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INDIAN OFFICE
Washington, D. C.

February 13, 1913.

The Commissioner of Indian Affairs,
Washington, D. C.

Sir:

With reference to Department memorandum of February 19, relative to the value of the rights proposed to be conveyed by me to the United States in exchange for storage water right for use on 160 acres of land, I beg to say that the proof of the water right exists only in the fact that it has been used. The first use of this water was made during 1904, and it has been used each irrigation season since that time up until 1909. Affidavits as to this use could be procured from several persons, but such affidavits have not been filed with the county recording officers. The quantity of water used has been sufficient for the irrigation of 160 acres of land, but no accurate measuring devices were ever installed. It is probable that the amount of water used has approximated $2\frac{1}{2}$ acre-feet for each acre of land, giving a total diversion of 400 acre-feet, which corresponds to the water right proposed to be furnished me in the Government system.

I have spent several thousand dollars in constructing this ditch and the works to protect it from side washes, and estimate that approximately \$6,000 has been expended for construction alone on that part of the ditch which is to be used

in the Government system. It appears from Mr. Robinson's estimate that it will require \$1864 to put this part of the ditch in good condition, which would indicate that its value now is \$41⁵⁴5.

Very respectfully,

J. L. Hubbell

MMcC