

Bunker Hill & Sullivan Mining & Concentrating Company.

MINES AND WORKS AT WARDNER, IDAHO.

POSTOFFICE ADDRESS, KELLOGG, IDAHO,

July 9th, 1899.

F. W. Bradley, Esq.,

San Francisco, California.

Dear Sir,-

I wired you on 3rd inst. that Jacquot demanded \$10,000 for his remaining interests on Government Gulch, comprising two 40 acre tracts, with the timber thereon, and the right to cut timber from the 120 acres sold to the Empire State Company, and also the water right. Although I note from Judge Lindley's letter of the 27th that this water right must have passed to the Empire State Co. as an appurtenance with the land. McBride does not agree with this, and writes as follows: "A conveyance of his homestead would not take the water right unless it was included in the deed. It would not pass by any general words such as appurtenances". Another point, which perhaps makes in Jacquot's favor in this respect, is that the water was also used on the eastern forty acre tract, which he has not sold. I saw Jacquot yesterday, and told him that we could do nothing with him because his price was too high, and also gave him to understand that our attorneys consider that he had now no water right; also that McBride considered that his notice of location of water right was deficient. Jacquot is not going away for a month or so, and he will probably be here when you return, and by that time may perhaps have modified his price.

As I intimated in my telegram, I do not think the grade line which we are running from Government Gulch touches Jacquot's eastern forty, and it is just possible that it may not touch any of the land just acquired by the Empire State Co. If it does, it crosses only one corner. I expected to have all this data complete by this time, but Dave Porter

F.W.B.#2.

fell and sprained his wrist, and the work was delayed in consequence.

In talking with Larry O'Neil a few days ago, he told me that he had two locations, which are crossed by the line of the new Empire State tunnel. I have obtained copies of the location notices, and think that only one of the claims is crossed by the tunnel line. It is called the Alferd, and was located July 1st, 1898.

It is possible that some fighting ground could be obtained here which would throw the same stumbling block in Sweeny's path that he has placed in ours.

Yours truly,

Fred. Burbidge