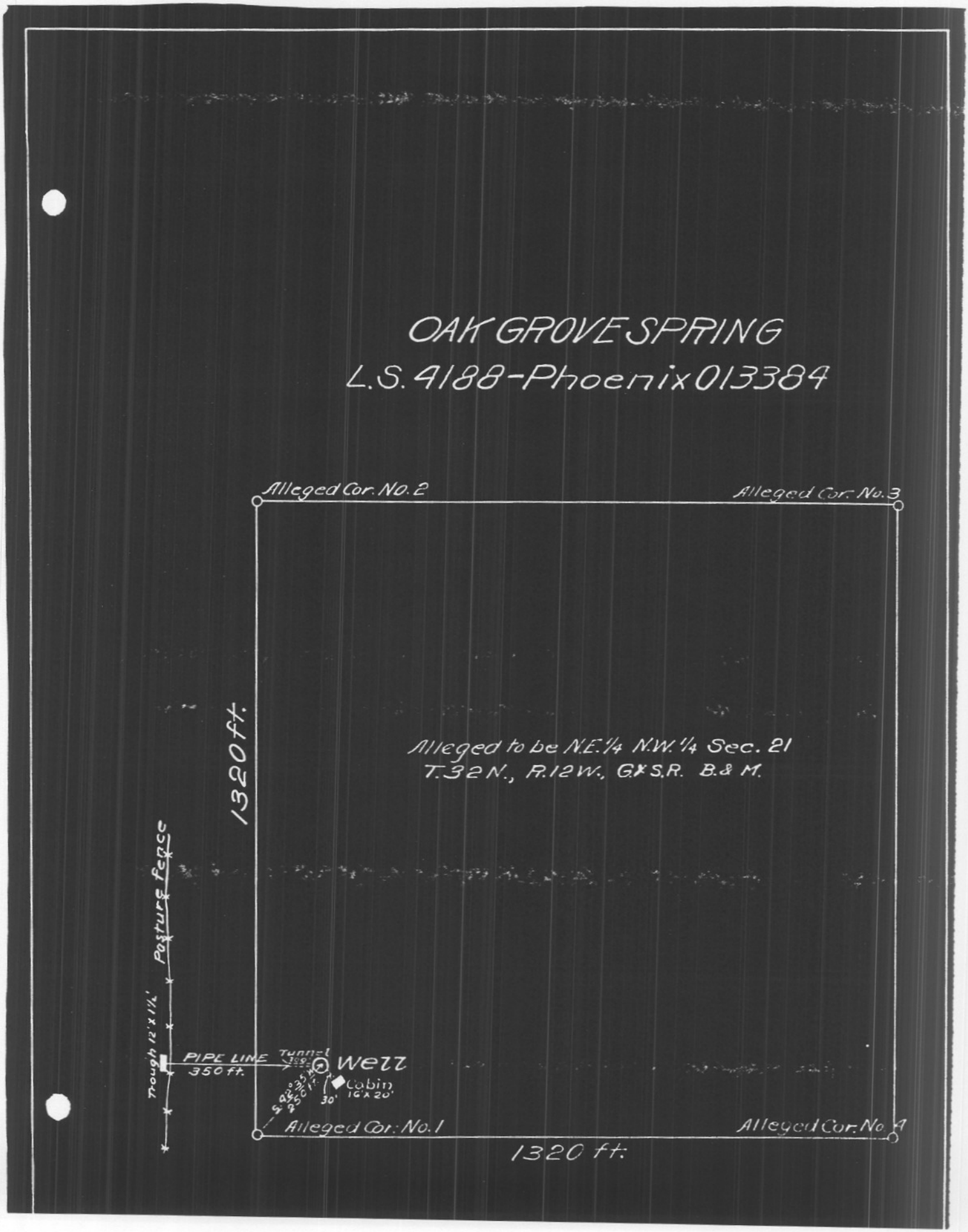
Looking west and showing location of old Saunders headquarters and general character of land. For location see J-5 on attached map.



Oak Grove Tract (L. S. 4188; Phoenix 013384).

Looking east and showing location of water supply. For location see J-5 on attached map.

OAK GROVE SPRING
L.S. 4188 - Phoenix 013384



GARDEN TRACT

(L. S. 4188; Phoenix 013584)

Selected Sept. 20, 1900, under Act of June 4, 1897 (30 Stat., 36), by Preston Nutter as attorney in fact for C. W. Clarke (Appendix, p. 78). In the month of March, 1912, one Harvey D. Heist (Appendix, p. 118) is alleged to have located the tract by survey as being, when surveyed, approximately the SE¼ SW¼ Sec. 25, T. 36 N., R. 13 W., G. & S. R. B. & M.

This 40-acre tract was examined Oct. 29, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael of the Forest Service, and myself. No corners could be found. Probably sufficient water is obtained to fill an inch pipe. The water is piped about 15 feet to the east to a wooden trough 3 feet wide, 8 feet long, and 1 foot deep. Nutter at one time attempted to convey the water from this and Hidden Springs to a higher elevation by pumping. The pipes were all laid and the engine and pump installed, but the plans were never carried out, as the engine was wrecked as the result of an explosion. The water of this spring was sold to B. F. Saunders by the Supervisors of Mohave County (Appendix, p. 5) and by him sold to Preston Nutter(Appendix, p. 3).

The land included in the tract lies in an exceedingly narrow canyon with steep mountains on either side. There is

not a foot of agricultural land on or near that included within the selection. The tract is absolutely worthless, excepting for the spring.

Albert Foremaster states that he never saw a notice posted or any indications that a survey had been made, and that none of the land could be cultivated. He also states that this spring is frequently referred to as Big Spring. (Appendix, p. 33.) See statement of George H. Lytle (Appendix, p. 36).

Willard Sorensen states (Appendix, p. 36) that Hutter purchased this spring from Anton Ivans, and that none of the land could be cultivated.

John Pymm states (Appendix, p. 44) that this spring will water 1,000 head of cattle. He also states that the spring is also known as Big Spring. He further states (Appendix, p. 47) that none of the land could be cultivated.

This spring is also locally known as Big Spring.

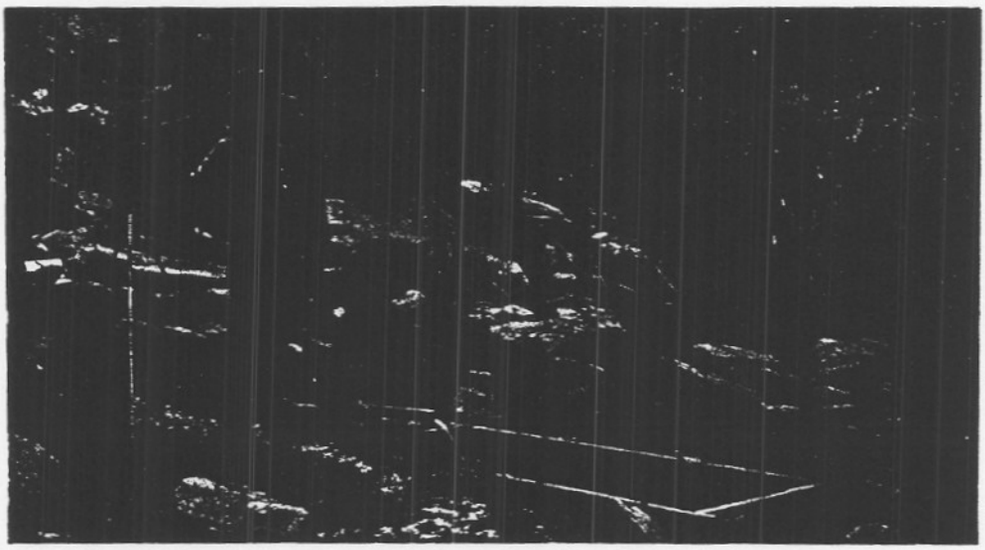
Two photographs are attached. One shows the general character of land and the other the trough, as well as the character of the land.

A blue print is also attached showing the location of the improvements, which were originally constructed by Saunders.

The water covered by the selection should be retained for the benefit of the general public; the patenting

of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected and the spring withdrawn as a public water reserve, subject to the provisions of the Act of January 13, 1897.



Garden Tract (L. S. 4188; Phoenix 013384).

Showing end of pipe line, trough, and general character of land. For location see F-4 on attached map.



Garden Tract (L. S. 4188; Phoenix 013384).

Looking east and showing general character of land. The spring lies to the west of the picture. For location see F-4 on attached map.

GARDEN SPRING
L.S. 4188 - Phoenix 013384



PINE TRACT

(L. S. 4188; Phoenix 013384)

Selected Sept. 20, 1900, under Act of June 4, 1897 (30 Stat., 36), by Preston Nutter as attorney in fact for C. W. Clarke (Appendix, p. 78). In the month of March, 1912, one Harvey D. Heist (Appendix, p. 118) is alleged to have located the tract by survey as being, when surveyed, approximately the SE¼ SE¼ Sec. 14, T. 32 N., R. 12 W., G. & S. R. B. & M.

This 40-acre tract was examined Nov. 2, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael and Alexander Macfarlane of the Forest Service, and myself. No corners could be found. A well 4 by 5 by 8½ feet has been dug, and three tunnels have been constructed connecting with this well. At the date of examination there were about two feet of water in the well. At one time the water was conducted through 80 feet of tunnel and 225 feet of piping to a corral. The pipe was out of repair and the corral demolished. About 100 feet south of the above-mentioned well we found another well, 3 by 4 by 8 feet. This well was dry. The spring was purchased by Nutter from Saunders (Appendix, p. 3).

The land included within the selection is covered with rock, is hilly and not suitable for cultivation. There are a few pine trees on the area.

Albert Foremaster states that he never saw a notice posted or any indications that a survey had been made at any time. He states that none of the land could be farmed (Appendix, p. 33). See statement of George H. Lytle (Appendix, p. 36).

Willard Sorensen states (Appendix, p. 39) that he saw a pile of rocks which might have been intended for a corner. He also states that Hutter purchased the spring from B. F. Saunders, and that none of the land could be cultivated.

John Fymm states (Appendix, p. 44) that this spring will water 75 head of cattle. He further states (Appendix, p. 47) that none of the land could be cultivated.

Two photographs are attached, one showing general character of land and the other the location of well and character of land.

A blue print is also attached showing location of improvements, which were originally constructed by Saunders.

The tract lies within the boundaries of the Dixie National Forest on (May 22, 1908).

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was withdrawn for

National Forest purposes prior to passage of equitable title; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected.



Pine Tract (L. S. 4188; Phoenix 013384).

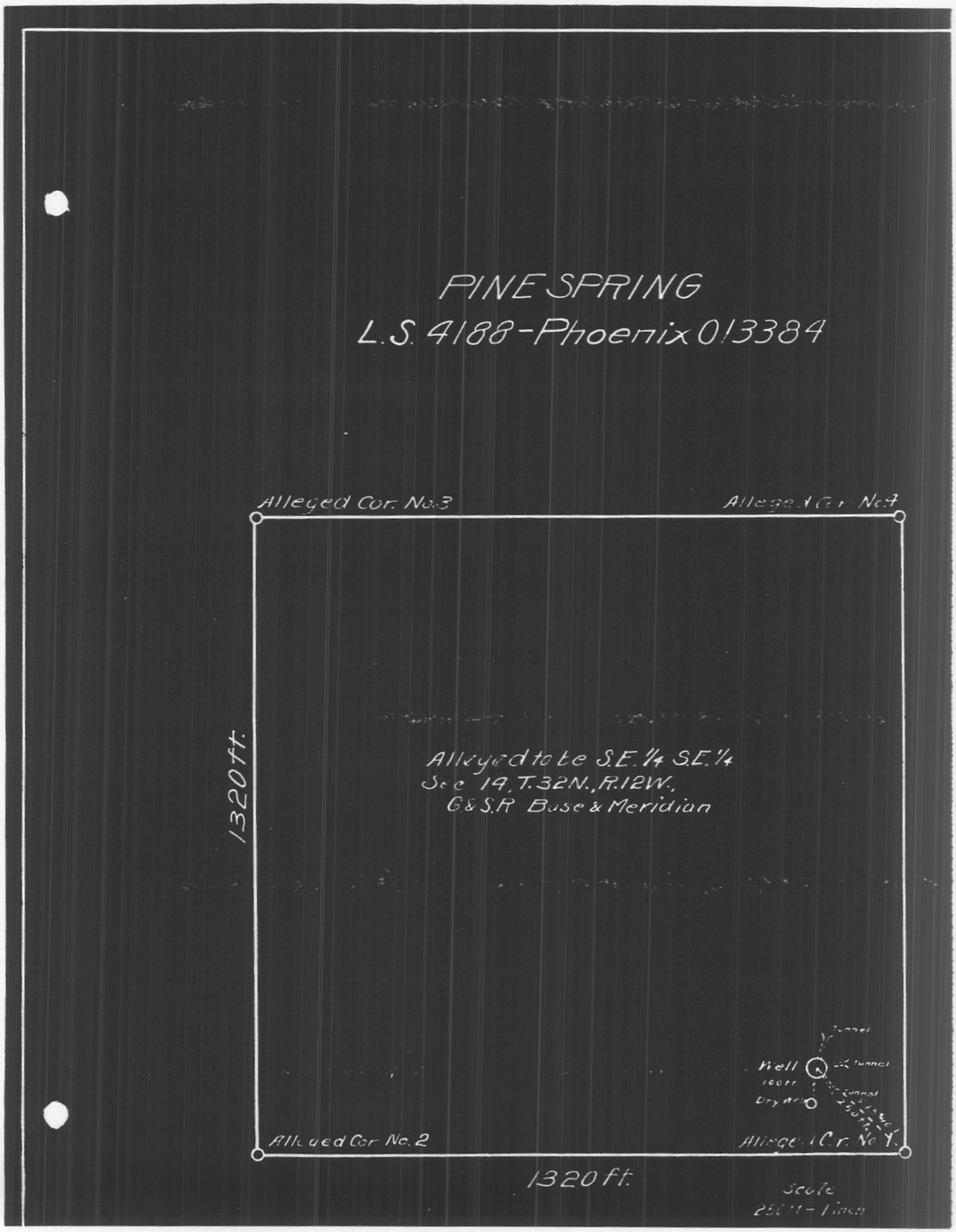
The ranger shown in center of picture is sitting on side of well described in the report. The picture also shows character of land. For location see J-5 on attached map.



Pine Tract (L. S. 4188; Phoenix 013384).

Looking east and showing general character of land. Spring lies to the west of picture. For location see J-5 on attached map.

PINE SPRING
L.S. 4188 - Phoenix 013384



GREEN SPRING TRACT

(L. S. 4188; Phoenix 013384)

Selected Sept. 20, 1900, under Act of June 4, 1897 (30 Stat., 36), by Preston Nutter as attorney in fact for C. W. Clarke (Appendix, p. 78). In the month of March, 1912, one Harvey D. Heist (Appendix, p. 118) is alleged to have located the tract by survey as being, when surveyed, approximately the SE¼ NE¼ Sec. 9, T. 31 N., R. 11 W., G. & S. R. B. & M.

This 40-acre tract was examined Oct. 31, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael and Alexander Macfarlane of the Forest Service, and myself. No corners could be found, and it is not believed that any were ever established. The spring covered by the selection is located in a very steep and narrow canyon. The spring is near the bottom of the canyon and supplies sufficient water to fill a three-quarter inch pipe. The water is conveyed by some ten feet of piping to a circular trough six feet in diameter. About 500 feet above the spring are two corrals, one measuring 100 by 200 feet, and the other 100 feet square. There is also a new salt house constructed by the Forest Service. About 500 feet to the east of the spring is a seep or pool which contains water the entire year. This spring

was sold by Saunders to Hutter (Appendix, p. 3).

The land included within the selection lies in a steep, narrow, and rocky canyon, and not a foot is capable of cultivation.

Albert Foremaster states that he never saw a notice posted nor any indications that a survey had been made. He further stated that none of the land is suitable for farming (Appendix, p. 33). See statement of George H. Lytle (Appendix, p. 36).

Willard Sorensen states (Appendix, p. 39) that Hutter purchased this spring from Saunders and that none of the land could be cultivated.

John Fymm states (Appendix, p. 44) that this spring will water from 2,000 to 3,000 head of cattle. He also states (Appendix, p. 47) that none of the land could be cultivated.

The selection is located within the boundaries of the Dixie National Forest, which was withdrawn May 22, 1908.

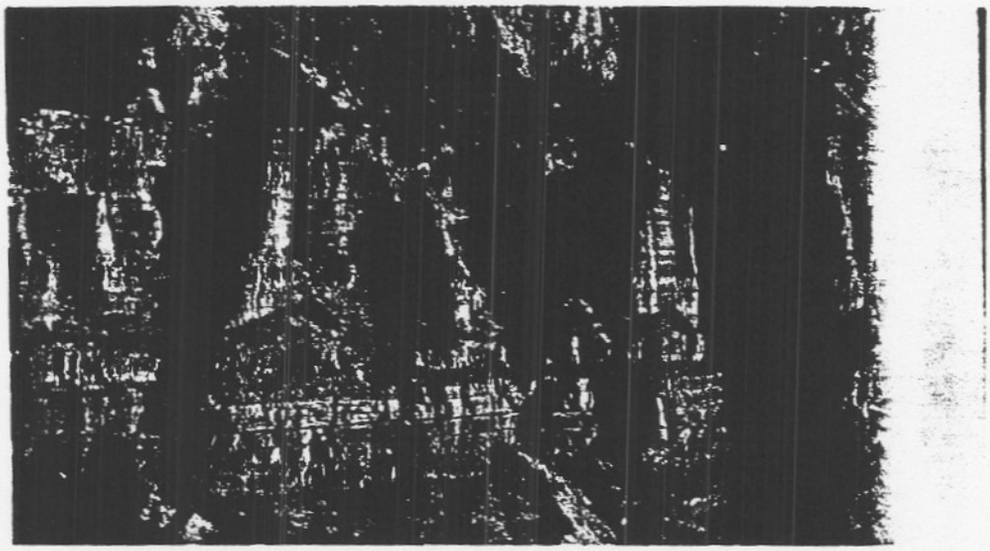
Two photographs are attached showing the general character of the land.

A blue print is also attached showing the location of the improvements, which were originally constructed by Saunders.

The water covered by the selection should be retained for the benefit of the general public; the patenting

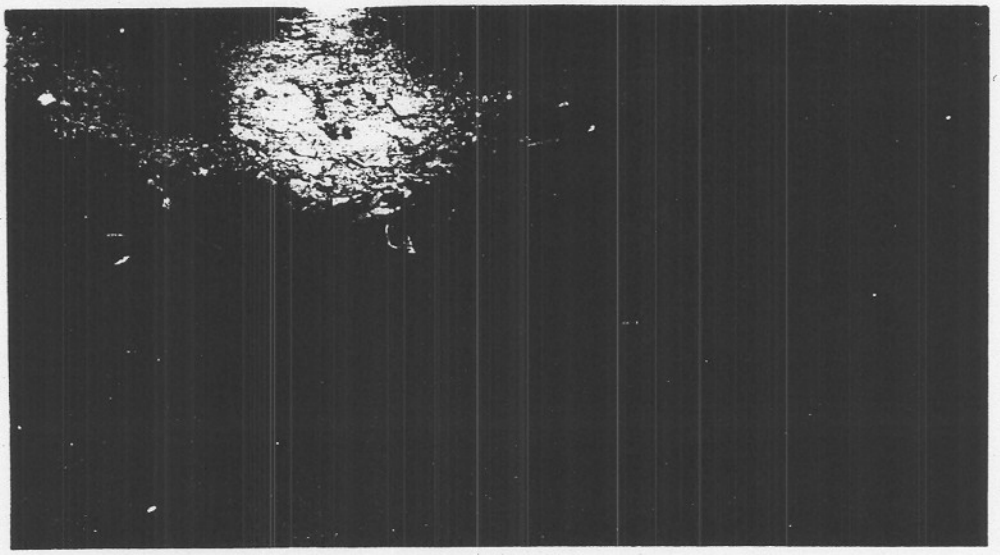
of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; the land included within the selection was withdrawn for National forest purposes prior to passage of equitable title; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected.



Green Tract (L. S. 4188; Phoenix 013384).

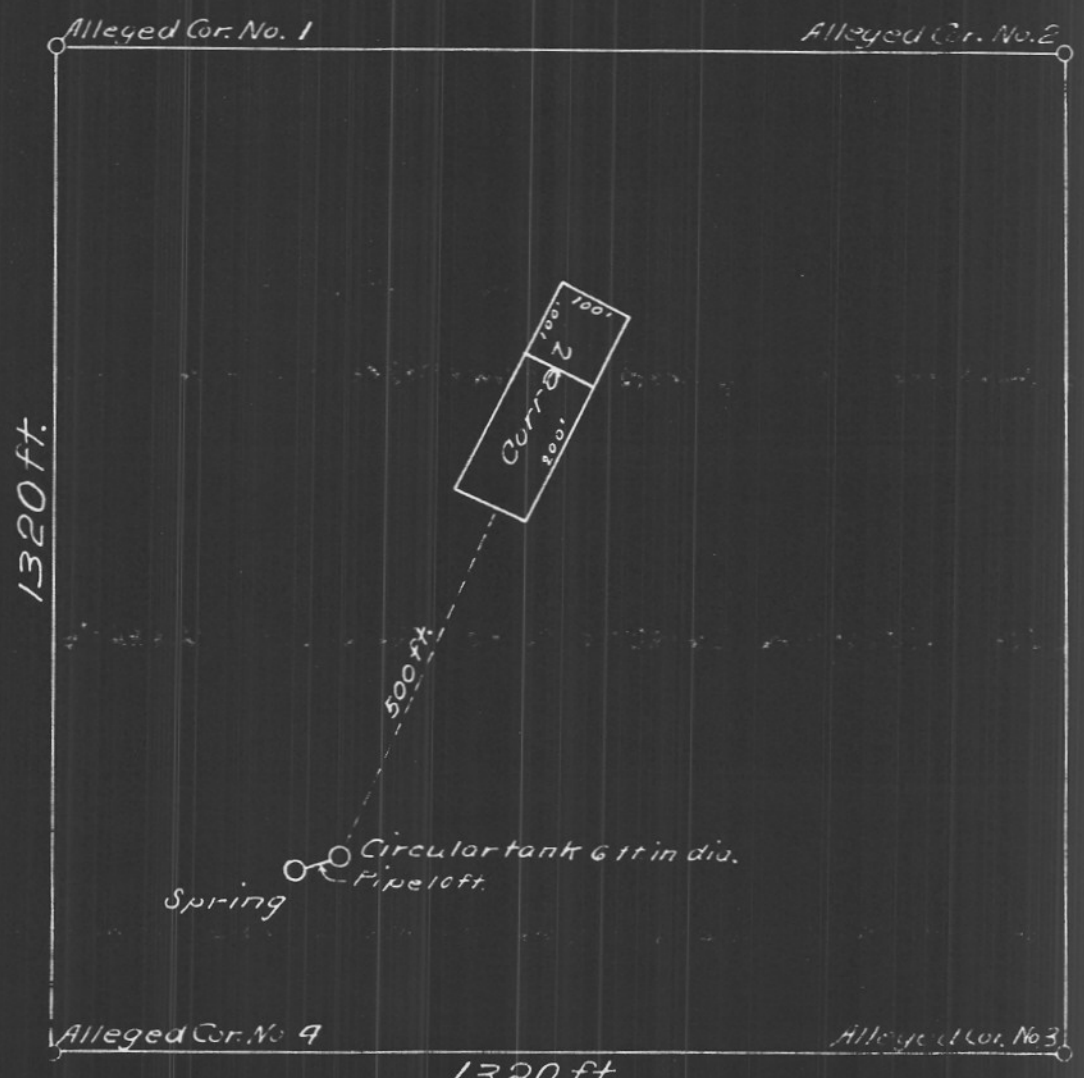
Looking west and showing character of land in Green Spring Canyon. The spring lies near the bottom of this wall of rock. For location see K-6 on attached map.



Green Tract (L. S. 4188; Phoenix 013384).

Looking east and showing location of seep and general character of land. For location see K-6 on attached map.

GREEN SPRING
L.S. 4188-Phoenix 013384



PENN'S POCKET TRACT

(L. S. 4188; Phoenix 013384)

Selected Sept. 20, 1900, under Act of June 4, 1897 (30 Stat., 36), by Preston Nutter as attorney in fact for C. W. Clarke (Appendix, p. 78). In the month of March, 1912, one Harvey D. Heist (Appendix, p. 118) is alleged to have located the tract by survey as being, when surveyed, approximately the SE¼ NW¼ Sec. 15, T. 31 N., R. 11 W., G. & S. R. B. & M.

This 40-acre tract was examined Oct. 31, 1912, by John A. Smith, Special Agent of the General Land Office, John Raphael and Alexander Macfarlane of the Forest Service, and myself. No corners could be found. The water supply here consists of a number of small seeps or pools in the bottom of an exceedingly rocky canyon. In fact, the little canyon is so full of huge boulders that very little of the water supply could be reached by cattle. In one of the pools or pockets we found a dead horse; also a calf that was unable to get out of the pocket. What was taken as the main pool was about 10 by 15 feet, and from 2 to 6 feet deep. A short distance down the canyon is another pool about 5 by 15 feet. Still farther down the canyon were found two more pools, one 15 and the other 25 feet in diameter. About 300 feet east of the main pool we found a newly constructed pole corral measuring 75 by 90 feet. This corral was constructed by Nutter.

This spring was purchased by Hutter of Saunders (Appendix, p. 3).

The land included within the selection is a mass of rocks, and is absolutely worthless excepting for the water supply. There are a few merchantable trees on the area.

Albert Foremaster states that he never saw a notice posted nor any indications that a survey had been made. He also states that none of the land could be farmed (Appendix, p. 33). See statement of George H. Lytle (Appendix, p. 36).

Willard Sorensen states (Appendix, p. 39) that Hutter purchased this spring from Saunders, and that none of the land could be cultivated.

John Pymm states (Appendix, p. 44) that this spring is only good after a rain and does not contain water the entire year. He further states (Appendix, p. 47) that none of the land could be cultivated.

The land included within the selection was withdrawn for National Forest purposes on May 22, 1908.

Two photographs are attached, one showing location of main pool and the other the general character of the land.

A blue print is attached, showing location of improvements, which were constructed by Hutter.

The selected land is within the boundaries of the Dixie National Forest, being withdrawn May 22, 1908.

There are so many seeps in the rocks that it was impossible to definitely determine to which the selection was tied.

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; the land included within the selection was withdrawn for National Forest purposes prior to passage of equitable title; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected.



Penn's Pocket Tract (L. S. 4188; Phoenix 013384).

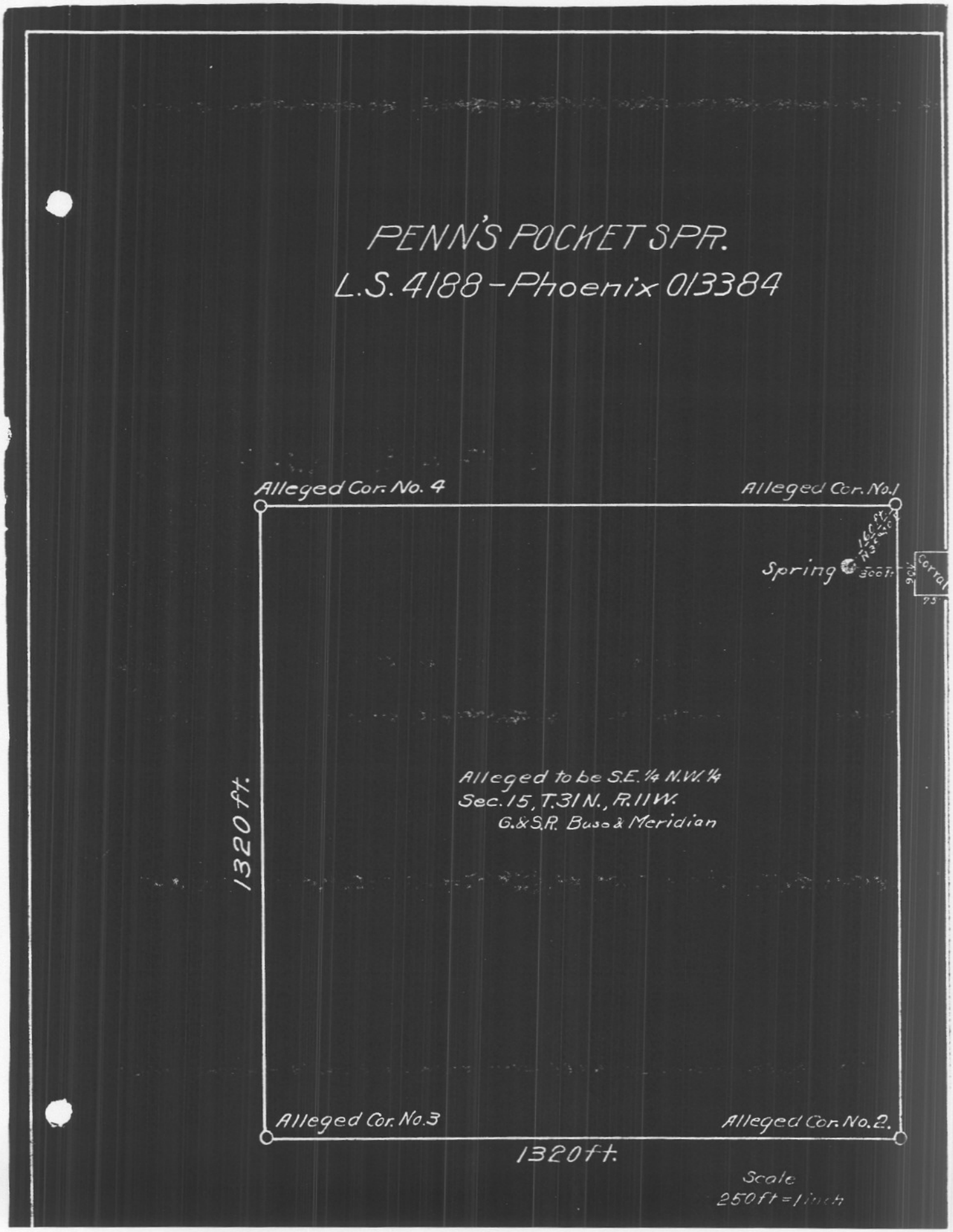
Looking east and showing main seep which is located at bottom of picture. For location of tract see K-6 on attached map.



Penn's Pocket Tract (L. S. 4188; Phoenix 013384).

Looking east and showing general character of land included in selection. The main seep lies to west of this picture. For location see K-6 on attached map.

PENN'S POCKET SPR.
L.S. 4188 - Phoenix 013384



COTTONWOOD TRACT

(L. S. 4188; Phoenix 013384)

Selected Sept. 20, 1900, under Act of June 4, 1897 (30 Stat., 36), by Preston Nutter as attorney in fact for C. W. Clarke (Appendix, p. 78). In the month of March, 1912, one Harvey D. Heist (Appendix, p. 118) is alleged to have located the tract by survey as being, when surveyed, approximately NW¼ NE¼ Sec. 28, T. 32 N., R. 12 W., G. & S. R. B. & M.

This 40-acre tract was examined Nov. 1, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael and Alexander Macfarlane of the Forest Service, and myself. It is located in the bottom of Green Spring Canyon, and is almost inaccessible. No corners were found, and it is more than probable that a survey was never made. No cattle were grazing in the canyon, but a few head of horses were seen. The water, of which there was sufficient to fill a half-inch pipe, flows from seeps in the bottom of a wash filled with huge boulders.

Not a foot of the land included in the selection could be cultivated on account of the huge rocks and steep sides of the canyon.

Nutter evidently realized the uselessness of this water on account of its inaccessibility, and later attempted

to change the location of the selection so as to cover Mokiac Spring. The surveyor who is alleged to have located these tracts for Hutter states in his affidavit (Appendix, p. 118) that "the location of this tract is in the head of Oak Grove Canyon, instead of Green Spring Canyon as in the original description." Mokiac is a well known spring, in fact one of the best known springs in that part of the country, and of this fact Hutter was aware. The desire to change the location of this particular scrip was influenced by the much larger value of Mokiac over Cottonwood, and was not the result of a mistake, as alleged by Hutter. The original description of Cottonwood corresponds with the location of the spring in Green Spring Canyon, which is also a well known land mark in that part of the country. Mokiac Spring is located between 8 and 10 miles west of Cottonwood Spring. Every cattleman in the country is familiar with Mokiac Spring, and never heard it called by any other name. Thomas H. Gardner (Exhibit 1) says he has been acquainted with Mokiac Spring for 14 years and never heard it called by any other name, and that he leased the spring from Hutter or his agents and said spring was referred to at that time as Mokiac Spring. Attention is called to the affidavits of Wallace Blake (Exhibit 2), Thomas H. Gardner (Exhibit 3), Andrew Sorensen (Exhibit 4), Frank R. Bentley (Exhibit 5), John Sutrzennegger (Exhibit 6), John D. Pymm (Exhibit 7), W. B. Mathis (Exhibit 8), and Prescott Lamb

(Exhibit 9). All of the affiants are and have been for a great many years acquainted with Mokiac and no one of them ever heard it called by any other name.

An examination was also made of the Mokiac Tract on Oct. 31, 1914, by the same parties. The water is obtained from a well. The water is pumped into a trough 2 by 6 by 12 feet. There are two other troughs, one 2½ by 2½ by 12 feet, and the other 2 by 1½ by 15 feet. A tunnel 125 feet long has been dug from the well, and during high water the water flows out of this tunnel and is used by the stock. At the time of visit sufficient water to fill a half-inch pipe was flowing out of the tunnel. The well and troughs are inclosed by a corral 90 by 150 feet. There is a second corral 60 feet square. A sawmill is being operated near the spring. There is no evidence that a survey has been made, and no corners could be located. This tract is literally covered with rocks and could not be cultivated.

It is not believed that a selector should be allowed to change the location of a selection for the sole purpose of securing a tract of greater value. Having once made a choice and paid for that particular 40-acre tract of land by the surrender of an equal area of land to the Government, it does not seem that he could invalidate his own contract or purchase by choosing another and different tract of land. In any event,

the land had been withdrawn for National Forest purposes prior to the date the reselection was made, (May 22, 1908) and this of itself would defeat selection of the Mokiac. This spring or seep was purchased of Saunders by Nutter (Appendix, p. 3).

Albert Foremaster states that he never saw any notice posted nor any indications of a survey at Cottonwood. He also states that he has been acquainted with Mokiac Spring for 25 years, and that he never heard it called by any other name (Appendix, p. 33). See statement of George H. Lytle (Appendix, p. 38).

Willard Sorensen states (Appendix, p. 39) that Cottonwood and Mokiac lie about 10 miles apart and that the latter has never been known by any other name than Mokiac.

John Pymm states (Appendix, p. 44) that Cottonwood and Mokiac Spring lie about 8 miles apart, and that the last-named spring was never known by any other name than Mokiac. He also states that he and Nutter discovered Cottonwood Spring, and that he was at one time directed to discontinue work on Mokiac Spring by Nutter for the reason that Nutter did not believe there was sufficient water to warrant the same. He also states that Mokiac Spring was purchased from Nutter, and that this spring will water about 800 head of cattle. He also states that Cottonwood Spring contains very little water. He further states (Appendix, p. 47) that none of the land at either Cottonwood or Mokiac springs could be cultivated.

Wallace Mathis states (Appendix, p. 49) that Nutter did not claim Mokiac Spring until others had improved the same and that Nutter never did any improvement work on this spring or well, which has always been known as Mokiac and has never been designated as Cottonwood. He further states that none of the land could be farmed.

There are a great many springs in the country known as Cottonwood, and at least two springs bear the name Mokiac.

Both Cottonwood and Mokiac springs were included within the boundaries of the Dixie National Forest by Proclamation of May 22, 1908.

Five photographs are attached. One of these shows the location of Cottonwood Spring and two the general character of the land surrounding this spring. Of the other two, one shows the well at Mokiac and the other the corral and cattle at the same spring.

Two blue prints are also attached. One shows location of the spring on the Cottonwood tract and the other the location of the improvements at Mokiac. Saunders did the original construction work at Mokiac, and it is reported that no work has been performed at this spring by Nutter.

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large

areas of public lands; the selection was not made in accordance with the law and regulations; the land surrounding both Cottonwood and Wokiac springs was withdrawn for National Forest purposes prior to passage of equitable title; an attempt has been made to enhance the value of the selection by surrendering an inferior spring and selecting a superior one; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected.

EXHIBIT 1.

County of Mohave,
State of Arizona. } SS.

Thomas H. Gardner being duly sworn, upon his oath, deposes and says:

That his post-office address is St. George, Utah:

That for the past 14 years has been well acquainted with the country in the neighborhood of Mokiac spring and well; that during said period of about 14 years, he has run a saw-mill for a portion of the time, near Mokiac spring or well; that about 14 years ago he leased Mokiac well for the purpose of using the water of said well to run a saw-mill; that at said time said spring or well was well known as Mokiac spring or well and that this affiant never at that time heard it called by any other name; that he leased said Mokiac well from Preston Nutter through his agent John Pymm; that the only time he ever heard said spring or well called by any other name was about 2 years ago when he heard said Preston Nutter call the same Cottonwood; that said Preston Nutter did not personally mention the name Cottonwood to this affiant but that affiant was informed through other parties of said fact; that said Nutter has in no way improved said Mokiac well or spring since affiant has been acquainted with the same.

(Signed) THOS. H. GARDNER

Subscribed and sworn to before me this 31st day of October, 1914.

(Signed) R. E. GERY

EXHIBIT 2.

State of Utah, }
County of Washington, } ss.

Wallace Blake, upon oath, makes the following statement concerning conversations had and statements heard concerning Mr. Preston Nutter's claim to range or water rights in Green Spring Canyon:

I am familiar with the country in and around Green Spring Canyon and for about two years was in the employ of Mr. Nutter. Some time ago I, in connection with other parties, explored Green Spring Canyon with a view to ascertaining if there was range and water to make the Canyon available for pasture purposes. Afterward, in conversation with Mr. John D. Pymm, formerly Mr. Nutter's ranch foreman, he stated to me, or at least intimated that in arranging for a pasture in Green Spring Canyon I was encroaching on Mr. Nutter, who claimed rights down there. Whether Mr. Pymm stated that Mr. Nutter had a scrip location down there or not I do not clearly recall, but I do remember that I told him that it would take lots of scrip to cover all the water down there.

(Signed) WALLACE BLAKE

Subscribed and sworn to before me this 27th day of February, 1913.

(Signed) E. C. HOYT
Assistant District Forester.

Witness:

(Signed) JOHN D. ALSOP

EXHIBIT 3.

State of Utah,
County of Washington, } ss.

Thomas H. Gardner, whose post-office address in St. George, Utah, being first duly sworn, deposes and says:

That I have been familiar with the Pahshaunt country for approximately 12 years and to my certain knowledge Mokiac Spring has never been commonly and widely known as Cottonwood Spring. It has always been commonly and widely known as Mokiac Spring. I have heard of a tract in Green Spring Canyon that is called Cottonwood Spring, about 10 miles a little east of south of Mokiac Spring, but I have never been there.

That I have carefully read the foregoing statement of facts, understand their import, and they are true to the best of my knowledge.

(Signed) THOMAS H. GARDNER

Subscribed and sworn to before me this 27th day of January, 1913.

(Signed) ETHEL JARVIS
(Acting Forest Supervisor)

EXHIBIT 4.

State of Utah, }
County of Washington, } SS.

Andrew Sorensen, whose post-office address is St. George, Utah, being duly sworn, deposes and says:

That I have been familiar with the Pahshaunt Country for the past 38 years and was a member of the second party of white men to go into that section. I have been closely associated with the ranch owners and cattlemen out there and have always had an interest in the Pahshaunt range. I am familiar with the watering places and to my certain knowledge Mokiac Well has always been known by that name and no other. The description of the "Cottonwood Tract" which I have just read does not cover Mokiac, but more particularly describes a tract down in Green Spring Canyon known as Cottonwood Spring. Mokiac never was commonly and widely known as Cottonwood Spring and is not now known by that name. I have been in Green Spring Canyon and know where Cottonwood Spring is but have never been down to it.

That I have read the foregoing statement of facts carefully, understand their import, and they are true to the best of my knowledge.

(Signed) ANDREW SORENSON

Subscribed and sworn to before me this 28th day of January, 1913.

(Signed) ETHEL JARVIS

(Acting Forest Supervisor)

EXHIBIT 5.

State of Utah,)
) SS.
County of Washington,)

Frank R. Bentley, whose post-office address is St. George, Utah, being duly sworn, deposes and says:

That I am familiar with the history of the Pahshaunt country in general and that I was one of the first white men in that country. I have been out there frequently during the last 35 years. I am familiar with the changes that have been made in the ownership of the Pahshaunt country since it was first bought from the Indians by the Canaan Cattle company:

That Mokiac has always been well known by that name and not Cottonwood Spring. To the best of my knowledge it is not now and never was commonly known as Cottonwood. There is a place more particularly answering the description of the "Cottonwood Tract" known as Cottonwood Spring, situated, I would say about 10 or 12 miles southeast of the Mokiac Well, in Green Spring Canyon, though I have never been right at the spring.

That I have read the foregoing statement of facts, understand their import, and they are true to the best of my knowledge.

(Signed) FRANK R. BENTLEY.

Subscribed and sworn to before me this 27th day of January, 1913.

(Signed) ETHEL JARVIS
(Acting Forest Supervisor)

EXHIBIT 6.

State of Utah, }
County of Washington, } ss.

John Sturzeneggar, whose post-office address is St. George, Utah, being duly sworn, deposes and says:

That I am familiar with the Pahshaunt country and have been for 20 years. To my certain knowledge Mr. Hutter did not include the Mokiac tract at the time he claims to have filed his script. I was out there at the time and met Mr. Hutter and his surveyor at Pahshaunt, and there was no notice of any kind put on the tract. Mokiac Well has never been known by any other name, and is not now and never was commonly and widely known as Cottonwood Spring:

That I have read the description of Tract No. 13, claimed by Mr. Hutter and called Cottonwood Tract, and I hereby certify that the description does not cover Mokiac. To my certain knowledge there is a tract in Green Spring Canyon that answers the description of Tract No. 13, and it is commonly known as Cottonwood Spring. This spring is about 8 or 10 miles southeast of Mokiac.

That I have read the foregoing statement of facts, understand their import, and they are true to the best of my knowledge.

(Signed) JOHN STURZENEGGER

Subscribed and sworn to before me this 27th day of January, 1913.

(Signed) ETHEL JARVIS
(Acting Forest Supervisor)

EXHIBIT 7.

State of Utah, }
County of Washington, } ss.

John D. Pymm, whose post-office address is St. George, Utah, being duly sworn, deposes and says:

That I have spent most of my time during the past 30 years in Pahshaunt country and am perfectly familiar with the conditions and the situation at Mokiac well. To my certain knowledge Mokiac has been knownby that name ever since it was dug, approximately thirty years ago. It has never been and is not now commonly known as Cottonwood Spring. I have heard the description of Cottonwood Tract read, and it describes a spring by that name in Green Spring canyon, which I have seen, and which is approximately 10 miles southeast of Mokiac.

That I have read the foregoing statement of facts, understand their import, and they are ture to the best of my knowledge.

(Signed) JOHN D. PYMM

Subscribed and sworn to before me this 28th day of January, 1913.

(Signed) ETHEL JARVIS
(Acting Forest Supervisor.)

EXHIBIT 8.

State of Utah, }
County of Washington, } ss.

W.B. Mathis, whose post-office address is St. George, Utah, being duly sworn, deposes and says:

That I am familiar with the situation at Mokiac and general conditions on the Pahshaunt range, and have spent more or less time out there during the past nine years. To my knowledge Mokiac has been commonly known by that name during that period and has not been nor is it now commonly and widely known as Cottonwood Spring. The description of Cottonwood Tract does not cover Mokiac.

That I have read the foregoing statement of facts, understand their import, and they are true to the best of my knowledge.

(Signed) W. B. MATHIS

Subscribed and sworn to before me this 28th day of January, 1913.

(Signed) ETHEL JARVIS
(Acting Forest Supervisor)

EXHIBIT 9.

State of Utah, }
County of Washington, } SS.

Prescott Lamb, whose post-office address is St. George, Utah, being duly sworn, deposes and says:

That I am familiar with the situation at Mokiac and have made frequent trips to that section during the past 20 years. Mokiac has never been known by any other name. To my certain knowledge it has never been and is not now commonly and widely known as Cottonwood Spring. That the description which has just been read of Cottonwood Tract more particularly describes a spring of which I have heard during the last year, but does not cover Mokiac, as Mokiac is in Mokiac canyon, not in Green Spring Canyon.

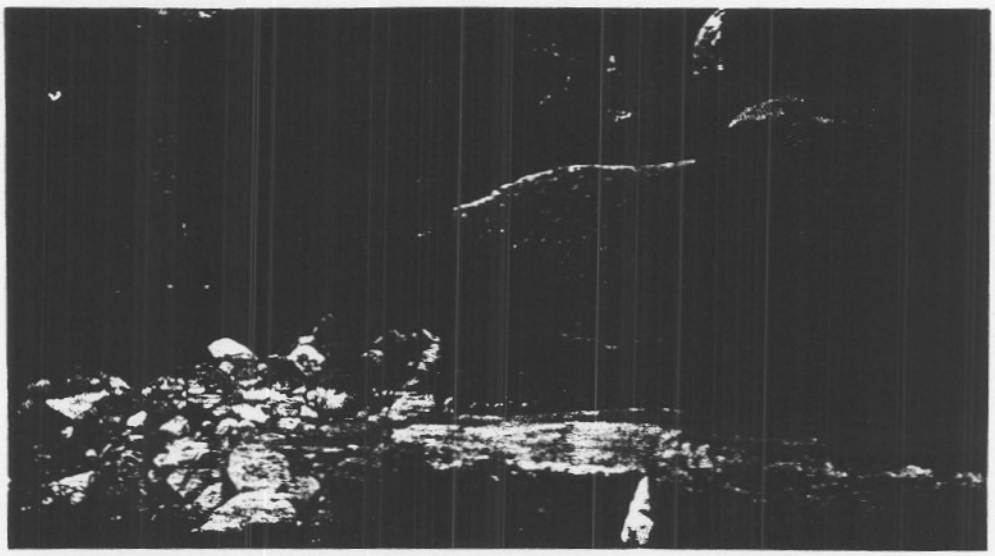
That I have read the foregoing statement of facts, understand their import, and they are true to the best of my knowledge.

(Signed) PRESCOTT LAMB

Subscribed and sworn to before me this 28th day of January, 1913.

(Signed) ETHEL JARVIS

(Acting Forest Supervisor.)



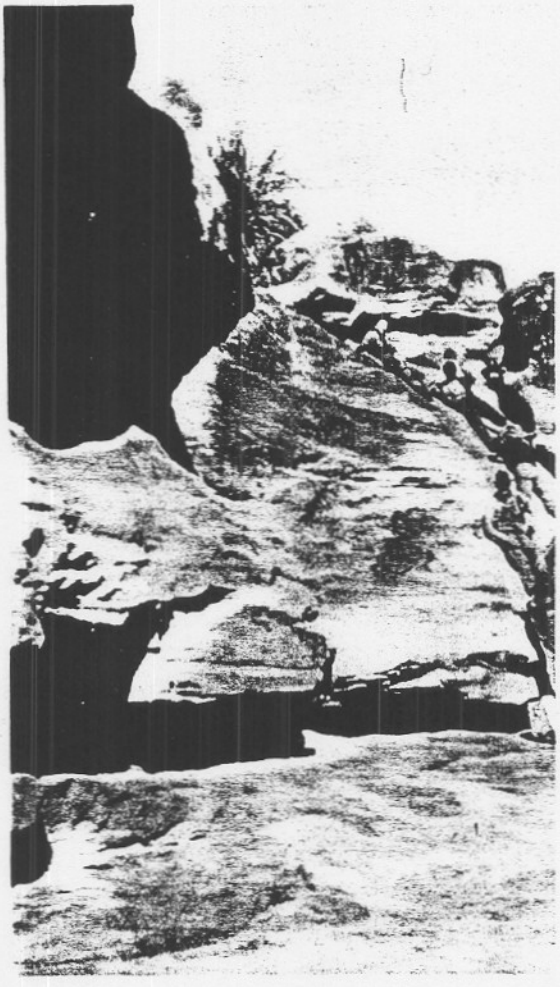
Cottonwood Tract (L. S. 4188; Phoenix 013384).

Looking east and showing location of main spring on Cottonwood tract originally located by Nutter. Spring flows from among rocks. For location see K-6 on attached map.



Cottonwood Tract (L. S. 4188; Phoenix 013334).

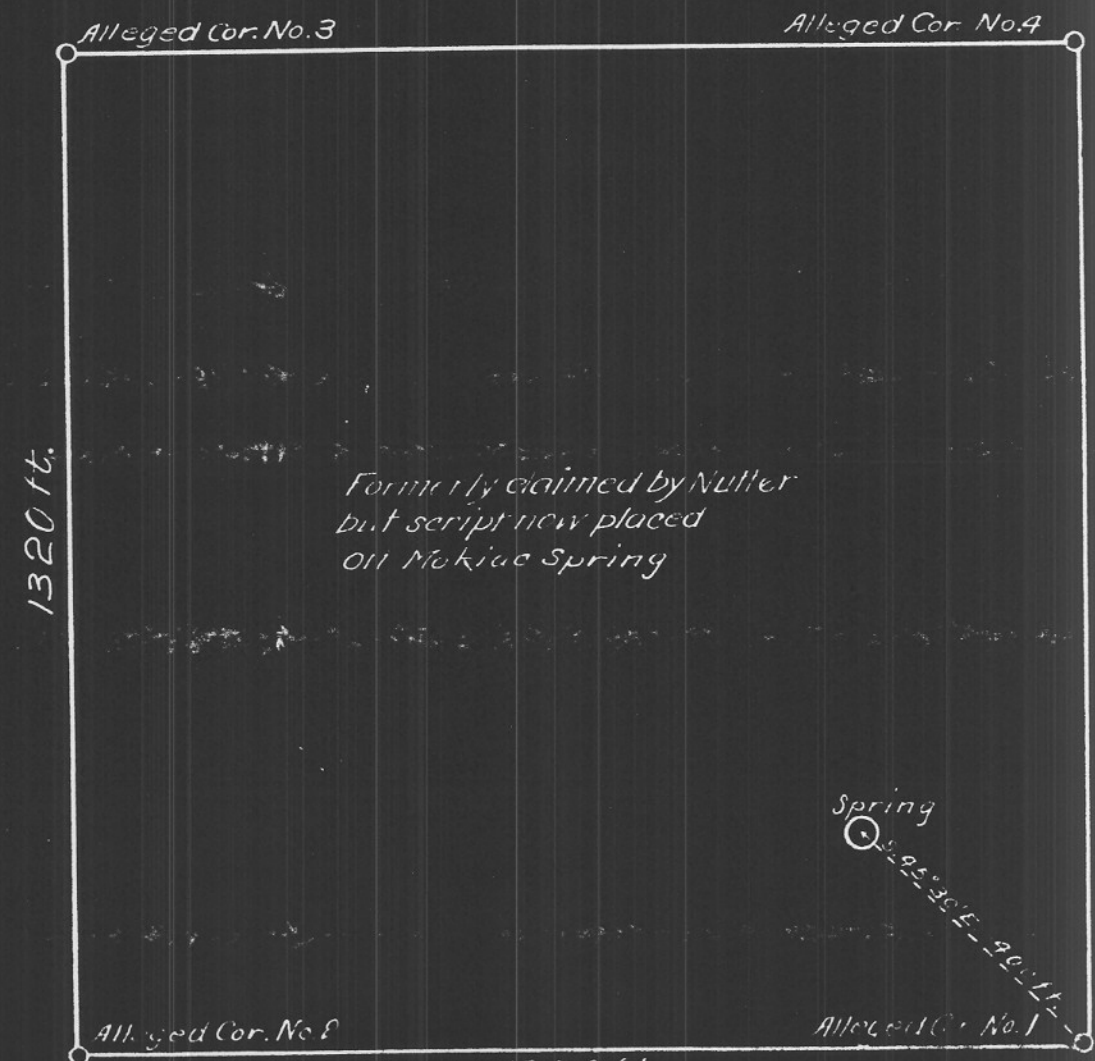
Looking north and showing pool of water among rocks and general character of land. This is the original or Cottonwood tract. For location see Z-6 on attached map.

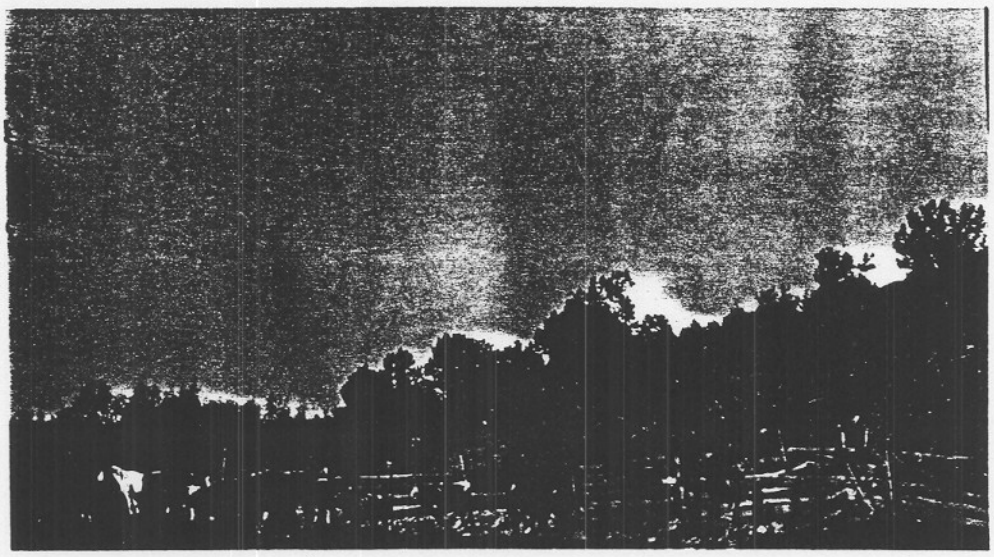


Cottonwood Tract (L. S. 4188; Phoenix 013384).

Showing general character of land at original Cottonwood selection. The spring lies near the bottom of the picture. For location see K-6 on attached map.

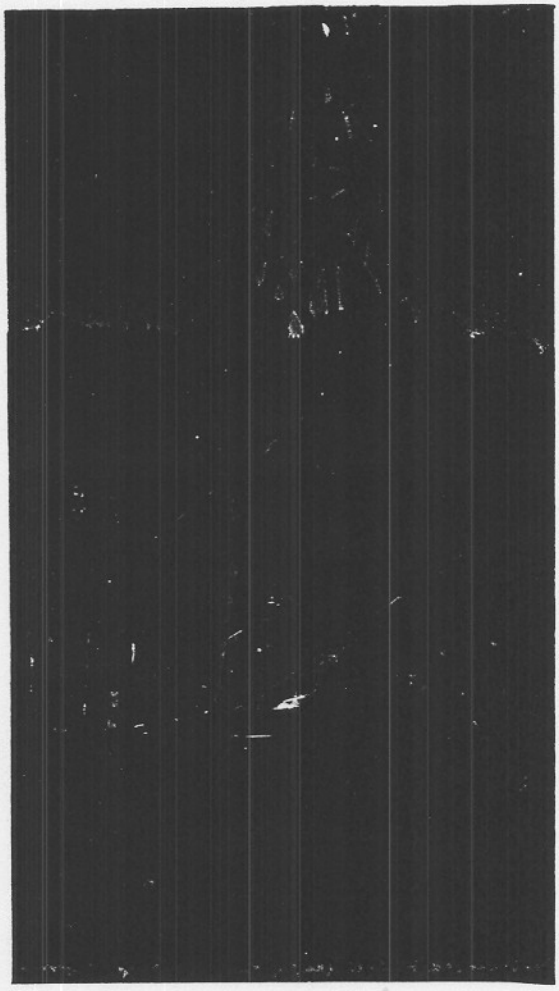
COTTONWOOD SPR.
L.S. 9188 - Phoenix 013384





Cottonwood Tract (L. S. 4188; Phoenix 013384).

Looking west and showing cattle, corral, and general character of land at Mohiac. This is the tract that Nutter desires to secure in place of Cottonwood spring. For location see J-5 on attached map.

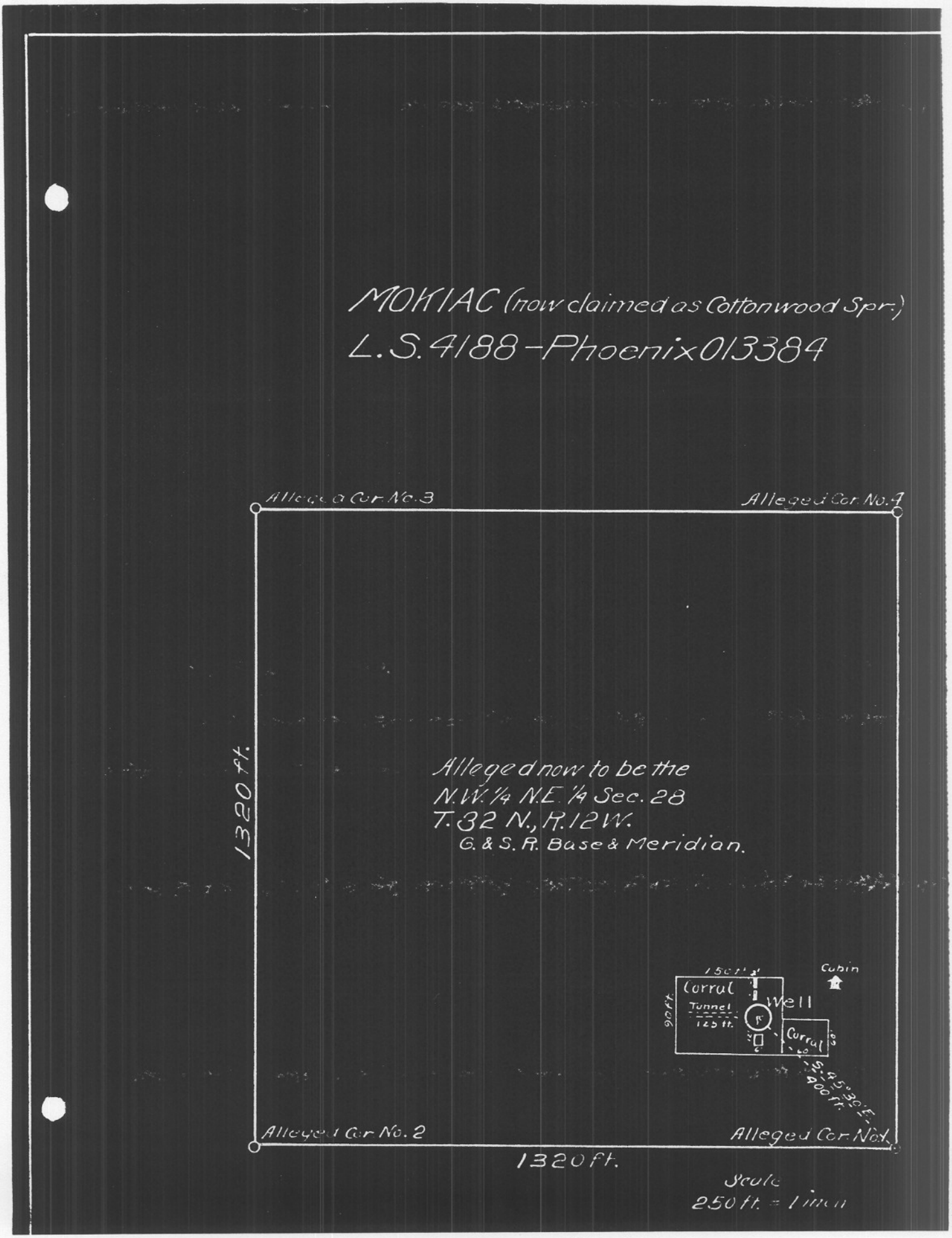


Cottonwood Tract (L. S. 4188; Phoenix 015384).

Looking north and showing well at Mokiac which Nutter desires in place of Cottonwood tract. For location see J-5 on attached map.

MOKIAC (now claimed as Cottonwood Spr.)

L.S. 4188 – Phoenix 013384



BLACK ROCK TRACT

(L. S. 4186; Phoenix 08918)

Selected Sept. 20, 1900, under Act of June 4, 1897 (30 Stat., 36), by P. M. Collins as attorney in fact for F. A. Hyde & Co. (Appendix, p. 38). Now claimed and occupied by Preston Hutter. On Feb. 11, 1911, the Commissioner directed the filing of charges against the validity of title to the base lands, and on May 27, 1913, the Register and Receiver sustained the charges. On July 25, 1913, the record was transmitted to the General Land Office.

This 40-acre tract was examined Oct. 27, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael of the Forest Service, and myself. The spring covered by this location is said to be one of the best in that part of the country, and flows from 3 to 5 miners' inches. The spring makes its appearance on the north side of a steep hill and the water flows down the hill and into a pipe. This pipe was laid by J. M. Larson et al. who are using the water to irrigate some land about one mile to the East. About ten acres are under cultivation. There are no improvements on the selection. No corners could be found.

The land included in the selection is exceedingly steep and rocky and is absolutely of no value for agricultural purposes.

Albert Foremaster states that he never saw any notice posted nor any indications of a survey, and that the land could not be cultivated (Appendix, p. 35).

Willard Sorensen states (Appendix, p. 39) that none of the land could be cultivated.

John Pymm states (Appendix, p. 44) that this spring will water at least three times as many cattle as there is range available. He further states (Appendix, p. 47) that none of the land could be cultivated.

Two photographs are attached showing the location of the spring and the character of the land.

A blue print is also attached showing location of spring in reference to lines of the selection.

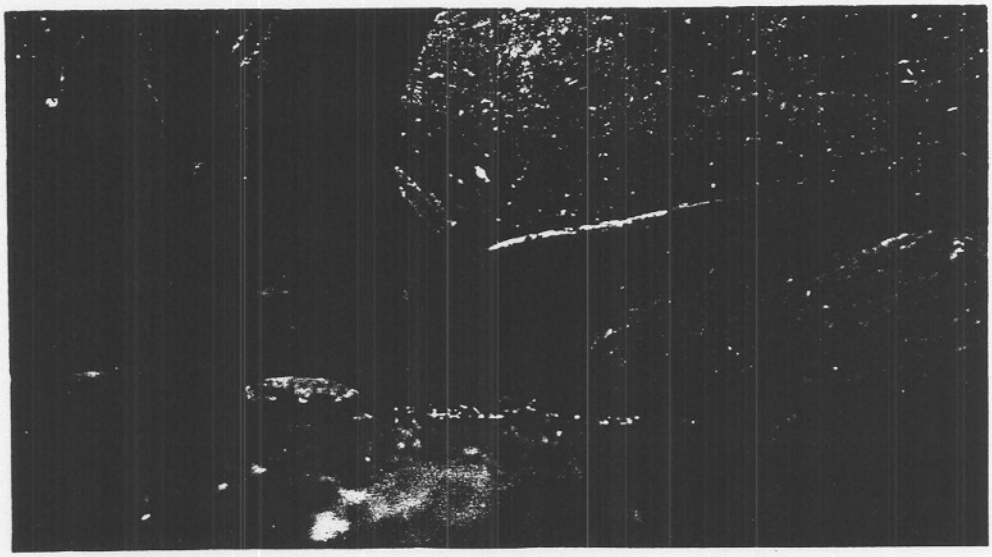
The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

If title to the base land is finally determined as valid, it is respectfully recommended that the selection be rejected and the spring withdrawn as a public water reserve, subject to the provisions of the Act of January 13, 1897.



Black Rock Tract (L. S. 4186; Phoenix 08918).

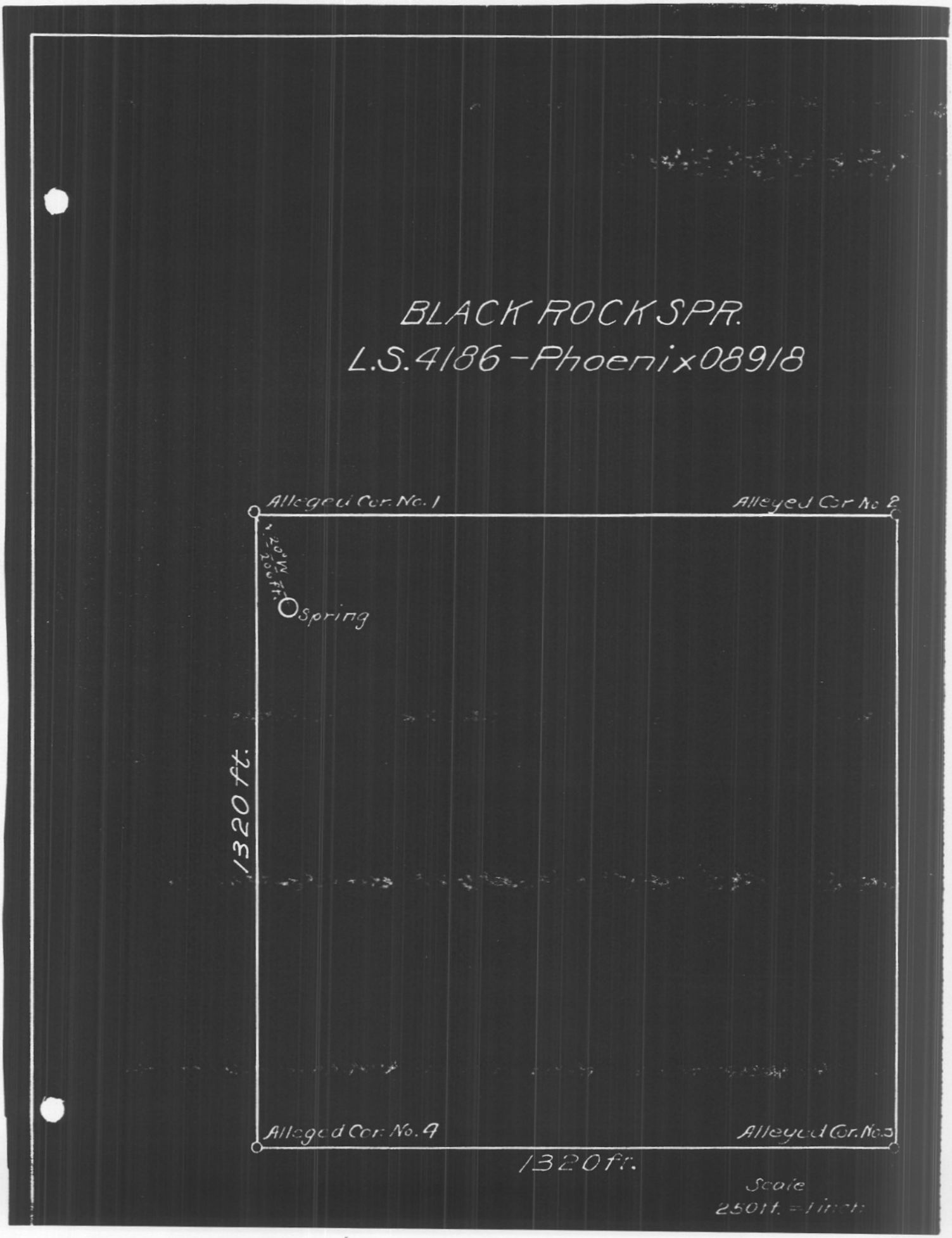
Looking northwest and showing general character of land. The spring lies to the left of center of picture. For location see B-4 on attached map.



Black Rock Tract (L. S. 4186; Phoenix 08918).

Looking west and showing location of spring which is situated on mountain side. For location see B-4 on attached map.

BLACK ROCK SPR.
L.S. 4186 - Phoenix 08918



COLD OR COAL TRACT

(L. S. 4186; Phoenix 08918)

Selected Sept. 20, 1900, under Act of June 4, 1897 (30 Stat., 36), by P. M. Collins as attorney in fact for F. A. Hyde & Co. (Appendix, p. 88). Now claimed and occupied by Preston Nutter. On Feb. 11, 1911, the Commissioner directed the filing of charges against the validity of title to the base lands and on May 27, 1913, the Register and Receiver sustained the charges. On July 25, 1913, the record was transmitted to the General Land Office.

This 40-acre tract was examined Nov. 5, 1914, by John A. Smith Special Agent of the General Land Office, John Raphael of the Forest Service, and myself. No corners could be found. The spring covered by this selection is located near top of mountain and flows sufficient water to fill an inch pipe. An examination of the description of the tract as furnished by Nutter will show that the spring has inadvertently been left without the boundaries of the selection. About 50 feet below the spring are two old corrals, one 70 feet square and the other 50 by 70 feet. In one of these corrals were five old troughs which had not been in use for some time. The water from this spring is piped under permit from the Forest Service by A. D. Findlay et al. a distance of about 1½ miles to a reservoir where it is used to water stock.

The land included within the selection is literally covered with rocks and not a foot could be cultivated.

Albert Foremaster states that he never saw a notice posted nor any indications of a survey, and that none of the land could be farmed (Appendix, p. 33).

George H. Lytle states (Appendix, p. 36) that he never saw a notice posted nor any indications that a survey had ever been made. He further states that the land is too rocky and steep to be farmed, and that if said spring were properly developed it would water 1,000 head of cattle.

Willard Sorensen states (Appendix, p. 39) that none of the land could be cultivated.

John Pymm states (Appendix, p. 44) that this spring will water 200 or 300 head of cattle. He further states (Appendix, p. 47) that none of the land could be cultivated.

Three photographs are attached. One shows character of land, one the spring, and the other the reservoir to which the water is piped.

A blue print is also attached showing the location of the improvements, none of which was constructed by Hutter.

The land included in the selection was included within the Dixie National Forest by Proclamation of May 22, 1908

The water covered by the selection should be retained for the benefit of the general public; the patenting

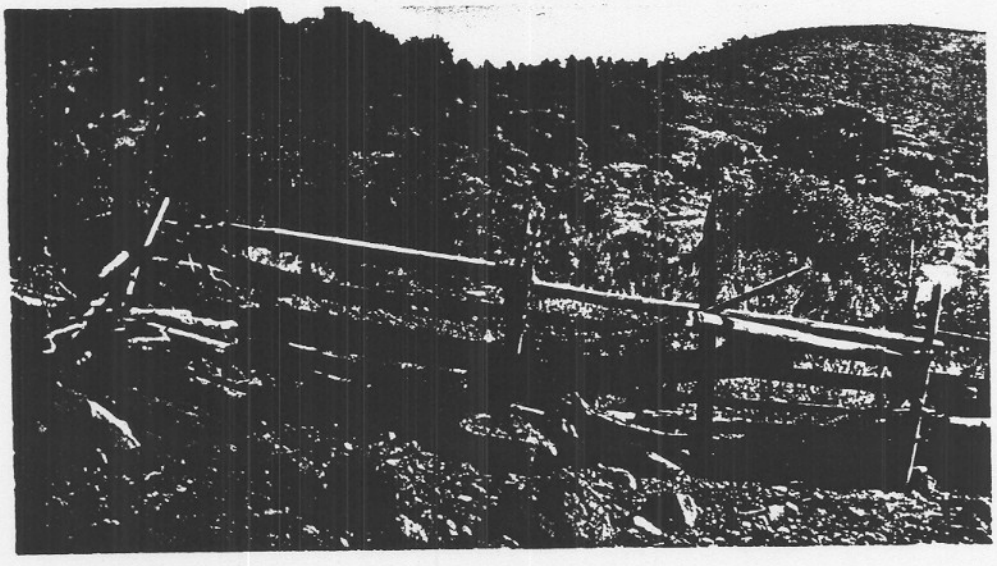
of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; the land included within the selection was withdrawn for National Forest purposes prior to passage of equitable title; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

Should the title to the base land by finally determined as valid, it is recommended that the selection be rejected for the above reasons.



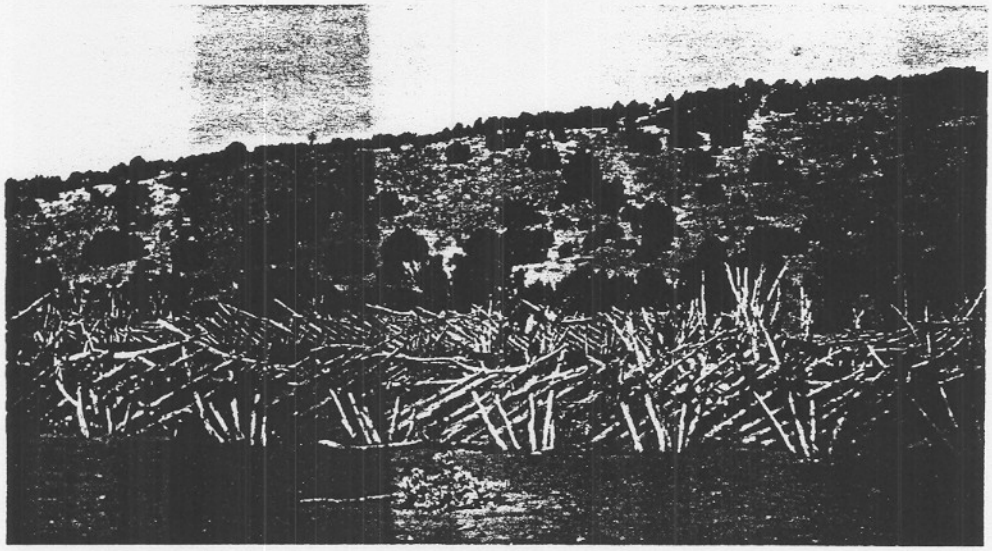
Cold Tract (L. S. 4186; Phoenix 08918).

Showing location of spring in mountain side. For location see H-8 on attached map.



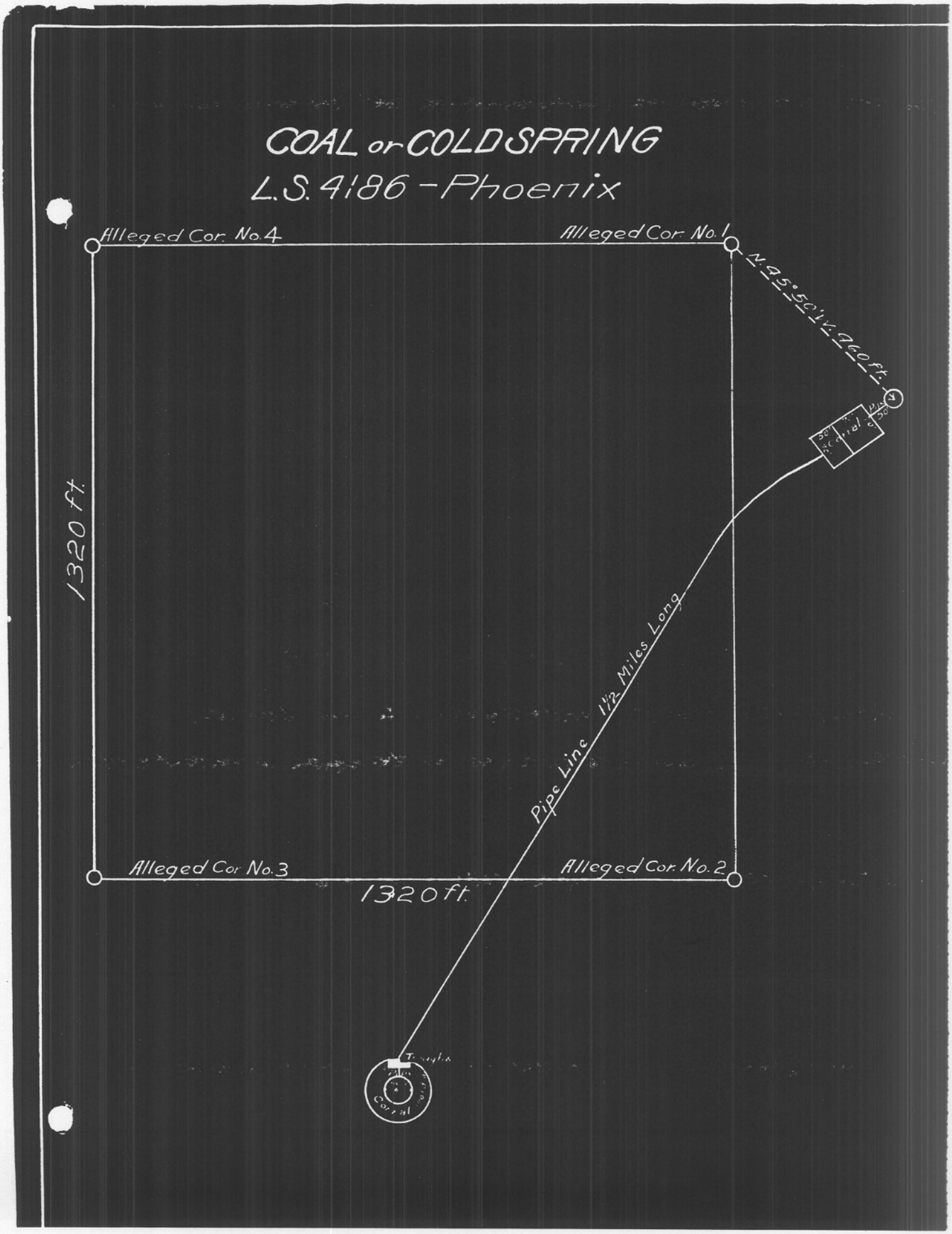
Cold Tract (L. S. 4186; Phoenix 08918).

Showing portion of corral and character of land at spring. For location see H-8 on attached map.



Cold Tract (L. S. 4186; Phoenix 08918).

Showing corral surrounding reservoir to which water from this spring has been piped about one and one-half miles. For location see H-8 on attached map.


COAL or COLDSPRING
L.S. 4186 - Phoenix
Alleged Cor. No. 4
Alleged Cor. No. 1
N. 25° 50' W. 960 ft.
1320 ft.
Pipe Line 1½ Miles Long
Alleged Cor. No. 3
Alleged Cor. No. 2
1320 ft.
Corral

BIG OR WHITMORE TRACT

(L. S. 4185; Phoenix 02479)

Selected Sept. 20, 1900, by P. M. Collins under Act of June 4, 1897 (30 Stat., 36), as attorney in fact for W. A. Hyde & Co. (Appendix, p. 92). Now claimed and occupied by Preston Hutter. On Dec. 3, 1909, the Commissioner directed the filing of charges against the base land and on May 27, 1913, the Register and Receiver sustained the charges that title to the base land had been fraudulently procured. On July 1, 1913, an appeal was filed, and on July 9, 1913, the case was transmitted to the General Land Office.

This 40-acre tract was examined on Nov. 6, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael of the Forest Service, and myself. No corners could be found. About 10 miners' inches of water is flowing from the spring included in the selection. The water from the main spring flows through a V-shaped wooden trough about 75 feet long. Two other troughs, each 15 feet long, convey water into the larger trough. The water flows into a corral about 50 by 125 feet. South of the corral is another 50 feet in diameter. Still farther to the south is a third corral enclosing about 4 acres. The fencing about this corral is down in many places.

The greater portion of the land included within the selection is literally covered with rocks and could not possibly be cultivated. There are about 4 acres on the south end of the selection that might be farmed.

Albert Foremaster states that he never saw a notice posted nor any indications of a survey, and that the spring is known both as Big and as Whitmore spring. He further states that there is a little of the land that might be cultivated (Appendix, p. 33).

George H. Lytle states (Appendix, p. 36) that Big Spring is also known by the name of Whitmore Spring. That he never saw any notice posted nor any indications of a survey. He further states that about 10 acres of the tract might be cultivated.

Willard Sorensen states (Appendix, p. 39) that Hutter purchased this spring from Foster Bros. and that none of the land could be cultivated.

John Pymm states (Appendix, p. 44) that if this spring were properly improved it would water from 1,500 to 2,000 head of cattle. He also states that this spring is known both as Big and as Whitmore spring. He further states (Appendix, p. 47) that none of the land could be cultivated.

The land included in the selection was withdrawn as part of the Dixie National Forest by Proclamation of May 22,1908.

Two photographs are attached. One shows the spring and the other the corral and general character of the land.

A blue print is also attached, on which is shown the location of the improvements. It is not known who originally constructed the improvements.

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; the land included within the selection was withdrawn for National Forest purposes prior to passage of equitable title; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

Should the title to the base land be finally determined as valid, it is respectfully recommended that the selection be rejected for the above reasons.



Big or Whitmore Tract (L. S. 4185; Phoenix 0247).

Looking north and showing source of water supply. For location see H-8 on attached map.

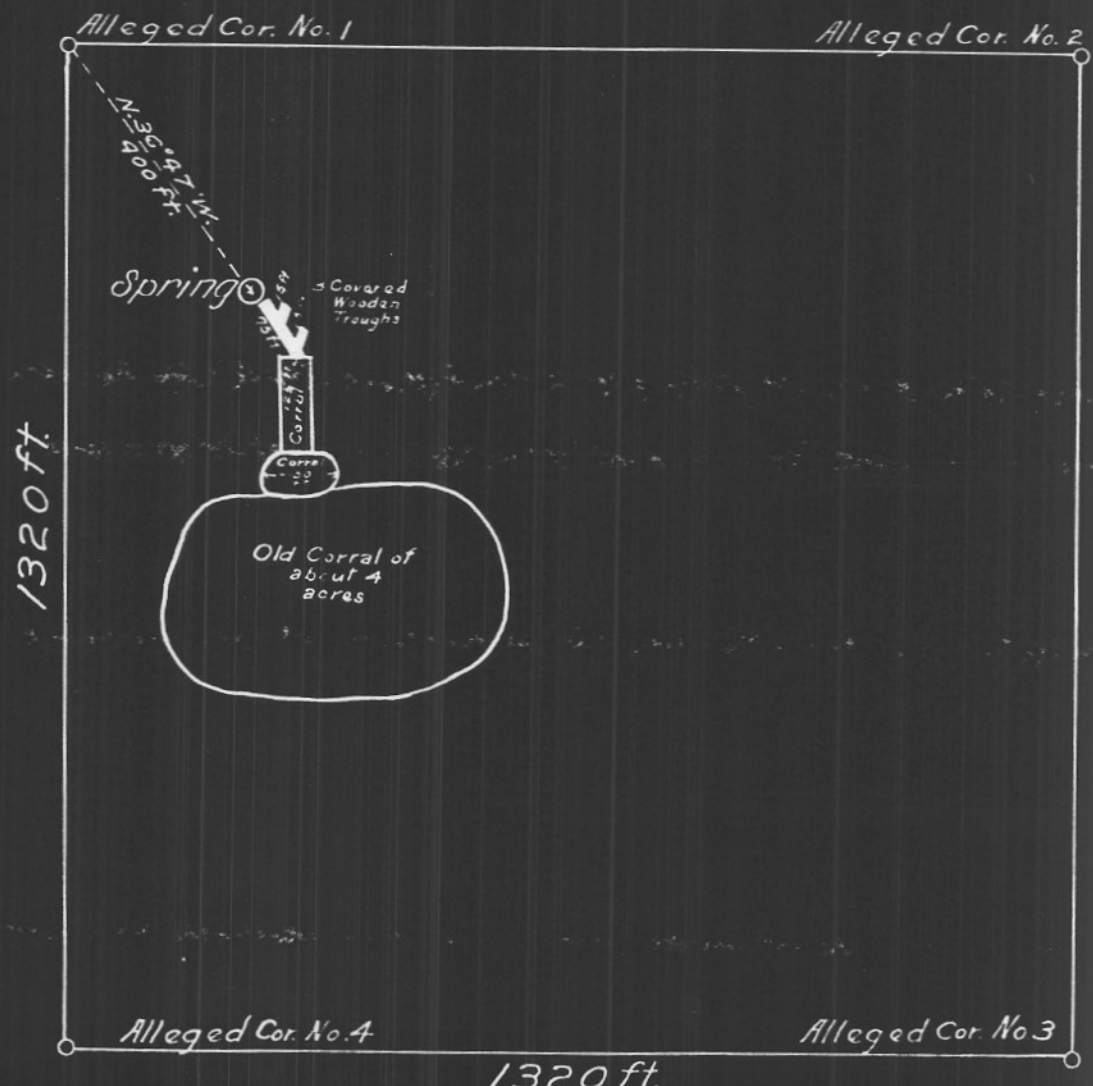


Big or Whitmore Tract (L. S. 4185; Phoenix 02479).

Looking north and showing corral and character of land. Spring lies short distance up the side of the hill.

BIG, or WHITMORE SPR.

L.S. 4185 - Phoenix 02479



ANTELOPE TRACT

(L. S. 4185; Phoenix 02479)

Selected Sept. 20, 1900, by F. M. Collins under Act of June 4, 1897 (30 Stat., 36), as attorney in fact for F. M. Hyde & Co. (Appendix, p. 92). Now claimed and occupied by Preston Hutter. On Dec. 3, 1909, the Commissioner directed the filing of charges, and on May 27, 1913, the Register and Receiver sustained the charge that title to the base land had been fraudulently obtained. On July 1, 1913, an appeal was filed and on July 9, 1913, the case was transmitted to the General Land Office.

This 40-acre tract was examined Nov. 7, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael of the Forest Service, and myself. No corners could be found. The water rises from several seeps in the bottom of a wash about 15 feet deep. The water is of poor quality, being alkaline in character. About 3,300 feet from the main seep or spring a stream of water 2 inches wide and 12 inches deep was flowing. This water sinks into the soil a great many times. It flows a distance of approximately 25 miles before it is finally lost in the soil. The only improvement consists of a corral about 185 feet square and located in the east of the seeps.

It was impossible to locate the selection because of lack of corners and the fact that it could not be certain to which of the many seeps the selection had been tied. If the selection was tied to what is considered the main seep, then the land is absolutely worthless for agricultural purposes. If, however, the corral is included within the selection, then approximately one-third of the area might be cultivated if the alkali did not interfere.

Albert Foremaster states that he saw three corners which he judged had been placed at the direction of Hutter. He also states that none of the land could be cultivated (Appendix, p. 33). See statement of George H. Lytle (Appendix, p. 36).

Willard Sorensen states (Appendix, p. 39) that he saw a small oak stake standing in the ground, but does not know whether it was intended for a corner or whether it was placed by direction of Hutter. He further states that none of the land could be cultivated.

John Rymm states (Appendix, p. 47) that none of the land could be cultivated.

The water was withdrawn as a public water reserve Feb. 20, 1913 (Appendix, p. 1).

A photograph is attached showing the small stream and the character of the land.

A blue print is also attached showing location of improvements. It is not known who constructed the corral. It was not Nutter, however.

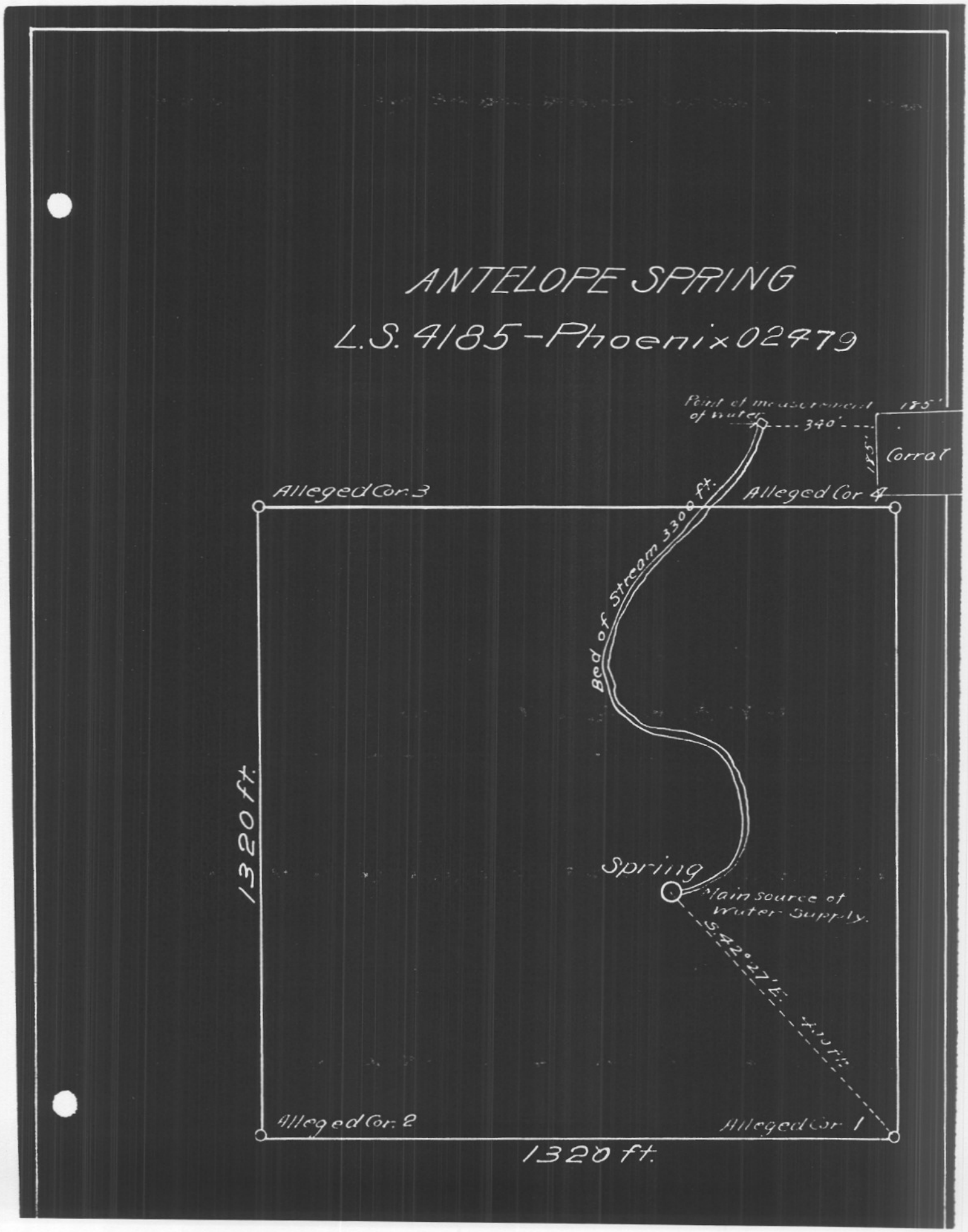
The water covered by the selection should be retained for the benefit of the general public; the land included in the selection has been withdrawn as a public water reserve; the patenting of the land would afford monopolistic control of about six townships of public land; the selection was not made in accordance with the law and regulations; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

Should the title to the base land be finally determined as valid, it is respectfully recommended that the selection be rejected, for the above reasons.



Antelope Tract (L. S. 4185; Phoenix 02479).

Looking west and showing small stream and character of land. Stream is seen near bottom and at right of picture. For location see A-8 on attached map.


ANTELOPE SPRING
L.S. 4185 - Phoenix 02479
Point of measurement of water
340'
185'
185'
Corral
Alleged Cor. 3
Alleged Cor 4
Bed of Stream 3300 ft.
1320 ft.
Spring
Main source of Water Supply.
S. 42° 27' E. 1000 ft.
Alleged Cor. 2
Alleged Cor. 1
1320 ft.

NEW OR OAK TRACT

(L. S. 4187; Phoenix 0736)

Selected Sept. 28, 1900, by Peter M. Collins (Appendix, p. 13). Now claimed and occupied by Preston Sutter.

This 40-acre tract was examined Nov. 4, 1914, by John A Smith, Special Agent of the General Land Office, John Raphael and Alexander Macfarlane of the Forest Service, and myself. No corners could be located nor could the amount of water be determined, as the improvements were out of commission and water was not flowing into the trough. We were informed, however, that the spring furnished sufficient water to fill a quarter-inch pipe. The water is developed by constructing 100 feet of tunneling, the mouth of which measures 4 by 6 feet. The water is conveyed through 60 feet of 1½ inch pipe to a trough 1 by 1 by 12 feet. About 200 yards northeast of the trough is a corral 50 feet in diameter. A fence at one time had enclosed the improvements, but this was, on the day of visit, in an exceedingly bad state of repair.

The land is very steep and covered with rocks and is worthless except for the water. None of the land could by any possibility be cultivated.

Albert Foremaster states that he saw a notice posted at this spring, but never saw any indications of a survey. He also states that none of the land could be farmed, and that the spring is also called Clay Spring. (Appendix, p.33). See statement of George H. Lytle (Appendix, p. 36).

Willard Sorensen states (Appendix, p. 39) that the land could not be cultivated.

John Pymm states (Appendix, p. 44) that this spring will water 200 head of cattle. He further states (Appendix, p. 47) that none of the land could be cultivated.

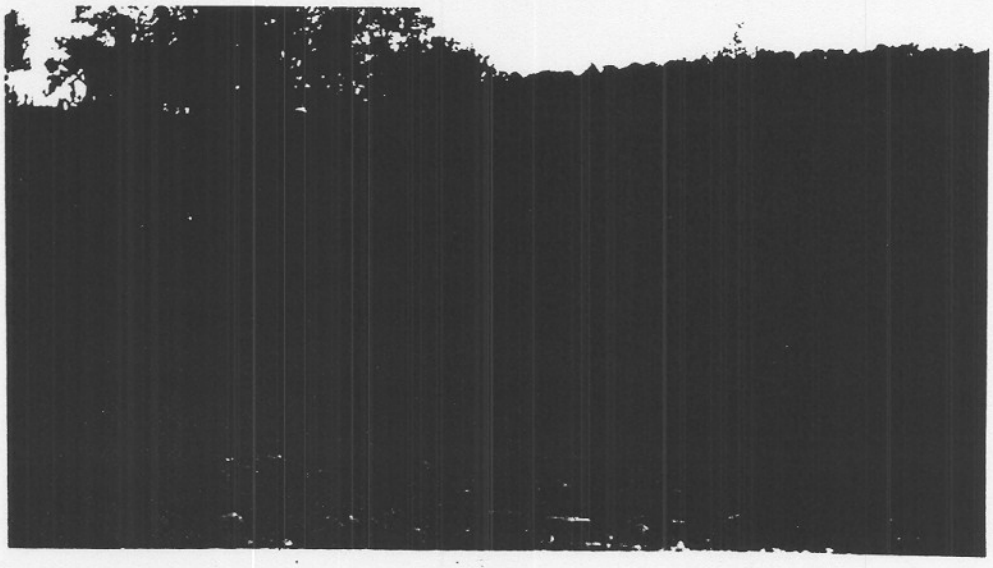
Two photographs are attached. One shows the location of the spring and the other the character of the land.

A blue print is also attached, which shows the location of the improvements alleged to have been constructed by Nutter.

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

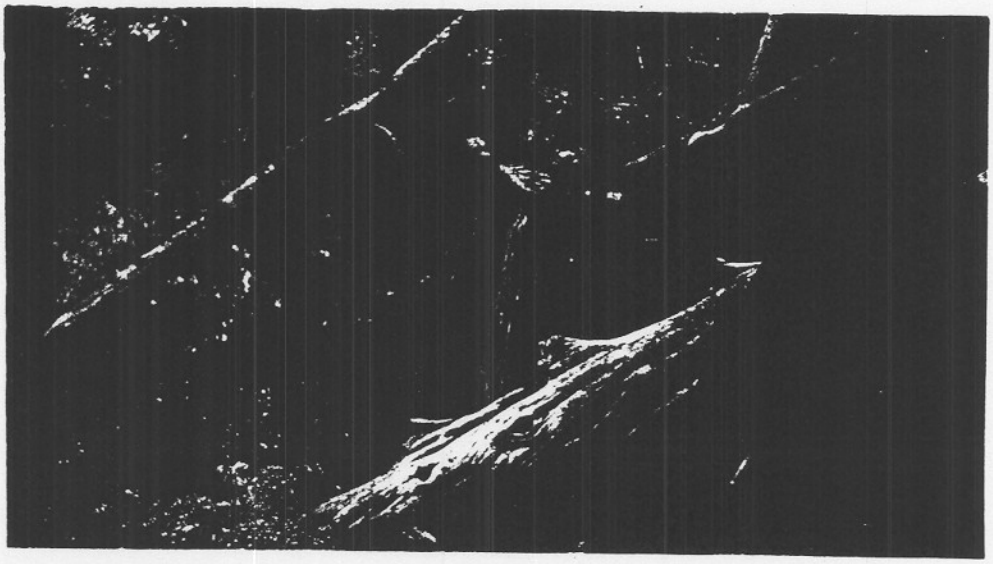
It is respectfully recommended that the selection be rejected for the above reasons and that the spring be withdrawn

as a public water reserve, subject to the provisions of the Act of January 15, 1897.



Oak Tract (L. S. 4187; Phoenix 0736).

Showing general character of land. Spring lies to the right of the picture. For location see F-5 on attached map.

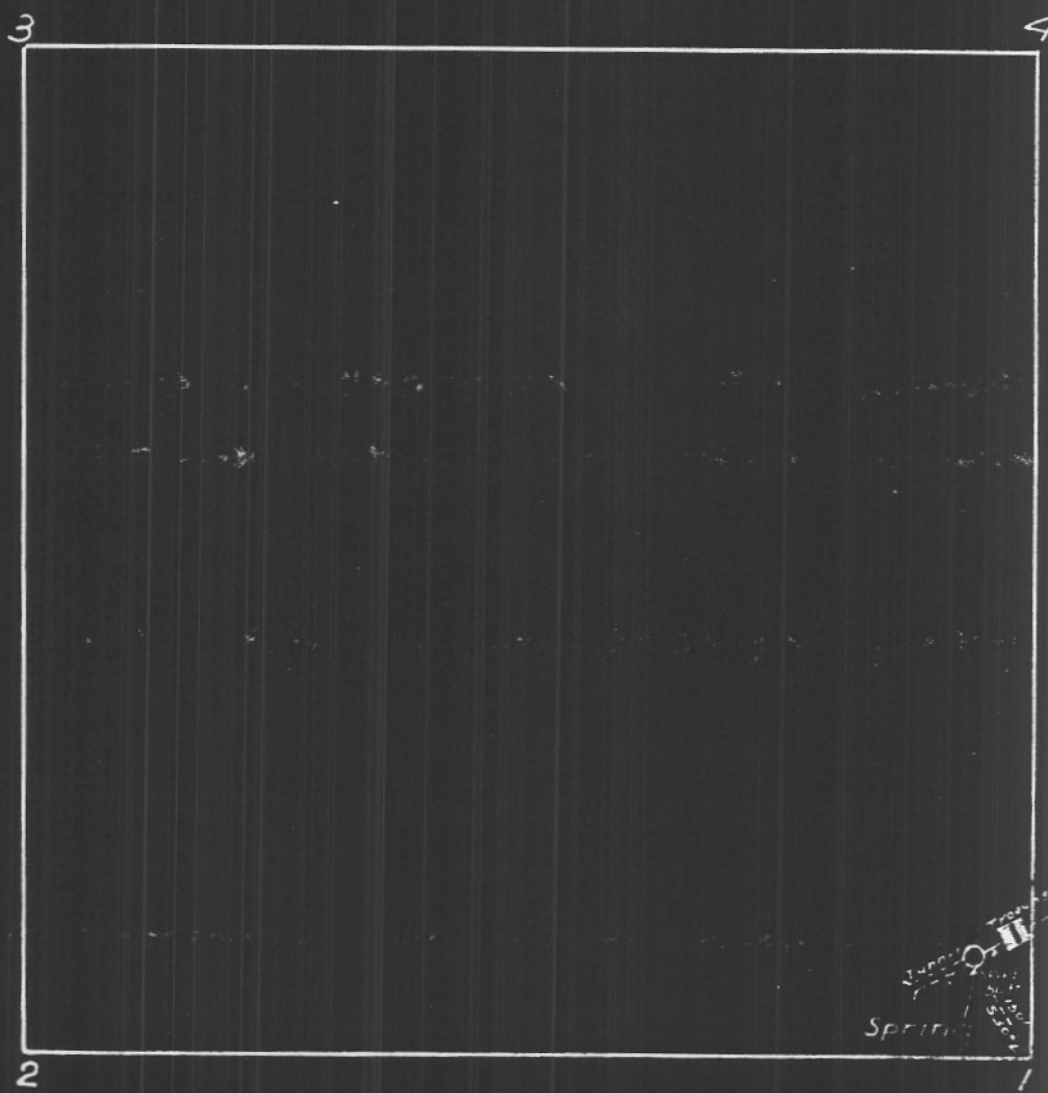


Oak Tract (L. S. 4187; Phoenix 0736).

Looking south and showing mouth of tunnel from which water flows. For location see F-5 on attached map.

OAK or NEW SPRING

L.S. 4187 Phoenix 0736



IVANPAUGH TRACT

(L. . 4187; Phoenix 0736)

Selected Sept. 28, 1900, by Peter H. Collins (Appendix, p. 13). Now claimed and occupied by Preston Nutter.

This 40-acre tract was examined Nov. 4, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael and Alexander Macfarlane of the Forest Service, and myself. No corners could be found. The water, of which there is about sufficient to fill a one-fourth inch pipe, has been developed by tunnelling in the side of the mountain. About 200 feet of tunneling was constructed at one time by the Foremaster Bros. and is still in use. The mouth of the tunnel measures about 4 by 6 feet. The water is conveyed through 50 feet of 1½ inch pipe and 20 feet of wooden fluming to three troughs, one of which measures 3 by 1½ by 12 feet, one 1½ by 1½ by 14 feet, and the other 1 by 1½ by 12 feet. About 300 yards east of the troughs is a corral 50 by 150 feet.

The land included in the selection is exceedingly steep and covered with rocks and could not be cultivated. Beyond the water the tract has absolutely no value.

Albert Foremaster states that none of the land could be cultivated, and that he never saw any indications of a survey. It appears that this affiant was in the country when Hutter attempted to tie up the various springs. Immediately after the notice was posted on this spring, Foremaster made a copy of the notice, which appears in full in Foremaster's statement (Appendix, p. 33). Hutter and Fowler, the surveyor, did not remain at the tract for over half an hour, which is not sufficient time in which to either make a survey or establish any corners. The notice posted was insufficient, as it failed absolutely to give any description of the selection.

George H. Lytle states (Appendix, p. 36) that he never saw any notice posted nor any indications of a survey, and that none of the land could be cultivated. He states that the spring is also known as Ivanpatch.

Willard Sorensen states (Appendix, p. 39) that he saw Hutter's notice of location on this tract, and that none of the land could be cultivated.

Charles M. Walker states (Appendix, p. 42) that he was handling cattle at the time Hutter was making selections throughout the country, and that Hutter to his knowledge did not remain over half an hour at Ivanpaugh spring. He also states that he saw no indications of a survey, but that he did see the notice posted by Hutter. He further states that none of the land could be cultivated.

John Tymm states (Appendix, p. 44) that this spring will water 300 head of cattle. He further states (Appendix, p. 47) that none of the land could be cultivated.

Two photographs are attached. One shows the troughs and spring and the other the general character of the land.

A blue print is also attached on which is shown the location of the improvements, which were originally constructed by Peremaster Bros.

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public lands; the selection was not made in accordance with the law and regulations; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

For the above reasons, it is respectfully recommended that the selection be rejected and the spring withdrawn as a public water reserve, subject to the provisions of the Act of January 13, 1897.



Ivanpah Tract (L. S. 4187; Phoenix 0736).

Showing character of land. Spring lies to right of picture. For location see G-6 on attached map.

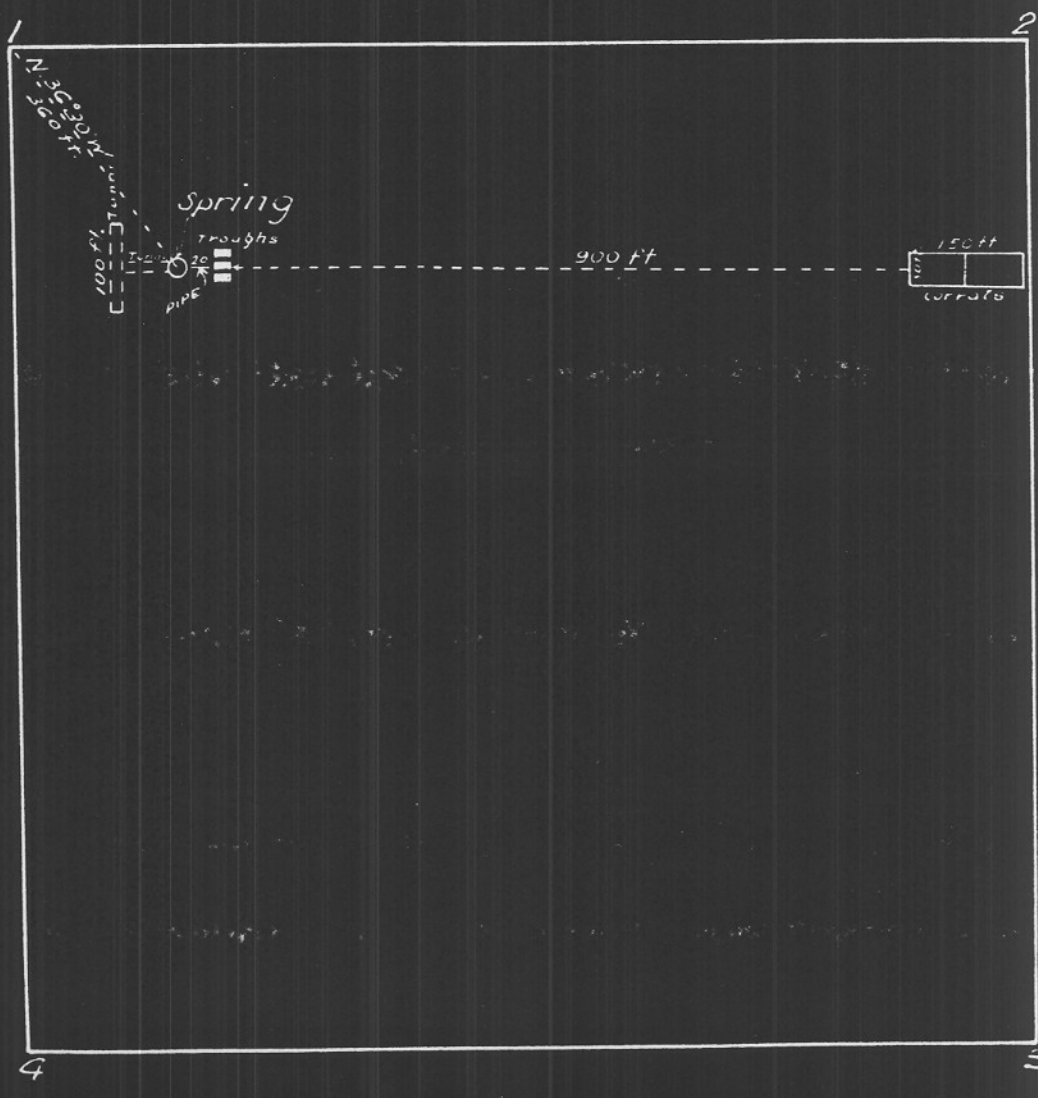


Ivanpah Tract (L. S. 4187; Phoenix 0736).

Showing troughs and portion of land. Spring is located to left of picture. For location see G-6 on attached map.

IVANPAH SPRING

L.S. 4187 Phoenix 0736



DUKE TRACT.

(L. S. 4184; Phoenix 08919)

Selected Sept. 20, 1900, under Act of June 4, 1897 (30 Stat., 36), by E. M. Collins as attorney in fact for W. A. Hyde & Co. (Appendix, p. 74). Now claimed and occupied by Preston Nutter. By direction of the Commissioner, charges were directed, and on May 27, 1913, the Register and Receiver held the selection for cancellation on the ground that the base land had been secured through fraud. On July 25, 1913, the papers in the case were sent to the General Land Office.

This 40-acre tract was examined Nov. 2, 1914, by John A. Smith, Special Agent of the General Land Office, John Raphael of the Forest Service, and myself. No corners could be found. The water is developed by digging some 20 feet of tunneling in the side hill. From this tunnel the water was at one time piped about 25 feet to a wooden trough 2 feet wide and 8 feet long. On day of examination the mouth of the tunnel was obstructed by poles and boards, the pipe line was out of commission, and the trough filled with dirt and sand, and cattle could not reach the water. Unable to tell the amount of water available.

The land included within the selection is a bed of rocks and lies in the bottom of a rugged canyon. None of the land could be cultivated.

Albert Foremaster states that he never saw a notice posted nor any indications that a survey had been made. He also stated that none of the land could be cultivated (Appendix, p. 33). See statement of George H. Lytle (Appendix, p. 36).

Willard Sorensen states (Appendix, p. 39) that Hutter purchased this spring from Andrew Sorensen, and that none of the land could be cultivated.

John Fymm states (Appendix, p. 44) that this spring will water about 300 head of cattle. He further states (Appendix, p. 47) that none of the land could be cultivated.

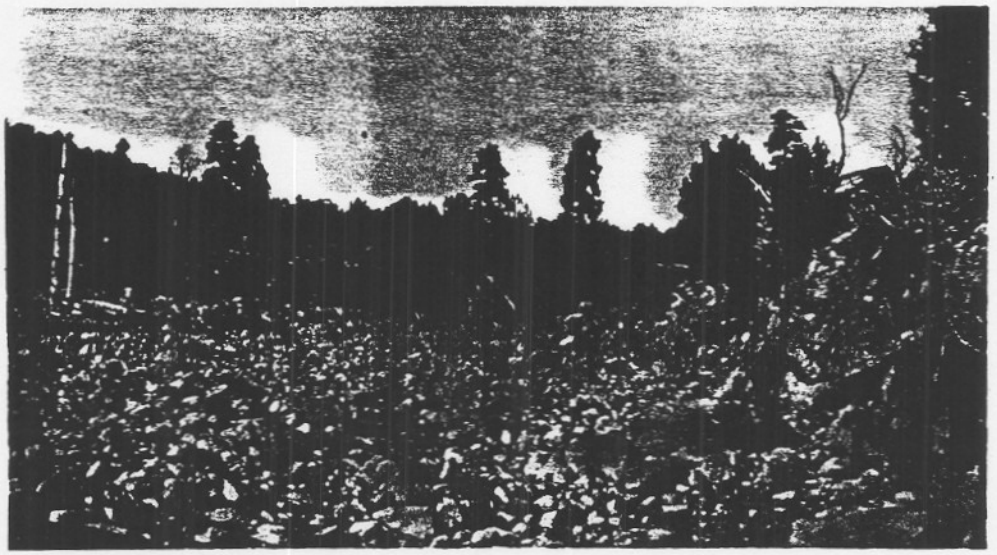
The land included within this selection was withdrawn as part of the Dixie National Forest by Proclamation of May 22, 1908.

Two photographs are attached. One shows the source of the water supply and the other the general character of the land.

A blue print is also attached, on which is shown the improvements. Could not learn who did the work on the spring.

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large areas of public land; the selection was not made in accordance with the law and regulations; the land included within the selection was withdrawn for National Forest purposes prior to passage of equitable title; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

If it should be finally determined that the title to the base land is valid, it is respectfully recommended that the selection be rejected, for the above reasons, and the spring withdrawn as a public water reserve, subject to the provisions of the Act of January 13, 1897.



Duke Tract (L. S. 4184; Phoenix 08919).

Looking north and showing character of land included in tract. Spring lies to right of picture. For location see I-5 on attached map.



Duke Tract (L. S. 4184; Phoenix 08919).

Looking to east and showing location of water supply. For location see I-5 on attached map.

DUKE SPRING
L.S. 4184 – Phoenix 08919



DAN SILL TRACT

(L. S. 4184; Phoenix 08919)

Selected Sept. 10, 1900, under the Act of June 4, 1897 (30 Stat., 36), by F. M. Collins as attorney in fact for F. A. Hyde & Co. (Appendix, p. 74). Now claimed and occupied by Preston Hutter. By direction of the Commissioner charges were directed, and on May 27, 1913, the Register and Receiver held the selection for cancellation on the ground that the base land had been secured through fraud. On July 25, 1913, the papers in the case were sent to the General Land Office.

This 40-acre tract was examined Nov. 3, 1914, by John A. Smith, Special Agent of the General Land Office, Alexander Macfarlane of the Forest Service, and myself. No corners could be found. The spring lies in Dan Sill Canyon and supplies sufficient water to fill a half or quarter inch pipe. It is located on the steep mountain side and has been developed by digging a trench 3 by 6 by 35 feet. The water collects in this trench and falls over 20 feet of rock into a small depression evidently made by blasting the rock. The water flows from this depression and passes through 100 feet of pipe to a pool about 18 feet in diameter and from 1 to 3 feet deep. About 300 feet to the east of the pool is a corral constructed of fallen trees and rocks. The

corral is about 85 feet in diameter.

None of the land could be cultivated. It is so steep and rocky that its sole value lies in the spring.

Albert Foremaster states he never saw a notice posted nor any indications of a survey. He also states that the land could not be cultivated, (Appendix, p. 33).

Willard Sorensen states (Appendix, p. 39) that none of the land could be cultivated.

John Pymm states (Appendix, p. 44) that there is plenty of water at this spring if it were properly improved. He further states (Appendix, p. 47) that none of the land could be cultivated.

The land involved was withdrawn for National Forest purposes on May 22, 1908.

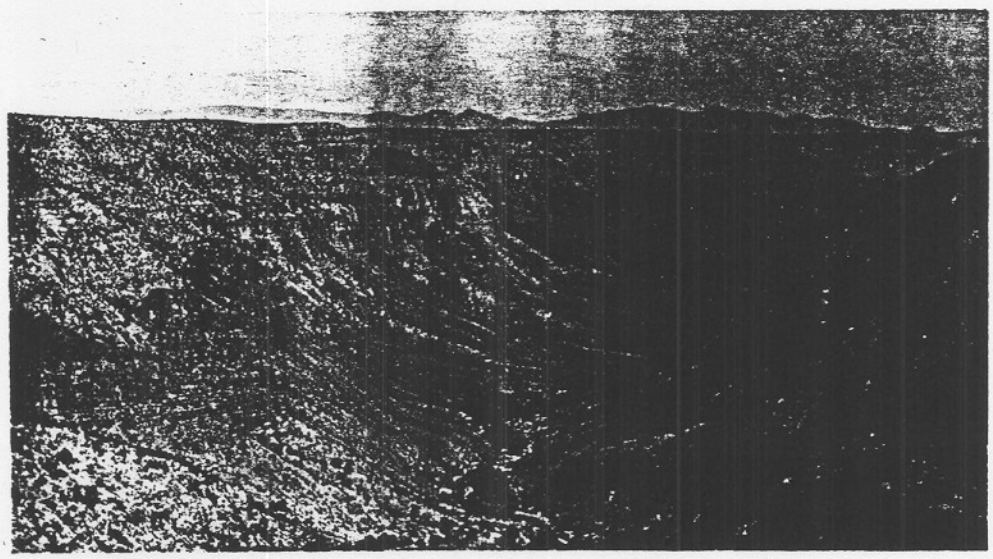
Three photographs are attached. One shows the small reservoir and the others the general character of the country.

A blue print is also attached on which is shown the location of the improvements. No knowledge is at hand as to who constructed the improvements.

The water covered by the selection should be retained for the benefit of the general public; the patenting of the land would afford the owner, when considered in connection with other selections, monopolistic control of large

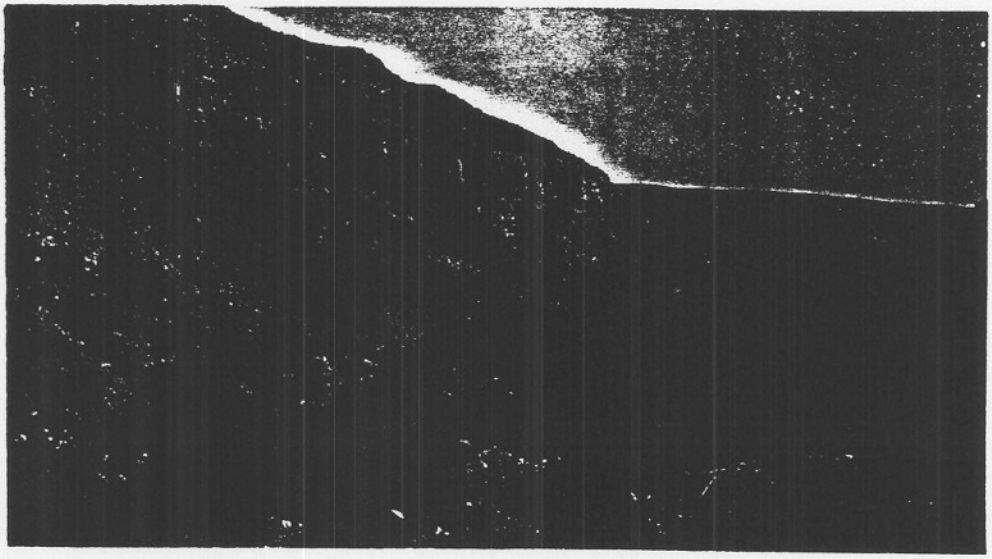
areas of public land; the selection was not made in accordance with the law and regulations; the land included within the selection was withdrawn for National Forest purposes prior to the passage of legal title; and the selected land is not subject to "settlement" as that term is used in the Act of June 4, 1897.

Should it be finally determined that the title to the base land is valid, it is respectfully recommended that the selection be rejected, for the above reasons, and the spring withdrawn as a public water reserve, subject to the provisions of the Act of January 13, 1897.



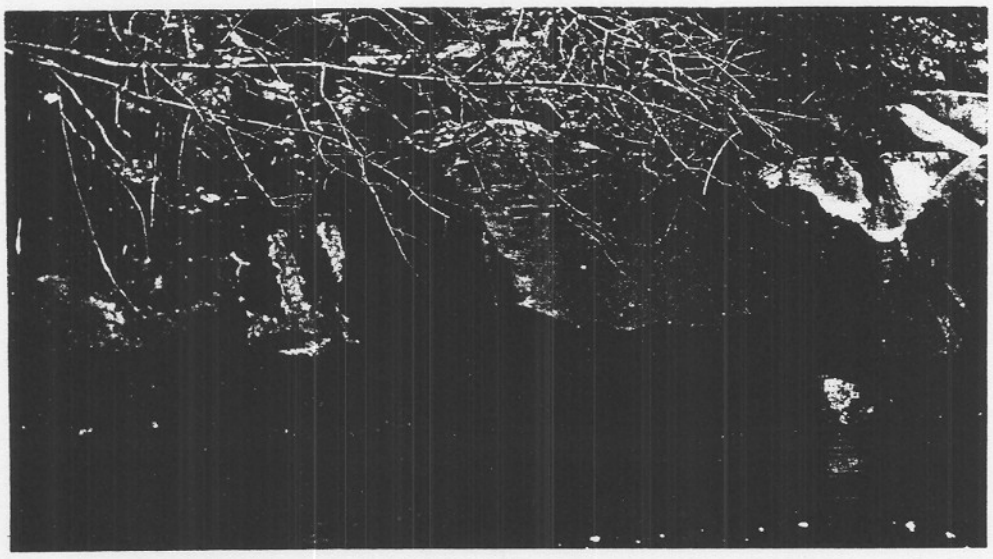
Dan Sill Tract (L. S. 4184; Phoenix 08919).

Looking east and showing general character of Dan Sill Canyon in which this spring is located. Spring is located to the west of the picture. For location see J-6 on attached map.



Dan Sill Tract (L. S. 4184; Phoenix 08919).

Looking east and showing character of Dan Sill Canyon in which the tract lies. The corral mentioned in the report may be seen near the bottom at the right hand side. Green Spring Canyon may be seen in the foreground. The spring lies up the mountain side to the west of the picture and at the head of the canyon. For location see J-6 on attached map.

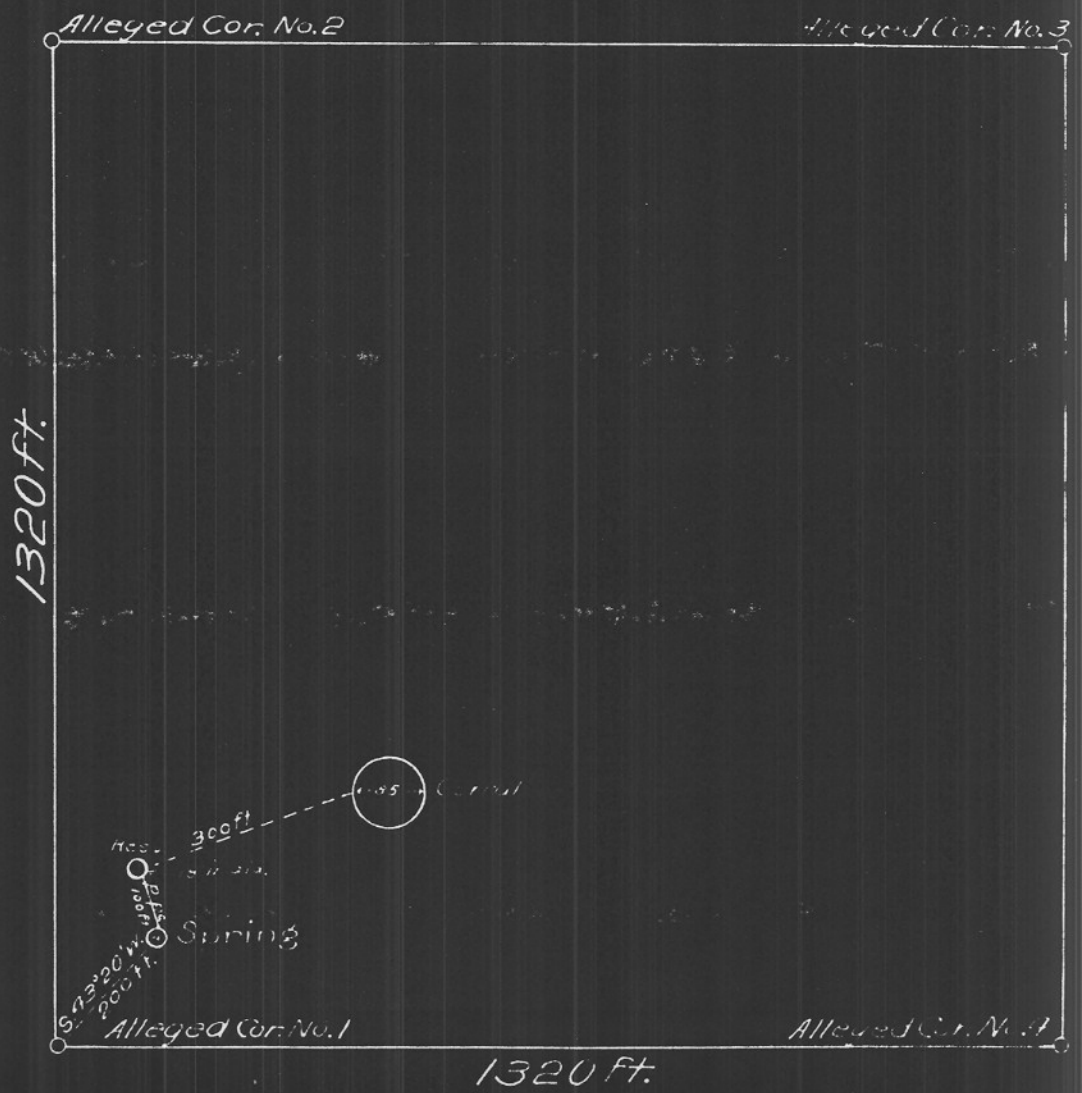


Dan Sill Tract (L. S. 4184; Phoenix 08919).

Looking west and showing pool into which water is piped from spring. For location see J-6 on attached map.

DAN SILL SPRING

L.S. 4184 - Phoenix 08919



WITNESSES

Assistant District Forester T. C. Hoyt, Ogden, Utah, who is familiar with conditions and the character of the country, and who furnished much of the information and under whose supervision the report was prepared.

Special Agent John A. Smith, Salt Lake City, Utah, who assisted in making the investigation and is to join in the recommendations.

John Raphael, Supervisor of the Dixie National Forest, St. George, Utah.

Alexander Macfarlane, Forest Ranger, St.George, Utah.

John M. McQuarrie of St. George, Utah, a stockman well acquainted with the entire country.

Albert Foremaster, a stockman of St. George, Utah.

George H. Lytel, a stockman of St. George, Utah.

Willard S. Sorensen, a stockman of St. George, Utah.

Chas. M. Walker, a stockman of St. George, Utah.

John D. Pymm, a stockman of St. George, Utah.

W. B. Mathis, a stockman of St. George, Utah.

Charles Dimmick, a stockman of Barclay, Nevada.

Daniel Judd, Forest Ranger, of Fredonia, Arizona.

Alexander Swapp, an Assistant Forest Ranger, of Kanab, Utah.

R. E. Gery, Forest Service, Ogden, Utah.

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APPENDIX -- EXHIBIT A.

Washington, D. C., March 10,1913

Public Water Reserve No. 8,
Arizona No. 1

Register and Receiver,

Phoenix, Arizona.

Sirs:

By Executive Order of February 20, 1913, the hereinafter described lands in Arizona, involving unsurveyed lands, were withdrawn from settlement, location, sale or entry, and reserved as Public Water Reserve No. 8, subject to all the limitations, provisions, exceptions and conditions contained in the act of Congress entitled "An Act to authorize the President of the United States to make withdrawals of public lands in certain cases," approved June 25, 1910 (36 Stat., 847), as amended by the Act of August 24, 1912 (37 Stat., 487).

Wolf Hole Lake, situated about thirty miles south of St. George, Utah, on the road from St. George, Utah, to the Grand Gulch Mine, on the south side of Mocasaco Mountain, in the Hurricane Valley, about 3 miles north of White Rock Lake.

Short Creek Lake, situated about seven miles southeast of Rust Ranch, at mouth of Short Creek, and about seven miles west of the Cane Beds Ranch and about

three miles east of Brinkerhoff's and Hopkins' Ranch, known as Corral Canyon.

Point of Rock Lake, situated about seven miles north of Yellowstone Springs and about midway between said Springs and Short Creek Lake.

Antelope Springs, situated about four miles south of Utah-Arizona Boundary line, about seven miles west of Brinkerhoff's and Hopkins' Ranch, known as Corral Canyon, about one mile east of Rock Canyon, and at the west of Clay Hole Wash.

Bull Rush Springs, situated about seven miles south of Pipe Springs Ranch, in a wash running southeast emptying into Kanab Creek below Fredonia, Arizona.

Note the withdrawal upon your records, and report such action.

Very respectfully,

(Signed) FRED DENNETT,

Commissioner.

APPENDIX -- Exhibit B.

This indenture made the 31st. day of August, A.D. 1896, Witness:

B. F. Saunders of Salt Lake City, County of Salt Lake and State of Utah, party of the first and Preston Nutter of party of the second part, witnesseth; that the said party of the first part for and in consideration of the sum of three thousand dollars in hand paid by the said party of the second part the receipt whereof is hereby acknowledged, has granted, bargained, sold, remised and released and by these presents does grant, sell, remise, and release unto the said party of the second part the following springs, watering places, and improvements belonging thereto, situated and being in the big bend and north side of the Big Colorado river in the County of Mohave and the Territory of Arizona, to-wit:

Oak Grove Springs, Mokiac Springs, Pine Springs, Yellow John Springs, Garden Springs, Pine Springs, Silman Springs, Green Springs, Kelley Springs, Amos Springs, Penn's Pocket and Piten Pockets together with all buildings, corrals, fences, and two steam pumps and any other and all watering places belonging to the said B. F. Saunders on what is known as the Mohave Ranch.

In witness whereof the said party of the first part has hereunto set his hand the day and year above written.

Signed and witnessed in presence of

B. F. Saunders.

APPENDIX

United States of America.

State of Utah)
)
County of Salt Lake)

On this the 31st. day of August A. D. 1896 before me Chas. D. Savery a Notary Public in and for said Salt Lake County duly commissioned and qualified personally appeared the within named B. F. Saunders whose name is subscribed to the foregoing deed of conveyance as grantor therein personally known to me to be the identical person mentioned in and who executed the same and duly acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.

In witness whereof I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Chas. D. Savery,
Notary Public.

My commission expires Dec. 7, 1896.

Recorded July 19, 1898, in Record of Deeds No. 13 at p. 106 of Mohave Co.

APPENDIX -- Exhibit C.

Territory of Arizona)
to)
B. F. Saunders)

This indenture made the 14th day of May in the year of our Lord one thousand eight hundred and eighty seven between the Territory of Arizona by Samuel Crozier, chairman, and James J. Hyde, Clerk of the Board of Supervisors of the County of Mohave, Territory of Arizona, and B. F. Saunders, of the party of the second part, witnesseth: That the said party of the first part, for and in consideration of the sum of sixty nine 00/100 dollars, lawful money of the United States of America, to him in hand paid by the said party of the second part the receipt whereof is hereby acknowledged, do by these presents, demise, release, and forever quit claim unto the said party of the second part, and to his heirs and assigns forever all those certain lots, pieces or parcels of land situated in the said County of Mohave, Territory of Arizona, and bounded and particularly described as follows, to-wit:- A certain spring of water on Sewets Mountain, north of the Colorado River, one sixth interest in Rattlesnake and Garden Springs situate in Hidden SpringCanyon, north of the Colorado River, one half interest in a ranch known as Hidden Springs ranch, north of Colorado

river, ane third interest in the Wild Cat ranch of Siebeets Mountain about 2 miles north of Parachute ranch north of the Colorado River, all of said property having been heretofore deeded to the party of the first part for non-payment of taxes thereon.

Together with all and singular the tenements, hereditaments and appurtenances hereunto belonging or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, To have and to hold, all and singular, the said premises together with the appurtenances unto said party of the second part and to his heirs and assigns forever.

In witness whereof the said parties of the first part have hereunto set their hands and the seal of said Board the day and year first above written.

Sam Crozier (L.S.)

James J. Hyde (L.S.)

Territory of Arizona)
) ss
County of Mohave)

On this 14th day of May A. D. one thousand eight hundred and eighty seven before me J. W. Stephenson a Notary Public in and for the said county personally appeared Samuel Crozier, chairman, & James J. Hyde Clerk of the Board of

APPENDIX

Supervisors of said county known to me to be the same persons described in and who executed the annexed instrument and they acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal, at my office in the county of the day and year in the certificate above written.

J. W. Stephenson,

Notary Public.

Recorded Feb. 23, 1889 - Deed recorded Mohave County No. 10 p. 401.

APPENDIX -- Exhibit D.

H. S. Cutler and H. S. Jolly, copartners as Cutler and Jolly doing business in said firm name in Kane County, Utah, grantors, of Mt. Carmel and Kanab, County of Kane, State of Utah, hereby quit-claim to B. F. Saunders, grantee, of Salt Lake City, Utah, for the sum of five hundred Dollars, the following described tract of land in Mohave County, Territory of Arizona, together with certain improvements described as follows, to-wit: One hundred and sixty acres of land unsurveyed and known as the Short Creek Lake and Reservoir, situated about fifteen miles in a westerly or northwesterly direction from Cane beds Ranch together with all claims and dikes & ditches, by means of which the waters of said lake or reservoir are empounded and conveyed over and upon said land, which said Short Creek Lake or reservoir and said tract of land are situated in the northeast corner of Mohave County, Arizona, together with all water rights appurtenant thereto and all rights of every nature and kind of said grantors therein or thereto.

Witness the hands of said grantors this 17th. day of September A. D. 1901.

Cutler & Jolly

Signed in presence of

W. A. Bunting

William F. Knox.

By H. S. Cutler

By H. S. Jolly

By H. S. Cutler

State of Utah)
) ss.
County of Kane)

On the 17th day of September A. D. 1901 personally appeared before me H. S. Cutler, known to me to be a member of the firm of Cutler & Jolly, the signer of the above instrument, who duly acknowledged to me that he executed the same on his own behalf and on behalf of said firm and on behalf of H. S. & Jolly.

W. O. Bunting,
County Clerk.

Recorded in Book 14 of Deeds of Mohave Co. at p. 350.

Joseph F. Smith, Trustee,)
to)
Grand Canyon Cattle Co.)

Know all men by these Presents, That I, Joseph F. Smith, Trustee in trust for the church of Jesus Christ of Latter Day Saints, residing in Salt Lake City, Utah, for and in consideration of the sum of Seventeen Hundred and fifty ($1750.00) Dollars, to me in hand paid by the Grand Canyon Cattle Company, a corporation whose place of business is in Los Angeles, California, have sold, remised, released and quit claimed and by these presents do sell, remise, release, and quit claim unto the said Grand Canyon Cattle Company, all that certain interest held and owned by said church and by me as trustee in trust of said church, known as Lee's Ferry, situate on the Colorado River in the County of Coconino, Territory of Arizona, with all the lands and appurtenances belonging to said Ferry, including that located upon Pahrea Creek, and claimed by the said Church or by me as its trustee, including all canals, ditches, and water rights appurtenant to said premises, with all personal property, that is plows, harrows, and farming implements belonging to the grantor and appurtenant to said premises.

To have and to hold the interest and claim, right and title of the Church of Jesus Christ of Latter Day Saints

and the trustee in trust thereof in and to the above described premises, together with all and singular the rights and appurtenances thereunto or in anywise belonging unto the said Grand Canyon Cattle Company its successors and assigns forever.

In witness whereof I as trustee in trust of said Church have hereunto set my hand this 18th day of August A. D. 1909.

Joseph F. Smith
Trustee in Trust of the Church of
Jesus Christ of L. D. Saints.

Presence of
Le Grand Young
Edwin D. Woolley

State of Utah)
County of Salt Lake)

Before me Arthur Winter a Notary Public in and for the County of Salt Lake, State of Utah, this day personally appeared Joseph F. Smith, known to me to be the trustee in trust of the Church of Jesus Christ of Latter Day Saints and known to me to be the person whose name is subscribed to the foregoing instrument and he then and there acknowledged to me that he executed said instrument

as such trustee in trust, and for the purposes and consideration therein expressed.

Given under my hand and seal of office this 18th day of August A. D. 1909.

Arthur Winter,

Notary Public.

Recorded Oct. 2, 1909 - Deed Record No. 37 p. 285.

APPENDIX -- Exhibit F.

Lieu Selection No. 4187.--(Requiring description (of selected land by (approximately legal (subdivisions. (0736)

Aug. 28, 1908.

Register and Receiver,

Phoenix, Arizona.

Gentlemen:

September 28, 1900, Peter M. Collins made lieu selection No. 4187, Act of June 4, 1897 (30 Stat., 36), at the Prescott land office, for unsurveyed land described as follows:

(1) "Ivanpah" tract, situate in the East end of Poverty mountain in the northern part of Mohave County, Arizona, particularly described as follows:

Commencing at the Northwest corner, or corner No. 1, and running thence East 1320 feet to corner No. 2; thence South 1320 feet to corner No. 3; thence West 1320 feet to corner No. 4; thence North 1320 feet to place of beginning.

Corner No. 1 bears North 36 deg. 30' West 360 feet from center of Ivanpah spring, so called, which is a well known spring and land mark, commonly and widely known by that description.

At each corner of the tract is a post 3 inches square set 18 inches from the ground with mound of stone

APPENDIX

properly scribed.

(2) "Oak" Tract, situate in the Poverty mountain on the north side in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the Southeast corner or corner No. 1, and running thence West 1320 feet to corner No. 2; thence North 1320 feet to corner No. 3; thence East 1320 feet to corner No. 4; thence South 1320 feet to corner No. 1, the place of beginning.

Corner No. 1 bears South 30 deg. East 150 feet from center of Oak Spring, so called, which is a well known spring and land mark commonly and widely known by that designation.

At each corner of this tract is a post 3 inches square, set 18 inches in the ground with mountain stone, properly scribed.

Said selection was approved as for unsurveyed land June 3, 1903, but has never been posted upon the tract books because no section, township or range is given in the application to select.

You will notify the selector whose postoffice address is Helena, Montana, that this description of the land is indefinite and the land cannot, from such description, be segregated; the selection, therefore, must remain at the risk of the selector and this office will not be

responsible if through error, after the plat of survey of the township has been filed, the land is appropriated by another party.

It is suggested that, in order to protect himself, Mr. Collins should cause a survey to be made in his own interest in order to identify the land by some legal subdivision, so that it may be posted upon the records of your office and this office.

Very respectfully,

S. V. Proudfit,

Asst. Commissioner.

APPENDIX -- Exhibit C.

Notice of Water Location.

Notice is hereby given that the undersigned B. F. Saunders is the owner by location for purchase under the land laws of the United States of the following described tracts of land situated in Coconino County, Arizona, to-wit:

(1) House Rock tract, situated in the House Rock Valley in the northern part of Coconino County, Arizona, containing 40 acres, being 1320 feet square, the southeast corner of which bears south 7 degrees east 819 feet distant from House Rock Spring widely known by that name in northern Arizona and southern Utah.

2. "Two Mile Tract" situated in House Rock Valley in the northern part of Coconino County, Arizona, containing 40 acres being 1320 feet square, the southeast corner of which bears South 40 degrees East 172 feet distant from Two Mile spring a well known spring widely known by that name throughout northern Arizona and Southern Utah and is situated about two miles in a northerly direction from House Rock Spring.

3. "Jacobs Pools tract" situated in House Rock Valley in the northern part of Coconino County, Arizona, containing 40 acres being 1320 feet square, the south west corner of which bears South 38 degrees 20 minutes West 925 feet distant from the main or largest pool of Jacobs Pools

so called which are well known springs through northern and southern Utah.

That upon each of said tracts there are springs or pools of water which originally and naturally did not rise to or flow upon the surface of the ground but which have been developed and the water brought to and collected upon the surface by the undersigned, his assigns and grantors, by means of tunnels,open cuts and ditches driven into the hill.

That said water was and is developed and the ditches, pipes, water troughs and reservoirs are and in the future will be maintained by the undersigned for the purpose of using the said tracts for beneficial and useful purposes, to-wit: for the purpose of watering of cattle and horses belonging to and in possession of the undersigned and for domestic and culinary purposes, and for the irrigation of trees and shrubbery.

That the water now flowing and to flow upon and from each of said tracts as nearly as can be estimated is as follows: from House Rock spring ten gallons per minute, from the Two Mile spring ten gallons per minute and from the Jacobs Pools twenty five gallons per minute, and will be used upon each respectively and to the full extent thereof, and in addition thereto it is the intention of the undersigned to use the water arising upon the Jacobs Pools tract, upon a tract of land situated about one mile to the south

of said tract to which it will be piped by iron or wooden pipe and there used for domestic and irrigating purposes and the watering of stock.

This notice is posted in a public place upon each of the tracts of land above described and a copy thereof recorded in the office of the County Recorder of said Coconino County pursuant to the provision of the acts of the Governor and Legislative Assembly of Arizona March 22nd and April 13th, 1893.

B. F. Saunders

Recorded Aug. 1, 1901, Millsite & Water Rights Record No. 1, p. 228.

APPENDIX -- Exhibit H.

Jas. S. Emett et ux.)
)
Grand Canyon Cattle Co.)

Know all men by these presents, that we, James S. Emett and Emma J. Emett, his wife, of the County of Coconino, Territory of Arizona, for and in consideration of the sum of One Thousand Dollars, lawful money of the United States to us in hand paid, the receipt whereof is acknowledged, do hereby bargain, sell remise, release and quit claim unto the Grand Canyon Cattle Company, a corporation having its principal place of business at the City of Los Angeles, State of California, all the following described improvements, waters and water rights heretofore held, owned, claimed or enjoyed by us in the County of Coconino, Territory of Arizona, to-wit: All the waters, water rights, ditches, canals, and irrigation works situate in said County upon and west from Soap Creek and particularly including the waters, water rights, ditches, canals, and irrigation works situate in House Rock Valley, together with all of the improvements of any and every character situate at the corral heretofore owned, held or enjoyed by the grantors in said House Rock V alley and the house and improvements on Soap Creek.

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The water rights hereinbefore conveyed and intended to be conveyed are held by the grantors under appropriations, four in number, heretofore filed and recorded in the office of the County Recorder of Coconino County, Arizona, as follows: Corral and pipe springs situated about one mile north of spring known as Jacobs Pools, Coconino Co., Ariz. T., Soap Creek surplus water situated in Coconino County, Ariz. T. Cottonwood Spring 16½ miles southwest of Lees Ferry and also the Hibben Millsite claim, Coconino County, Arizona.

To have and to hold all said property, real and personal, with the appurtenances, unto the said Grand Canyon Cattle Company, its successors and assigns, forever.

In witness whereof the said parties have hereunto set their hands and seals this 24 day of Sept., A. D. 1909.

James S. Emett (seal)

Emma J. Emett (seal)

Presence of E. D. Woolley.

State of Utah)
) ss:
County of Kane)

Before me Jno. W. Glazier a Notary Public in and for the County of Kane, in said State, on this day personally appeared James S. Emett, known to me to be the person whose name is subscribed to the foregoing instrument and he then

APPENDIX

and there acknowledged to me that he executed said instrument for the purposes and consideration therein expressed.

Given under my hand and seal of office this 24th day of Sept. A. D. 1909.

Jno.W. Glazier

Notary Public.

My commission expires Feb. 10, 1912.

State of Utah)
) ss:
County of Kane)

Before me Jno. W. Glazier, a Notary Public in and for the County of Kane, State of Utah, on this day personally appeared Emma J. Emett, wife of James S. Emett, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband and having the same fully explained to her, she the said Emma J. Emett, acknowledged said instrument to be her act and deed and declared that she willingly signed the same for the purposes and consideration therein expressed and that she did not retract from it.

Given under my hand and seal of office this 24th day of Sept. A. D. 1909.

Jno. W. Glazier

My commission
expires Feb. 10, 1912. Notary Public.

Recorded Dec. 3, 1909 - Deed Record No. 37 p. 354.

APPENDIX -- Exhibit I.

This indenture made the 17th day of July in the year of our Lord one thousand nine hundred and seven (1907) between R. S. Cutler, administrator of the estate of H. D. Rosencrans, deceased, of Kanab, Kane County, Utah, party of the first part and B. F. Saunders of Salt Lake City, Utah, party of the second part, witnesseth: That said party of the first part, for an d in consideration of the sum of One Hundred Fifty Dollars ($150) of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said party of the second part, and to his heirs and assigns forever, the following described property situate in the County of Mohave and Territory of Arizona, to-wit:

That certain ranch of said Rosencrans deceased situated in the northeast corner of said Mohave County, adjoining the Canebeds Ranch now owned by the grantee together with all the buildings, houses, barns, corrals, farming tools, and all other improvements had and used in connection therewith, this deed is made by authority of the proper probate court having jurisdiction of said property.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder

and remainders, dower and rights of dower, rents, issues, and profits thereof.

To have and to hold all and singular the said premises together with the appurtenances unto the said party of the second part and to his heirs and assigns forever.

In witness whereof the said party of the first part has hereunto set his hand and seal the day and year first above written.

H. S. Cutler, Administrator.

State of Utah)
) ss:
County of Kane)

On the 26th day of July, 1907, personally appeared before me the undersigned notary public for said county administrator of the estate of H. D. Rosencrans, deceased, personally known to me to be the person who signed the foregoing deed and duly acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

W. T. Dobson,
County Clerk.

Recorded at request G. C. C. Co. Feb. 1st. 1908 & recorded in Book 18 of Deeds at p. 606 of Mohave County.

APPENDIX -- Exhibit J.

This deed made the twenty seventh day of November in the year of our Lord one thousand nine hundred between H. S. Cutler, James Cutler and H. S. Jolly, copartners doing business under the firm name of Cutler, Jolly & Company, of Kane County, State of Utah, the parties of the first part, and B. F. Saunders, of Salt Lake City, State of Utah, the party of the second part, witnesseth: That the said parties of the first part for and in consideration of the sum of Two Thousand Dollars, lawful money of the United States of America, to them in hand paid, by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey, unto the said party of the second part and to his heirs and assigns forever, all the right, title, and interest, estate, claim and demand both at law and in equity, as well in possession as in expectancy, of said parties of the first part of, in and to all that certain lot and parcel of land situated in the northwestern portion of Coconino County, in the Territory of Arizona, together with all the improvements thereon situated or thereunto belonging described as follows, to-wit:

The Canebeds Ranch, including the rock house, corral, all the fence and fencing enclosing the pasture and Buell pastures; also Badger spring and the line of pipe running from said spring to the water tank, together with said water tank;

also Point of Rocks Lake situated about ten miles in a southwesterly direction from Canebeds House.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining and the rents, issues and profits thereof.

To have and to hold all and singular the above mentioned and described premises, together with the appurtenances unto the said party of the second part, his heirs and assigns forever.

In witness whereof the said copartnership name has hereunto been subscribed by one of the said partners the day and year first above written.

Cutler, Jolley & Co.

Per H. S. Cutler.

Signed in presence of

F. A. Lindquist.

United States of America.

State of Utah)
) ss:
County of Kane)

On this twenty seventh day of November A. D. 1900 before me, Thos. Chamberlain, a Notary Public in and for Kane County, Utah, personally appeared H. S. Cutler, known to me to be one of the partners of the firm of Cutler, Jolley & Company, who subscribed the partnership name to the fore-

going instrument, who duly acknowledged to me that he subscribed said firm or partnership name and that said partnership duly executed said instrument for the uses and purposes therein mentioned.

In witness whereof I have hereunto set my hand & seal the day and year in this certificate first above written.

Thos. Chamberlain,

Notary Public.

My commission expires Mar. 12, 1901.

Recorded at request of E. J. Marshall Jan. 25, 1908, in Deed Record No. 8 of Mohave Co. at p. 594.

APPENDIX -- Exhibit K.

Affidavit of Labor Performed and Improvements Made.

State of Utah)
) ss:
County of Kane)

Charles Dimmick being duly sworn, deposes and says that he is a citizen of the United States and more than 21 years of age, and resides at House Rock in Coconino County, Arizona Territory, and is personally acquainted with the mining claim and premises located and known as Jacobs Lake mining claim or lode, situate in Mining District, County of Coconino, Arizona Territory, the notice of location of which premises is recorded in the office of the County Recorder of said County, in Book 1 of Records of Mines, at page 243; that between the 1st. day of Jan. A. D. 1902, and the 1st. day of Jan. A. D. 1903, at least One Hundred Dollars' worth of work and improvements were done and performed upon said premises or lode, not including the location work of said claim. Such work and improvements were made by and at the expense of B. F. Saunders, owner of said premises, for the purpose of complying with the law of the United States pertaining to assessment or annual work, and Murray Averett, John F. Brown, and Frank Brown were the men employed by said owner and who labored upon said premises, and who did said work and improvements, and said work as done

APPENDIX

upon said premises is described as follows, to-wit: One shaft 5 x 7 x 12 feet deep, timbered up.

Chas. Dimmick.

Subscribed and sworn to before me this 10 day of Dec. A. D. 1903.

John F. Brown

Notary Public

Recorded Dec. 19, 1903 - Mining Assessment Record 2, p. 424.

Proof of Labor.

State of Utah)
) ss:
County of Kane)

B. C. Major being first duly sworn deposes and says that he is the foreman and business manager for B. F. Saunders, the owner of the Jacobs Lake, a mining claim situated at what is known as Jacobs Lake, Coconino County, Territory of Arizona, and that he as such foreman has for and on behalf of B. F. Saunders performed the annual labor and has made the annuam improvements by the laws of the United States and Territory of Arizona for the year 1902 at said claim; that the said work done and improvements made consist of a cut run into said claim a distance of 17 feet, six feet wide and 6 feet deep on said claim, and is of the value of $100; that said labor was done and improvements made on and between the 1st. day of Jan. A. D. 1902 and the

first day of Jan. A. D. 1903; that there was 26 days labor performed on said claim and 612 feet of earth and rock removed; that said work was done and improvements made at the instance and request of B. F. Saunders, the said owner of said claim, the actual amount paid for said labor and material in making said improvements were $100 and said sum was paid by the said B. F. Saunders, the owner of said mining claim, and that the names of the men that performed said work was Walter McAllister, L. L. Pratt. Affiant further says that on the 31st day of Dec. A. D. 1902, he for and on behalf of said owner, B. F. Saunders, posted a notice at the discovery monument at said claim in a conspicuous place.

Ben C. Majors

Subscribed and sworn to before me this 24th day of Dec. A. D. 1902.

John F. Brown

Notary Public

Recorded January 10, 1903 - Mining Assessment Record No. 1, p. 243.

APPENDIX -- Exhibit L.

Phoenix 015896 "K" YP.

Washington, D. C., March 27, 1914.

Register and Receiver, : Holding location
: :
Phoenix, Arizona. : for cancellation.

Sirs:

October 28, 1911, under serial number 015896, Alexander D. Findlay, as attorney in fact for Ellen Angie Williams, formerly Ellen Angie, made application at your office, to locate Sioux Half Breek Scrip No. 397 B for 40 acres, issued in favor of Ellen Angie, upon unsurveyed land in Mohave County, described as including "Pipe Spring Ranch."

He filed an amended application April 25, 1912, describing the land by metes and bounds with courses and distance, and alleged that when surveyed it would be in the NW¼ of Sec. 14, T. 39 N., R. 4 W., G. & S. R. M. The scrip was issued under the Act of July 17, 1854 (10 Stat., 304).

In report of January 17, 1914, a special agent of this office recommended that the location be rejected, as it was for land valuable as a public watering place, and should be kept open for the use of all the settlers in that vicinity, and as it was included in Public Water Reserve No. 8, Arizona No. 1, by Executive Order of February 20, 1913, under the Act of June 25, 1910 (36 Stat., 847).

It was held by the Department in its decision of March 27, 1890, in the Frank Burns case, 10 L. D., 365, that the location of scrip upon unsurveyed land confirms only a preference right to perfect such location after survey as against the claim of all others except the United States, but until the location is adjusted to the public survey, the United States has power and authority to dispose of the land covered thereby. As this land has been withdrawn from disposition, the location cannot be perfected. See Yosemite Valley case, 15 Wall., 77. The said act of June 25, 1910 under which the withdrawal was made, contains the following proviso:

> "That there shall be excepted from the force and effect of any withdrawal made under the provisions of this act all lands which are, on the date of such withdrawal, embraced in any lawful homestead or desert land entry theretofore made, or upon which any valid settlement has been made and is at said date being maintained and perfected pursuant to law, but the terms of this proviso shall not continue to apply to any particular tract of land unless the entryman or settler shall continue to comply with the law under which the entry or settlement was made."

This did not include scrip locations.

In view of the withdrawal mentioned and of the decision of the Department in the Burns case, supra, the location is held for cancellation, subject to the right of appeal to the Department in accordance with the rules of

practice. You will so notify all known parties in interest.

Two copies of this letter are enclosed to be used in giving notice.

Very respectfully,

Clay Tallman,

Commissioner.

APPENDIX -- Exhibit M.

State of Utah)
) ss:
County of Washington)

Albert Foremaster being duly sworn upon his oath deposes and says that his post-office address is St. George, Utah; that affiant has been in the cattle business at what is known as Parashaunt for the past 30 years; that he is now and has been familiar with the country about Parashaunt for the past 30 years; from 20 to 30 years ago Wolfhole spring was first located; that according to the best recollections of affiant the waters of said spring were first appropriated by John Pymm and others; that none of the land about said spring could be farmed; that the first improvement work on said spring was performed by John Pymm and others; that affiant never saw a notice of location or any corners or any indication that a survey had been made at said spring; that said spring will water about 200 head of cattle in dry season; that no land at Link spring could be cultivated and that affiant never saw any notices or owners or any indications that a survey had been made; that Link spring will water in dry weather 200 head of cattle in properly improved; that no land at Rattlesnake spring could be cultivated and affiant never saw a notice of location or any corners or any indications that a survey had been made; that affiant saw no notice of location or any corners nor

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any indication that a survey had been made at the following springs all of which were visited about the time and after one Preston Nutter alleges to have located the same; Cane Bed, Garden, Hidden, Parashaunt, Oak Grove, Pine Green, Penn's Pocket, Cottonwood, Duke, Dan Sill, Big Springs, Andrews, Black Rock, and Cold Springs; that at Antelope Spring affiant notices three corners that were probably set by the direction of said Nutter; that at Ivanpatch affiant carefully looked for corners immediately after said Nutter tacked his notice at said spring but no corners could be found nor were there any indications that a survey had been made; that immediately after said Nutter tacked a notice on a tree 500 feet from the spring this affiant's attention was called to same and he made a copy thereof which reads as follows:- "Helena, Montana, has this day applied to select the provisions of the Act of June 4, 1897 (30 Stat., 36) the following described tract. Within the next 30 days from date hereof protests or contests against this selection. Peter M. Collins;" that the foregoing is all that appeared on said notice; that this affiant had developed the spring from a pocket and was actively using the spring for watering his cattle at the time said Nutter tacked said notice on said tree; that affiant saw a notice of location at New Spring but was unable to find any corners or see any indications that a survey had been made although

he made an examination for that purpose; that the land at Cain Bed can not be farmed; that no land at Garden spring could be farmed; that no land at Hidden Spring could be farmed; that affiant lived at Parashaunt for a number of years and is of opinion that the land might be dry farmed; that no land could be farmed at Andrews spring; that no land could be farmed at Oak Grove, Pine, Green, Penn's Pocket, Duke, Dan Sill, Antelope, Black Rock, Cold, Ivanpatch, or New spring; that there is a little land at Big Spring that could be farmed were the water not needed for cattle; that affiant has been acquainted with Mokiac for the past 25 years and it has never been known by any other name; that there are two springs which go by the name of Mokiac; that the Garden spring is also known by the name of Big spring; that Big spring in the Trumbel country is also known as Whitmore spring; that New spring was at times called Clay spring; that if one person obtained title to all the springs on which Preston Nutter has filed locations he would have control of the entire range.

Albert Foremaster.

Subscribed and sworn to before me this 23rd. day of October, 1914.

Raymond E. Cery.

State of Utah)
) ss:
County of Washington)

George H. Lytle being duly sworn upon his oath deposes and says that his post-office address is St. George, Utah; that for about 6 or 7 years he has been running cattle in what is known as the Parashaunt country; that about 6 years ago he purchased a 5/12 interest in what is known as Cold spring; that he purchased said interest from William B. Baker; that at the time he made said purchase he was familiar with said spring and at said time there was no notice of location on or near said spring nor were there any corners nor any other indications that a survey had been made of the land surrounding or in the neighborhood of said spring; that about three years ago affiant and A. D. Findlay and one Sandburg piped the water of said spring about one mile; that if properly developed said spring would water in the neighborhood of 1000 head of cattle; that it would be absolutely impossible to cultivate the land about said spring for the reason that said land is too rocky and steep; that for the main part the land about said spring has a slope of about 35 per cent; that the first time he learned that Preston Nutter had filed scrip on said spring was about the time he purchased an interest in said spring; that said information was obtained from third parties as there were

no indications on the ground or in the neighborhood that any location had been made; that about 12 years prior to the date he purchased said interest his predecessors appropriated the waters of said spring and always claimed the same up to the time they disposed of same to this affiant; that said sale was never made a matter of record but affiant has paid taxes on the improvements used in connection with said spring ever since he purchased the same; that as a cattleman he is familiar with the grazing conditions in the Parashaunt and Trumbel grazing districts; that Big Spring is also known as Whitmore spring; that affiant has been a number of times at Wolf Hole, Link, Rattlesnake, Garden, Hidden, Parashaunt, Andrews, Oak Grove, Pine, Green, Penn's Pocket, Duke, Big, Antelope, Ivanpatch, and New Springs; that some of said springs were visited by affiant about 10 years ago; that at no time did he ever see or was his attention called to any notices of location or any corners or stakes on any of same claims; that Ivanpaugh spring is also known as Ivanpatch spring; that the land included within the selections filed by Preston Nutter on said springs is not suitable for farming purposes and could not be successfully farmed with the exception of the land at Whitmore, Parashaunt and Oak Grove springs; that at Whitmore springs there is about 10 acres that might be cultivated; that the

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land about Parashaunt spring might possibly be dry farmed; that none of the land included within the 40 acre selection at Oak Grove could be cultivated but some of the land nearby could possibly be farmed; that he has known Mokiac well for about 10 or 12 years and it has never been known by any other name; that he has been acquainted with the location of Cottonwood spring and said spring has never been known by any other name; that Mokiac and Cottonwood springs are about 7 or 8 miles apart; that Preston Nutter has filed locations on practically all the best springs in the country and that if said locations pass to patent said Preston Nutter will have almost complete control of the range in which said springs are located.

Geo. H. Lytle.

Subscribed and sworn to before me this 23rd. day of October, 1914.

Raymond E. Gery.

APPENDIX -- Exhibit O.

State of Utah)
) ss:
County of Washington)

Willard Sorensen being duly sworn upon his oath deposes and says that his post-office address is St. George, Utah; that up to the age of 16 years this affiant lived with his parents at what is known as the Parashaunt ranch; that for the past 14 years he has been familiar with the country in which Preston Nutter has located lieu selections on watering places; that he saw said Nutter in the country at the time he was locating said lieu selections; that at the time said Nutter was making said locations the only other person that accompanied him was a surveyor whose name this affiant has forgotten; that this affiant at no time saw a stake or corner on any of the locations or claims excepting at Pine spring; that said corner at Pine Spring consisted of a pile of rock and this affiant is not positive that said corner was constructed by said Nutter; that affiant also saw a small stake at Parashaunt but this affiant is not positive that said stake was placed by said Nutter or his representatives; that at the Parashaunt and Ivanpatch springs this affiant saw notices of location posted by said Nutter; that if notices of location were ever filed at any of the other springs this affiant never saw the same; that affiant saw a small oak stake driven in the ground at

Antelope Spring but can not say positively that said stake was constructed by said Hutter or his agents; that affiant is informed and believes that said Hutter and the surveyor remained at Ivanpatch spring but a few moments and did not survey the same at the time they alleged to have surveyed said spring; that with the exception of The Logs, Snap spring, Mokiac spring, Twin Springs, Amos Spring, Wilson Spring, and Grass Spring said Hutter has filed selections on all the important stock watering places in an extensive range; that if the watering places located by said Hutter should pass into private ownership the owners thereof would have almost complete control of an extensive range on which there is at this time grazing some 13000 to 15000 head of cattle; that said Hutter purchased the water at Wolf Hole from a person whose name is at this time unknown to affiant; that said Hutter purchased Link Spring from Anton Ivans; that he purchased Rattlesnake from Anton Ivans; Cane Bed he also purchased from Anton Ivans or from Pymm & Foremaster; Garden Spring was purchased from Anton Ivans; Hidden Spring was purchased from Anton Ivans; Parashaunt from Ivans & Sorensen; Andrews Spring was purchased from Anton Ivans; Oak Grove was purchased from B. F. Saunders; Pine was purchased from B. F. Saunders; Green was purchased from Saunders; Penn's Pocket was purchased from B. F. Saunders; Duke was purchased from Andrew Sorensen; Big Spring was purchased

from Frank Foster; that the Big, Parashaunt, and Oak Grove claims might possibly be dry farmed but the other locations made by said Nutter are not capable of being cultivated; that this affiant in company with Ranger Moody made an examination of all the locations within the boundaries of the Dixie National Forest but found no corners of any kind to indicate the said Nutter was claiming the same; that at this time affiant in connection with his father is running some 30 head of horses on the range; that Mokiac is a well known name and the well constructed there is practically some 10 miles from Cottonwood.

Willard S. Sorenson

Subscribed and sworn to before me this 23rd. day of October, 1914.

Raymond M. Cery.

APPENDIX -- Exhibit P.

State of Utah)
)
County of Washington)

Charles M. Walker being duly sworn upon his oath deposes and says that his post office address is St. George, Utah; that about 14 years ago affiant was employed by Albert Foremaster as a cow puncher; that the headquarters used by said Foremaster was located at Ivanpatch or Ivanpaugh spring; that on one occasion he and other cow punchers drove the cattle from the corral at Ivanpatch and about one half hour after they had left said spring Preston Nutter and another man passed this affiant on said Nutter's return from Ivanpatch; that said Nutter shook hands with affiant and requested him to tell Foremaster that he would like to see him but did not at that time have sufficient time; that affiant saw some tripods on one of the pack horses; that after affiant returned to said spring he noticed that a notice of location has been tacked on a tree about one-quarter mile from said spring; that the only thing this affiant remembers about the notice was that it was under the Forest act; that said Preston Nutter was not at the spring over one half hour; that this affiant saw no corners nor any indications that a survey had been made; that the notice tacked on the tree was so poorly written that none of the fourteen men who were in the party could read the same; that the

land surrounding said spring is a mass of rocks and ridges and not a foot of same could be cultivated.

Chas. M. Walker

Subscribed and sworn to before me this 23rd. day of October, 1914.

Raymond E. Gery.

State of Utah)
) ss:
County of Washington)

John Pymm being duly sworn upon his oath deposes and says that his post-office address is St. George, Utah; that for the past 25 or 30 years he has been familiar with the Parashaunt country; that for about 19 years he was in the employ of Preston Nutter and was employed in the capacity of foreman; that as such foreman he had charge of from one to eight men; that about the month of March, 1898, or about two years prior to the date Preston Nutter filed lieu selections on certain springs in the Arizona Strip north of the Colorado River he accompanied said Nutter on an inspection of the springs in that neighborhood; that at different times he showed said Nutter the various springs that were to be found in the country; that during one of his trips with said Nutter they found what is known as Cottonwood spring; that said Cottonwood spring lies in what is locally known as Green Spring Canyon and lies about 4 miles down the canyon from what is known as Green Spring; that said Cottonwood Spring lies about 8 miles in a straight line from what is known as Mokiac spring; that at the time they discovered Cottonwood spring Mociak spring was about 25 miles from Cottonwood spring by trail suitable for saddle horses and cattle;

that he never visited Mokiac spring with said Hutter prior to the time said spring was located; that one B. F. Saunders first developed Mokiac spring by constructing a tunnel about 100 yards long; that he understands and believes that said Preston Hutter purchased said spring from said B. F. Saunders; that at one time he had two men employed improving the tunnel at Mokiac spring when said Preston Hutter directed that they discontinue work on said spring for the reason that there was not sufficient water to warrant such action; that at this time said Mokiac spring will water about 800 head of cattle in connection with what is known as Mokiac Well; that Wolf Hole spring will water about 300 head; Link spring about 300 head; Rattlesnake about 100 head; Cane Bed about 300 head; Garden spring about 1000 head; Hidden about 800 to 1000 head; Parashaunt will at this time water at least 1000 head of cattle; Andrews spring about 1000 head; Oak Grove about 75 head; Pine Springs about 75 head; Green spring will water probably 2000 or 3000 head; Penn's Pocket is good only after a rain and does not contain water the entire year; Cottonwood spring has very little water; Duke spring about 300 head; plenty of water at Dan Sill spring if properly improved; if Big spring were properly improved it would water from 1500 to 2000 head; Black Rock spring will water

about three times as many cattle as there is range available; Coal spring will water 200 or 300 head; Ivanpatch about 300 head; New spring about 200 head; that outside of the above springs The Logs is about the only one in the country that is of any value; that he was not with said Nutter when the lieu selection locations were made but that he brought said Nutter from Modena to St. George; that he did not see said Nutter from that time until said Nutter returned from Prescott and met him at Parashaunt; that about two weeks elapsed from the time said Nutter left St. George to the time he returned to Parashaunt; that there are two springs known by the name of Garden spring; that Garden spring is also called Big Spring; Big Spring is often known as Whitmore spring; that if the springs on whichPreston Nutter has filed locations would be controlled by private parties the entire range would in affiant's opinion be under the control of the owner of said springs; that said Mokiac spring is a well known spring and was never known by any other name.

John D. Pymm

Subscribed and sworn to before me this 22nd. day of October, 1914.

Raymond E. Cery.

APPENDIX -- Exhibit R.

State of Utah)
) ss:
County of Washington)

John Pymm being sworn upon his oath deposes and says that his post-office address is St. George, Utah; that at no time did he ever see a notice of location on the springs claimed by Preston Nutter excepting Green Spring; that the only corners he ever saw on any of the locations made by said Preston Nutter was a mound of earth at Green Spring; that at Oak Grove affiant saw a notice tacked on a tree; that said notice was merely a notice of selection which has been filed by B. F. Saunders; that affiant never saw any indications that said Nutter or his representatives had ever made any survey of the springs claimed by said Nutter excepting at Ivanpatch at which time a line was run to Cold spring and which work was performed about three years ago; that with the exception of Parashaunt and Oak Grove none of the 40-acre tracts selected by said Nutter could be farmed; that this affiant upon being informed that Wallace Mathis and John Sturzennegger filed on the water at Mokiac this affiant informed Preston Nutter of said fact; that in reply said Nutter informed this affiant that he said Nutter did not have a valid claim to Mokiac but that it would do no one any good to file on the same; that said letter has since been destroyed; that in

affiant's opinion the control of all the watering places located by said Hutter would mean the control of the entire range.

John D. Pymm

Subscribed and sworn to before me this 23rd. day of October, 1914.

Raymond E. Gery.

APPENDIX -- Exhibit S.

State of Utah)
) ss:
County of Washington)

Wallace Mathis being duly sworn upon his oath deposes and says that his post-office address is St. George, Utah; that affiant has been running cattle in what is known as the Parashaunt country for the past 10 years; that in the year 1906 affiant and one John Sturzennegger improved a well and put in a pump at what is known as Mokiac; that at the time said improvements were made the water had not been used for watering cattle for about 10 years; that the well at Mokiac is being used at this time by affiant and said Sturzennegger to water cattle and that the cattle of one Preston Nutter are being watered at said well; that prior to the completion of the improvements above mentioned cattle had not been watered at said Mokiac well or spring; that the land immediately surrounding Mokiac well is not suitable for farming purposes; that this affiant has had several conversations with Preston Nutter; that in each of said conversations he has intimated to this affiant that if there was an abundance of water he had no objection to tother cattlemen watering their cattle at Mokiac but if the water became short said Nutter would water his own cattle and shut out the cattle of other owners;

that since affiant has been interested in Mokiac said Nutter has done nothing in the way of improvements; that soon after this affiant and said Sturzennegger filed on the water at Mokiac well they were informed by one John Pymm that Preston Nutter claimed the same; that in the Fall of 1905 affiant made an examination and found no corners or any indications that a survey had been made of said Mokiac spring or well; that this affiant never saw any notice of location on or near said tract; that Mokiac is a well known well or spring and is located some 7 or 8 miles from what is known as Cottonwood spring; that on said range it is more a question of water than range and said Nutter never made claim to said Mokiac until it was developed by this affiant and others that water could be developed at Mokiac; that if all the springs and wells located by said Nutter should be controlled by him he would have almost absolute control of the range; that said Nutter at one time informed this affiant that it was his intention to secure control of the entire country so far as grazing was concerned in order to be in a position should he ever desire to sell he would be enabled to dispose of property that would control the entire country.

W. B. Mathis.

Subscribed and sworn to before me this 23rd. day of October, 1914.

Raymond E. Gery.

APPENDIX -- EXHIBIT T.

Book 9 of Deeds Pp 480-1

D E E D.

Fotheringham & Gillies)
)
To)
)
T. S. Kingsberry)

This indenture made the 24th day of February, A. D. 1899, by and between A. L. Fotheringham and E. B. Gillies, co-partners under the firm name of Fotheringham and Gillies, doing business at Beaver City, Beaver Co., Utah, the parties of the first part, and T. S. Kingsberry, of Salt Lake City, Utah, the party of the second part Witnesseth:

That the said parties of the first part for and in consideration of the sum of Four Thousand dollars ($4,000.00) lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents, grant, sell and convey, remise, release and forever quite claim unto the said party of the second part and to his heirs and assigns, all the right, title and interest, estate, claim and demand, both at law and in equity, and as well in possession as in expectancy of the said parties of the first part, of, in and to all those certain lots and parcels of land situated in Coconcina County, in the Territory of Arizona, described and designated as follows, to-wit:

"An undivided three fourths interest in the Two-mile Ranch. All of the One mile Ranch; all of the House Rock Ranch; all of the Jacobs Pools Ranch; all of the Soap Creek Ranch; all of the Cane Springs Ranch; all of the North Canyon Ranch; all of the Wild Cat Ranch; all of the South Canyon Ranch; all of the Buck Form Ranch; all of the V. T. Park Ranch; all of the Basin Pasture Ranch; all of the Three Lakes Ranch; all of the Jacobs Lakes Ranch; all of the Carrall Crane Lake Ranch; all of Tater Canyon Ranch; Lake Ranch, and all of Lookout Ranch; all of Fracas Lake Ranch; "all".

It is also understood and agreed by and between the said parties hereto, that the said first parties hereby sell and convey each and every spring and all water rights, upon or in anywise belonging to, or used in connection with any and all of the ranches above mentioned and designated.

The lands, springs and water-rights herein and hereby conveyed, are all the lands, springs, and water rights heretofore owned by and known as the Ranches of the Kaibab Cattle Company, a Corporation, and which said lands, ranches, springs and water rights were sold by said Kaibab Cattle Company through its Agents and Officers to the firm of Murdock and Fotheringham, together with all and singular the tenements, hereitaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

APPENDIX

To Have and to Hold, all and singular, the said premises, together with the appurtenances, unto the said party of the second part, his heirs and assigns, forever.

In Witness Whereof the co-partnership name has hereunto been subscribed the day and year first above written.

(Signed) Fotheringham & Gillies

By A. L. Fotheringham

($4.00 U. S. Documentary stamp cancelled)

In the presence of

William F. Knox.

APPENDIX -- EXHIBIT U.

D E E D.

Thos. S. Kingsberry)
)
To)
)
B. F. Saunders & Ora Haley)

This indenture, made the 5th day of August, A. D. 1899, by and between Thomas S. Kingsberry of Salt Lake City & County, Utah, party of the first part, and Ora Haley of Laramie Wyoming, and B. F. Saunders, of Salt Lake City, Utah, parties of the second part.

Witnesseth:- That the said party of the first part, for and in consideration of the sum of $4,000.00 lawful money of the United States of America, to him in hand paid by the parties of the second part, receipt whereof is hereby acknowledged, has granted, bargained, sold, remised and conveyed, and by these presents does grant, bargain, sell, remise and convey unto the said parties of the second part and to their heirs and assigns forever, all that certain real property situate, lying and being in Coconino County, Territory of Arizona, more particularly described as follows, to-wit:

The "V. T." or Kaibab Ranch, comprising a range of about 35 miles northerly and southerly and about 50 miles easterly and westerly on the north side of the Colorado River.

Together with all the houses, corrals and ranch "Improvements" situated thereon and all the waters and water

rights now and heretofore owned, held or used in connection with the said ranch and all springs and water located and situated thereon, and particularly the following waters, water rights and privileges, to-wit:

An undivided 3/4 interest in those certain waters known as "Two Mile" springs: all of those certain Springs known as "One Mile" springs; Jacob's Pools Springs"; "House Rock Springs," "Soap Creek", "Badger Creek, " "Kane Springs", "South Canyon Springs;" and "North Canyon Springs," all situated in Muse Rock Valley on the ranch or range aforesaid:

Also the "Wild Cat Springs," "Buck Farm Springs," and "Tater Canyon Springs," all situated in First Bench of the Buckskin Mountain on the ranch or range aforesaid:

Also the "V.T. Park" waters, "Basin Pasture" waters- "Three Lakes", "Jacob's Lakes," "Corral Lakes," "Lookout Lakes," "Fracas Lakes," and "Crane Lakes", all situated on the Buckskin Mountains on the ranch or range aforesaid; together with all the waters flowing or to flow therefrom.

To Have and To Hold all and singular the premises with the appurtenances thereto incident, unto the parties of the second part and their heirs, and assigns forever, and all possession and rights of possession of the said property, and all squatter and ranch and range rights connected therewith.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year first above written.

(Signed) Thomas S. Kingsberry (Seal)

($4.00 U. S. Documentary stamps cancelled)

In the presence of
E. B. Critchlow,
Witness.

Executed and acknowledged August 5, 1899, before Wm. J. Barrette a Notary Public of Salt Lake City. Recorded at request of B. F. Saunders, August 1, 1901.

APPENDIX -- EXHIBIT V.

Book 9 Deeds, pp 486-7

D E E D

H. S. Shumway)
)
B. F. Saunders)

This deed made the seventeenth day of December, in the year of our Lord one thousand nine hundred, between Hyrum S. Shumway, of Kane County, State of Utah, the party of the first part, and B. F. Saunders, of Salt Lake City, State of Utah, the party of the second part. Witnesseth: That the said party of the first part for and in consideration of the sum of Three Hundred Dollars, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said party of the second part and to his heirs and assigns forever, all the right, title and interest, estate, claim and demand both at law and in equity, as well in possession as in expectancy, of said party of the first part, of in and to all that certain lot and parcel of land situated in the northern portion of Coconina County in the Territory of Arizona, together with all the improvements thereon situated or thereunto belonging and described as follows, to wit:

One Bunk House near the mill, one Log House out at

Spring, one Carral, large pile of slabs. The Lake, including all Buildings, Carralls etc., belonging on said place, all the Fence and fencing enclosing the Lake.

It is understood that the second party shall have and take possession of said premises the 1st day of June 1901.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

To Have and to Hold, all and singular the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, his heirs and assigns forever.

In witness whereof the said first party has hereunto subscribed his name, the day and year first above written.

(Signed) Hyrum S. Shumway.

Witnessed by John Neill. Executed and acknowledged before John F. Brown, Notary at Kanab, Utah, Dec. 17, 1900. Recorded at request of B. F. Saunders, Aug. 1, 1901.

APPENDIX -- EXHIBIT W.

B-33, p 321-325.

LIEU SELECTION.

December 2, 1907.

This Indenture made the 2nd day of December, 1907, between B. F. Saunders of Salt Lake City, State of Utah, and Ora Hailey of Laramie, Wyoming, individually, and also as co-partners doing business under the name and style of Hailey and Saunders parties of the first part and Grand Canyon Cattle Company, a corporation organized under the laws of the State of California party of the second part, Witnesseth:-

That said parties of the first part, for a good and valuable consideration to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell, convey, assign, transfer, remise, release and forever quit claim unto the said party of the second part and to its successors claim and demand, either at law or inequity, as well in possession as in expectancy of said parties of the first part, or either of them, if in or to the whole or any part of the lands, tenements and hereditaments hereinafter described or mentioned as follows, to wit:-

1st.- That certain forty acres of unsurveyed land at the mouth of Kane Canyon on the east side of Buckskin Mountains in House Rock Valley, Coconino County, Arizona Territory, as set on the map made by John T. Brockon, United States Deputy

Mineral Surveyor, filed in the office of the Register and Receiver of the United States Land Office at Prescott, Arizona, same forty acres being described as follows:
(Get description from La Belle file)

2nd.- North Lake Tract situated in the Buckskin Mountains, in the norther part of Coconino County, Arizona, particularly bounded and described as follows: (Coffin File)

3rd.- The Middle and South Lake Tract, situated in the Buckskin Mountains in the northern part of Coconino County, Arizona, particularly bounded and described as follows:
See (Mary E. Coffin Lieu. Sel. File.)

4th.- Jacobs Pools Tract situated in House Rock Valley in the northern part of Coconino County, Arizona, more particularly described and bounded as follows:

Commencing at the southeast corner or Cor. #1, and running thence north 13.20 feet to Cor. #2, thence W., 1320 feet to Cor. #3, thence south 1320 feet to corner #4, thence east 1320 feet to Cor. #1, the place of beginning. Corner #4 bears south 38 degrees and 20 minutes west 925 feet distant from the main, or largest pool of "Jacob's Pools", so called, the latter being well known springs, land marks widely and commonly known by that designation and shown upon the official maps issued and published by the Commissioner of the General Land Office. At each corner of the tract is a post 2 inches square, set in a mound of rocks, three feet high, properly marked.

5th.- Soap Creek tract situated in House Rock Valley, in the northern part of Coconino County, Arizona, more particularly bounded and described as follows:

Commencing at the southwest corner or corner #1, and running thence north 1320 feet to Cor. #2, thence west 1320 feet to Cor. #3, thence south 1320 feet to Cor. #4, thence east 1320 feet to Cor. #1 place of beginning. Corner #2 bears south 34 degrees east 4170 feet from the Spring which is the source of "Soap Creek" which latter is a well known creek, a land mark widely and commonly designated by that name, flowing into House Rock Valley, well known by that name. At each corner of the tract is a part 2 inches square, set in a mound of rocks and properly marked.

6th.- House Rock Tract situated in House Rock Valley in the Northern part of Coconino County, Arizona, more particularly bounded and described as follows: Commencing at the southeast Cor. or Cor. #1 and running thence north 1320 feet to Cor. #2, thence west 1320 feet to Cor. #3, thence south 1320 feet to Cor. #4, thence east 1320 feet to Cor. #1, the place of beginning. Cor. #1 bears south 7 degrees east 819 feet distant from the House Rock Spring, a spring which is a land mark and widely and commonly known as such throughout Coconino County and Northern Arizona and Southern Utah. At each corner of the tract is a post 2 inches square set in a mound of rocks and properly marked.

APPENDIX

7th.- Two Mile Tract situated in House Rock Valley in the northern part of Coconino County, Arizona, more particularly described and bounded as follows: Commencing at the southeast Cor. or Cor. #1 and running thence north 1320 feet to Cor. #2, thence west 1320 feet to Cor. #3, thence south 1320 feet to Cor. #4, thence east 1320 feet to Cor. #1, the place of beginning. Cor. #1 bears south 40 degrees east 172 feet from Two Mile Spring etc. etc.

8th.- One Mile Tract situated in House Rock Valley in the northern part of Coconino County, Arizona, more particularly bounded and described as follows: Commencing at the southeast Cor. or Cor. #1 and running thence north 1320 feet to Cor. #2, thence west 1320 feet to Cor. #3, thence south 1320 feet to Cor. #4, thence east 1320 feet to Cor. #1, the place of beginning. Cor. #1 bears south 65 degrees 40 feet east 81 feet distant from One Mile Spring etc. etc.

9th.- Cinaan Reservoir Tract (did not copy description).

To Have and To Hold all and singular the above mentioned or described premises, together with all the appurtenances unto the said party of the second part its successors and assigns forever.

The parties of the first part hereby warrant and covenant that they have not, nor has either of them, at any time since June 3, 1907, sold, conveyed, encumbered, released, abandoned or surrendered any right title or interest

claimed by them or either of them, in or to any of the lands, easements, privileges, tenements, hereditaments or property of any description herein before described or mentioned.

In witness whereof the said parties of the first part have hereunto set their hands and seals the day and year first above written.

(Signed) (Ora Haley
(
(B. F. Saunders

Executed and acknowledged before James H. Ball, a notary public at Salt Lake City, Utah, December 5, 1907.

APPENDIX -- EXHIBIT X.

This indenture, made the 2nd day of December, nineteen hundred and seven, between B. F. Saunders, of Salt Lake City, Utah, and Ora Haley, of Laramie, Wyo., individually, and also as co-partners doing business under the name and style of Haley & Saunders, parties of the first part, and Grand Canyon Cattle Company, a co-operation organized under the laws of the State of California, party of the second part, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey, assign, transfer, set over, and deliver to said party of the second part all personal property of every name and description now located within either the County of Mohave or the County of Coconino, in the territory of Arizona, and on the 30 day of June 1907 or at any time since, appertaining to or constituting a part of the equipment of or used, held or disignated for use in connecting with either of those two certain ranches located within said counties and commonly known, one, as the V. T. Ranch and the other as the Canebed ranch, including the good will of the business carried on on said ranches, and all pipes, pipe lines, tanks, fences, carrals, buildings or other structures, wagons, vehicles, harness saddles, machinery, tools, implements, materials, supplies, licenses, privileges and authorities, which were, on the 30 day of June 1907, or at any time since have been used or held or designed

to be used as a part of the equipment of either of said ranches, or in any connection with the carrying on of the business or operation to which said ranches were during said time devoted.

In witness Whereof, the parties hereto have hereunto set their hands and seals the day and year first above written.

Haley & Saunders
Ora Haley
B. F. Saunders

Subscribed and sworn to before James H. Ball, Notary Public in and for Salt Lake Co., State of Utah, Dec. 5, 1907, Recorded at request of E. J. Marshall.

APPENDIX -- EXHIBIT Y.

This Indenture, made the 2nd day of December in the year 1907, between B. F. Saunders, of Salt Lake City, State of Utah, party of the first part and Grand Canyon Cattle Company, a corporation organized under the laws of California, party of the second part, Witnesseth:

That the said party of the first part for a good and valuable consideration to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, convey and confirm unto the said party and to its successors and assigns forever, all those certain parcels of real property situated in the County of Coconino, Territory of Arizona, and described as follows:

1st.- That certain mining claim or premises known as the Emmett Lode Mining Claim located in the Warmspring Mining District and particularly described in that certain patent therefore dated October 20, 1906, issued by the United States in favor of said party of the first part and recorded in the records of the County Recorder of said Coconino County, in Book 32, of Deeds at pages 501-504.

2nd.- That certain mining claim or premises known as Jacob's Lode Mining claim situated in the Warm Springs Mining District and particularly described in a patent therefore of date March 18, 1907, issued by the United States in favor of

said party of the first part and recorded in Book 32 of Deeds at pages 631-633 of the Records of the Recorder's office of said Coconino County.

3rd.- That certain mining claim or premises known as the Sunset Lode Mining Claim and Sunset Millsite claim located in the Warmspring Mining District and particularly described in a patent therefore of Date June 9, 1906, and issued by the United States in favor of said party of the first part and recorded in Book 32 of Deeds, at pages 374-377 of records in the recorders' office of said Coconino County.

4th.- That certain mining claim or premises known as the Noonday Lode Mining Claim, located in Warmspring Mining District, and particularly described in a patent therefore of date June 22, 1907 and issued by the U. S. in favor of said party of the first part and recorded in Book 33 of Deeds pages 290-292 of the records of the Recorders Office of said Coconino County.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and the rents issues and profits thereof.

To Have and To Hold, all and singular, the above mentioned and described premises together with the appurtenances, unto the said party of the second part and to its successors and assigns forever. And the said party of the first part and his heirs, executors and administrators the said premises

in the quiet and peaceful possession of the said party of the second part, its successors and assigns, against the said party of the first part and his heirs, executors and administrators and against all and every person and persons whomsoever lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

In witness whereof the said party of the first part has hereunto set his hand and seal the day and year first above written.

(Signed) B. F. Saunders

Executed and acknowledged before James H. Ball a Notary at Salt Lake City, December 5, 1907. Recorded on pages 319-320 Book 33 of Deeds.

APPENDIX -- EXHIBIT Z.

This Indenture, made the 2nd day of December, 1907, between B. F. Saunders, of Salt Lake City, State of Utah, and Ora Haley, of Laramie, Wyoming, individually and also as co-partners doing business under the name and style of Haley and Saunders, parties of the first part, and the Grand Canyon Cattle Company, a corporation organized under the laws of the State of California, party of the second part.

WITNESSETH: That the said parties of the first part, for a good and valuable consideration to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell, convey, assign, transfer, remise, release and forever quit claim, unto said party of the second part and to its successors and assigns, all the rights, title, interest, estate, claim and demand, either at law or in equity and as well in possession as in expectancy of said parties of the first part or either of them, of, in or to the whole or any part of the lands, tenements and hereditaments hereinafter described or mentioned as follows, to-wit:

1.- All of the lands, premises, appurtenances and hereditaments described or mentioned in those ten (10) certain notices of location executed by said B. F. Saunders and recorded in the office of the Recorder of Coconino County, Arizona, in manner as follows;

1.- Notice of location of the Frank Mining Claim being recorded in Book 5 of Mines at page 356.

2.- Notice of Location of Alaska Mining Claim being recorded in Book 5 of Mines, at page 361.

3.- Notice of Location of Crane Mining Claim being recorded in Book 5 of Mines at Page 356.

4.- Notice of Location of Snipe Mining Claim being recorded in Book 5 of Mines at Page 358.

5.- Notice of Location of Noonday Mining Claim being recorded in Book 5 of Mines at Page 357.

6.- Notice of Location of Alaska Millsite being recorded in Book 1 of Millsites and Water locations at Page 441.

7.- Notice of Kane Millsite being recorded in Book 1 of Millsites and Water Rights at Page 440.

8.- Notice of Location of Kane Lode Mining Claim being recorded in Book 5 of Mines at page 359, and U. S. Receiver's receipt thereof recorded in Book 32 of Deeds, Page 174.

9.- Notice of Location of Sunset Millsite being recorded in Book 1 of Millsites and Water Rights at Page 442.

10.- Notice of Location of Noonday Mining Claim being recorded in Book 3 of Mines at Page 638; together with all rights, authorities and priorities which said parties or either of them may have to perfect or acquire full and complete title to all of said lands and premises.

II.- All of the lands, premises, waters and water rights claimed or mentioned in that certain Notice of Location executed by said B. F. Saunders and recorded in Book 1 of Millsites and Water Rights, at pages 228 and 229 of the records in the office of the County Recorder of said Coconino County, also all of the lands premises and water rights named or mentioned in that certain Notice of Location executed by one James S. Emmett and recorded February 21, 1900, in Book 1 of Water Rights at Page 156 of the records in the Recorder's office of said Coconino County. (Refers to Emmett's appropriation of waters of Emmett's Spring described as being about three miles east of Jacob's Pools).

III.- All of the lands, premises, appurtenances, hereditaments and real property of every description described or mentioned in those five (5) certain deeds, namely:

1.- A deed dated August 5, 1894, executed by Thomas S. Kingsberry as granter, to said Haley and Saunders, as grantees and recorded in Book 9 of Deeds at Pages 483 to 485 of the records in the Recorder's office of said Coconino County.

2.- A deed of date December 17, 1900, and executed by Hyrum Shumway as granter, to said B. F. Saunders as grantee, and recorded in Book 9 of Deeds at Pages 486 and 487 of the records in the Recorder's Office of said Coconino County.

3.- H. S. Cutler's deeds to Rosecrans' holding at Canebeds.

4.- Cutler's deeds to other Rosecrans property.

5.- A deed of date February 24, 1899, executed by Fotheringham and Gillies, a co-partnership composed of A. L. Fotheringham and E. B. Gillies, as grantors, to T. S. Kingsberry, as grantee, and recorded in Book 9 of Deeds at Pages 480 and 482 of the Records in the office of the County Recorder of said Conconino County.

6.- Deed of H. S. Cutler, James Cutler, and H. S. Jolley for Canebed.

IV.- All lands, waters, water rights and leases, licenses and privileges authorizing the use or enjoyment of any lands and all tenements and hereditaments of every description, located within said County of Mohave or said County of Coconino, which on June 30, 1907, or at any time since said date have constituted a part or have been used or held to be used in connection with either of their certain ranches located within said Counties and commonly known, one as the VT and the other as the Canebed Ranch.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and the rents, issues and profits thereof.

To have and to hold all and singular the above mentioned or described premises, together with all the appurtenances unto the said party of the second part and to its successors and assigns forever.

The parties of the first part hereby warrant and Covenant that they have not, nor has either of them, at any time since June 30, 1907, sold, conveyed, encumbered, released, abandoned or surrendered any right, title, or interest claimed by them or either of them in or to any of the lands, waters, water rights, easements, leases, privileges, tenements, hereditaments or property of any description hereinbefore described or mentioned.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

(Signed) (Ora Haley
(
(B. F. Saunders.

Executed and acknowledged before James H. Ball, a Notary Public at Salt Lake City.

APPENDIX -- EXHIBIT AA.

PERFECTED CLAIMS

SELECTION IN LIEU OF LAND IN P. M. & Z. L. FOREST RESERVE
(Act June 4, 1897)

TO THE REGISTER AND RECEIVER,
United States Land Office,
Prescott, Arizona.

Gentlemen:

I am the owner of the N½ SE¼ Sec. 36, Tp. 8 N., R. 18 W., San Bernardino, California, Meridian, containing 80 acres; that said land is situate andllying within the boundaries of the Pine Mountain & Zaca Lake Forest Reserve; that I desire to relinquish and reconvey said land unto the United States, and in lieu thereof to select the following described tracts of lands being tracts 1 & 2 as fully described in the description thereof hereto annexed and made a part hereof in Prescott land district, Territory of Arizona, and containing eighty acres, under the provisions of the Act of June 4, 1897 (30 Stat., 36)

In compliance with the regulations under said act, I have made, executed, and caused to be recorded in the proper county and State, a deed of reconveyance to the United States of the tract first above described and situate within said P. M. & Z. L. Forest Reserve, and in relation thereto have caused a proper abstract of title to be made and authenticated, both of which are herewith submitted.

There are also submitted certificates from the proper officers showing that the land relinquished, or surrendered is free from encumbrance of any kind; also that all taxes thereon, to the present time, have been paid, and an affidavit showing the lands selected to be non-mineral in character and unoccupied. I therefore ask that United States patent issue to me for the tract or tracts thus selected.

F. A. Hyde & Co.,
By P. M. Collins,
Atty. in fact.

Dated, Helena, Montana, September 20, 1900.

Land Office at Prescott, Ariz.
May 23, 1901.

I, Frederich A. Fritle, Jr., Register of the land office, do hereby certify that the land above selected, in lieu of the land herein relinquished to the United States, is free from conflict, and that there is no adverse filing, entry, or claim thereto.

Frederich A. Fritle, Jr.,
Register.

Selection approved by the Commissioner of the General Land Office, per letter "P" to Register and Receiver _____, 189.

_____ Div. "P".

the following described tracts of unsurveyed lands, each and every tract containing 40 acres, all situate in Mohave County,

in Prescott Land District, Territory of Arizona, and containing in all 80 acres, viz:

(1) "DUKE" Tract situate in the Shebets Mountains in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the Southwest Cor. or Cor. No. 1, and running thence North 1320 feet to Cor. No. 2; thence East 1320 feet to Cor. No. 3; thence South 1320 feet to Cor. No. 4; thence West 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1 bears South 45° 50' West 200 feet from Duke Spring, so called, which is a well known spring and landmark commonly and widely known by that designation.

At each corner of the tract is a post 3 inches square, set 12 inches in the ground with mound of stone properly scribed.

"DAN SILL" Tract situate in the Shebets Mountains on the east side in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the Southwest Cor. or Cor. No. 1, the running thence East 1320 feet to Cor. No. 2; thence North 1320 feet to Cor. No. 3; thence West 1320 feet to Cor. No. 4; thence South 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1 bears South 43° 20' West 200 feet from Dan Sill Spring, so called, which is a well known Spring

and land-mark commonly and widely known by that designation.

At each corner of the tract is a post 2½ inches square set 18 inches in the ground with mound of stone, properly scribed.

APPENDIX -- EXHIBIT BB.

PERFECTED CLAIMS

SELECTION IN LIEU OF LAND IN SIERRA FOREST RESERVE
(Act June 4, 1897.)

TO THE REGISTER AND RECEIVER,
United States Land Office,
Prescott, Arizona.

Gentlemen:

I am the owner of the N½ SW¼ & NE¼ SE¼ Sec. 16, Tp. 9 S., R. 28 E., Mt. Diablo, California.

Meridian, containing 620 acres, that said land is situate and lying within the boundaries of the Sierra Forest Reserve; that I desire to relinquish and reconvey said land unto the United States, and in lieu thereof to select the following tracts of land To Wit: Tracts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13, each of which is fully described by metes and bounds and references to well known Landmarks in the description thereof hereto annexed and made a part hereof in Prescott land district, Territory of Arizona, and containing 520 acres, under the provisions of the Act of June 4, 1897 (30 Stat., 36).

In compliance with the regulations under said act, I have made, executed, and caused to be recorded in the proper county and State, a deed of reconveyance to the United States of the tract first above described and situate within said Sierra Forest Reserve, and in relation thereto have caused a proper abstract of title to be made and authenticated, both of which are herewith submitted.

APPENDIX

There are also submitted certificates from the proper officers showing that the land relinquished, or surrendered, is free from encumbrance of any kind; also that all taxes thereon, to the present time, have been paid, and an affidavit showing the lands selected to be non-mineral in character and unoccupied. I therefore ask that United States patent issue to me for the tract or tracts thus selected.

Dated September 20, 1900.

C. W. Clarke,
By Preston Hutter
His Attorney in Fact

Land Office at Prescott, Ariz.
May 23, 1901.

I, Frederick A. Fritle, Jr., Register of the land office, do hereby certify that the land above selected, in lieu of the land herein relinquished to the United States, is free from conflict, and that there is no adverse filing, entry or claim thereto.

Frederick A. Fritle, Jr.
Register.

Selection approved by the Commissioner of the General Land Office, per letter "P" to Register and Receiver. , 189__, _____ Div. "P".

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Posted Sel
Vol 100/142 Ariz.
Base
39/54 Calif.

the following described tracts of unsurveyed land, each and every tract containing 40 acres, all situate in Mohave County, in Prescott Land District, Territory of Arizona and containing in all 520 acres, viz:

TRACT NO. 1

"Wolf Hole" Tract, situate in the Wolf Hole Mountains on the east side in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the northeast corner, a cor. No. 1 and running thence south 1320 feet to cor. No. 2, thence west 1320 feet to cor. No. 3, thence north 1320 feet to cor. No. 4,thence east 1320 feet to cor. No. 1 the place of beginning.

Cor. No. 1 bears N. 22° E. 200 feet from center of Wolf Hole Spring so-called, which is a well known spring and landmark, commonly and widely known by that designation.

At each corner of the tract is a post 3 ins. square set 18 ins. in the ground with mound of stone properly scribed. Supposed to be NE SE Sec. 23, T. 39 N., R. 12 W.

TRACT NO. 2

"Link" Tract, situate in Hidden Canyon on the north side of Hidden Hills in the northern part of Mohave County, Arizona, particularly bounded and described as follows: Commencing at the southwest corner or Cor. No. 1 and running thence north 1320 feet to Cor. No. 2; thence east 1320 feet

to Cor. No. 3; thence south 1320 feet to cor. No. 4; thence west 1320 feet to cor. No. 1 the place of beginning.

Cor. No. 1 bears S. 55° 30' W., 400 feet from center of Link Spring a well known spring and landmark commonly and widely known by that designation.

At each corner on the tract is a post 3 ins. square set 18 ins. in the ground with mound of stone properly scribed. Supposed to be SW¼ NW¼ Sec. 22, T. 36 N., R. 3 W.

TRACT NO. 3

Rattlesnake Tract. Situate in the Hidden Hills in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing on the southwest corner or cor. No. 1, and running thence North 1320 feet to cor. No. 2; thence east 1320 feet to cor. No. 3; thence south 1320 feet to cor. No. 4; thence west 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1 bears S. 30° W., 150 feet from the center of Rattlesnake Spring, so-called, which is a well known spring and landmark commonly and widely known by that designation.

At each corner of the tract is a post 2 ins. square set 18 ins. in the ground with mound of stone, properly scribed. Supposed to be SW¼ NW¼ Sec. 34, T. 36 N., R. 13 W.

TRACT NO. 4

"Cain Bed" Tract. Situate in Hidden Canyon on south

side in northern part of Mohave County, Arizona, particularly bounded and described as follows: Commencing at the southwest corner or Cor. No. 1, and running thence north 1320 feet to Cor. No. 2; thence east 1320 feet to Cor. No. 3; thence south 1320 feet to Cor. No. 4; thence west 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1 bears S. 33° 30' W. 165 feet from the center of "Cain Beds" Spring, so-called, which is a well known spring and landmark, commonly and widely known by that designation.

At each corner of the tract is a post 3 ins. square, set 18 ins. in the ground with mound of stone properly scribed. Supposed to be NW¼ NW¼ Sec. 26, T. 36 N., R. 13 W.

TRACT NO. 5

"Garden Tract". Situate in Hidden Canyon on the north side of Hidden Hills in the northern part of Mohave County, Arizona, particularly bounded and described as follows: Commencing at the southwest corner or Cor. No. 1 and running thence north 1320 feet to Cor. No. 2; thence east 1320 feet Cor. No. 3; thence south 1320 feet to Cor. No. 1; thence west 1320 feet to cor. No. 1, the place of beginning.

Cor. No. 1 bears S. 60° 30' W., 200 feet from the center of "Garden" spring so-called, which is a well known spring and landmark commonly and widely known by that designation. At each corner of the tract is a post 3 ins. square,

set 18 ins. in the ground with mound of stone properly scribed. Supposed to be SE¼ SW¼ Sec. 25, T. 36 N., R. 13 W.

TRACT NO. 6

"Hidden" Tract. Situate in Hidden Canyon on the north side of Hidden Hills in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the southwest corner or Cor. No. 1, and running thence W. 1320 feet to cor. No. 2; thence north 1320 feet to cor. No. 3; thence east 1320 feet to cor. No. 4; thence south 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1 bears S. 45° 25' E., 130 feet from the center of Hidden Spring so-called, which is a well known spring and landmark commonly and widely known by that designation. At each corner of the tract is a post 3 ins. square, set 14 ins. in the ground, with mound of stone properly scribed. Supposed to be SE¼ SE¼ Sec. 25, T. 36 N., R. 13 W.

TRACT NO. 7

"PARISHONT" Tract. Situate in the Shebets Mountains in the northern part of Mohave County, Arizona, particularly bounded and described as follows: Commencing at northwest corner, or Cnr. No. 1, and running thence east 1320 feet to Cor. No. 2; thence south 1320 feet to Cor. No. 3; thence west 1320 feet to cor. No. 4; thence north 1320 feet to cor. No. 1, the place of beginning.

APPENDIX

Cor. No. 1 bears N. 45° 45' W., 500 feet from the center of Parishont Wells so-called, which is a well known well and landmark commonly and widely known by that designation.

At each cor. of the tract is a post 2 ins. square set 12 ins. in the ground, with mound of stone properly scribed. Supposed to be SE¼ NW¼ Sec. 22, T. 33 N., R. 12 W.

TRACT NO. 8

"Andrews" Tract. Situate in Andrews Mountains on the east side in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the southeast corner or Cor. No. 1 and running thence West 1320 feet to cor. No. 2; thence north 1320 feet to cor. No. 3; thence east 1320 feet to cor. No. 4;thence south 1320 feet to cor. No. 1, the place of beginning.

Cor. No. 1 bears S. 45°--'E., 300 feet from center of Andrews Spring so-called, which is a well known spring and landmark commonly and widely known by that designation.

At each corner of the tract is a post 3 ins. square set 16 ins. in the ground, with a mound of stone properly scribed. Supposed to be SW¼ SE¼ Sec. 18, T. 33 N., R. 11 W.

TRACT NO. 9

"Oak Grove" Tract, situate in the Shebeta Mountains in the northern part of Mohave County, Arizona, particularly

bounded and described as follows: Commencing at the southwest corner or Cor. No. 1 and running thence north 1320 feet to cor. No. 2; thence east 1320 feet to cor. No. 3; thence south 1320 feet to cor. No. 4; thence west 1320 feet to cor. No. 1, the place of beginning.

Cor. No. 1 bears S. 42° 35' W., 250 feet from the center of Oak Grove Spring, so-called, which is a well known spring and landmark commonly and widely known by that designation.

At each corner of the tract is a post 3 ins. square, set 18 ins. in the ground with mound of stone properly scribed. Supposed to be NE¼ NW¼ Sec. 21, T. 32 N., R. 12 W.

TRACT NO. 10

"PINE" Tract. Situate in the Shebets Mountains in the northern part of Mohave County, Arizona, particularly bounded and described as follows: Commencing at the southeast corner or Cor. No. 1, and running thence west 1320 feet to Cor. No. 2, thence north 1320 feet to cor. No. 3; thence east 1320 feet to cor. No. 4; thence south 1320 feet to cor. No. 1, the place of beginning.

Cor. No. 1 bears S. 45° 40' E., 250 feet from the center of Pine Spring so-called, which is a well known spring and landmark commonly and widely known by that designation.

At each corner of the tract is a post 2½ ins. square set 18 ins. in the ground, with mound of stone properly scribed. Supposed to be SE¼ SE¼ Sec. 14, T. 32 N., R. 12 W.

TRACT NO. 11

"Green" Tract. Situate in the Shebets Mountains, in the northern part of Mohave County, Arizona, particularly bounded and described as follows: Commencing at the northwest corner or Cor. No. 1, and running thence east 1320 feet to cor. No. 2; thence south 1320 feet to cor. No. 3; thence west 1320 feet to cor. No. 4; thence north 1320 feet to cor. No. 1, the place of beginning.

Cor. No. 1 bears N. 73° 54' W. (11325) feet from Shebets peak which is a well known landmark, commonly and widely known by that designation.

At each corner of the tract is a post 3 ins. square, set 18 ins. in the ground, with mound of stone properly scribed. Supposed to be SE¼ NE¼ Sec. 9, T. 31 N., R. 11 W.

TRACT NO. 12

"Pens Pocket" Tract. Situate in the Shebets Mountains in the northern part of Mohave County, Arizona, particularly bounded and described as follows: Commencing at the northeast corner, or Cor. No. 1 and running thence south 1320 feet to cor. No. 2, thence west 1320 feet to cor. No. 3; thence north 1320 feet to cor. No. 4; thence east 1320 feet to cor. No. 1, the place of beginning.

Cor. No. 1 bears N. 35° 40' E., 160 feet from center of Pens Pocket Spring so-called, which is a well-known spring and landmark commonly known by that designation.

Shebets Peak bears N. approx. 21,000 feet from Cor. No. 1,

At each corner of the tract is a post 3 ins. square, set 18 ins. in the ground, with mound of stone properly scribed. Supposed to be SE¼ NW¼ Sec. 13, T. 31 N., R. 11 W.

TRACT NO. 13

"Cottonwood" Tract. Situate in Green Spring Canyon on the southwest side of Shebets Mountains in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the southeast corner or Cor. No. 1, and running thence west 1320 feet to cor. No. 2; thence north 1320 feet to Cor. No. 3; thence east 1320 feet to cor. No. 4; thence south 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1 bears S. 45° 30' E., 400 feet from the center of Cottonwood spring so-called, which is a well known spring and landmark commonly and widely known by that designation.

At each corner of the tract is a post 3 ins. square, set 18 ins. in the ground, with mound of stone properly scribed. Supposed to be NW¼ NE¼ Sec. 28, T. 32 N., R. 12 W.

APPENDIX - EXHIBIT CC.

SELECTION IN LIEU OF LAND IN Pine Mountain and Zaca Lake FOREST RESERVE.

(Act June 4, 1897.

TO THE REGISTER AND RECEIVER,

United States Land Office,

Prescott, Arizona.

Gentlemen:

I am the owner of the N½ SW¼, Sec. 36, Tp. 8 N., R. 18 W., California, San Bernardino(California) Meridian containing eighty acres; that said land is situate and lying within the boundaries of the Pine Mountain and Zaca Lake Forest Reserve; that I desire to relinquish and reconvey said land unto the United States, and in lieu thereof to select the following tracts of lands To-wit: Tracts 1 and 2 as fully described by metes and bounds in the description thereof hereto annexed and made a part hereof in Prescott land district, Territory of Arizona, and containing eighty acres, under the provisions of the Act of June 4, 1897 (30 Stat., 36).

In compliance with the regulations under said act, I have made, executed, and caused to be recorded in the proper county and State, a deed of reconveyance to the United States of the tract first above described and situa te within Pine Mountain and Zaca Lake Forest Reserve, and in relation thereto have caused a proper abstract of title to be made and authenti-

cated, both of which are herewith submitted.

There are also submitted certificates from the proper officers showing that the land relinquished, or surrendered, is free from encumbrance of any kind; also that all taxes thereon, to the present time, have been paid, and an affidavit showing the lands selected to be non-mineral in character and unoccupied. I therefore ask that United States patent issue to me for the tract or tracts thus selected.

F. A. Hyde & Co., by
P. M. Collins,
Atty. in fact.

Dated, Helena, Montana, September 20, 1900.

Land Office at Prescott, Ariz.

May 23, 1901.

I, Frederich A. Fritle, Jr., Register of the land office, do hereby certify that the land above selected, in lieu of the land herein relinquished to the United States, is free from conflict, and there is no adverse filing, entry or claim thereto.

Frederich Fritle, Jr.,

Register.

Selection approved by the Commissioner of the General Land Office, per letter "P" to Register and Receiver_____ 189_____Div."P".

Original Abstract of Title filed with application by applicant in the Prescott land office, on the 28 day of Sept., 1900, for the Duke and Dan Sill tracts.

APPENDIX

the following described tracts of unsurveyed land, such and every tract containing 40 acres, all situate in Mohave County, in Prescott Land District, Territory of Arizona, and containing in all 80,acres, viz:

(1) BLACK ROCK Tract, situate in the Black Rock Mountains on the northeast side, in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the northwest cor. or Cor. No. 1, and running thence East 1320 feet to Cor. No. 2; thence South 1320 feet to Cor. No. 3; thence West 1320 feet to Cor. No. 4; thence North 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1 bears North 20° 00' West 200 feet from the center of Black Rock Spring, so called, which is a well known spring and landmark commonly and widely known by that designation.

At each corner of the tract is a post 3 inches square set 18 inches in the ground with mound of stone, properly scribed.

(2) "COAL SPRING" Tract situate in the Trumble Mountains on the west side in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the northeast corner, or Cor. No. 1, and running thence South 1320 feet to Cor. No. 2; thence West 1320 feet to Cor. No. 3; thence North 1320 feet to Cor. No. 4; thence East 1320 feet to Cor. No. 1, the place of beginning.

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Cor. No. 1 bears North 45° 50' West 460 feet from the center of Coal Spring, so called, which is a well known spring and land mark, commonly and widely known by that designation.

At each corner of the tract is a post 3 inches square, set 18 inches in the ground with mound of stone properly scribed.

_____Register.

APPENDIX -- EXHIBIT DD.

PERFECTED CLAIMS.

SELECTION IN LIEU OF LAND IN P. M. AND Z. LAKE FOREST RESERVE
(Act June 4, 1897)

TO THE REGISTER AND RECEIVER,
United States Land Office,
Prescott, Arizona.

Gentlemen:

I am the owner of the south half southeast quarter Sec. 16, Tp. 8 N., R. 18 W., San Bernardino, California Meridian, containing eighty acres; that said land is situate and lying within the boundaries of the P. M. & Z. Lake Forest Reserve; that I desire to relinquish and reconvey said land unto the United States, and in lieu thereof to select the following tracts of land to-wit: Tracts 1 and 2 as fully described by metes and bounds in the description thereof hereto annexed and made a part hereof in Prescott land district, Territory of Arizona, and containing eighty acres, under the provisions of the Act of June 4, 1897 (30 Stat.,36).

In compliance with the regulations under said act, I have made, executed, and caused to be recorded in the proper county and State, a deed of reconveyance to the United States of the tract first above described and situate within said P. M. & Z. Lake Forest Reserve, and in relation thereto have caused a proper abstract of title to be made and authenticated, both of which are herewith submitted.

There are also submitted certificates from the proper officers showing that the land relinquished, or surrendered, is free from encumbrance of any kind; also that all taxes thereon, to the present time, have been paid, and an affidavit showing the lands selected to be non-mineral in character and unoccupied. I therefore ask that United States patent issue to me for the tract or tracts thus selected.

T. A. Hyde & Co., by P. M. Collins
Atty. in fact.

Dated, Helena, Montana, September, 20, 1900.

Land Office at Prescott, Ariz.

May 23, 1901.

I, Frederich A. Fritle, Jr., Register of the land office, do hereby certify that the land above selected, in lieu of the land herein relinquished to the United States, is free from conflict, and that there is no adverse filing, entry, or claim thereto.

Frederich A. Fritle, Jr.,
Register.

Selection approved by the Commissioner of the General Land Office, per letter "P" to Register and Receiver, 189____.

Original Abstract of Title filed with application by applicant in the Prescott land office, on the 28 day of Sept., 1900, for the Duke and Dan Sill Tracts.

to select the following described tracts of unsurveyed land, each and every tract containing 40 acres, all situate in Mohave County, in Prescott Land District, Territory of Arizona, and containing in all 80 acres, viz:

(1) "BIG SPRING" Tract situate on the south side of Trumble Mountain in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the Northwest cor. or Cor. No. 1, and running thence east 1320 feet to Cor. No. 2; thence South 1320 feet to Cor. No. 3; thence West 1320 feet to Cor. No. 4; thence North 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1 bears North 36° 47' West, 400 feet from the source of Big Spring, so called, which is a well known spring and landmark commonly and widely known by that designation.

At each corner of the tract is a post 3 inches square set 16 inches in the ground with mound of stone properly scribed.

"ANTELOPE" Tract situate on Hurricane Mountain east of Rock Canon close to north line of Arizona in Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the Southeast Corner, or Cor. No. 1,and running thence West 1320 feet to Cor. No. 2; thence North 1320 feet to Corner No. 3; thence East 1320 feet to Cor. No. 4; thence South 1320 feet to Cor. No. 1, the place of beginning.

APPENDIX

Cor. No. 1 bears South 42° 27' East 400 feet from center of Antelope Spring, so called, which is a well known spring and land-mark commonly and widely known by that designation.

At each corner of the tract is a post 3 inches square set 18 inches in the ground with mound of stone properly scribed.

APPENDIX -- Exhibit EE.

Forest Reserve Lieu Application.

U. S. Land Office at Prescott, Arizona,
September 24th, 1900.

Notice is hereby given that F. A. Hyde & Co. (Inc.) whose postoffice address is San Francisco, California, has this day made application to select under the provisions of the Act of June 4, 1897 (30 Stat., 36) the following described tracts of unsurveyed land, each and every tract containing 40 acres, all situate in Coconino County, in Prescott Land District, Territory of Arizona, and containing in all 160 acres, viz:

(1) "House Rock" tract, situate in the House Rock Valley, in the northern part of Coconino County, Arizona, more particularly bounded and described as follows: Commencing at the south East corner or Corner No. 1, and running thence North 1320 feet to Corner No. 2; thence West 1320 feet to corner No. 3; thence South 1320 feet to corner No. 4; thence East 1320 feet to corner No. 1, the place of beginning. Corner No. 1 bears South 7 degrees East 819 feet distant from House Rock Spring, a spring which is a land mark, and widely and commonly known as such throughout Coconino County and Northern Arizona and Southern Utah.

At each corner of the tract is a post two inches square set in a mound of rocks three feet high, properly

marked.

(2) "Two Mile" tract, situate in House Rock Valley, in the northern part of Coconino County, Arizona, more particularly bounded and described as follows: Commencing at the South East corner of Corner No. 1, and running thence North 1320 feet to Corner No. 2; thence West 1320 feet to Corner No. 3; thence South 1320 feet to Corner No. 4; thence East 1320 feet to Corner No. 1, the place of beginning. Corner No. 1 bears South 40 degrees East 172 feet from "Two Mile" spring, a well known spring which is a land mark widely and commonly known by that designation throughout Coconino County and Northern Arizona, and situated about two miles in a northerly direction from House Rock spring.

At each corner of the tract is a post two inches square set in a mound of rocks three feet high, properly marked.

(3) "One Mile" tract, situate in House Rock Valley, in the northern part of Coconino County, Arizona, more particularly bounded and described as follows: Commencing at the South East corner or Corner No. 1, and running thence North 1320 feet to Corner No. 2; thence West 1320 feet to Corner No. 3; thence South 1320 feet to Corner No. 4; thence East 1320 feet to Corner No. 1, the place of beginning. Corner No. 1 bears South 65 degrees 40' East 81 feet distant from

"One Mile" spring, a well known spring which is a land mark in Coconino County and throughout Northern Arizona and Southern Utah, commonly and widely known by that designation, situate about one mile in a northerly direction from the well known House Rock Spring.

At east corner of the tract is a post two inches square set in a mound of rocks three feet high properly marked.

(4) "Canaan Reservoir" tract, situate in the North West part of Coconino County, Arizona about 15 miles from Utah State line, more particularly described as follows, to-wit:

Commencing at the South East corner or Corner No. 1, and running thence North 1320 feet to Corner No. 2; thence West 1320 feet to Corner No. 3; thence South 1320 feet to Corner No. 4; thence East 1320 feet to Corner No. 1, the place of beginning. Corner No. 2 bears North 6 degrees East 610 feet distant from the centre of the dam of Canaan Reservoir, which latter is a well known land mark throughout said County and all northern Arizona, and Southern Utah, and is situate South 80 degrees West about 10 miles distant from Pipe Springs, widely and commonly known as a land mark throughout Northern Arizona and Southern Utah.

At each corner of the tract is a post two inches square set in a mound of rocks three feet high properly marked.

Within the next 30 days from date hereof protests or contests against this selection on the ground that the land

described, or any portion thereof, is more valuable for its minerals than for agricultural purposes, will be received and noted for report to the Commissioner of the General Land Office.

Frederick A. Tritle, Jr.,
Register.

F. A. Hyde & Co. (Inc.)
Applicant.

First Publication _____ 190

Posted on Claim 7 day of November 1900.

AFFIDAVIT OF POSTING NOTICE ON THE CLAIM.

Territory of Arizona :
: ss.
County of Coconino :

John F. Neill, upon oath says that he posted a true and correct copy of the foregoing notice upon each non-contiguous tract of the land embraced in said Forest Reserve Lieu Land Selection on the 8 day of Nov. 1900, and more than thirty days prior to the termination of the period of publication as required by the Hon. Commissioner of the General Land Office, by accurately fastening said copy of notice to a post in a box in a conspicuous position on said land, and that said notice was fastened at least two feet above the surface of the ground.

John F. Neill.

Subscribed and sworn to before me this 9 day of November, 1900.

Soren C. Jensen,
Justice of the Peace for the
County of Coconino,
Territory of Arizona.

APPENDIX -- Exhibit FF.

Forest Reserve Lieu Application.

U. S. Land Office at Prescott, Arizona,
September 24, 1900.

Notice is hereby given that Mary E. Coffin whose postoffice address is Duluth, Minnesota, has this day made application to select under the provisions of the Act of June 4, 1897 (30 Stat. 36) the following described tracts of unsurveyed land, each and every tract containing 40 acres, all situate in Coconino County, in Prescott Land District, Territory of Arizona, and containing in all 160 acres, viz:

(1) "North Lake" tract, situate in the Buckskin Mountains in the northern part of Coconino County, Arizona, particularly bounded and described as follows: Commencing at the South East corner or corner No. 1, and running thence North 1320 feet to corner No. 2, thence West 1320 feet to corner No. 3, thence South 1320 feet to corner No. 4, and thence East 1320 feet to Corner No. 1, the place of beginning. Corner No. 4 bears south 41 deg. west 895 feet distant from the centre of the most northerly Lake of the "Three Lakes" so-called, which latter are well known springs, land marks commonly and widely known by that designation.

A pine tree 11 inches in diameter bears North 31 degrees, 45' West 25.2 feet distant from corner No. 1. At each corner of the tract is a post two inches square set in mound of rocks three feet high, properly marked.

(2) "Middle and South Lake" tract situate in the Buckskin Mountains in the northern part of Coconino County, Arizona, particularly bounded and described as follows:

Commencing at the South East corner or Corner No. 1, and running thence North 1320 feet to corner No. 2, thence West 1320 feet to corner No. 3, thence South 1320 feet to corner No. 4, thence East 1320 feet to corner No. 1, the place of beginning. Corner No. 2 bears North 62 deg. 45' West 845 feet distant from the center of the middle lake of the "Three Lakes," so-called, and North 50 deg. 30' East 995 feet distant from the center of the southerly lake of the "Three Lakes" so-called, which latter are well known springs, land marks widely and commonly known by that designation. At each corner of the tract is a post two inches square set in mound of rocks three feet high, properly marked.

(3) "Jacobs Pools" tract, situate in House Rock Valley, in the northern part of Coconino County, Arizona, more particularly described and bounded as follows: Commencing at the South East corner or corner No. 1, and running thence North 1320 feet to Corner No. 2, thence West 1320 feet to corner No. 3, thence south 1320 feet to corner No. 4, thence East 1320 feet to corner No. 1, the place of beginning.

Corner No. 4 bears South 38 Deg. 20' West 925 feet distant from the main or largest pool of "Jacobs Pools," so-called, the latter being well known springs, land marks widely and commonly known by that designation, and shown upon the official maps issued and published by the Commissioner of the General Land Office. At each corner of the tract is a post two inches square set in a mound of rocks three feet high, properly marked.

(4) "Soap Creek" tract, situate in House Rock Valley in the northern part of Coconino County, Arizona, more particularly bounded and described as follows: Commencing at the South East corner or corner No. 1, and running thence North 1320 feet to corner No. 2, thence West 1320 feet to Corner No. 3, thence South 1320 feet to Corner No. 4, thence East 1320 feet to Corner No. 1, the place of beginning. Corner No. 2 bears South 34 deg. East 4170 feet from the spring which is the source of soap creek, which latter is a well known creek, a land mark widely and commonly designated by that name flowing into House Rock Valley, well known by that name.

At each corner of the tract is a post two inches square set in a mound of rocks three feet high, properly marked.

Within the next 30 days from date hereof protests or contests against this selection on the ground that the

land described, or any portion thereof, is more valuable for its minerals than for agricultural purposes, will be received and noted for report to the Commissioner of the General Land Office.

Frederick A. Tritle, Jr.,
Register.

Mary E. Coffin,
Applicant.

First Publication _____ 190

Posted on Claim Nov. the 8, 1900.

AFFIDAVIT OF POSTING NOTICE ON THE CLAIM.

Territory of Arizona:
: ss
County of Coconino :

John F. Neill upon oath says that he posted a true and correct copy of the foregoing notice upon each non-contiguous tract of land embraced in said Forest Reserve Lieu Land Selection on the 8 day of November, 1900, and more than thirty days prior to the termination of the period of publication as required by the Hon. Commissioner of the General Land Office, by securely fastening said copy of notice to a post in a box in a conspicuous position on said land, and that said notice was fastened at least two feet above the surface of the ground.

John F. Neill.

Subscribed and sworn to before me this 9 day of November, 1900.

Soren C. Jensen, Justice of the Peace
in and for the County of Coconino.

(APPENDIX, EXHIBIT GG)

STATE OF UTAH
COUNTY OF SALT LAKE } ss

ROBERT L. FOWLER, being duly sworn, deposes and says that on the 2nd day of October, A. D., 1900, he posted upon the land described therein, a notice of location, as follows to wit:

"FOREST RESERVE LIEU APPLICATION.
U. S. LAND OFFICE AT PRESCOTT, ARIZ., SEP. 28, 1900.

NOTICE IS HEREBY GIVEN, That C. W. Clarke, whose postoffice address is San Francisco, California, has this day made application to select under the provisions of the act of June 4, 1897, (30 Stat., 36) the following described tract:

'PENS POCKET' Tract. Situate in the Shebets Mountains in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the Northeast corner, or Cor. No. 1, and running thence South 1320 feet to Cor. No. 2; thence West 1320 feet to cor. No. 3, thence North 1320 feet to Cor. No. 4; thence East 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1 bears N. 35° 40' E. 160 feet from center of Pens Pocket Spring, so called, which is a well known spring and land mark, commonly known by that designation.

Shebets Peak bears N. approx. 21000 feet from Cor. No. 1.

At each corner of the tract is a post 3 ins. square, set 18 ins. in the ground, with mound of stone properly scribed.

Within the next 30 days from date hereof protests or contests against this selection on the ground that the land described, or any portion thereof, is more valuable for its mineral than for agricultural purposes, will be received and noted for report to the Commissioner of the General Land Office.

(Signed) Frederick A. Tritle
Register

Said notice was posted upon a tree in a conspicuous and easily accessible place.

(Signed) Robert L. Fowler

Subscribed and sworn to before me this 13th day of October, A. D., 1900.

(Signed) T. L. Mitchell
Notary Public.

(SEAL)

(APPENDIX, EXHIBIT HH.)

STATE OF UTAH
COUNTY OF SALT LAKE } ss

ROBERT L. FOWLER, being duly sworn, deposes and says that on the 2nd day of October, A. D., 1900, he posted upon the land described therein, a notice of location, as follows, to wit:

"FOREST RESERVE LIEU APPLICATION
U. S. LAND OFFICE AT PRESCOTT, ARIZ., SEP. 28, 1900.
NOTICE IS HEREBY GIVEN, That C. W. Clark, whose postoffice address is San Francisco, California, has this day made application to select under the provisions of the act of June 4, 1897, (30 Stat., 36), the following described tract.

'GREEN' Tract. Situate in the Shebets Mountains, in the northern part of Mohave County, Arizona, particularly bounded and described as follows:
Commencing at the Northwest corner or Cor. No. 1, and running thence East 1320 feet to Cor. No. 2, thence South 1320 feet to Cor. No. 3; thence West 1320 feet to Cor. No. 4; thence North 1320 feet to Cor. No. 1, the place of beginning.
Cor. No. 1 bears N. 73° 54' W. (11325) feet from Shebets peak, which is a well known land mark, commonly and widely known by that designation.
At each corner of the tract is a post 3 ins. square set 18 ins. in the ground, with mound of stone properly scribed.

Within the next 30 days from date hereof protests or contests against this selection, on the ground that the land described, or any portion thereof, is more valuable for its mineral than for agricultural purposes, will be received and noted for report to the Commissioner of the General Land Office.

(Signed) Frederick A. Tritle
Register

Said notice was posted upon a tree in a conspicuous and easily accessible place.

(Signed) Robert L. Fowler

Subscribed and sworn to before me this 13th day of October, A. D., 1900.

(Signed) T. L. Mitchell
Notary Public

(SEAL)

(APPENDIX, EXHIBIT II.)

STATE OF UTAH
COUNTY OF SALT LAKE ss

ROBERT L. FOWLER, being duly sworn, deposes and says that on the 2nd day of October, A. D., 1900, he posted upon the land described therein, a notice of location, as follows, to wit:

"FOREST RESERVE LIEU APPLICATION.
U. S. LAND OFFICE AT PRESCOTT, ARIZ., SEP. 28, 1900.
NOTICE IS HEREBY GIVEN, That C. W. Clarke, whose postoffice address is San Francisco, California, has this day made application to select under the provisions of the act of June 4, 1897, (30 Stat., 36) the following described tract.

'COTTONWOOD' Tract. Situate in Green Spring Canyon, on the Southwest side of Shebets Mountains in the Northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the Southeast corner, or Cor. No. 1, and running thence West 1320 feet to Cor. No. 2, thence North 1320 feet to Cor. No. 3; thence East 1320 feet to Cor. No. 4; thence South 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1, bears S. 45° 30' E. 400 feet from the center of Cottonwood spring, so called, which is a well known spring land mark, commonly and widely known by that designation.

At each corner of the tract is a post 3 ins. square, set 18 ins. in the ground, with mound of stone properly scribed.

Within the next 30 days from date hereof protests or contests against this selection on the ground that the land described, or any portion thereof, is more valuable for its minerals than for agricultural purposes, will be received and noted for report to the Commissioner of the General Land Office.

(Signed) Frederick A. Tritle
Register

Said notice was posted upon a tree in a conspicuous and easily accessible place.

(Signed) Robert L. Fowler

Subscribed and sworn to before me this 13th day of October, A. D., 1900.

(Signed) T. L. Mitchell,
Notary Public.

(APPENDIX, EXHIBIT JJ.)

STATE OF UTAH
COUNTY OF SALT LAKE } ss

ROBERT L. FOWLER, being duly sworn, deposes and says that on the 2nd day of October, A. D., 1900, he posted upon the land described therein, a notice of location, as follows, to wit:

"FOREST RESERVE LIEU APPLICATION.
U. S. LAND OFFICE AT PRESCOTT, ARIZ., SEP. 28, 1900.
NOTICE IS HEREBY GIVEN THAT C. W. Clarke, whose postoffice address is San Francisco, California, has this day made application to select under the provisions of the act of June 4, 1897, (30 Stat., 36) the following described tract:

'PINE' Tract. Situate in the Shebets Mountains in the northern part of Mohave County, Arizona, particularly bounded and described as follows:
Commencing at the Southeast corner or Cor. No. 1, and running thence West 1320 feet to Cor. No. 2; thence North 1320 feet to Cor. No. 3; thence East 1320 feet to Cor. No. 4; thence South 1320 feet to Cor. No. 1, the place of beginning.
Cor. No. 1 bears S. 45° 40' E. 250 feet from the center of Pine Spring, so called, which is a well known spring and land mark commonly and widely known by that designation.
At each corner of the tract is a post 2-½ ins. square set 18 ins. in the ground, with mound of stone properly scribed.

Within the next 30 days from date hereof protests or contests against this selection, on the ground that the land described, or any portion thereof is more valuable for its mineral than for agricultural purposes, will be received and noted for report to the Commissioner of the General Land Office.

(Signed) Frederick A. Tritle
Register

Said notice was posted upon a tree, in a conspicuous and easily accessible place.

(Signed) Robert L. Fowler

Subscribed and sworn to before me this 13th day of October, A. D., 1900.

(Signed) T. L. Mitchell
Notary Public.

(SEAL)

(APPENDIX, EXHIBIT KK.)

STATE OF UTAH ss
COUNTY OF SALT LAKE

ROBERT L. FOWLER, being duly sworn, deposes and says that on the 2nd day of October, A. D., 1900, he posted upon the land described therein, a notice of location, as follows, to wit:

"FOREST RESERVE LIEU APPLICATION"

U. S. LAND OFFICE AT PRESCOTT, ARIZ., SEP. 28, 1900.

NOTICE IS HEREBY GIVEN, That C. W. Clarke, whose postoffice address is San Francisco, California, has this day made application to select under the provisions of the act of June 4, 1897, (30 Stat., 36) the following described tract:

'OAK GROVE' Tract, situate in the Shebets Mountains in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the Southwest corner or Cor. No. 1, and running thence North 1320 feet to Cor. No. 2, thence East 1320 feet to Cor. No. 3; thence South 1320 feet to Cor. No. 4; thence west 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1 bears S. 42° 35' W. 250 feet from the center of Oak Grove Spring, so called, which is a well known spring and land mark commonly and widely known by that designation.

At each corner of the tract is a post 3 ins. square, set 18 ins. in the ground with mound of stone properly scribed.

Within the next 30 days from date hereof protests or contests against this selection on the ground that the land described, or any portion thereof, is more valuable for its mineral than for agricultural purposes, will be received and noted for report to the Commissioner of the General Land Office.

(Signed) Frederick A. Tritle
Register

Said notice was posted upon a cabin in a conspicuous and easily accessible place.

(Signed) Robert L. Fowler

Subscribed and sworn to before me this 13th day of October, A. D., 1900.

(Signed) T. L. Mitchell
Notary Public

(SEAL)

(APPENDIX, EXHIBIT LL.)

STATE OF UTAH)
COUNTY OF SALT LAKE) ss

ROBERT L. FOWLER, being duly sworn, deposes and says that on the 3rd day of October, A. D., 1900, he posted upon the land described therein, a notice of location, as follows, to wit:

"FOREST RESERVE LIEU APPLICATION"

U. S. LAND OFFICE AT PRESCOTT, ARIZ., SEP. 28, 1900.

NOTICE IS HEREBY GIVEN, That C. W. Clarke, whose postoffice address is San Francisco, California, has this day made application to select under the provisions of the act of June 4, 1897 (30 Stat., 36) the following described tract:

"ANDREWS" Tract. Situate in Andrews Mountains on the east side in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at Southeast corner or Cor. No. 1, and running thence West 1320 feet to Cor. No. 2, thence North 1320 feet to Cor. No. 3, thence East 1320 feet to Cor. No. 4; thence South 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1, bears S. 45° 00' E. 300 feet from center of Andrews Spring, so called, which is a well known spring and land mark commonly and widely known by that designation.

At each corner of the tract is a post 3 ins. square set 16 ins. in the ground, with mound of stone properly scribed.

Within the next 30 days from date hereof protests or contests against this selection, on the ground that the land described or any portion thereof is more valuable for its mineral than for agricultural purposes, will be received and noted for report to the Commissioner of the General Land Office.

(Signed) Frederick A. Tritle
Register

Said Notice was posted upon a tree, in a conspicuous and easily accessible place.

(Signed) Robert L. Fowler

Subscribed and sworn to before me this 13th day of October, A. D., 1900.

(Signed) T. L. Mitchell
Notary Public.

(SEAL)

(APPENDIX, EXHIBIT MM.)

STATE OF UTAH
COUNTY OF SALT LAKE } ss

ROBERT L. FOWLER, being duly sworn, deposes and says that on the 4th day of October, A. D., 1900, he posted upon the land described therein, a notice of location, as follows, to wit:

"FOREST RESERVE LIEU APPLICATION"
U. S. LAND OFFICE AT PRESCOTT, ARIZ., SEP. 28, 1900.

NOTICE IS HEREBY GIVEN, That C. W. Clarke, whose postoffice address is San Francisco, California, has this day made application to select under the provisions of the act of June 4, 1897, (30 Stat., 36), the following described tract:

'PARISHONT' Tract. Situate in the Shebets Mountains, in the Northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at Northwest corner or Cor. No. 1, and running thence East 1320 feet to Cor. No. 2; thence South 1320 feet to Cor. No. 3; thence West 1320 feet to Cor. No. 4, thence North 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1, bears N. 45° 45' W., 500 feet from the center of Parishont Wells, so called, which is a well known well and land mark commonly and widely known by that designation.

At each corner of the tract is a post 2 ins. square set 12 ins. in the ground, with mound of stone properly scribed.

Within the next 30 days from date hereof protests or contests against this selection, on the ground that the land described, or any portion thereof, is more valuable for its mineral than agricultural purposes, will be received and noted for report to the Commissioner of the General Land Office.

(Signed) Frederick A. Tritle
Register

Said notice was posted upon a cabin, in a conspicuous and easily accessible place.

(Signed) Robert L. Fowler

Subscribed and sworn to before me this 13th day of October, A. D., 1900.

(Signed) T. L. Mitchell,
Notary Public

(SEAL)

(APPENDIX, EXHIBIT NO.)

STATE OF UTAH) SS
COUNTY OF SALT LAKE)

ROBERT L. FOWLER, being duly sworn, deposes and says that on the 10th day of October, A. D., 1900, he posted upon the land described therein, a notice of location, as follows, to wit:

"FOREST RESERVE LIEU APPLICATION."

U. S. LAND OFFICE AT PRESCOTT, ARIZ., SEP. 28, 1900.

NOTICE IS HEREBY GIVEN, That C. W. Clark, whose postoffice address is San Francisco, California, has this day made application to select under the provisions of the act of June 4, 1897, (30 Stat., 36) the following described tract:

'HIDDEN TRACT'. Situate in Hidden Canyon on the north side of Hidden Hills in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the southeast corner or Cor. No. 1, and running thence W. 1320 feet to Cor. No. 2, thence North 1320 feet to Cor. No. 3; thence East 1320 feet to Cor. No. 4; thence south 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1 bears S. 45° 25' E. 130 feet from the center of Hidden Spring, so called, which is a well known spring and land mark, commonly and widely known by that designation.

At each corner of the tract is a post 3 ins. square, set 14 ins. in the ground, with mound of stone properly scribed.

Within the next 30 days from date hereof protests or contests against this selection on the ground that the land described, or any portion thereof, is more valuable for its mineral than for agricultural purposes, will be received and noted for report to the Commissioner of the General Land Office.

(Signed) Frederick A. Tritle
Register

Said notice was posted upon a water tank, in a conspicuous and easily accessible place.

(Signed) Robert L. Fowler

Subscribed and sworn to before me this 13th day of October, A. D., 1900.

(Signed) T. L. Mitchell
Notary Public

(SEAL)

(APPENDIX, EXHIBIT 00.)

STATE OF UTAH } ss
COUNTY OF SALT LAKE }

ROBERT L. FOWLER, being duly sworn, deposes and says that on the 10th day of October, A. D., 1900, he posted upon the land described, a notice of location, as follows, to wit:

"FOREST RESERVE LIEU APPLICATION"

U. S. LAND OFFICE AT PRESCOTT, ARIZ., SEP. 28, 1900.

NOTICE IS HEREBY GIVEN, That C. W. Clarke, whose postoffice address is San Francisco, California, has this day made application to select under the provisions of the act of June 4, 1897, (30 Stat., 36) the following described tract:

Garden Tract. Situate in Hidden Canyon on the north side of Hidden Hills in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the Southwest corner or Cor. No. 1, and running thence North 1320 feet to Cor. No. 2; thence East 1320 feet to Cor. No. 3; thence South 1320 feet to Cor. No. 4; thence West 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1 bears S. 60° 30' W. 200 feet from the center of "Garden" Spring, so called, which is a well known spring and land mark commonly and widely known by that designation.

At each corner of the tract is a post 3 ins. square set 18 ins. in the ground with mound of stone properly scribed.

Within the next 30 days from date hereof protests or contests against this selection on the ground that the land described, or any portion thereof, is more valuable for its mineral than for agricultural purposes, will be received and noted for report to the Commissioner of the General Land Office.

(Signed) Frederick A. Tritle
Register

Said notice was posted upon a tree in a conspicuous and easily accessible place.

(Signed) Robert L. Fowler

Subscribed and sworn to before me this 13th day of October, A. D., 1900.

(Signed) T. L. Mitchell
Notary Public

(SEAL)

(APPENDIX, EXHIBIT PP.)

STATE OF UTAH SS
COUNTY OF SALT LAKE

ROBERT L. FOWLER, being duly sworn, deposes and says that on the 10th day of October A. D., 1900, he posted upon the land described therein a notice of location, as follows:

FOREST RESERVE LIEU APPLICATION

U. S. LAND OFFICE AT PRESCOTT, ARIZ., SEP. 28, 1900.

NOTICE IS HEREBY GIVEN, That C. W. Clarke, whose postoffice address is San Francisco, California, has this day made application to select under the provisions of the act of June 4, 1897, (30 Stat., 36), the following described tract:

"CAIN BED" Tract. Situate in Hidden Canyon on south side in northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the Southwest corner, or Cor. No. 1, and running thence North 1320 feet to Cor. No. 2, thence East 1320 feet to Cor. No. 3; thence South 1320 feet to Cor. No. 4; thence West 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1 bears S. 33° 30' W. 165 feet from the center of 'Coin Beds' Spring, so called which is a well known spring and land mark commonly and widely known by that designation.

At each corner of the tract is a post 3 ins. square set 18 ins. in the ground with mound of stone properly scribed.

Within the next 30 days from date hereof protests or contests against this selection on the ground that the land described or any portion thereof, is more valuable for its mineral than for agricultural purposes, will be received and noted for report to the Commissioner of the General Land Office.

(Signed) Frederick A. Tritle
Register

Said notice was posted upon a tree in a conspicuous and easily accessible place.

(Signed) Robert L. Fowler

Subscribed and sworn to before me this 13th day of October, A. D., 1900.

(Signed) T. L. Mitchell
Notary Public.

(SEAL)

(APPENDIX, EXHIBIT QQ.)

STATE OF UTAH
COUNTY OF SALT LAKE } ss

ROBERT L. FOWLER, being duly sworn, deposes and says that on the 10th day of October, A. D., 1900, he posted upon the land described therein, a notice of location, as follows, to wit:

"FOREST RESERVE LIEU APPLICATION"

U. S. LAND OFFICE AT PRESCOTT, ARIZ., SEP. 28, 1900.

NOTICE IS HEREBY GIVEN, That C. W. Clarke, whose postoffice address is San Francisco, California, has this day made application to select under the provisions of the act of June 4, 1897, (30 Stat., 36), the following described tract:

"RATTLESNAKE" Tract, situate in the Hidden Hills in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the southwest corner, or Cor. No. 1, and running thence North 1320 feet, to Cor. No. 2, thence East 1320 feet to Cor. No. 3, thence South 1320 feet to Cor. No. 4; thence West 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1, bears S. 30° 00' W. 150 feet from the center of Rattlesnake Spring, so called, which is a well known spring and land mark commonly and widely known by that designation.

At each corner of the tract is a post 2 ins. square set 18 ins. in the ground with mound of stone, properly scribed.

Within the next 30 days from date hereof protests or contests against this selection, on the ground that the land described, or any portion thereof is more valuable for its mineral than for agricultural purposes, will be received and noted for report to the Commissioner of the General Land Office.

(Signed) Frederick A. Tritle
Register

Said notice was posted upon a tree in a conspicuous and easily accessible place.

(Signed) Robert L. Fowler

Subscribed and sworn to before me this 13th day of October, A. D., 1900.

(Signed) T. L. Mitchell
Notary Public

(SEAL)

(APPENDIX, EXHIBIT RR.)

STATE OF UTAH
COUNTY OF SALT LAKE } ss

ROBERT L. FOWLER, being duly sworn, deposes and says that on the 10th day of October, A. D., 1900, he posted upon the land described therein, a notice of location, as follows, to wit:

FOREST RESERVE LIEU APPLICATION

U. S. LAND OFFICE AT PRESCOTT, ARIZ., SEP. 28, 1900.

NOTICE IS HEREBY GIVEN, That C. W. Clarke, whose postoffice address is San Francisco, California, has this day made application to select under the provisions of the act of June 4, 1897, (30 Stat., 36) the following described tract:

"LINK" Tract, situate in Hidden Canyon, on the north side of Hidden Hills in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the Southwest corner, or Cor. No. 1, and running thence North 1320 feet to Cor. No. 2; thence East 1320 feet to Cor. No. 3; thence South 1320 feet to Cor. No. 4; thence West 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1 bears S. 55° 30' W., 400 feet from center of Link Spring, a well known spring and land mark, commonly and widely known by that designation.

At each corner on the tract is a post 3 ins. square set 18 ins. in the ground with mound of stone properly scribed.

Within the next 30 days from date hereof protests or contests against this selection on the ground that the land or any portion thereof is more valuable for its mineral than for agricultural purposes, will be received and noted for report to the Commissioner of the General Land Office.

(Signed) Frederick A. Tritle
Register

Said notice was posted upon a tree, in a conspicuous and easily accessible place.

(Signed) Robert L. Fowler

Subscribed and sworn to before me this 13th day of October, A. D., 1900.

(Signed) T. L. Mitchell
Notary Public

(SEAL)

(APPENDIX, EXHIBIT 33.)

STATE OF UTAH 33
COUNTY OF SALT LAKE

ROBERT L. FOWLER, being duly sworn, deposes and says that on the 11th day of October, A. D., 1900, he posted upon the land described therein, a notice of location, as follows, to wit:

FOREST RESERVE LIEU APPLICATION

U. S. LAND OFFICE AT PRESCOTT, ARIZ., SEP. 28, 1900.

NOTICE IS HEREBY GIVEN, That C. W. Clarke, whose postoffice address is San Francisco, California, has this day made application to select under the provisions of the act of June 4, 1897, (30 Stat., 36), the following described tract:

'Wolf Hole' Tract, situate in the Wolf Hole Mountains, on the east side in the northern part of Mohave County, Arizona, particularly bounded and described as follows:

Commencing at the Northeast corner or Cor. No. 1, and running thence South 1320 feet to Cor. No. 2; thence West 1320 feet to Cor. No. 3; thence N. 1320 feet to Cor. No. 4. Thence E. 1320 feet to Cor. No. 1, the place of beginning.

Cor. No. 1, bears N. 22° 00' E. 200 ft. from center of Wolf Hole Spring, so called, which is a well known spring and land mark, commonly and widely known by that designation.

At each corner of the tract is a post 3 ins. square set 18 ins. in the ground with mound of stone, properly scribed.

Within the next 30 days from date hereof protests or contests against this selection on the ground that the land described or any portion thereof, is more valuable for its mineral than for agricultural purposes, will be received and noted for report to the Commissioner of the General Land Office.

(Signed) Frederick A. Tritle
Register

Said notice was posted on the side of a rock cabin, in a conspicuous and easily accessible place.

(Signed) Robert L. Fowler

Subscribed and sworn to before me this 13th day of October, A. D., 1900.

(Signed) T. L. Mitchell
Notary Public

(SEAL)

(APPENDIX, EXHIBIT TT.)

LIEU SELECTION 4188, PHOENIX 013384

SURVEY FOR THE PURPOSE OF OBTAINING THE PROBABLE LEGAL SUBDIVISION OF THE THIRTEEN TRACTS EMBRACED IN L.S. 4188, PHOENIX 013384, MOHAVE COUNTY, PRESCOTT LAND DISTRICT, ARIZONA.

County of Salt Lake)
) ss.
State of Utah)

Harvey D. Heist, being duly sworn, says he is the person employed to make the survey of the tracts embraced in L. S. 4188, for the purpose of obtaining the probable legal subdivision, by Preston Nutter, attorney-in-fact for the selector, C. W. Clark, commencing on the 9th day of March, 1912, and ending on the 17th day of March, 1912; and that the following field notes correctly represent the approximate legal subdivision of each tract:

There being no Public Land Surveys of record, in Mohave or Coconino counties, Arizona, north of the Grand Canyon of the Colorado, where these tracts are located and the nearest Public Survey being in T. 31 N., R. 4 W., G & S R M and B., about 50 miles distant and the intervening country is such that a survey is impossible on account of the rugged, broken and impassable canyon of the Colorado, I deemed the survey as made by the Forest Service in locating the boundaries of the Dixie National Forest as being sufficiently accurate for this

purpose. These boundary lines as run by the Forest Service are well blazed and marked and corner established thereon at half mile intervals, giving township, range and section. I initiated my survey from the corner of Sec. 20-21-28 and 29, T. 33 N., R. 12 W., Gila and Salt River Meridian and Base, on the north boundary of the Mt. Dellenbach portion of the Dixie National Forest as established by the Forest Service, which is a pine post, 4 ins. diam., projecting 36 ins. above the ground, the probable section, township and range marked on a canvas cloth tacked to the post.

"WOLF HOLE" TRACT

Wolf Hole Spring, located on Wolf Hole Tract is located North 36 miles, 2510.0 ft. and East, 2 miles, 4578.0 ft. from the cor. of Secs. 20-21-28 and 29, T. 33 N., R. 12 W., G & S R B & M., the approximate location will be

NE¼ SE¼ SECTION 23, T. 39 N., R. 12 W., G & S R B.

"LINK" TRACT

Link Spring, located on Link Tract, is located, North 18 miles, 3952.0 ft. and West, 4 miles, 4710.0 ft., from the Cor. of Secs. 20-21-28 and 29, T. 33 N., R. 12 W., G & S R B & M., the approximate location will be

SW¼ NW¼ SECTION 22, T. 36 N., R. 13 W., G & S R B & M.

"RATTLESNAKE" TRACT

Rattlesnake Spring, located on Rattlesnake Tract, is located North, 16 miles, 3186.0 ft. and West, 4 miles, 5236.0 ft. from the corner of Secs. 20-21-28 and 29, T. 33 N., R. 12 W., G & S R B & M., the approximate location will be

SW¼ NW¼ SECTION 34, T. 36 N., R. 13 W., G & S R B & M.

"COIN BED" TRACT

NOTE:

This name is in error and should be Cane Bed, being named after a spring of the same name, commonly and widely known by said name.

Cane Beds Spring, is located on this tract, North 17 miles, 5230.0 ft. and West, 4 miles, 100.0 ft., from the cor. of Secs. 20-21-28 and 29, T. 33 N., R. 12 W., G & S R B & M., the approximate location will be

NW¼ NW¼ SECTION 26, T. 36 N., R. 13 W., G & S R B & M.

"GARDEN" TRACT

Garden Spring, located on Garden Tract, North, 17 miles, 55.0 ft. and West, 3387.0 ft., from the cor. of Secs. 20-21-28 and 29, T. 33 N., R. 12 W., G & S R B & M., the approximate location will be

SE¼ SW¼ SECTION 25, T. 36 N., R. 13 W., G & S R B & M.

(APPENDIX)

"HIDDEN" TRACT

Hidden Spring is located on this tract, North, 17 miles, 188.0 ft. and WEST, 2 miles, 553.0 ft., from the cor. of Secs. 20-21-28 and 29, T. 33 N., R. 12 W., G & S R B & M., the approximate location will be

SE¼ SE¼ SECTION 25, T. 36 N., R., 13 W., G & S R B & M.

"PARISHONT" TRACT

Parishont wells is located on this tract, 2886.0 ft. North and 1 mile, 2324.0 ft. East, of the cor. of Secs. 20-21-28 and 29, T. 33 N., R. 12 W., G & S R B & M., the approximate location will be

SE¼ NW¼ SECTION 22, T. 33 N., R. 12 W., G & S R B & M.

"ANDREWS" TRACT

Andrews Spring, which consist of two springs, the south spring and the north spring; from the south spring the north spring bears N. 3° 20' W., 624.0 ft., both on this tract.
The south spring, bears from the cor. of Secs. 20-21-28 and 29, T. 33 N., R. 12 W., G & S R B & M., North, 1 mile 692.0 ft. and East, 4 miles, 2881.0 ft., the approximate location will be

SW¼ SE¼ SECTION 18, T. 33 N., R. 11 W., G & S R B & M.

(APPENDIX)

"OAK GROVE" TRACT

Oak Grove Spring is located on this tract, South, 5 miles 637.0 ft. and East, 2183.0 ft. from the cor. of Secs. 20-21-28 and 29, T. 33 N., R. 12 W., G & S R B & M., the approximate location will be

NE¼ NW¼ SECTION 21, T. 32 N., R. 12 W., G & S R B & M.

"PINE" TRACT

Pine Spring is located on this tract, South 4 miles, 5226.0 ft. and East, 3 miles, 503.0 ft., from the cor. of Secs. 20-21-28 and 29, T. 33 N., R. 12 W., G & S R B & M., the approximate location will be

SE¼ SE¼ SECTION 14, T. 32 N., R. 12 W., G & S R B & M.

"GREEN" TRACT

Note:

The location of cor. No. 1 is in error in the original description and should read S. 73° 54' E., 11325 ft. from Shebets Peak instead of N. 73° 54' W., 11325 ft. from Shebets Peak.
This tract covers Green Spring and which is located South 9 miles, 1353.0 ft. and East, 6 miles, 4345.0 ft. from the cor. of Secs., 20-21-28 and 29, T. 33 N., R. 12 W., G & S R B & M., the approximate location will be

SE¼ NE¼ SECTION 9, T. 31 N., R. 11 W., G & S R B & M.

(APPENDIX)

"PENS POCKET" TRACT

Pens Pocket Spring is located on this tract, South, 10 miles 2507.0 ft. and East, 7 miles, 2124.0 ft., from the cor. of Secs. 20-21-28 and 29, T. 33 N., R. 12 W., G & S R B & M., the approximate location will be

SE¼ NW¼ SECTION 15, T. 31 N., R. 11 W., G & S R B & M.

"COTTONWOOD" TRACT

Note:

The location of this tract is in the head of Oak Grove Canyon, instead of Green Spring Canyon as in the original description.

Cottonwood Spring is located on this tract, South, 6 miles 590.0 ft. and East, 4446.0 ft., from the cor. of Secs. 20-21-28 and 29, T. 33 N., R. 12 W., G & S R B & M., the approximate location will be

NW¼ NE¼ SECTION 28, T. 32 N., R. 12 W., G & S R B & M.

I N S T R U M E N T

The survey was made with a W & L E Gurley, Explorer's Transit, with solor attachment.

The courses were deflected from a Polaris observation made at the corn. of Secs. 20-21-28 and 29, T. 33 N., R. 12 W., G & S R B & M., and from daily solar observation.

(APPENDIX)

The distances were measured with a 200 ft. steel tape.

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309 Felt Bldg.

Salt Lake City, Utah.

(Signed) Harvey D. Feist
Surveyor.

Subscribed and sworn to before me this 8th day of April, A. D., 1912.

(Signed) N. J. Seeckell
Notary Public

(SEAL)