F. W. BRADLEY, PRESIDENT. FREDERICK BURBIDGE, MANAGER. ALBERT BURCH, SUPERINTENDENT.

Bunker Hill & Sullivan Mining & Concentrating Company.

MINES AND WORKS AT WARDNER, IDAHO.

REED TUNNEL WATER. POSTOFFICE ADDRESS. KELLOGG, IDAHO, Oct.8th,1899.

F. W. Bradley, Esq.,President,

Chihuahua, Mex.

Dear Sir,-

On the 5th inst. W.Clayton Miller wrote me as follows:

"I find that for the last few weeks you have been running a wheel in your machine shop, and taking in this and other ways, about one-half of the total flow of Milo Creek, and wasting the same below the head of our power flume.

Is this intentional or an oversight? Our flume has not sufficient water to run one-third full and with very little speed. Please advise me regarding this at once".

To this I replied as follows:

"We are not using the water of Milo Creek on any wheel in our machine shop, nor in any way interfering with the flow of water to which you are entitled.

The water we are using in our shop is from our mine workings, and its use does not conflict with any rights of your company."

Following this, Heyburn wired to Lindley as will be seen from the carbon copy of letter enclosed. I am writing to McBride to get his opinion on the question as to whether the Last Chance location gave them the right to the flow of water created and to be created subsequent to their location. If it did, we should yield as gracefully as may be, but if it did not, we shall probably have to prepare to defend a suit.

They seem to be bent on harassing us at every possible point,

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and I think it would be well for us to retaliate by bringing suit to compel them to keep their tailings out of Milo Creek. By putting the tailings in the Creek, they so obstruct the flow as to cause us to lose the use of our Cheyne water right for one half the time, and we are obliged to keep a man to attend to the dam at anexpense of $3 a day. We have a good claim against them in this matter, and as the ranchers on the river have already brought suit, we need not consider the effect on them of a suit brought by ourselves.

Yours truly,

Fred'n. Burbidge