

(COPY)

7-8-04

Globe, Ariz, July 8, 1904.

958

The Honorable Board of Supervisors
of Gila, County, Arizona.

Gentlemen:-

The officers of the Reclamation Service of the United States Geological Survey are engaged under the act of Congress approved June 17, 1902, (32 stat. 388) known as the Reclamation Act, in the construction of a reservoir for irrigation purposes in the Salt River and Tonto Creek Basin, and for that purpose will require as a portion of the reservoir site certain school lands situated in said Basin, among them being the whole or greater part of section 36 in Township 4 North Range 13 East, Gila and Salt River Meridian.

The SW^{1/4} NE and the W^{1/2} SE of said section was leased to Mr. N. H. Livingston for five years from April 5, 1899, and the SE^{1/4} NW and the E^{1/2} SW of said section was leased to J. H. Gurnutt for five years from April 1, 1899. The United States has obtained the rights of the lessees in these premises, including water rights and improvements.

The Government desires to obtain these lands and all other lands in the reservoir site similarly situated, free from any liability for future payment of rent or future leasing. I have therefore the honor to request your honorable body for an order relinquishing all claim for rentals that may accrue on leases of school lands where the Government has or shall succeed to the interests of the lessees therein and agreeing not in future to lease said lands except as subject to the Government reservoir. I would rather

030-B

950

further represent that the Government is constructing in connection with said reservoir project a power canal from the head of the Basin on Salt River down to the proposed dam site near Roosevelt, and for that purpose will require a right of way through the SE ⁴ SE ⁴ of said section 30, which with other adjoining land in said section is under school lease to Mr. S. S. Plunkett for two years from April 4, 1904. An agreement has been arrived at with Mr. Plunkett for a right of way through said tract, so far as his interests is concerned to be eighty feet wide as now located across said tract; but it is desired to have this right of way permanently secured to the Government for Reclamation purposes. I would therefore further respectfully request that your Honorable Body consent to the construction of said canal across said tract and across any other school lands that may lie in its course, and provide that said lands be not again leased except as subject to the right of way for said canal.

I would further represent that the construction of the canal across said school lands ~~therefore~~ prove a benefit rather than a detriment thereto, as the line of said canal lies on high ground not easily irrigated, and arrangements might probably be made in the future by lessees of school lands to obtain water from said canal instead of maintaining separate dams and ditches.

It is hoped that your Honorable Body will find it consistent to make such order in the premises as may facilitate the work of the irrigation project now under way.

Very Respectfully,

E. H. Peery,

Chief Clerk

7-1-04

959

DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY

RECLAMATION SERVICE

Livingstone, Arizona, July 1, 1904.

Mr. Adam F. Kincaid,
Globe, Arizona.

Dear Sir:

In executing your deed to Mr. John C. Wehrli for his ranch in Salt River Basin, this County, the land was described as lots 5, 6, and 7, and the SW⁴SW⁴ of section 6, Township 3 North, Range 14 East. The SW⁴SW⁴ of section 6 is the same as lot 7, and the description should read lots 5, 6, and 7 and the SE⁴SW⁴ of section 6. Mr. Wehrli is about to sell his land to the Government for reservoir purposes, and would like to have the error corrected by a quitclaim deed from you. If you are willing to execute such a deed, I will thank you to give me the name of your wife if you are married. If you were a widower at the time you sold the land to Wehrli, please state when your wife died.

I enclosed addressed franked envelope for reply.

Very respectfully,

E. H. Peery,

Law Clerk.

If the deed I made Wehrli is wrong, I will be pleased to sign a quitclaim deed to him for any of the land intended to be conveyed.

I am a widower. my wife died apr. 26, 1901.

Globe ad. 7-9-04

A. F. Kincaid

OVER

SALT RIVER VALLEY WATER USERS ASSOCIATION

Sec. 6, T. 3N, R. 14E

959 - Roosevelt Reservoir

959

952

APPROPRIATION FOR UNITED STATES GEOLOGICAL SURVEY.

The United States,

To Simon W. and Daisy C. Kenton, Dr.

(Give post-office address.) Box 54, Yuma, Arizona.

DATE.	COST.	CUSTODIAN.
1904.		
July		For purchase price of personal property as per contract of October 9, 1903; to wit: Seven horses; wagon; harness and mowing machine and other farm implements belong- to the farm in Salt River Basin, in Gila County, Arizona near Livingstone, Arizona, agreed to be sold to the Government by said contract, being, with the purchase price of said farm (\$3,500.00), in full for all demands arising out of said agreement. - - - - -
	\$ 400 00	

I certify that the articles herein named will be accounted for on my returns for the quarter, 1904.

Received at this day of, 1904, from Disbursing, U. S. G. S., the sum of Four Hundred - - - - - dollars and - - - - - cents, in full payment of the above account, having signed duplicate receipts therefor.

Simon W. Kenton (Sign here.)

I CERTIFY that the above account is correct; that the articles herein enumerated have been received or services performed; that they were necessary for, and have been, or will be, applied to the work of the United States Geological Survey; and that, to the best of my knowledge and belief, the prices paid were reasonable and just.

WARRANTY DEED.

BOOK 9 DEEDS
PAGES 130-131
GILA COUNTY RECORDS

TERRITORY OF ARIZONA,

County of Gila } ss.

Know all Men by These Presents:

That I, George W. P. Hunt, a bachelor until my marriage February 24, 1904

of the State of Gila, Gila County, Arizona.

for and in consideration of

Six Thousand, Five Hundred and Twenty-Five DOLLARS,
to me in hand paid by The United States of America, pursuant to the the act of June 14, 1902, (32 Statutes at Large, page 388)
have granted, sold and conveyed, and by these presents do grant, sell and convey unto the said The United States.

all that certain premises described as follows, viz:

The south half of the southeast quarter of section thirty-two (32) excepting a strip one hundred and sixty-five (165) feet wide on the west side of the southwest quarter of said southeast quarter containing five (5) acres, and the southeast quarter of the northeast quarter of section thirty-three (33), in Township four (4) North of Range thirteen (13) East, Gila and Salt River Meridian, in in the County of Gila, Territory of Arizona, containing 115 acres;

Also the south half of the southeast quarter of section twenty-nine (29), and the north half of the northeast quarter of section thirty-two (32), township and range last aforesaid, in said Gila County, containing 160 acres;

Also all our right, title and interest in all water rights, ditches and easements connected with said above described lands, being a three-sixteenths (3/16) interest in the Danforth Ditch, a three-eighths (3/8) interest in the Robertson-Hocker Ditch, (the same being a continuation of the Danforth Ditch to where the County Road crosses the ditch on the bridge), and a one-half (1/2) interest in the "Back" or "Overflow" Ditch, together with all water rights used in irrigating said tracts of land.

To Have and to Hold the above-described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said

The United States, its successors

heirs and assigns forever.

Book 9 Deeds
Page 130 & 131
Gila County Records

Remainder of one northeast quarter of section thirty-two (32), township and
east of range 15 north 111 west 240 north

... defend, all and singular, premises unto the said

The United States, its successors

and assigns, against every person whomsoever, lawfully claiming or to claim the same or any part thereof.

Witness my hand, this 2 day of June A. D. 1904

Signed, Sealed and Delivered in the Presence of

George W. P. Hunt [SEAL] [SEAL] [SEAL] [SEAL]

TERRITORY OF ARIZONA,

County of Gila ss.

Before me, Geo. Walter Shute a Notary Public in and for the County of Gila Territory of Arizona, on this day personally appeared George W. P. Hunt, a bachelor until his marriage February 24, 1904, 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 2 day of June A. D. 1904 Geo. Walter Shute Notary Public.

My Commission expires April 2, 1906

TERRITORY OF ARIZONA,

County of ss.

Before me, a Notary Public in and for the County of Territory of Arizona, on this day personally appeared wife of said known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

[SEAL]

Given under my hand and seal of office, this day of A. D. 190 Notary Public.

My Commission expires

Filed and recorded at the request of L. F. Martin

at 40 min. past 9 o'clock A. M. June 6th A. D. 1904

W. W. Fish,

County Recorder.

Book of Deeds
Book 9 Page 130 & 131
Yuba County Records -

6-1-04

791

(COPY)

DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY
Globe, Arizona, June 1st, 1904.

Purchase of Lands, --Armer.

Mr. F. H. Newell,
Chief Engineer,
Washington, D. C.

Sir:

I herewith enclose quitclaim deed from Henry and Lucinda Armer to the United States, dated May 25, 1904, for the E²NW⁴, the SW²NE⁴, and the NW²SE⁴ of section 19, Township 4 North, Range 13 East, in Gila County, Arizona, being land purchased for the Salt River Reservoir Project. The deed was duly recorded May 27, 1904, in Book 7, page 278, Deed Records of said Gila County.

I also enclose certificate of the County Recorder to the effect that no change has taken place in the record title subsequent to March 18, 1904, date of abstract last submitted, to the present date, except the deed above mentioned, and a certificate of the County Assessor relative to assessments and taxes for the current year.

A former deed to said land from said Henry and Lucinda Armer to the Secretary of the Interior was transmitted to you March 18, 1904, and the assignment of contract of purchase from Maricopa County to the Secretary was likewise transmitted April 7, 1904.

I also transmit copy of letter from the Secretary to the Director of May 3, 1904, authorizing the purchase. The enclosed deed has been made to conform to its requirements. The papers herewith transmitted should accompany Mr. Spencer's account which includes payment for the above land. In making payment a check for \$60.00 was drawn and endorsed back by the parties to be held against taxes which may be levied and be a lien on said land for the current year. OVER
Very respectfully,

DEPARTMENT OF THE INTERIOR
~~UNITED STATES GEOLOGICAL SURVEY~~

Washington,

May 3, 1904.

J. I. P.

The Director of the
Geological Survey.

Sir:

With a letter of the 2nd ultimo to the Department, you submitted papers relating to the title of Henry Armer to lands in Gila County, Arizona, which are to be acquired in connection with the Salt River Project under the Act of June 17, 1902 (32 Stat., 388), and expressed the belief that they satisfy the requirements of the Department, as set forth in an opinion of the Assistant Attorney-General dated January 25, 1904, and approved by me.

In answer you are informed that on the 18th instant the Assistant Attorney-General rendered an opinion with respect to the papers, which I have approved and I enclose a copy of the opinion for your information.

The opinion shows that the equitable title to the property is now in the United States by former conveyances, the informality of which conveyances will be sufficiently remedied by deeds declaratory of former deeds, similar in form to those proposed in cases of J. I. Coleman and W. F. Cline.

The lands to be acquired are the E²NW⁴, SW⁴NE⁴ and NW⁴SE⁴, Sec. 19, T. 14 N., R. 13 E., G. and S. R. meridian, and the price proposed to be paid for the land is \$3,500.00, of which the sum of \$500 has been paid by Maricopa County, leaving \$3,000 to be paid by the Government.

In view of the foregoing and of the recommendation in your letter of January 18, 1904, with which the matter was originally submitted to the Department, I hereby authorize you to purchase the property by the payment of \$3,000 from the fund provided by the act mentioned.

You will take the necessary steps to cause the minor requirements of the matter to be met.

The enclosures in your letters of the 2nd and 15th ult. are herewith returned.

Very respectfully,
E. A. Hitchcock,
Secretary.

Copied from copy sent,
& the latter returned. EHP.)

5-26-04

790

W.F. CLINE and SARAH L. CLINE,
his wife, of Gila County, Ari.,

to

The United States of America.

QUITCLAIM DEED.

Dated May 26, 1904.

Consideration, \$1.00.

Recorded May 27, 1904, in Book
7, page 280, deeds of real es-
tate records of Gila Co., Ari.

Consideration, "one dollar lawful money of the United States of
America, pursuant to the act of June 17, 1902, (32 Stat. 388), to them
in hand paid * * *

Do remise, release and quitclaim, all right, title and interest in
and to the following described real estate in the County of Gila
and Territory of Arizona;

The west half of the northwest quarter of section 19, Township 4
North of Range 13 East, Gila and Salt River Meridian, containing
74.19 acres;

Also a one-sixth interest in the Powers and Armer Ditch running
from the north bank of Salt River to and upon said land, the loca-
tion of which is recorded in Book 1, page 329, Miscellane-
ous Records of said County.

"This deed is executed to effectuate the purposes of the deed
heretofore, to wit, on the 29th day of February, 1904, made by the
parties of the first part to the Secretary of the Interior, where-
by it was intended to vest title to said premises in the United
States pursuant to the act above mentioned."

Signed as above; two witnesses; acknowledged before F.M. Cooper,
notary public for Gila County, Arizona, May 26, 1904.

Cline

124

TITLE OF

W.F. and Sarah Cline, to the W²NW⁴ of section 19, T.4 N., R.13 E.
+ 1/6 int in *Archer Ditch*.

Abstract Gila Co. Abstract Co., Oct. 21/03.

CONDITION.

1. Title is in Charles T. Martin unincumbered, as shown by the record, except for such incumbrance as may result from a mortgage to the Bank of Globe by W.F. Cline of Oct. 27, 1902, ~~\$393~~ \$393.60, nine months after date. Cline has no color of title.
from W.F. & Sarah Cline
2. Contract of sale to George Christy, assigned to Maricopa County, for \$50 down, \$200 in 30 days, and \$550 — in six months; total \$800, *Dated Aug. 25, 1903.*
This contract and assignment not shown in abstract.

TO PERFECT TITLE IN UNITED STATES.

1. Deed from Charles T. Martin and wife if married to W.F. Cline. Place of record. Let it include ditch right. *Deed to W.F. Cline recorded 8/11/03*
2. Assignment of contract of sale from Maricopa County to Sec'y of Interior.
3. ~~Deed from~~ Satisfaction of mortgage by Bank of Globe.
4. Deed from Cline and wife to Secretary of the Interior, including ditch right.

Globe Ari
Dec. 14-1903.

1904
July 4. Papers forwarded to Washington D.C. by Fred K. & Nave Heatty.

29. Cline & W.F. executed deed to Sec'y Int

Apr. 18. Gave deed to Cline to U.S. to be executed

Before closing up collect for recording deed Martin to Cline.

6-26-04

(COPY)

784

Mr. Appender

DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY

Globe, Arizona, June 1, 1904.

Purchase of Lands, --Coleman.

Mr. F. H. Newell,
Chief Engineer,
Washington, D. C.

Sir:

I herewith enclose quitclaim deed from J. Irvin Coleman and Nellie L., his wife, to the United States, dated May 6, 1904, for the S² SE⁴ of section 18, Township 4 North, Range 12 East, Gila County Arizona, purchased for the Salt River Reservoir Project. The deed was duly recorded May 26, 1904, in Book 5, page 541, Records of Deeds to Real Estate in said County.

I also enclose certificate of the County Recorder of said County certifying that there has been no change in the record, except the filing of the above deed, subsequent to February 10, 1904, date of record of deed to said property by Coleman and wife to the Secretary, which deed is included in abstract heretofore submitted.

I also transmit copy of the letter from the Secretary to the Director of ~~Maxx&K~~ April 28, 1904, authorizing the purchase.

The original contract was forwarded to you February 12, 1904, ^{and} the deed of Coleman and wife to the Secretary, ^{dated} January 26, 1904, was forwarded March 19, 1904. Payment was made by Mr. Spencer the 28th ultimo, and the papers herewith transmitted should accompany his accounts for that month. The property having been deeded to the Secretary before February 1st, no lien for taxes for the current year attaches. Very respectfully, E. H. Peery, Law Clerk.

5-26-04

DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY
RECLAMATION SERVICE

784

Livingstone, Arizona, May 26, 1904.

Mr. W. D. Fisk,
County Recorder,
Globe, Arizona.

Dear Sir:

I herewith hand you ~~xxxxxxx~~ by Mr. Duryee for record quitclaim deed from J. Irvin Coleman and Nellie L. Coleman his wife to the United States, dated May 6, 1904. Please record as soon as possible, making special, as the deed must go with the disbursing officer's accounts for this month, charging fee to the Government, and retain the deed for me when I come to Globe, as I expect to do tomorrow.

I also enclose form of certificate as to change in record since recording of former deed of the parties to the Secretary of the Interior, which please sign and retain with deed.

Yours truly,

EHP

Law Clerk.

SALT RIVER VALLEY WATER USERS' ASSOCIATION

Sec. 10 T. 4N R. 12E

784 - Donald Pearson

7

5-10-04

File with
Shute Bog land
J.R.W.
V.F.
W.C. D.

DEPARTMENT OF THE INTERIOR
WASHINGTON

May 10, 1904.

L. & R.
19-1903

F.L.C.
The Director of the
Geological Survey.

Sir:

The Department is in receipt of your office letter of April 29, 1904, concerning the improvements and rights of George W. Shute in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 36, T. 4 N., R. 13 E., G. & S.R.M., Gila county, Arizona, proposed to be acquired, in connection with the Salt River project, under the act of June 17, 1902 (32 Stat., 388). The abstract of title disclosed that title is in the United States and that the land is in reservation under section 2 of the act of February 2, 1863 (12 Stat., 664, 665, Sec. 1946, R. S.), to be granted for school purposes to the future state which shall be erected, including the land within its boundaries. In consequence of this condition of the title, the Department held that purchase of the property could not be authorized. Your office requests advice: "Whether specific action of Congress is necessary in order to divest the territory of its power over the land."

Congress having by the act of 1863 reserved such land from any sale or disposal, with view to granting it to a future state that may be erected, no power exists in any authority but Congress to make any disposal of the title or in anyway to affect it, or to dedicate the land to other purposes than that for which it has been so reserved. By the act of April 7, 1896 (29 Stat., 90),

the Territory of Arizona is authorized temporarily to lease such land for terms not longer than 6 years, such lease, however, to terminate at the admission of the future state to which the title shall be granted. The territory is thus denied power to affect the title to the land or to grant leases or right of control or use beyond the period of continuance of territorial government. The declared purpose of Congress is that the full and unincumbered title shall pass to the future state. It is therefore beyond the power of the territory to grant any valid preference right of purchase or of renewal of leases, or to compensate present lessees for improvements, which shall be obligatory upon the future state. Until Congress makes appropriation of such lands, or authorizes the Department to do so, no action of the Department or of the territorial government can vacate the present existing reservation or dedicate the land to the irrigation project.

Your office states that in Arizona improvements on public lands are regarded as property and possessory rights there- to are recognized and protected. This is the general rule in all the states and territories containing public lands. Such rights have no validity against the government, nor against the future state for which the reservation is made.

The territory is, however, given authority to lease such lands for limited times, to expire in any event upon the erection of a state government. The leasehold during the territorial existence is therefore an estate held under authority of Congress and is property, and if in the way of the irrigation

5-10-04

-3-

project may be acquired. It would, however, be inexpedient to acquire the existing leasehold right if the government must therewith assume the obligation to pay rent, or if, in default of rent being paid, the supervisors of Gila county may terminate the leasehold and grant another similar right.

Your office will therefore confer with the present holder of the leasehold and with the proper local authorities, in the event that acquisition of the possessory right and improvements is necessary to prosecution of the irrigation project, and will report at what price they can be obtained. In such case, however, prior to reporting the matter to the Department for approval, it will be necessary that the Board of Supervisors, or other proper territorial authorities, consent to the purchase, waiving further payment of rent and agreeing not in future to make a lease of the same land during the period of territorial existence. When the matter is presented in such form the Department will consider the advisability of such purchase in each particular case.

Very respectfully,

E. A. Hitchcock,

Secretary.

5-5-04
(COPY)

787

DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY
Globe, Arizona, May 30, 1904.

Purchase of Lands, --Allen.

Mr. F. H. Nowell,
Chief Engineer,
Washington, D. C.

Dear Sir:

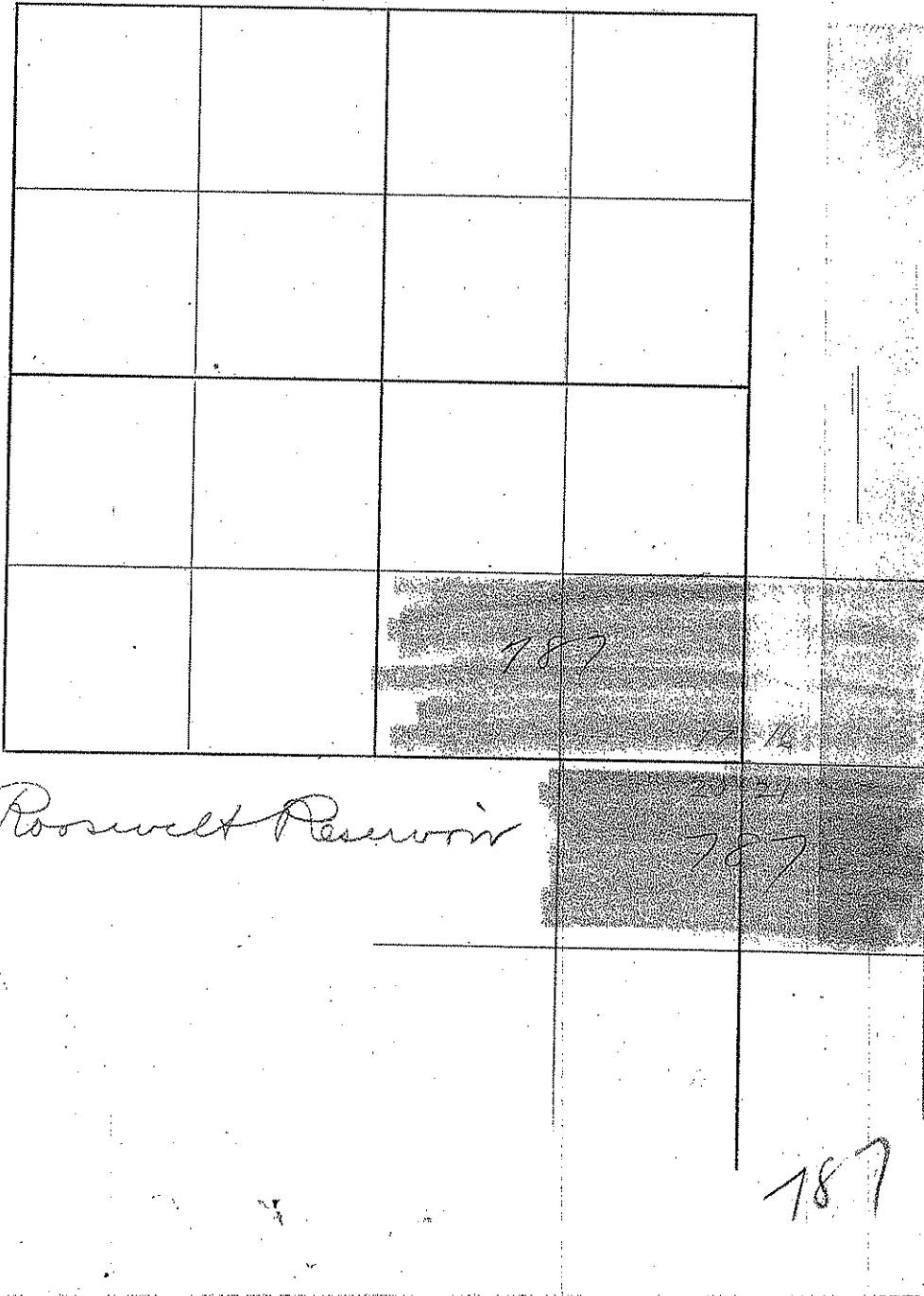
I herewith enclose deed of general warranty dated May 5, 1904, from George A. Allen, widower, to the United States, for the S²SE⁴ of section 17, the NE⁴NE⁴ of section 20, and the NW⁴NW⁴ of section 21, in Township 4 North, Range 12 East, in Gila County, Arizona, with accompanying water rights, purchased for the Salt River Reservoir project. The deed was recorded May 26, 1904, in Book 9, page 124, Records of Deeds to Real Estate of Gila County, Arizona.

I also enclose certificate of County Recorder that no changes have taken place of record in the title since April 7, 1904, date of abstract last submitted, certificate as to payment of taxes for the present year signed by the Assessor, and ^{copy of} authority for the purchase of the land dated April 26, 1904.

The deed conforms to the opinion of the Assistant Attorney-General of April 18, 1904. Reference was made in the form of deed first submitted to the act of June 17, 1902, but objection was made that it recited that it was made for the purposes contemplated by that act. This was an attempt to follow the wording of the Coleman deed. The papers enclosed should accompany Mr. Spencer's accounts.

Very respectfully,
E. H. Peery,
Law Clerk.

Sec. 17, 20 & 21, T. 4N, R. 12E



787 - Roosevelt Reservoir

6-03-04

787

Warranty Deed.

TERRITORY OF ARIZONA,

County of GILA.

ss.

Know All Men by These Presents:

That I, George A. Allen, a widower,

of the Los Angeles, California, by George T. Peter, his attorney-in

fact, of Gila, Gila County, Arizona, for and in consideration of

Eight Hundred ^{of America} DOLLARS,

to me in hand paid by the United States pursuant to the act

of Congress approved June 17, 1902 (32 Stat. 388) making appropriation

for the acquisition of said lands. The Secretary of the Interior, of the United States,

have granted, sold and conveyed, and by these presents do grant, sell and convey unto the

said ~~the United States~~ the Secretary of the Interior,

all that certain premises described as follows, viz:

The south half of the southeast quarter of section seventeen (17), the northeast quarter of the northeast quarter of section twenty (20), and the northwest quarter of the northwest quarter of section twenty-one (21), in Township four (4) North of Range twelve (12) East, Gila and Salt River Meridian, containing one hundred and sixty acres, and being situate in the County of Gila, Territory of Arizona, including all water rights used in connection therewith and owned by the grantor.

To have and to hold the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said ~~the United States~~ ^{The United States} successors

~~the~~ the Secretary of the Interior, his ~~successors~~ heirs and assigns forever.

And I hereby bind ~~myself~~ my heirs, executors and administrators, to warrant and forever defend, all and singular, the premises unto the said ~~the United States~~ ^{United States} its successors, the Secretary of the Interior, his successors, and assigns, against

FILED IN THE INTERIOR

RECEIVED

19
Warranty Deed
SHEPHERDSON

FROM

George A. Allen

TO

The Secretary of the State

Interior

Dated May 1904

Filed and recorded at request of

A. D. 190

M.

Book

Pages

County Recorder.

Deputy Recorder.

The H. Mohall Co., Printers, Phoenix, Arizona.

Corrected according to deed sent by J. Pater May 3/04

Notary Public

(My Commission expires.....)

Given under my hand and seal of office this..... day of..... A. D. 190.....

executed the same for the purposes and consideration therein expressed.

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she wife of said.....

the County of..... Territory of Arizona, on this day personally appeared

.....

TERRITORY OF ARIZONA, } ss.
County of.....

I,....., County Recorder in and for the County and Territory aforesaid, do hereby certify that the within instrument was filed for record at..... o'clock,..... M., on this..... day of..... 190..., and duly recorded in Book No..... of..... Records of..... County, Arizona, at pages.....

WITNESS my hand and official seal the day and year first above written.

.....
County Recorder.

4-26-04

787

19-1903.
L. & R.R. Div.

SVP
JIP

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

April 26, 1904.

Purchase of the property of George A. Allen,
Salt River Project, Arizona.

The Director of the
Geological Survey:

Sir:

In accordance with your request of the 25th instant and for the purpose of avoiding any further delay, authority is hereby given for the purchase of the S² of the SE⁴ of Section 17, the NE⁴ of the NE⁴ of Section 20, and the NW⁴ of the NW⁴ of section 21, all in township 4 north, range 12 East, in the Territory of Arizona, for the sum of \$800, payment for said property to be made from the Reclamation Fund.

The action herein authorized, however, will not be taken until the papers in the case have been amended, as per the opinion of the Assistant Attorney General of this Department, dated March 8th, transmitted to you by Departmental letter of March 16, 1904.

You will see that the necessary supplemental action is taken as per your suggestion in your communication of the 25th instant.

Very respectfully,

E.A. Hitchcock,

Secretary.

(Original copy forwarded to Mr. Newell May 30, 1904, to accompany accounts of Mr. Spencer.)

4-20-04

785

KNOW ALL MEN BY THESE PRESENTS:

That we, George D. Christy and Helen G. Christy, his wife, of Phoenix, Maricopa County, Arizona, in consideration of the sum of one dollar to us in hand paid by the County of Maricopa, Territory of Arizona, and of other valuable considerations, do hereby grant, bargain, sell, assign, transfer and set over, all our rights, title, and interest, in and to the following described option or agreement to sell land, and to the land embraced therein, to wit:

From Joseph Thomas Flippen and Mary Susan Flippen, his wife, dated October 13, 1903, for the north half of the southeast quarter, and the north half of the southeast quarter of the southeast quarter of section eighteen (18), and the southwest quarter of the southwest quarter of section seventeen (17) in Township four (4) North of Range twelve (12) East, Gila and Salt River Meridian, and situated in Gila County, Arizona.

To have and To Hold, with all the appurtenances and privileges thereunto belonging or in anywise appertaining, unto the said County of Maricopa, for the use and benefit of the people of said County, its successors and assigns forever, subject, however, to any and all payments due or to become due under and in pursuance of said option, the said County saving the said grantors harmless from anything arising out of said option.

IN WITNESS WHEREOF, we have hereunto set our hands on this the 4th day of ^{April} ~~March~~, nineteen hundred and four.

George D. Christy
Helen G. Christy

TERRITORY OF ARIZONA,)
COUNTY OF MARICOPA.) ss.

Before me *Lloyd B. Christy*

a Notary Public in and for the County of Maricopa, Territory of Arizona, on this day personally appeared George D. Christy and Helen G. Christy, his wife, 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 purposes and consideration therein expressed.

Given under my hand and seal of office this 6th day of ~~March~~ ^{April}, nineteen hundred and four.

Lloyd B. Christy
Notary Public

My Commission Expires May 19, 1907.

My commission expires _____.

KNOW ALL MEN BY THESE PRESENTS, That we, George D. Christy and Helen G. Christy, his wife, of Phoenix, Maricopa County, Arizona, for and in consideration of the sum of one dollar to them in hand paid by Ethan A. Hitchcock, Secretary of the Interior of the United States, the receipt whereof is hereby acknowledged, do hereby assign, remise, release, and quitclaim unto the said Secretary of the Interior, and to his successors and assigns

forever, all their right, title, interest, claim and demand which they have in and to the following described portion or portions of land, and to the land embraced therein, to wit:

From Christian Botticher to said George D. Christy for the southeast quarter of the southeast quarter of section twenty one (21) and the southwest quarter of the southwest quarter of section twenty-two (22), in Township 11 N. R. 5 E. North of Range eleven (11) East, Gila and Salt River Meridian, in Gila County, Arizona, and recorded in Book 2, page Miscellaneous Records of said County.

To have and to hold the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise appertaining, unto the said the Secretary of the Interior, his successors and assigns, forever, for reservoir purposes.

IN WITNESS WHEREOF, we have hereunto set our hands on this the 4th day of March, nineteen hundred and four.

George D. Christy
Helen Guier Christy

TERRITORY OF ARIZONA, }
COUNTY OF MARICOPA. } ss.

Before me, *Lloyd B. Church* a Notary Public in and for the County of Maricopa, Territory of Arizona, on this day personally appeared George D. Christy and Helen G. Christy, his wife, 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 purposes and consideration therein expressed.

Given under my hand and seal of office this 6th day of March, nineteen hundred and four.

Lloyd B. Church
Notary Public.

My Commission Expires May 19, 1907.

My commission expires

DEPARTMENT OF AGRICULTURE
UNITED STATES

Vertical stamp: DEPARTMENT OF AGRICULTURE, UNITED STATES, MARICOPA COUNTY, ARIZONA, RECORDS, 1904

4-18-04

781

J R W
W C P

April 18, 1904.

The Secretary of the Interior.

Sir:

I received by reference of April 13, 1904, with request for opinion thereon, the abstract of title of John H. Baker, sr. to the S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 14, and N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 23, T. 4 N., R. 12 E., G and S.R.meridian, Gila county, Arizona, acquired under the act of June 17, 1902 (32 Stat., 388), in connection with the Salt River Project.

let 3/91
The abstract shows that title passed from the United States by patent to Charles H. Tebbs, Feb'y 18, 1892, upon consummation of his homestead entry, for which final certificate issued to him February 15, 1889. Tebbs by deed, without joinder of a wife, or recital that he was unmarried, conveyed, Nov. 29, 1897, to Anna Walsh, who, with her husband, by deed, Sept. 5, 1900, conveyed to John H. Baker, sr. All foregoing sees were with warranty.

July 21, 1903, John H. Baker made a written agreement of sale and for conveyance of the land to George Christy, who, by the name of George D. Christy, Sept. 1, 1903, assigned the contract to Maricopa county, Arizona, which assigned, quitclaimed, and released the contract March 3, 1904, to Ethan A. Hitchcock, Secretary of the Interior, to whom also John H. Baker, sr., reciting that he was a widower, by deed Jan'y 29, 1904, conveyed the lands, the purpose and intent being to acquire the title to the United States as part of the reclamation works known as the Salt River Project.

The title is transmitted through a connected line of conveyances. The abstract shows April 30, 1891, lands described as the S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 24 and N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 23, T. 4 N., R. 12 E., were sold to the territory of Arizona for \$19.88 taxes of the year 1890, assessed against Charles H. Tebbs. This sale is not shown to be redeemed or released, and remains apparently a lien of record as to the 80 acre tract in Sec. 23. A tax sale made July 16, 1895, is shown by the abstract to have been redeemed Dec. 18, 1896, and no lien thereunder exists.

Charles H. Tebbs, Oct. 29, 1895, made a mortgage to Anna Walsh, which is not shown as formally released of record, but as he about 2 years afterward conveyed to her the fee, the lesser estate by mortgage merged in the fee and no lien of the mortgage longer exists. No wife joined with Tebbs in his conveyance. An affidavit annexed to the abstract is offered to show that he was not then married. This is in practice usually accepted in such cases.

Upon the abstract I am of opinion that perfect title is thereby shown in John H. Baker at the time of his conveyance to the Secretary of the Interior, subject to the lien of tax sale above noticed, and that equitable title by such deed vested in the United States as result of payment of the purchase money from the reclamation fund,

I have examined the form of declaratory deed proposed to be taken from John H. Baker, sr., and recommend that the same be amended by adding thereto the words pursuant to the act of June 17, 1902 (32 Statutes at Large, page 388), next after the words "United States of America" and preceding the words "to him in

4-18-04

781

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hand paid."

With such addition, the proposed deed is in my
opinion sufficient and good in form.

Very respectfully,

Frank L. Campbell.

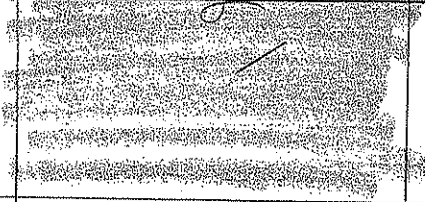
Assistant Attorney-General

Approved: April 18, 1904.

E. A. Hitchcock.

Secretary.

Sec. 14 & 23, T. 47, R. 128



781-Roosevelt Reservoir

781

4-18-04

(COPY)

Currutt

956

THE VALLEY BANK OF PHOENIX,
Capital paid up of \$100,000.
Phoenix, Arizona.

April 18, 1904.

Mr. W. D. Fisk, Recorder,
Globe, Arizona.

Dear Sir:--

Inclosed please find the following instruments for record in your office:

Agreement to sell lands Jos. Thos. Flippen and wife to Geo. D. Christy for the N² of SE⁴ and the N² of the SE⁴ SE⁴ Sec. 18 and SW⁴ SW⁴ Sec. 17, T. 4 R. 12 E.

Also assignment of same by Geo. D. Christy and wife to County of Maricopa.

Also assignment by Geo. D. Christy and wife to Ethan A. Hitchcock for the Christian Botticker option on the SE⁴ of the SE⁴ of section 21 and SW⁴ of SW⁴ of Sec. 22 T. 5 N., R. 11 E.

Also quitclaim from Maricopa County to Ethan A. Hitchcock, Secretary, for the Flippen option above described.

Also bargain and sale deed from Maricopa County to the Secretary of the Interior for the property received from N. F. Livingston and Jas. H. Currutt, being the SW⁴ of the NE⁴, the W² of the SE⁴, the E⁴ SE⁴ of the NW⁴ and the E² of the SW⁴ of Sec. 36 T. 4 R. 13 E., and 2 1/2 shares in the Kenton Ditch.

Please record same and send bill to me as secretary of the Board of Water Storage Commissioners, Phoenix, Arizona.

Very truly yours,

W. D. Fulwiler,

Sec'y.

SALT RIVER VALLEY WATER USERS ASSOCIATION

Sec. 36, T. 4N, R. 13E

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956 - Roosevelt Reservoir

Warranty Deed.

TERRITORY OF ARIZONA,
County of GILA. } ss.

Know All Men by These Presents:

That WE, JAMES K. MURRAY AND IDA L. MURRAY, his wife, of near Livingstone, Gila County, Arizona,

for and in consideration of Two Thousand, Five Hundred DOLLARS,

to US in hand paid by J. E. STURGEON, of Tempe, Maricopa County, Arizona,

have granted, sold and conveyed, and by these presents do grant, sell and convey unto the said J. E. Sturgeon, his heirs and assigns,

all that certain premises described as follows, viz:

Lots two (2), three (3), and four (4) of section thirty-one (31), in Township four (4) North of Range fourteen (14) East, Gila and Salt River Meridian, in the County of Gila, Territory of Arizona;

Also all our right, title, and interest in and to the Kenton Ditch, being two-fifteenth (2/15) thereof, or one share therein, together with the water right thereby appropriated, which said ditch lies in said Gila County, beginning at a point about one mile below Pinal Creek on the south side of Salt River, from which the water conveyed by said ditch is taken, and runs thence westerly to and over the above described land, and notice of location of which is recorded in Book 1, page 467, of the Miscellaneous Records of said County.

[This section contains several lines of text that have been completely crossed out with a diagonal line.]

To have and to hold the above-described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said

J. E. Sturgeon, his heirs and assigns forever.

And we hereby bind ourselves, our heirs, executors and administrators, to warrant and forever defend, all and singular, the premises unto the said

J. E. Sturgeon, his heirs and assigns, against every person whomsoever, lawfully claiming or to claim the same or any part thereof, save and except, however, a contract of sale executed to George Christy and recorded in Book 2, page 351, Miscellaneous Records of said Gila County.

~~.....~~

Witness our hands this 13th day of April, A. D. 1904.

Signed, Sealed and Delivered in the presence of

James K. Murray [SEAL]
Ida L. Murray [SEAL]
[SEAL]
[SEAL]

4-15-04

TERRITORY OF ARIZONA,
County of GILA } ss.

Before me, F. M. Cooper, a Notary Public
in and for the County of Gila Territory of Arizona, on this day personally appeared
James K. Murray and Ida L. Murray, his wife,
known to me to be the persons whose name is 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 13th day
of April, A. D. 1904.

F. M. Cooper
Notary Public

(My Commission expires January 23, 1905.)

TERRITORY OF ARIZONA,
County of } ss.

Before me, _____ a Notary Public in and for
the County of _____ Territory of Arizona, on this day personally appeared
_____ wife of said _____
known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she
executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day
of _____ A. D. 190...

Notary Public

(My Commission expires _____)

4-2-04

(COPY)

DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY

RECLAMATION SERVICE
Livingstone, Arizona, April 2, 1904.

(FUSS TITLE.)

James Reilly, Esq.,
Attorney at Law,
Tombstone, Arizona.

Dear Sir:

I take pleasure in informing you that upon reconsideration the Assistant Attorney General for the Interior Department has modified his former decision regarding the title of Mrs. Mary E. Bacon Fuss to land which she proposes to sell to the Government in the Salt River Reservoir site, and now holds that said title may be accepted upon certain conditions which can readily be complied with. You need therefore take no further steps toward obtaining deeds from the children of P. E. Bacon.

I am forwarding ~~your abstract~~ the abstract to be put in proper shape and will at the proper time send deed for Mrs. Fuss to execute, the one first executed being defective in certain particulars.

Respectfully yours,

E. H. Peery,

Law Clerk.

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OVER

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DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY

Globe, Arizona, January 15, 1904.

Mrs. Mary E. Bacon Fuss,
Tombstone, Arizona.

Dear Madam:

The Attorney General of the United States in reporting upon your title to the south half of the northeast quarter of section 20, Township 4 North, Range 13 East, in Gila County, Arizona, which land you propose to sell to the Government, has decided that the deed to you of December 8, 1899, from P. E. Bacon was void, if the latter was your husband at the time the deed was made, and in that event would convey no title.

As I understand that to be the case, it will be necessary for you to obtain deeds from each of ^{the} ~~your~~ ^{of} ~~your~~ children ~~by~~ your said husband, their wives or husbands, joining if married, and from the heirs of any such deceased child. If you will send me the names of such children, with the names of their husbands or wives as the case may be, together with their addresses, I will prepare and forward the necessary deeds to perfect title in you.

You should also execute the enclosed affidavit regarding the identity of your former husband, and your subsequent marriage.

I enclose addressed franked envelope for reply.

Yours truly,

Law Clerk,
U. S. Geological Survey.

4-204

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THIS AGREEMENT, made this 2nd day of April, nineteen hundred and four, between William McFadden, of Gila County, Arizona, party of the first part, and the United States of America, acting in this behalf by Louis C. Hill, Engineer U.S. Geological Survey, party of the second part, - WITNESSETH:

That the said first party, in consideration of the benefits to him accruing as hereinafter provided, agrees to cultivate and farm in a good and husband like manner as hereinafter provided, the following described real property situated in Gila County, Arizona, to wit:

The south half of the southwest quarter, the northeast quarter of the southwest quarter, and the northwest quarter of the southeast quarter of section twenty-seven (27) in Township four (4) North of Range thirteen (13) East, Gila and Salt River Meridian, containing 180 acres owned by Mrs. E.A. Hocker and known as the old Danforth place.

Said first party agrees to farm at least three-fourths of the cultivated portion of said tract in grain or hay or other forage crop, and not to pasture such portion to the injury of said crop; that he will irrigate said portion as often as necessary and harvest the crops as often as required to secure the best yield; that he will furnish all labor and farming equipments for properly farming said premises; that he will keep the premises, including fencing and ditches in good repair and do the assessment work on the Danforth ditch apportioned to said land; that he will commit no waste upon the premises, nor cut timber therefrom for other than betterments, repairs, and domestic purposes; and that he will not engage in nor permit the sale or other disposition thereon of intoxicating liquors or narcotics.

Said first party further agrees to furnish and deliver at such place on said premises as the second party may direct, of hay in the bale and grain in the sack (the said second party to supply the necessary wire for baling such hay and sacks for such grain) an amount equal to one-third of what would have been produced upon said premises if the whole of the cultivated portion had been farmed in like manner as the two-thirds thereof above mentioned, estimating the amount which would have

been raised upon the portion not so farmed at the same rate per acre as that produced upon said two-thirds.

In consideration whereof and of the faithful performance of the services aforesaid, the second party agrees to furnish the use of water from the Danforth Ditch flowing through said premises for irrigating purposes to the extent of a one-half interest therein as needed; to allow said first party free access to and occupation of said premises with his stock and to pasture such stock on the portions not in crops as herein provided; and to retain for himself as his full compensation for the services rendered as herein provided all produce raised on said premises in excess of the portion above provided to be delivered to the second party.

It is understood and agreed that this agreement shall continue for two years from January 1, 1904, and to include labor performed subsequently to said date in pursuance of a verbal agreement substantially as herein provided; but if the second party should cease to hold such interest in said premises as to allow it to retain possession thereof, then thereafter the services herein provided to be performed for the second party shall continue to be performed for the owner of the land, the produce to be turned over to the second party in that case to be divided proportionately between the second party and the owner, the latter furnishing her proportion of wire and sacks.

It is further understood that this contract is for personal service and conveys no estate to the premises above described.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands, the said Louis C. Hill for and on behalf of the United States, in duplicate, on the day and year herein first above written.

WITNESSES:

E. H. Deery
A. L. Harris

Wm. McQuadden
Louis C. Hill
Engineer U.S. Geological Survey.

4-1-04

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DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY

MB-SS

RECLAMATION SERVICE

WASHINGTON, D. C., April 1, 1904.

Mr. E. H. Peery,
Through Mr. L. C. Hill,
Livingstone, Arizona.

Sir:

I am in receipt of yours of the 18th ult. transmitting the papers in the case of the purchase of the land of Henry Armer.

In passing upon this case before, the Assistant Attorney-General called attention to his remarks on the form of the deed in connection with the title of Elizabeth A. Hocker. In that case he stated that in his opinion it was preferable, and much better practice, that the deed should be made to the United States of America as grantee. In the Coleman case the Department made specific requirement of a declaratory deed to the United States of America, and such a requirement will be made in this case. You will, therefore, obtain from Mr. Armer such a deed and forward it as soon as possible. There should also be forwarded the recorded deed from Maricopa County to the Secretary of the Interior.

It is hoped that the Department will not object to the grantee in this deed.

The papers have already been submitted to the Department together with a certified copy of the record of Armer's patent,

in order that this case may be in line for action and be ready to be taken up by the time the necessary papers can be returned.

As already stated, it does not seem wise to ask Mr. Spencer to make these payments until all the papers in connection with the title have been definitely approved by the Department.

Very respectfully,

F. H. Arnold
Chief Engineer.

3-31-04

(COPY)

DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY
RECLAMATION SERVICE

958

Livingstone, Arizona, March 31, 1904.

Board of Supervisors, Plunkett,
Gila County,
Globe, Arizona.

Gentlemen:

The leases of S.S. Plunkett of school land described as the SE⁴NE⁴ and the E²SE⁴ of section 36, Township 4 North, Range 13 East, and of George E. Shute of school land described as the SW⁴NW⁴ and the W²SW⁴ of said section, township and range, will expire ~~by~~ about April 1, 1904. As the Government is desirous of obtaining whatever interest these parties have to said respective tracts, for the purpose of its proposed Salt River Reservoir, I have the honor to request, on behalf of the United States Geological Survey, Reclamation Service, that said leases, if renewed at all, be renewed for only short periods, say from year to year, until the Government is prepared to acquire whatever interests these parties may have in said premises. This request is made at the instance and suggestion of the Chief Engineer of the Reclamation Service, and for the purpose ~~to~~ ^{-ing} avoid complications of title as far as possible.

Respectfully yours,

Louis C. Hill,

Engineer in Charge.

SALT LAKE VALLEY WATER USERS ASSOCIATION

Sec. 36, T. 4N, R. 13E

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958 - Roosevelt Reservoir

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3-28-04

(COPY)

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DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY
RECLAMATION SERVICE

Livingstone, Arizona, March 28, 1904.

George W.P. Hunt purchase.

Mr. F. H. Newell,
Chief Engineer,
Washington, D. C.

Dear Sir:

I hereby certify that the following described tracts of land, claimed by George W.P. Hunt, lie within the flood line of the Salt River Reservoir, with the possible exception of a few high points of no special value, and will be needed by the Government in connection with said project, to wit:

The south half of the southeast quarter of section 28, excepting a strip 165 feet wide off the south end of the southwest quarter of said southeast quarter, containing 5 acres, also the northeast quarter of the northeast quarter of section 33, Township 4 North of Range 13 East, in Gila County, Arizona, containing 115 acres;

Also the south half of the southeast quarter of section 29, and the north half of the northeast quarter of section 32, in said Township and Range, in Gila County, Arizona, containing 160 acres,

That the sum of \$6,525.00 proposed to be paid for said land and water rights connected therewith as shown by contract of December 7, 1903, with L. C. Hill, Engineer, is a reasonable price to be paid by the Government for said land and water rights, and that in my judgment no better terms are likely to be secured. I therefore recommend the purchase in pursuance of said contract.

Respectfully yours,

Louis C. Hill,

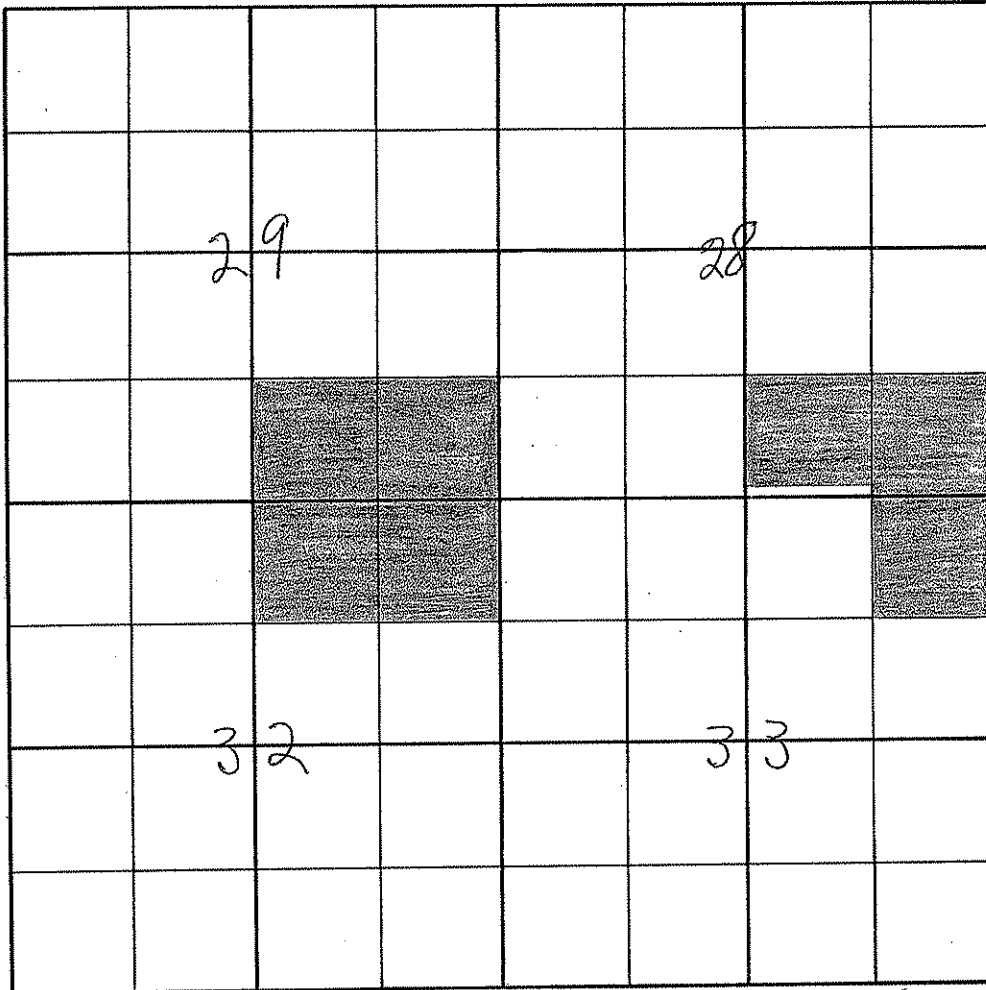
Engineer.

OVER

SALT RIVER PROJECT

28 & 29

SEC 32 & 33 T. 4 N. R. 13 E



3-24-04

785

Maricopa County, Arizona,)
)
 to)
 Hitchcock,)
 Ethan A. ~~Alkx~~, Secretary of)
 the Interior of the United)
 States, for reservoir pur-)
 poses.)

ASSIGNMENT OF AGREEMENT.
 Dated, 1904.
 Consideration, \$1.00, & value.
 Recorded
 Book page Records
 of Gila County, Arizona.

Assign, remise, release, and forver quitclaim all right, title and interest of said County of Maricopa, in the following option or agreement to sell land, and to the lands and rights therein embraced, and provided to be conveyed:

From Joseph Thomas Flippen and Mary Susan Flippen, his wife, dated October 13, 1904, for the N²SE⁴, and the N²SE⁴SE⁴ of section 18, and the SW²SW² of section 17, T.4 N., R.12 E., Gila and Salt River Meridian, and situated in Gila County, Arizona.

Executed by the President of the Board of Water Storage Commissioners, ~~as Board of Water Storage Commissioners~~ by authority of the act of the Territorial Legislature of March 20, 1901, relating to storage reservoirs and dams, by being signed by the President of the Board and attested by the Secretary, and corporate seal of Board annexed, pursuant to resolution of Board ~~dated~~ dated October 30, 1903.

To be acknowledged by President and Secretary.

Joseph Thomas Flippen and)
 Mary Susan Flippen, his wife,)
 of Gila County, Arizona,)
)
 to)
 Ethan A. Hitchcock, Secretary)
 of the Interior of the United)
 States,)

WARRANTY DEED.
 Dated March 24, 1904.
 Consideration, \$1,450.00.
 Recorded
 Book page Records
 of Gila County, Arizona.

Grant, Bargain, Sell and Convey, the Following described real property situated in Gila County, Arizona, to wit:

The north half of the southeast quarter, and the north half of the southeast quarter of the southeast quarter, of section 18, and the southwest quarter of the southwest quarter of section 17, in Township 4 North of Range 12 East, Gila and Salt River Meridian; also all water rights connected therewith and used in irrigating the same.

Covenant to warrant and forever defend against all lawful claims. Signed as above, and acknowledged March 24, 1904, before R. H. Harpham Notary Public for Gila County, Arizona.

SALT RIVER VALLEY WATER USERS' ASSOCIATION

Sec. 17 & 18, T. 47, R. 12E

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785 - Roosevelt Reservoir

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SALT RIVER VALLEY WATER USERS' ASSOCIATION

Sec., 30, T. 4N, R. 13E

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798- Roosevelt Reservoir

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3-14-04

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Warranty Deed.

TERRITORY OF ARIZONA,
County of Gila } ss.

Know All Men by These Presents:

That J. W. LEE, WILLIAM R. E. LEE AND NANCY E. LEE, wife of
J. W. LEE,

of the County of Gila, Territory of Arizona,

for and in consideration of

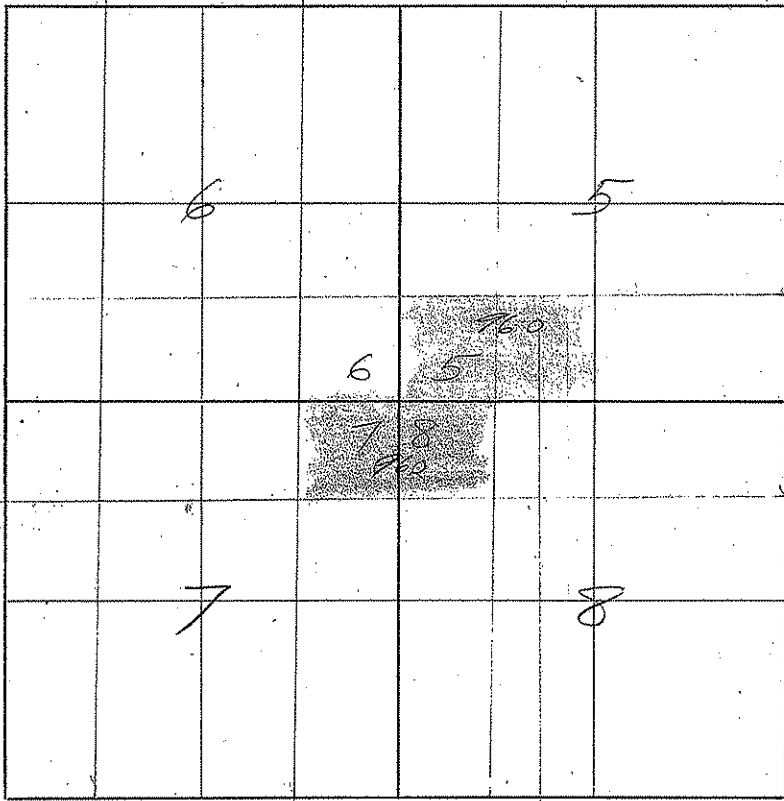
Six Thousand Five Hundred (\$6,500) DOLLARS,
to them in hand paid by THE UNITED STATES OF AMERICA, pursuant to the
Act of June 17, 1902, (32 Stat., 388), known as the Reclamation Act
has granted, sold and conveyed, and by these presents do grant, sell and convey unto the
said THE UNITED STATES OF AMERICA

all that certain premises described as follows, to-wit:

The south half (1/2) of the southwest quarter (1/4) of Section
Five (5), and the northeast quarter (1/4) of the northeast quarter
(1/4) of Section Seven (7), and the northwest quarter (1/4) of the
northwest quarter (1/4) of Section Eight (8), all in Township Three
(3) North of Range Fourteen (14) East. G. & S. R. M. Gila County,
Arizona Territory; also all the right, title and interest in and to
all water rights, ditches and improvements used on or appertaining
to said land.

SALT RIVER VALLEY WATER USERS' ASSOCIATION

Sec. ~~34~~ T. 3N R. 14E



960 - Roosevelt Reservoir

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3-14-04

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DESCRIPTION OF RIGHT OF WAY.

That for the purposes aforesaid the plaintiff will require a right of way eighty feet wide over and across the southeast quarter of the southwest quarter of said section five and over and across the northwest quarter of the northwest quarter of said section eight, the center line of which strip of land is described as follows, to wit:

Beginning at a point on the north line of said southeast quarter of the southwest quarter of section five (5) 709 feet west of the northeast corner thereof, and running thence south 26 degrees and 25 minutes west 554.1 feet; thence on the arc of a circle with a radius of 383 feet curving to the east 300 feet; thence southeasterly on a tangent 189 feet; thence on the arc of a circle with a radius of 717 feet curving to the west 312.9 feet, intersecting the south line of said ~~forty acre tract~~ ^{to which the first above mentioned course is tangent} 891 feet ~~from~~ west of the southeast corner thereof; thence, continuing the line ~~on~~ on land not belonging to defendants and on said last mentioned arc 250.4 feet; thence southwesterly on a tangent 452.3 feet; and thence on the arc of a circle with a radius of 464.6 feet curving to the west 159.3 feet where it intersects the east line of said northwest quarter of the northwest quarter of section eight (8) at a point 573 feet north of the southeast corner thereof; thence continuing on said tract on the arc last mentioned 499.2 feet; thence southwesterly on a tangent 129.7 feet; thence on the arc of a circle with a radius of 1146 feet curving to the north, 134.3 feet; thence on a tangent southwesterly 32.7

960

feet; thence on the arc of a circle with a radius of 1146 feet curving to the south 142.3 feet; thence southwesterly on a tangent 207.8 feet; and thence on the arc of a circle with a radius of 288 feet curving to the south 3.8 feet to where it intersects the south line of said forty acre tract at a distance of 973 feet west of the southeast corner thereof; said strips of land over both of said forty acre tracts aggregating an area of 4.71 acres.

3-14-04

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TERRITORY OF ARIZONA, }
COUNTY OF GILA. } ss.

I, John W. Lee, ~~am&x&~~ being first duly sworn, on oath say, that I reside in Upper Salt River Basin in Gila County, Arizona, upon the south half of the southwest quarter of section 5, the northeast quarter of the northeast quarter of section 7, and the northwest quarter of the northwest quarter of section 8, in Township 3 North of Range 14 East, of the Gila and Salt River Meridian; that I am the owner of ~~xxxxxx~~ an undivided one-half interest in said lands, and that my son William Lee, who resides with me, is the owner of the other undivided half; and that said lands are the same as those patented to Charles Harcourt through whom I and my said son derive title.

Subscribed and sworn to before me)
a Notary Public within and for Gila)
County, Arizona, on this the 14th day)
of March nineteen hundred and four.)

Affiant.

Notary Public.

(My commission expires January 23, 1905.)

(Copy of affidavit handed to Mr. F. M. Cooper for execution.)

39-04
(COPY) 960

DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY
RECLAMATION SERVICE

Livingstone, Arizona, March 9, 1904.

Mr. John W. Lee,
Livingstone, Arizona.

Dear Sir:

I have examined the abstract to your property, and think it best for the Government to clear up the whole matter by condemnation proceedings. The Department in Washington is very strict in regard to the regularity of the title to lands purchased, and it would be very hard if not impossible for you to obtain deeds from Harcourt's heirs to correct the mistake in the administrator's deed. The Government can on the other hand bring in all parties, and damages will be assessed satisfactorily to all concerned. The suit will be a friendly one to clear up the title, and the Government will pay the costs.

I will talk further with Mr. Hill about the purchase of your entire tract. I think he would prefer to do so if he has the authority.

The patent to your land is in the Land Office at Tucson, and by forwarding affidavit that you are the owner of the property, you can obtain it. It would be well to get it and place it of record. There are no fees against it.

Very respectfully,

E. H. Peery,

Law Clerk.

3-7-04

958

KNOW ALL MEN BY THESE PRESENTS:

That the County of Maricopa, Territory of Arizona, a body politic and corporate, for and in consideration of the sum of one dollar to it paid by Ethan A. Hitchcock, Secretary of the Interior, and other valuable considerations accruing to the people of said County in the premises, does hereby assign, remise, release and quitclaim unto the said Ethan A. Hitchcock as Secretary of the Interior of the United States, his successors and assigns, for reservoir purposes, all the right, title and interest of the said County of Maricopa in and to the following described option or agreement to sell land, and to the lands and rights embraced therein, and therein provided to be conveyed, to wit:

From S.S.Plunkett and Mrs.L.M.Plunkett to George Christy for the southeast quarter of the northeast quarter and the east half of the southeast quarter of section thirty-six (36) in Township four (4) North of Range thirteen (13) East, Gila and Salt River Meridian, in Gila County, Arizona, and recorded in Book 2, page 336, Miscellaneous Records of said County.

To have and to hold together with the appurtenances unto the said Ethan A. Hitchcock, Secretary of the Interior, his successors and assigns for the uses and purposes above set forth.

In witness whereof and in virtue of the authority conferred upon the Board of Water Storage Commissioners of Maricopa County, Arizona, by the act of March 20, 1901, the said County of Maricopa has caused these presents to be signed by the President of said Board, and attested by the Secretary thereof, and the corporate seal of said Board to be hereto annexed, pursuant to the resolution of said Board of date October 30, 1903, on this the *third* day of *March* nineteen hundred and *four*

Chas Goldsman
President of the Board of Water
Storage Commissioners of Maricopa
County, Arizona.

Attest: *W.S. Fullerton*
Secretary.

3-7-04

778

KNOW ALL MEN BY THESE PRESENTS:

That the County of Maricopa, Territory of Arizona, a body politic and corporate, for and in consideration of the sum of one dollar to it paid by Ethan A. Hitchcock, Secretary of the Interior, and other valuable considerations accruing to the people of said County in the premises, does hereby assign, remise, release and quitclaim unto the said Ethan A. Hitchcock as Secretary of the Interior of the United States, his successors and assigns, for reservoir purposes, all the right, title and interest of the said County of Maricopa in and to the following described option or agreement to sell land, and to the lands and rights embraced therein, and therein provided to be conveyed, to wit:

From William D. Tisher to George Christy, for the southeast quarter of the northeast quarter of section twenty-eight (28) and the southwest quarter of the northwest quarter of section twenty-seven (27), Township five (5) North, Range eleven (11) East, Gila and Salt River Meridian, and recorded in Book 2, page 348, Miscellaneous Records of ~~said County~~, *Arizona*.

To have and to hold together with the appurtenances unto the said Ethan A. Hitchcock, Secretary of the Interior, his successors and assigns for the use and purposes above set forth.

In witness whereof and in virtue of the authority conferred upon the ^{Board of} Water Storage Commissioners of Maricopa County, Arizona, by the act of March 20, 1901, the said County of Maricopa has caused these presents to be signed by the President of said Board, and attested by the Secretary thereof, and the corporate seal of said Board to be hereto annexed, pursuant to the resolution of said Board of date October 30, 1903, on this the *Third* day of *March* nineteen hundred and *four*

Las Goeman
President of the Board of
Water ^{Storage} Commissioners of Maricopa
County, Arizona.

Attest: *W. D. Fulwider*
Secretary.

3-7-04

-2-

TERRITORY OF ARIZONA,)
COUNTY OF MARICOPA.) ss.

LLOYD B. CHRISTY,

Before me

a Notary Public within and for Maricopa County, Arizona, on this day personally appeared Charles Goldman the President, and W. D. Fulwiler the Secretary of the Board of Water Storage Commissioners of Maricopa County, Arizona, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each voluntarily executed the same as President and Secretary, respectively, of said Board, and as its free act and deed, and for the purpose and consideration therein expressed; and the said W. D. Fulwiler, being duly sworn, on oath said that he was the Secretary of said Board, was acquainted with and was the custodian of the corporate seal thereof, and that he affixed said seal to said instrument by authority of the resolution of said Board referred to in said instrument.

Given under my hand and seal of office, this 3rd day of March nineteen hundred and four

Lloyd B. Christy
Notary Public.

My commission expires May 19-1907

Maricopa County, Ariz.

To the

Sec'y of the Interior

Dated March 3, 1904.

RECORDED
MAR 19 1904
COUNTY OF MARICOPA, ARIZONA
LLOYD B. CHRISTY, Notary Public
My commission expires May 19, 1907
Clerk of the Board of Water Storage Commissioners
W. D. Fulwiler
President
Charles Goldman

3-7-04

KNOW ALL MEN BY THESE PRESENTS:

That the County of Maricopa, Territory of Arizona, a body politic and corporate, for and in consideration of the sum of one dollar to it paid by Ethan A. Hitchcock, Secretary of the Interior, and other valuable considerations accruing to the people of said County in the premises, does hereby assign, remise, release and quitclaim unto the said Ethan A. Hitchcock as Secretary of the Interior of the United States, his successors and assigns, for reservoir purposes, all the right, title and interest of the said County of Maricopa in and to the following described option or agreement to sell land, and to the lands and rights embraced therein, and therein provided to be conveyed, to wit:

From George E. Shute and Ella Shute to George Christy for the ~~xdm~~ southwest quarter of the northwest quarter and the west half of the southwest quarter of section thirty-six (36) in Township four (4) North of Range thirteen (13) East, Gila and Salt River Meridian, in Gila County, Arizona, and recorded in book 2, page 338, Miscellaneous records of said county.

To have and to hold together with the appurtenances unto the said Ethan A. Hitchcock, Secretary of the Interior, his successors and assigns for the uses and purposes above set forth.

In witness whereof and in virtue of the authority conferred upon the Board of Water Storage Commissioners of Maricopa County, Arizona, by the act of March 20, 1901, the said County of Maricopa has caused these presents to be signed by the President of said Board, and attested by the Secretary thereof, and the corporate seal of said Board to be hereto annexed, pursuant to the resolution of said Board of date October 30, 1903, on this the *third* day of *March* nineteen hundred and *four*

Charles Goodman
President of the Board of Water
Storage Commissioners of Maricopa
County, Arizona.

Attest: *W. S. Fulbright*
Secretary.

3-7-04

-2-

TERRITORY OF ARIZONA,)
COUNTY OF MARICOPA.) ss.

Before me LLOYD B. CHRISBY,

a Notary Public within and for Maricopa County, Arizona, on this day personally appeared Charles Goldman the President, and W. D. Fulwiler the Secretary of the Board of Water Storage Commissioners of Maricopa known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each voluntarily executed the same as President and Secretary, respectively, of said board, and as its free act and deed, and for the purpose and consideration therein expressed; and the said W. D. Fulwiler, being duly sworn, on oath said that he is the Secretary of said Board and is acquainted with and has the custody of its corporate seal, and that he affixed said seal to said instrument by authority of the resolution of said Board referred to in said instrument.

Given under my hand and seal of office this third day of March, nineteen hundred and four.

Lloyd B. Chrisby
Notary Public.

My commission expires May 19, 1907.

Assignment of Opinion
Maricopa County, Ariz
1904
Seal of the Notary
Lloyd B. Chrisby Notary
Notary Public

RECORDED
MAR 10 1904
MARICOPA COUNTY ARIZONA
LLOYD B. CHRISBY
NOTARY PUBLIC
MAR 10 1904
MARICOPA COUNTY ARIZONA
LLOYD B. CHRISBY
NOTARY PUBLIC

KNOW ALL MEN BY THESE PRESENTS:

That the County of Maricopa, Territory of Arizona, a body politic and corporate, for and in consideration of the sum of one dollar to it paid by Ethan A. Hitchcock, Secretary of the Interior, and other valuable considerations accruing to the people of said County in the premises, does hereby assign, remise, release and quitclaim unto the said Ethan A. Hitchcock as Secretary of the Interior of the United States, his successors and assigns, for reservoir purposes, all the right, title and interest of the said County of Maricopa in and to the following described option or agreement to sell land, and to the lands and rights embraced therein, and therein provided to be conveyed, to wit:

From Mr. N. Hocker and Mrs. E. A. Hocker to George Christy, for the south half of the southwest quarter, the northeast quarter of the southwest quarter; and the northwest quarter of the southeast quarter, of section twenty-seven (27), Township four (4) North, Range thirteen (13) East, Gila and Salt River Meridian, in said Gila County, and recorded in Book 2, page 342, Miscellaneous Records of said County;

To have and to hold together with the appurtenances unto the said Ethan A. Hitchcock, Secretary of the Interior, his successors and assigns for the use and purposes above set forth.

In witness whereof and in virtue of the authority conferred upon the Board of Water Storage Commissioners of Maricopa County, Arizona, by the act of March 20, 1901, the said County of Maricopa has caused these presents to be signed by the President of said Board, and attested by the Secretary thereof, and the corporate seal of said Board to be hereto annexed, pursuant to the resolution of said Board of date October 30, 1903, on this the *Third* day of *March* nineteen hundred and *four*

Edas Goodman
President of the Board of Water Commissioners of Maricopa County, Arizona.

Attest: *W. D. Fulbright*
Secretary.

3-704

TERRITORY OF ARIZONA, }
COUNTY OF MARICOPA. } ss.

Before me LLOYD B. CHRISTY

a Notary Public within and for Maricopa County, Arizona, on this day personally appeared Charles Goldman the President, and W. D. Fulwiler the Secretary of the Board of Water Storage Commissioners of Maricopa County, Arizona, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each voluntarily executed the same as President and Secretary, respectively, of said Board, and as its free act and deed, and for the purpose and consideration therein expressed; and the said W. D. Fulwiler being duly sworn, on oath said that he was the Secretary of said Board, was acquainted with and was the custodian of the corporate seal thereof, and that he affixed said seal to said instrument by authority of the resolution of said Board referred to in said instrument.

Given under my hand and seal of office, this 3rd day of March nineteen hundred and four

Lloyd B. Christy
Notary Public

My commission expires May 19-1907

Maricopa County, Ariz.

To the

Secy of the Interior

Dated March 2, 1904.

RECORDED IN MARICOPA COUNTY, ARIZONA

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Page 1000

INDEXED IN MARICOPA COUNTY, ARIZONA

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INDEXED IN MARICOPA COUNTY, ARIZONA

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INDEXED IN MARICOPA COUNTY, ARIZONA

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INDEXED IN MARICOPA COUNTY, ARIZONA

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796 - Roosevelt Reservoir

796

1. The land is unreserved to the Federal Government and is reserved for
 the purpose of being sold to the public in severalty or in common.
 2. The land is unreserved to the Federal Government and is reserved for
 the purpose of being sold to the public in severalty or in common.
 3. The land is unreserved to the Federal Government and is reserved for
 the purpose of being sold to the public in severalty or in common.
 4. The land is unreserved to the Federal Government and is reserved for
 the purpose of being sold to the public in severalty or in common.
 5. The land is unreserved to the Federal Government and is reserved for
 the purpose of being sold to the public in severalty or in common.
 6. The land is unreserved to the Federal Government and is reserved for
 the purpose of being sold to the public in severalty or in common.
 7. The land is unreserved to the Federal Government and is reserved for
 the purpose of being sold to the public in severalty or in common.
 8. The land is unreserved to the Federal Government and is reserved for
 the purpose of being sold to the public in severalty or in common.
 9. The land is unreserved to the Federal Government and is reserved for
 the purpose of being sold to the public in severalty or in common.
 10. The land is unreserved to the Federal Government and is reserved for
 the purpose of being sold to the public in severalty or in common.

GODDARD OF MINNESOTA } ss.
 LEWIS & CLARK }

3-4-04

790

Territory of Arizona,
The County of Maricopa, a body
politie and corporate,

to

Ethan A. Hitchcock, Secretary of
the Interior.

ASSIGNMENT OF AGREEMENT TO
SELL LAND.
Dated March 4, 1904.

Consideration, \$1.00, &c.

Recorded March 7, 1904, in
Book 5, page _____, Records
of Deeds to R.E., Gila Co. Ari.

Consideration, \$1.00, and other valuable considerations accruing to
to the people of said County.

Assign, remise, release, and quitclaim, for reservoir purposes, all
right, title and interest in the following described option or
agreement to sell land, and the lands and rights embraced therein:

From W.F. Cline and Mrs. Sarah L. Cline to George Christy for the
west half of the northwest quarter of section 19, Township 4 North,
Range 13 East, Gila and Salt River Meridian, in Gila County, Arizona,
recorded in Book 2, page 547, Miscellaneous Records of said County.

No covenants by the President and attested by the Secretary of
the Board of Water Storage Commissioners of said County, a body
constituted in pursuance of the act of March 29, 1901, of the Ter-
ritorial Legislature, and in pursuance of a resolution of said
Board. Signed by Chas. Goldman as President, and attested by W.D.
Fulwiler as Secretary, in pursuance of a resolution of the Board
dated October 30, 1904. Corporate seal attached.

Acknowledged by said officers for the Board March 4, 1904, be-
fore Lloyd B. Christy, a notary public for Gila County, Arizona, as
the free act and deed of said Board.

W.F. Cline and Sarah L. Cline,
his wife,

to

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90 - Roosevelt Reservoir

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3-3-04

962

KNOW ALL MEN BY THESE PRESENTS:

That the County of Maricopa, Territory of Arizona, a body politic and corporate, for and in consideration of the sum of one dollar to it paid by Ethan A. Hitchcock, Secretary of the Interior, and other valuable considerations accruing to the people of said County in the premises, does hereby assign, remise, release and quitclaim unto the said Ethan A. Hitchcock as Secretary of the Interior of the United States, his successors and assigns, for reservoir purposes, all the right, title and interest of the said County of Maricopa in and to the following described option or agreement to sell land, and to the lands and rights embraced therein, and therein provided to be conveyed, to wit:

From James K. Murray and Ida L. Murray to George Christy, for lots two (2), three (3), and four (4) of section thirty-one (31), Township four (4) North, Range fourteen (14) East, Gila and Salt River Meridian, ~~and~~ recorded in Book 2, page 351, Miscellaneous Records of said County; *Arizona.*

To have and to hold together with the appurtenances unto the said Ethan A. Hitchcock, Secretary of the Interior, his successors and assigns for the uses and purposes above set forth.

In witness whereof and in virtue of the authority conferred upon the ^{Board of} Water Storage Commissioners of Maricopa County, Arizona, by the act of March 20, 1901, ~~as amended~~, the said County of Maricopa has caused these presents to be signed by the President of said Board, and attested by the Secretary thereof, and the corporate seal of said Board to be hereto annexed, pursuant to the resolution of said Board of date October 30, 1903, on this the *Third* day of *March* nineteen hundred and *four*

Clas Goodman
President of the Board of Water
Storage Commissioners of Maricopa
County, Arizona.

Attest:

W. D. Tully
Secretary.

8-3-04

TERRITORY OF ARIZONA,)
COUNTY OF MARICOPA.) ss.

Before me LLOYD B. CHRISTY,

a Notary Public within and for Maricopa County, Arizona, on this day personally appeared Charles Goldman the President, and W. D. Fulwiler the Secretary of the Board of Water Storage Commissioners of Maricopa County, Arizona, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each voluntarily executed the same as President and Secretary, respectively, of said Board, and as its free act and deed, and for the purpose and consideration therein expressed; and the said W. D. Fulwiler, being duly sworn, on oath said that he was the Secretary of said Board, was acquainted with and was the custodian of the corporate seal thereof, and that he affixed said seal to said instrument by authority of the resolution of said Board referred to in said instrument.

Given under my hand and seal of office, this 3rd day of March nineteen hundred and four

Lloyd B. Christy
Notary Public.

My commission expires May 19-1907

COMMISSION EXPIRES
Office of the Notary Public
Maricopa County, Arizona
Lloyd B. Christy
Notary Public
My Commission Expires May 19, 1907

DEPOSED HEREON 2, 1904
SEAL OF THE NOTARY
MARICOPA COUNTY, ARIZONA
ASSIGNMENT OF OBLIGATION

3-3-04

958

Maricopa County, Arizona,
to
Ethan A. Hitchcock, Secretary of the Interior.

ASSIGNMENT OF AGREEMENT TO
CELL LAND.
Dated March 3, 1904.
Consideration, \$1.00, and
other valuable consideration.
Recorded March 7, 1904, in
Book 5, page 528, Deed Records
of Gila County, Ari.

Assign, remise, release, and quitclaim, for reservoir purposes, all right, title, and interest of Maricopa County, Arizona, in the following agreements to sell land and the lands embraced therein:

(Among other) From S.S. Plunkett and Mrs. L.M. Plunkett to George Christy, for the SE¹NE⁴ and the E²SE⁴ of section 36, Township 4 North, Range 13 East, Gila County, Arizona, recorded in Bk. 2, page 336, Miscellaneous Records of said County.

No covenants; Executed by the Board of Water Storage Commissioners of said Maricopa County, under power conferred by the act of March 20, 1901, and in pursuance of a resolution of said Commission of October 30, 1903.

Signed: "Chas. Goldman, President of the Board of Water Storage Commissioners; attest, W.D. Fulwiler, Secretary". Corporate seal attached.

Acknowledged before Lloyd B. Christy, notary public for Maricopa County, by said officers as the free act and deed of said Board. Notarial seal attached.

3-3-04

963

KNOW ALL MEN BY THESE PRESENTS:

That the County of Maricopa, Territory of Arizona, a body politic and corporate, for and in consideration of the sum of one dollar to it paid by Ethan A. Hitchcock, Secretary of the Interior, and other valuable considerations accruing to the people of said County in the premises, does hereby assign, remise, release and quitclaim unto the said Ethan A. Hitchcock as Secretary of the Interior of the United States, his successors and assigns, for reservoir purposes, all the right, title and interest of the said County of Maricopa in and to the following described option or agreement to sell land, and to the lands and rights embraced therein, and therein provided to be conveyed, to wit:

From J. T. Bowman and Mrs. Louise Bowman to George Christy, for lots two (2) and three (3), and the southwest quarter of the northeast quarter of section six (6), in Township three (3) North, Range fourteen (14) East, and the southwest quarter of the southeast quarter of section thirty-one (31), in Township four (4) North, Range fourteen (14) East, Gila and Salt River Meridian, in ~~and~~ Gila County, ^{Arizona} and recorded in Book 2, page 339 of the Miscellaneous Records of said County;

To have and to hold together with the appurtenances unto the said Ethan A. Hitchcock, Secretary of the Interior, his successors and assigns for the use, and purposes above set forth.

In witness whereof and in virtue of the authority conferred upon the Board of Water Storage Commissioners of Maricopa County, Arizona, by the act of March 20, 1901, the said County of Maricopa has caused these presents to be signed by the President of said Board, and attested by the Secretary thereof, and the corporate seal of said Board to be hereto annexed, pursuant to the resolution of said Board of date October 30, 1903, on this the *third* day of *March* nineteen hundred and *four*

Asa Goldman
President of the Board of
Water ~~Storage~~ Commissioners of Maricopa
County, Arizona.

Attest: *W.D. Fullerton*
Secretary.

SALT RIVER VALLEY WATER USERS' ASSOCIATION

Sec. 6, T. 3N, R. 14E

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		963	

963 - Roosevelt Reservoir

and other valuable considerations according to the records of
 the office of the Secretary of the Interior,
 and in consideration of the sum of one
 dollar the County of Maricopa, Territory of Arizona, a body
 known and known by these presents:

P-3-04

102

3-3-04

-2-

TERRITORY OF ARIZONA,)
COUNTY OF MARICOPA.) ss.

Before me **LLOYD B. CHRISTY**,
a Notary Public within and for Maricopa County, Arizona, on this day personally appeared Charles Goldman the President, and W. D. Fulwiler the Secretary of the Board of Water Storage Commissioners of Maricopa County, Arizona, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each voluntarily executed the same as President and Secretary, respectively, of said Board, and as its free act and deed, and for the purpose and consideration therein expressed; and the said W. D. Fulwiler, being duly sworn, on oath said that he was the Secretary of said Board, was acquainted with and was the custodian of the corporate seal thereof, and that he affixed said seal to said instrument by authority of the resolution of said Board referred to in said instrument.

Given under my hand and seal of office, this 3rd day of March nineteen hundred and four

Lloyd B. Christy
Notary Public

My commission expires May 19-1907

Maricopa County, Ariz

14 11

Secy of the Interior

Deputy Maricopa 8, 1904

General Office
COUNTY OF MARICOPA

Office of Notary Public
Lloyd B. Christy

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

2-29-04

790

W. F. Cline and Sarah L. Cline, *
his wife, of Gila County, Ari., *
to *
The Secretary of the Interior. }

WARRANTY DEED.
Dated February 29, 1904.
Consideration, \$800.00.
Recorded March 2, 1904, in
Book _____, page _____, Real
Estate Deed Records for
Gila County, Arizona.

Grant, Sell, and Convey, that certain premises described as follows:-

The west half of the northwest quarter of section 19, Township 4 North, Range 13 East, Gila and Salt River Meridian, in Gila County, Arizona, containing & 74.19 acres;

Also an undivided one-sixth of that certain ditch and water right known as the Powers and Armer Ditch, taken out of the north bank of Salt River and flowing to and upon said land, location notice of which is recorded in Book 1, page 329, Miscellaneous Records of said County.

~~Warrant~~ Covenant to warrant and ~~forever~~ forever defend the premises against ~~the~~ lawful claims.

Signed as above, and acknowledged before F. M. Cooper, notary public, Gila County, Arizona, February 29, 1904.

TERRITORY OF ARIZONA,)
COUNTY OF GILA.) ss.

I, W.D.FISK, do hereby certify that I am the County Recorder for Gila County, Arizona, and have the custody of the records of deeds and of mortgages affecting real property therein, as well as the custody of the records of judgment liens, of attachments, of lis pendens and of mechanic liens of said County; and that no instrument affecting the title to the west half of the northwest quarter of section 19, in Township 4 North of -- Range 13 East, in Gila County, Arizona, has been filed for record in my office since and including February 5, 1904, date of certifying abstract of title to said property, to and including this date, except the following:

1. Assignment of agreement to sell land, from Maricopa County, Arizona, to Ethan A. Hitchcock, Secretary of the Interior, filed for record March 7, 1904, and recorded in Book 5, page _____; records of deeds of real estate;
2. Warranty deed, dated February 29, 1904, from W.F. Cline and Sarah L. Cline, his wife, to the Secretary of the Interior, filed March 2, 1904, and recorded in Book _____ page _____, records of deeds of real estate;
3. Assignment of mortgage from Bank of Globe to Harry Sultan, dated May 17, 1904, filed May 18, 1904, and recorded in book 1 page 40, records of assignments of mortgages;
4. Quitclaim deed from W.F. Cline and Sarah L. Cline, his wife, dated May 26, 1904, to the United States, filed May 27, 1904, and recorded in Book 7, page 280, records of deeds of real estate; and
5. Release of mortgage to the Bank of Globe, by Harry Sultan, dated June 2, 1904, filed June 4, 1904, and recorded in Book _____, page _____, Records of _____
Said release has also been noted on the margin of the record of the mortgage referred to therein.

All of which said instruments are more fully described in the abstract thereof in the four pages hereunto attached.

In witness whereof I have hereunto set my hand and official seal on this 4th day of June, 1904.

Recorder.

2-12-04

(COPY)

962

DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY
Livingstone, Arizona, February 12, 1904.

Mr. F. H. Newell,
Chief Engineer,
Washington, D. C.

Dear Sir:

I have the honor to certify that lots 2, 3 and 4, section 31, Township 4 North of Range 14 East, in Gila County, Arizona, and the one right in the Kenton Ditch owned by James K. Murray, will all be needed for the reservoir site and in connection with the Salt River Reservoir, Gila County, Arizona; that most of said tract of land lies within the possible high water line of said reservoir, and will at times, together with said ditch, be flooded therefrom; and that the final payment of \$2,500 to be made by the Government is a reasonable price for the said property, and that said property cannot probably be purchased for a less amount. I therefore recommend the purchase of the above property under the option given to George D. Christy and by him assigned to Maricopa County, Arizona.

Respectfully yours,

Louis C. Hill,
Engineer.

Sec. 31, T. 4N, R. 14E

962 Roosevelt Reservoir

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2-12-04

796

THIS AGREEMENT, made this 12th day of February, nineteen hundred and four, between Mrs. Elizabeth A. Hocker, of the Upper Salt River Basin, Gila County, Arizona, of the first part, and Louis G. Hill, Engineer United States Geological Survey, for and on behalf of the Secretary of the Interior, of the second part, --

WITNESSETH:

That the first party, for the considerations hereinafter set forth, does hereby demise and let unto the said second party the following described real property situated in the County of Gila, Territory of Arizona, to wit: --

The south half of the southwest quarter, the northeast quarter of the southwest quarter, and the northwest quarter of the southeast quarter of section twenty-seven (27) in Township four (4) North of Range thirteen (13) East, Gila and Salt River Meridian, containing 180 acres; also a one-half interest in the Danforth Ditch from which said lands are irrigated, reserving, however, sufficient water therefrom to irrigate the homestead claim of Herbert Hocker adjoining.

To have and to hold, with the appurtenances, for the term of two years from January 25, 1904, then to be fully ended, but subject to be determined by either party hereto, his or her heirs and assigns, at any time after three months from January 25, 1904.

In consideration whereof the said second party agrees to pay monthly as monthly rental therefor the sum of forty-seven dollars.

In further consideration of the premises it is further mutually understood and agreed that the time of final payment under the option or contract of sale by said first party and her husband with George D. Christy shall be extended for three months, payment to be made, if the property is accepted by the Government, in due course through the Treasury Department, but within said three months; the said first party and her husband Nicholas Hocker to first execute a good and sufficient deed to said property and to all their interest, being one-half interest, in and to the said Danforth Ditch, to the Secretary of the Interior, and allow the same to be recorded.

It is further understood and agreed that the second party may sublet the above premises for two years with provisions for

2-12-04

renewal for a like period, with the approval of the first party, and that the sooner determination of this ~~lease~~ agreement shall not affect said lease, but in case of such sooner determination, without purchase by the Government, the second party shall be entitled to receive or retain only such proportion of the then current year's rental as the time this agreement has run in said year shall bear to the whole year.

It is further provided that if within the three months extension of the option aforesaid and after which this agreement may be terminated at the pleasure of either party, the Government shall purchase the property as aforesaid, then this agreement shall be terminated and the obligation to pay rent thereunder shall cease only upon receipt by the first party of payment in full for said property.

Witness our hands in duplicate on this the day and year first herein above written.

WITNESS; to signature of }
Mrs Elizabeth A. Hockett }
Patti Yates Peery. }
Witness to both; }
E. H. Peery. }

Elizabeth A. Hockett

Louis C. Peery

Engineer U. S. Geological Survey.

UNITED STATES GEOLOGICAL SURVEY
DEPARTMENT OF THE INTERIOR
WASHINGTON, D. C.

2-12-04

792

DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY

Livingstone, Arizona,
February 8, 1904.

12

Chief Engineer,
U.S. Geological Survey,
Washington, D.C.

Dear Sir:

I herewith transmit abstract of title of the west half of the southeast quarter of section twenty, Township 4 North, Range 13 East, in Gila County, Arizona, certified to by the Gila County Abstract Company under date of October 23, 1903. The tract comes within and will be needed for the site of the Salt River Reservoir.

This land was patented November 9, 1891, to Robert H. Schell, who June 19, 1893, sold by warranty deed to O. N. Cresswell and J. H. Thompson. The latter January 2, 1895, sold by warranty deed to W. T. Lewis, and George Boyd, who, on the 23rd of the same month, sold by warranty deed to Lucy Boyd, wife of said George Boyd. Mrs. Boyd on June 6, 1896, for consideration of love and affection, deeded said land to their son Elmer Boyd, then and now a minor.

I supposed that the abstract showed title in Elmer Boyd, with whom no legal agreement for the sale of the land could be made without the appointment of a guardian and an order of the probate court, and as both the minor and his parents resided in California, it seemed that the safer and easier plan was to institute condemnation proceedings.

A verbal understanding had been arrived at between Mr. Hill and Mr. George Boyd for the purchase of the property for \$700.00, but no written agreement was made upon the theory that Boyd was without

authority to enter into one. Mr. Boyd was teaming between this place and Globe until recently, but has now left the country and presumably has returned to his family in California whose address is New Hope, San Joaquin County in said State.

In passing upon the title of Mrs. Mary A. Fuss, Assistant Attorney General Frank L. Campbell decided that in Arizona a deed from husband to wife was void and conveyed no title. The effect then of the deed from W. T. Lewis and George Boyd, according to this rule, was simply to convey to Mrs. Boyd whatever interest Lewis had in the property without transferring any interest of said Boyd. The interest which she thus acquired would become community property and she would hold it as such. There is no question but that she was unable ^{to convey} any interest in the community property to her son Elmer by her sole deed. It follows, therefore, that Boyd and his wife still hold the legal title in common as community property free from any claim of the son Elmer, and that a valid contract of sale may be entered into with them to convey a good title.

It will be noted that there are some incumbrances to be cleared up before purchase. The case is submitted for instructions as to whether a contract of purchase should be entered into with Boyd and wife, or for recommendation for proceedings of condemnation, as you may deem best. I have submitted the question of whether a husband may in this Territory make a valid deed to his wife to several attorneys here, and they incline to the opinion that such deed is valid. In view of the doubt I should recommend that condemnation proceedings be instituted bringing in all parties.

Very respectfully yours,

E. H. Perry.
Law Clerk.

Quit-Claim Deed.

This Indenture, Made the 30th day of January,

in the year of our Lord One Thousand Nine Hundred and four between

John H. Baker, Sr., a widower, and Preston Armer, a bachelor, both of

the County of Gila, Territory of Arizona, -----

the parties of the first part, and Henry Armer, of the same place, -----

a -----

----- the party of the second part,

Witnesseth: That the said parties of the first part, for and in consideration of the sum of ----- ONE ----- DOLLARs

lawful money ----- of the United States of America, to them in hand

paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowl-

edged, have remised, released and quit-claimed, and by these presents do ----- convey, remise,

release and quit-claim unto the said parties of the second part, and to his ----- heirs and

assigns forever, all the right, title, interest, claim and demand which the said parties of the first

part has in and to the following described real estate and property situated in the County of

----- Gila -----, and Territory of Arizona, to-wit:

The east half of the northwest quarter, the southwest quarter of

the northeast quarter, and the northwest quarter of the southeast

quarter of section nineteen (19) in Township four (4) North of -----

Range thirteen East (13), Gila and Salt River Meridian, containing

160 acres, being the same property embraced in option or contract

of sale with George Christy dated July 21, 1903.

To Have and to Hold the same, together with all and singular, the appurtenances and

privileges thereunto belonging, or in anywise appertaining, and all the estate, right, title, inter-

est and claim whatsoever, of the said parties of the first part, either in law or equity, in

possession or expectancy, to the only proper use, benefit and behoof of the said parties of the

second part, his ----- heirs and assigns forever.

In Witness Whereof, the said parties of the first part have hereunto set OUR

hands ~~and seals~~ the day and year first above written.

Signed and Delivered in the presence of

J. M. Cooper

John H. Baker [SEAL]
Preston Armer [SEAL]

[SEAL]

[SEAL]

County of GILA } ss.

J. M. Cooper

Before me, a Notary Public
in and for the County of Gila, Territory of Arizona, on this day personally appeared
John H. Baker, Sr., a widower, and Preston Armer, a bachelor,
known to me to be the persons whose names subscribed to the foregoing instrument, and acknowledged to me
that executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office, this 30th day
of January A. D. 1904

J. M. Cooper
Notary Public.

(My Commission expires Jan. 23, 1905)

TERRITORY OF ARIZONA,

County of } ss.

Before me, a Notary Public
in and for the County of Territory of Arizona, on this day personally appeared
..... wife of said
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
..... acknowledged such instrument to be her act and
deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that
she did not wish to retract it.

Given under my hand and seal of office, this day
of A. D. 190...

Notary Public.

(My Commission expires)

Quit-Claim Deed.

SHORT FORM.

No.

FROM

John H. Baker, Sr., and Preston

Armer,

TO

Henry Armer.

Dated 190...

Filed and recorded at request of

J. A. O'Leary
February 5th A. D. 1904

at 9²⁰ O'clock A. M.

Book 7 Quit-Claim Deeds

Pages 248-249

County Recorder

Deputy Recorder

By

THE N. N. BEVEL CO., PRINTERS, PHOENIX, ARIZONA.

Completed

TERRITORY OF ARIZONA
County of GILA } ss.

I, W. D. Fisk, County Recorder in and for the County and

Territory aforesaid, do hereby certify that the within instrument was filed for record at 9²⁰ o'clock, A. M.,

on this 5th day of February, 1904, and duly recorded in Book No. 7

of Deeds to Real Estate records of Gila County, Arizona, at pages 248

WITNESS my hand and official seal the day and year first above written.

County Recorder

W. D. Fisk

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THIS AGREEMENT made this _____ day of February, nineteen hundred and four, between John W. Lee and N. Ellen Lee, his wife, and William R. E. Lee, ~~xxxxxx~~ a bachelor, all of near Livingstone, Gila County, Arizona, of the first part, and Louis C. Hill, Engineer United States Geological Survey, for and on behalf of the Secretary of the Interior, of the second part,

WITNESSETH:

That the first parties, for the consideration of one dollar to them in hand paid by the second party, the receipt of which is hereby acknowledged, and of other valuable considerations to be derived from the construction of the works hereinafter mentioned by the second party, do hereby give and grant unto said second party, his heirs and assigns, the right to construct and maintain a power canal for the Reclamation Service of the United States Geological Survey, upon the following described real property situated in Gila County, Arizona, to wit:-

The south half of the southwest quarter of section five (5), the northeast quarter of the northeast quarter of section seven (7), and the northwest quarter of the northwest quarter of section eight (8), in Township three (3) North of Range fourteen (14) East, Gila and Salt River Meridian.

Together with permission to use a right of way over and across said premises for forty (40) feet on each side of the center line of said canal.

It is understood and agreed that said canal is to be constructed as now located and staked out ~~and as shown by a map herunto attached~~, and be constructed by the proper agents, contractors, and employes of the second party, his heirs or assigns.

It is further understood and agreed that in case it becomes necessary to injure or destroy any portion of the ditch or ~~or~~ canal of the first parties used in irrigating said premises, the same shall be restored to as good condition as it was before, or instead thereof the said second party shall provide for the taking out of sufficient water needed for irrigating said above described ranch of the first parties, the latter to use pump in raising it if he so desires, the second party to put in and maintain the headgates necessary therefor at such place or places as the Engineers in charge of the work may select, and shall construct a ditch to a connection with the ditch of the said first parties.

It is further agreed, in view of the difficulty of ascertaining in advance what damages, if any, will be sustained by the said first parties in the construction of said power canal, to postpone the ascertainment of the same until after the construction of said canal through said premises, which shall not exceed a period of one year after commencing work on said premises, and in case the parties hereto cannot then agree on the amount, the Secretary of the Interior may then proceed to assess and ascertain the same in the manner provided by law, said damages, if any, to be applied in obtaining a release of any mortgage or other incumbrance on said premises as against any claims of the United States, by being applied in payment thereof, unless the first parties shall procure such release.

Upon the ascertainment and adjustment of said damages, the first parties agree to execute and deliver for record a good

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and sufficient deed to a right of way across said premises as above defined, which deed shall thereupon be transmitted to Washington, D. C., for payment of damages as herein provided in due course through the Treasury Department.

In witness whereof the parties hereto have hereunto and to a duplicate thereof, set their hands and on this the day and year first herein above written.

[Handwritten signatures and names]
N. C. Lee
Mark H.

Engineer United States Geological Survey.

TERRITORY OF ARIZONA,)
COUNTY OF GILA.) ss.

Before me, F. M. Cooper, a Notary Public in and for the County of Gila, Territory of Arizona, on this day personally appeared John W. Lee and Lee, his wife, 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 purposes and consideration therein expressed.

Given under my hand and seal of office, this _____ day of February, 1904.

Notary Public.

(My commission expires January 23, 1905.)

TERRITORY OF ARIZONA,)
COUNTY OF GILA.) ss.

Before me, F. M. Cooper, a Notary Public in and for the County of Gila, Territory of Arizona, on this day personally appeared John W. Lee and N. Ellen Lee, his wife, and William R. E. Lee, a bachelor, 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 purposes and consideration therein expressed.

Given under my hand and seal of office, this _____ day of February, 1904.

Notary Public.

(My commission expires January 23, 1905.)

1-29-04

THIS AGREEMENT, made and entered into by and between George W.P. Hunt, ~~unmarried~~ of the County of Gila, Territory of Arizona, of the first part, and L.G. Hill, Engineer U.S. Geological Survey, for and on behalf of the United States, being thereunto duly authorized by the Secretary of the Interior, of the second part, WITNESSETH:

That the part $\frac{1}{2}$ of the first part, for and in consideration of the sum of six thousand five hundred dollars, to be paid as hereinafter stated, has agreed, and does hereby agree, to sell, and by good and sufficient deed of conveyance to convey, unto the said The United States, those certain parcels of real estate situate in the County of Gila, Territory of Arizona, described as follows, to wit:

The south half of the southeast quarter of section twenty-nine (29), and the north half of the northeast quarter of section thirty-two (32), in Township four (4) North of Range thirteen (13) East, Gila and Salt River Meridian, containing 160 acres; also -

The south half of the southeast quarter of section twenty-eight, excepting a strip one hundred and sixty-five feet wide off the south end of the southwest quarter of said southeast quarter containing five (5) acres, and the northeast quarter of the northeast quarter of section thirty-three (33), in said township and range, containing 115 acres to be conveyed; in all 275 acres.

That the party of the second part shall cause to be paid to the party of the first part said sum of six thousand five hundred ^{twenty five} dollars, at any time prior to November 1, 1904, that the proper United States officers shall become satisfied with the title to said property, and the money can in due course be transmitted from the United States Treasury, upon the execution and delivery by said part $\frac{1}{2}$ of the first part of a good and sufficient deed of conveyance which shall transfer the title of said property to the United States in fee simple and unincumbered, payment to be made at the ~~First National~~ Bank of Globe, in Globe, Arizona. *Harris & Merchant*

That in consideration of the premises the said part $\frac{1}{2}$ of the first part further agrees to sell, and without further consideration to quitclaim and convey by proper deed, all ~~his~~ right, title, and interest in and to all water rights used in connection with said described lands, now owned or claimed by ~~him~~ or hereafter acquired, and particularly in and to those water rights, easements, and ditches described as $\frac{3}{16}$ interest in the ditch known as the Danforth Ditch, a $\frac{3}{8}$ interest in the Robertson-Hooper Ditch (the same being a continuation of the Danforth Ditch) to where the County Road crosses the ditch on the bridge, and a one-half ($\frac{1}{2}$) interest in the "Back" or "Overfall" Ditch, said deed to be delivered at the same time as the deed to the land.

It is further understood and agreed that the proper officers of the United States, their agents and employes, may at all times during the continuance of this agreement, have free ingress and egress in, over, and upon said lands, at all reasonable times and places so as to do the least injury thereto, for the construction of irrigation works under authority of the United States.

373-2

OVER

It is further understood and agreed that if upon investigation it is found that there are incumbrances against said lands, or any part thereof, the party of the second part may, in his discretion, pay off the same, deducting the amount necessary therefor from the purchase price herein, to the end that the United States may acquire a clear and unincumbered title, but nothing herein contained shall be construed as authority for the party of the second part to incumber said premises, or as an assumption by the United States of any such incumbrance.

It is further understood and agreed that the party of the first part may remain in possession of the above described premises and may retain the rents, issues, and profits thereof, until November 1, 1904, notwithstanding that the same may have sooner been conveyed to the United States in accordance with this agreement.

This agreement shall be in force and become effective only from its approval by the Secretary of the Interior.

In Witness Whereof, the parties to this agreement have hereunto set their hands and seals in duplicate, on this the *ninth* day of December, nineteen hundred and three.

Witnesses:
AS Hammous

Geo. W. P. Hunt *(Seal)*

Louis C. Hill *(Seal)*

(Seal)

Approved this _____ day of _____ 190 .

Secretary of the Interior,

Territory of Arizona,)
County of Gila.) ss.

Before me *J. H. Parwe* a Notary Public in and for *Gila* County, Arizona, on this day personally appeared *George W. P. Hunt*, 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. *Witness my hand and Official Seal this 7 day of Dec 1903*

My Comm. expires March 3rd 1905
J. H. Parwe
Notary Public.

AGREEMENT OF SALE.

George W. P. Hunt,
to
The United States.

Dated, December 7, 1903.

TERRITORY OF ARIZONA,
County of Gila,

I, W. D. FISK, County Recorder
in and for said Gila County, do
hereby Certify, that the within in-
strument of writing was filed at
the request of _____
on the _____ day of _____
A. D. 1904 at _____ minutes past _____
o'clock _____, and duly recorded at
Page _____ Book _____, Records
Miscellaneous
Gila County, Arizona Territory.
W. D. Fisk
County Recorder

373-2

1-23-04

952

4-140.

Final Receiver's Receipt No. 1333

Application No. 2739

HOMESTEAD.

Duplicate

Receiver's Office, Pucson, Arizona,

January 20, 1904.

Received of Andrew J. Henderson, the sum
of Six dollars _____ cents,

being the balance of payment required by law for the entry of South
half South east quarter,

of Section 35 in Township 4 North, of Range 13 East,
containing Eighty acres, under Section 2291 of the
Revised Statutes of the United States.

~~5600~~

Julius A. Bauman
Receiver.

\$ 3.00 Testimony fee received. Number of written words, 1335

Rate per 100 words 22 1/2 cents.

Henderson
Receipt

HERBERT J. W. LITTLE, JR.
County Clerk

I, W. D. [unclear] Recorder
found for [unclear] Currier, do
know [unclear] and the within in-
formation of [unclear] was filed at

the [unclear] of

1100 day of January
1894 at Houston Texas page 6

Book 11, and duly recorded at
129367, Book 2, Records

MacLennan

Off. County, Arizona Territory

W. Seal
County Recorder.

Witness