LIEU SELECTION
No. 5460.

Act June 4, 1897. (30 Stat. 36.)

State of Oregon
Black Butte Land
and Live Stock Company
by Alex. Thomson, Secretary
selects
Patent No. 5460
6-21-02

Sec. 29, T. 11S, R. 11E

Sec. 33, T. 13S, R. 12E

The Dalles, land district

80 "Approved List No. 173"

Div. R. in lieu of

No. SW 41

Sec. 27, T. 12S, R. 9E

80 The Dalles, land district

Cascade Range, Forest Reserve

App'd by Commr. Mech. 30 1904

App'd for patent Mech. 30 1904 Vol K

Patented May 4, 1904

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22, 165.
UNITED STATES LAND OFFICE,

THE DALLES, OREGON.

March 11, 1904.

Register transmits papers required

in L. S. No. 5460,
of Black Butte L. & L. Co.

involving the SW¼ SW¼ Sec. 29, T.11 S., R.11 E.W.M. &
NW¼ NE¼ of Sec. 33,

T.13 S., R. 12 E.W.M.

Reference is had to letter "R" of W.L.K.

January 23, 1904.
DEPARTMENT OF THE INTERIOR,
UNITED STATES LAND OFFICE,

The Dallas, Oregon, March 11, 1904.

Hon. Commissioner,
General Land Office,
Washington, D. C.

Sir:—

We have the honor to transmit herewith the affidavit of the Secretary of the Company, and the certificate of the County Clerk of the county in which the land is situated, as required by your office letter "R" of January 23, 1904, in Lieu Selection No. 5460, made by the Black Butte Land and Livestock Company in this office June 21, 1902, for the SW½ SW¼, Sec. 29, T.11 S., R.11 E.W.M. & NW¼ NE¼, Sec. 33, T.13 S., R.12 E.W.M.

Very respectfully,

Michael J. Nolan
Register.
Application for
Cascades Mts.
Forest Reserve
Lien Land
Black Route Land
and Livestock
Selection No. 5460

U.S. Land Office,
The Dalles, Oregon

Non Mineral affidavit by Secretary of
Company. Clearances
Certificate of County
Clerk.

Mar 10, 1904
State of Oregon

County of Crook

I, Alex. Thomson, being first duly sworn say that I am the Secretary of Black Butte Land and Livestock Company, whose principal office is Prineville, Oregon. That on June 3, 1892, the said company relinquished and conveyed to the United States the North half of the Southwest quarter of Section Twenty Seven in Township Twelve South, of Range Nine East of Willamette Meridian in Crook County, Oregon, Cascade Mountain Forest Reserve, containing 80 acres, and on June 21st, 1892, it selected in lieu thereof the Southwest quarter of the Southwest quarter of Section Twenty Nine, Township Eleven South, Range Eleven East, and the Northwest quarter of the Northeast quarter of Section Thirty Three in Township Thirteen South, of Range Twelve East, containing 80 acres, which selection was numbered 5460.

This affiant further states upon oath that this land is not in a mineral township, that there is no mineral in either of the townships in which this land is located, and that there is no mining claim within six miles of the said land. That I make this statement from my own personal knowledge of said townships and the surrounding country.

Subscribed and sworn to before me this 7th day of March, 1894.

M. R. Elliott
Notary Public for Oregon.
Register and Receiver,
The Dalles, Oregon.

Sirs:

By deed executed and recorded June 3, 1903, The Black Butte Land and Livestock Company relinquished and conveyed to the United States the NW $\frac{1}{4}$ Sec. 27, T. 13 S., R. 9 E., W.M., Cascade Range Forest Reserve, Cowlitz County, Oregon, containing 80 acres, and on June 21, 1903, it selected in lieu thereof, under the provisions of the Act of June 4, 1907 (30 Stat., 36), the SW $\frac{1}{4}$ Sec. 29, T. 11 S., R. 11 E., and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33, T. 13 S., R. 12 E., W.M., in your district, containing 80 acres, Selection No. 5460.

No showing has been made that the land selected is not in a mineral township nor within six miles of a mining claim, and the selector is therefore required to file the necessary affidavit or to publish and post notice of his selection in accordance with the provisions of Secs. 23, 24 and 35 of the circular of July 7, 1903 (31 L.D., 373).
The evidence submitted as to the land relinquished is also defective for want of a certificate from the County Clerk of said county, showing that all taxes levied or assessed against the land or that could operate as a lien thereon have been fully paid, and that there are no unredeemed tax sales and no tax deeds outstanding, as shown by the records of his office.

Notify the selector that it will be allowed sixty days from service of notice hereof in which to comply with these requirements, or appeal herefrom, and that if it fails to take such action within that time its said selection will be rejected without further notice.

In due time transmit your report of all action taken hereunder, accompanied by evidence of service of notice.

Very respectfully,

Acting Commissioner.
Reg. transmits
application
for in Block B, Sec. 53, Tp. 12 S., R. 12 E.,
Reference is had to letter of
Ack. June 26, 1902
DEPARTMENT OF THE INTERIOR,
UNITED STATES LAND OFFICE,

The Dalles, Oregon, June 21, 1902.

Hon. Commissioner,
General Land Office,
Washington, D.C.

Sir:—

I have the honor to transmit the application of the Black Butte Land and Live Stock Co., by Alex Thompsten, Secretary, for the SW¼SW¼ Sec. 29, T. 11 S., R. 11 E., and the NW¼NE¼ Sec. 33, T. 13 S., R. 12 E., in lieu of the NE¼SW¼ Sec. 27, T. 12 S., R. 9 E., under act of June 4, 1897.

Also the required affidavits, abstract of title, with the required certificates of tax collector and county clerk, also the deed from the company to the United States Government.

Very respectfully,

[Signature]

Register.