

HF18

Willburn, Georgia Ann

HF18 Map 7: T4S, R8E, S 21 and S 28. **Hard copy file is missing.**

Plotting this tract on the Base Map was problematic due to the inaccuracy of original GLO survey. It is plotted on the Base Map just to the east of a tract owned by George White that probably included Climbing Spring. It is likely that White had already claimed this spring as part of his effort to control all of the water sources in this region (see Keter 1994a). Since the entry was rejected by the FS this tract is plotted on the Base Map with dashed lines.

Georgia Ann Willburn was the wife of Sidney W. Willburn—his father was James S. Willburn (Sr.) see B05 for a biography of the Willburn family. See also HA01 and HA03,

Georgia Ann Willburn applied for this tract of land under the NFHA in the spring of 1909. TNF MRRD deputy ranger John Gray noted in the *Report on Homestead Agricultural Applications* dated March 12 & 13 1909 that: "The applicant is a married lady wife of W.S. Willburn of Caution Calif.—and lives with his family in adjoining ... [illegible]." See the appendix at the end of this entry for a copy of the original application. The "adjoining property" is the Red Mountain House.—it was actually about one mile to the east. For information on William and Georgia Ann Willburn living there see entry HF01.

There were no improvements on this tract when the application was filed. It is plotted on the Base Map with a dashed line indicating that it was never approved. This entry was one of several in this area filed on adjoining or nearby tracts of land by local homesteaders in an effort to "block up" or add some additional property to their homestead since 160 acres was far too small property to make a successful living on, given the marginal agricultural potential of the land in this area.

The Ranger, in his report (see Appendix below), recommended that: "Since 65 acres of the tract applied for is valuable in its timber and the remaining [illegible] is suited for grazing purposes only. I recommend that the land not be list[ed]."

In response to this report Willburn sent a letter to the Forest Service (see Appendix below) indicating that she had actually intended to file under provisions of the Indian Allotment Act:

...under the Act of Congress approved Feb 8, 1887 (stat. 24. p. 338) as amended by Act of Feb 28, 1891) but instead of putting this on the blank [form] we forgot and never marked out the Act of June 11—1906 as we should have done.

This was prior to passage of the NFIA of 1910. Therefore, this tract could not be approved under either the NFHA of 1906 or the earlier Indian Allotment Act. A letter to Willburn (see Appendix below) indicated that:

Since Indian allotment laws do not apply to National Forests...it will be impossible for you to secure this land as an Indian allotment...

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There is at present a plan on foot which provides for the issuance of long-term leases to Indians who desire lands within National Forest for agricultural and grazing purposes...IN the meantime...upon request [the Forest Service] will grant you a free special-use permit for all of a portion of the land for which you have applied.

It is not clear if the Willburns ever secured a special-use permit for this tract of land, but it remained part of the TNF. A copy of the homestead entry application, as well as a handwritten letter and other related documents are included in the Appendix

Appendix HF18

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

REPORT ON AGRICULTURAL HOMESTEAD APPLICATIONS.

Application No. 91, Trinity National Forest.

Land District Eureka, March 12th 1913 - 09
(Date of examination.)

1. Name and address of applicant Mrs Georgia A Willburn
(The county should always be given.)
Trinity Co California

2. Settlement Applicant does not live on the land.
(Is applicant living on land? Give date of settlement.)

3. Location Sec 21 NW 4 NE 4
(Lease) subdivision, or by metes and bounds. Relation to highways, rivers, railroads, etc. Proximity and importance of towns, settlements, etc.)
Sec 28, Twp 4S, R. 8E, 11N
A country settlement 7 or 8 families reside in the Twp.
Covers Mendocino Co. nearest town of importance
2.8 miles distance by trail
Caution Post Office 1 1/4 miles distance
Nearest wagon road on Mad River 8 miles distance
Nearest Railroad point at Carlotta 7 1/2 miles distance
The north fork of Eel River the only important stream
1 3/4 miles distance

4. Area Applied for 143.46 acres No land recommended as
agricultural
(Applied for, and recommended.)

5. Topography *This land is situated in road front along the Summit E. Side of*
(Topography of tract applied for, and relation to surrounding territory. Topography should be considered particularly in its bearing on agricultural possibilities, altitude, slope, aspect, etc.)

Slope of a high ridge north of Red Mt. creek at an altitude of from 2800 to 3300 above sea level. Most of the land is steep, only a few acres could ever be farmed with profit, although it contains some fair grazing land. From the high portions of the tract a good view is obtained, looking North, South, East or West.

6. Formation *General character of the soil on the open glassy area, a heavy*
(Nature and extent of soil, rock, etc., paying particular attention to their influence on agricultural possibilities. Presence of water for irrigation and domestic use. Possibilities for developing water.)

brown soil many large rocks found scattered over this area probably small patches, embracing 12 or 15 acres could be cultivated. Over the timbered portions the soil is of a rocky & gravelly nature, no portion being suited to cultivation.

Two small springs on the tract afford water for domestic use but none available for irrigation. No possible chance to develop water for irrigating purposes.

7. Climate *Moderate*
(Precipitation, temperature, occurrence of killing frosts.)

*Highest Summer Heat 105° F.H.
 Killing frosts occur about Oct. 20
 Average precipitation 70 inches*

8. Cover *65 acres of the tract applied for is covered by Red Fir & Yellow Pine*
(Nature and extent of cover, with estimate of amount and value. Accessibility and distance to market. Is cover needed for protective or feeding purposes?)

*timber that will average 4000 ft. B.M. per acre. This same area shows a heavy reproduction of both Fir & Yellow Pine. - 60 acres of the tract is grassland - very good pasture land. The remaining portion is covered with scattered Black Oak and White Oak timber that also affords good pasture. Red Fir and Yellow Pine occurring over the entire tract would probably be 300,000 ft. and would be worth \$600,000 - no market for lumber near, no transportation facilities at present.
 Cover on the timbered portions is needed.*

9. Claims *No conflicting claims known to exist. No improvements of any*
(Conflicting claims to land or existing improvements—by whom and on what grounds. Examiner is not to pass upon claims—merely to furnish all

kind on the land. The land in the tract has been used for grazing purposes
available information. Use in the past, and by what means. Existence of mining claims. Give any information available affecting qualifications of applicant to make a
by stockmen & settlers in this locality. The applicant is a married lady
homestead entry. Show what improvements have been made, and their present state of repair.)

wife of W.S. Millburn of Canton, Calif. and lives with her family, in adjoining
sec. 19, T.26 N., R.12 W., N.D.N.

10. Economic possibilities *The Applicant states that she desires that the land be allotted*
(Reason for application, and opinion as to success of applicants' plans. State fully agricultural possibilities. Value, if any.

her under the Indian Allotment Law. - She being a half blood of the Hopi tribe
to Forest Service for Rangers' Quarters or other administrative purposes. If withdrawal of tract for administrative use is desired, submit separate report on Form 271.

Indian tribe of land. & desires the to be used for grazing purposes
Distance and market price per acre of near-by farms. Transportation facilities.)

The land is of little value for agricultural purposes, however the open glade land
is of fair quality as grazing land.

Land of a similar character is worth from \$250 to \$300 per acre;

Small market for horses grown, due transportation facilities at base

The land is not needed for administrative purposes.

11. Recommendations *Desires 65 acres of the tract applied*
(Specific recommendation for or against listing of land, with summary of reasons for recommendation.)

for is valuable for its timber, and the remaining portions
is suited for grazing purposes only.

I recommend that the land be not list.

12. Photographs (Give numbers of negatives which go with this report. Photographs should be made in each case where unfavorable action is recommended.)

13. Personal (Has applicant agreed to the findings of the examiner?)

*3/27/09
J.M.M.*

J.D. Gray
(Signature of examining officer.)

Deputy Forest Ranger
(Title.)

Approved _____, 190 .

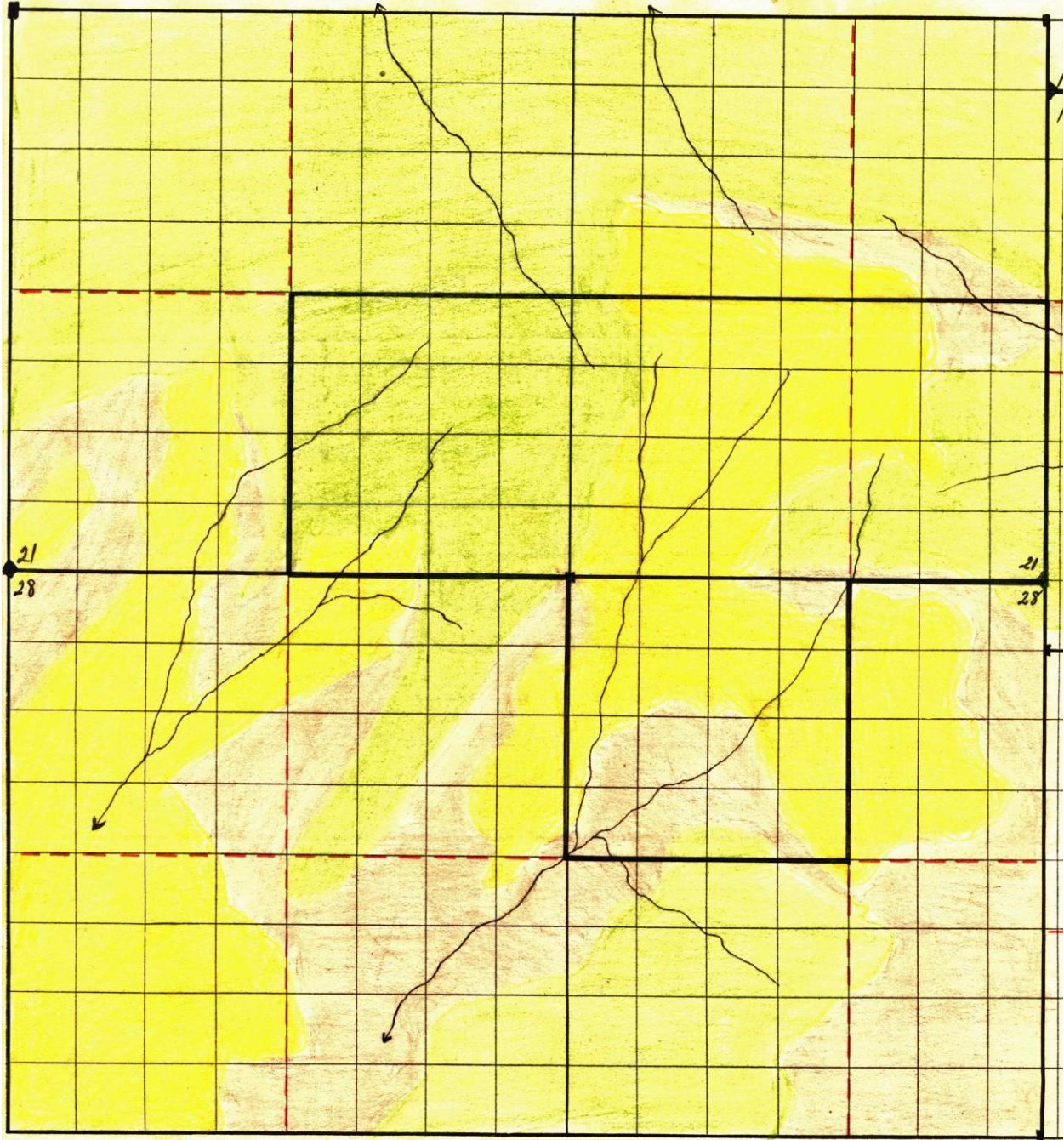
Approved _____, 190 .

(In charge, Examinations.)

Chief, Office of Lands.

MAP SHEET.

Tp. *H* S. R. *SE* H. M. Sections *21 & 28*, Quarter _____ Scale: *8* inches = 1 mile.



Sketch map, in colored pencil, of the area applied for on a scale of 8 inches to the mile, showing topography, cover, roads, trails, agricultural land, and improvements. A small amount of the surrounding country should be sketched in.

Scattered Black Oak and White Oak timber, fair grazing land.
 Red Fir & yellow Pine 4000 ft. 25m per acre, with heavy reproduction
 Open park or grass land

**Copy of FS Letter to Willburn That the Indian Allotment Act is not applicable on
National Forest Lands**

July 20, 1909.

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Trinity, Settlement,
Willburn, Georgie A., 91.

Miss Georgie A. Willburn,
Caution, California.

Dear Madam:

Your letter of June 29 is received.

Since the Indian allotment laws do not apply to National Forests (with the exception of those lands covered by special proclamation, as in the case of the Hoopa Indian Reservation), it will be impossible for you to secure this land as an Indian allotment under the Act of February 8, 1887, as amended by the Act of February 28, 1891.

There is at present a plan on foot which provides for the issuance of long-term leases to Indians who desire lands within National Forests for agricultural or grazing purposes. This plan if finally approved, will provide for such leases free of charge, but the land so leased will be for the exclusive use of the lessee. In the meantime, Forest Supervisor F. H. Hafley, at Weaverville, California will, upon request, grant you a free special-use permit for all or a portion of the land for which you have applied.

Supervisor's Copy.

Miss G. A. W. -

The withdrawal of your application under the Act of June 11, 1906 has been noted upon our records and the case now appears as closed.

Very truly yours,

F. H. Hafley

Willburn letter to the District Forester regarding their application.

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FOREST SERVICE
District No. 5.
RECEIVED
JUL 6-1909
Referred to
Operation.

United States Department
of Agriculture.
District 5,
Forest Service.

June 29-1909.

Your letter received in
regard to the land that we
had listed. We are not trying
to get the land under the
act of June 11-1906 although
we made the blanks out on
that blank. We was told that
they were not the right kind
of blanks to fill out, but

put on them that we had
applied for an Indian
allotment claim under
the Act of Congress approved
Feb. 8, 1887 (Stat. 24, P. 335) as
amended by act of Feb 28,
1891 but instead of putting
this on the blank we forgot it
and never marked out the
act of June 11-1906 as we
should have done, so we
got the mistake started.
now how can a person
get this corrected, do we

have to send in new blanks
filled out right; the land
that Annie M. Willburn
applied for was also made
the same mistake. please
let us know what to do,
because we never intended
to try and take the land
under the act of June 11
1906; we started it to have
it taken under the Feb 8
act. answer soon
from
Georgia A. Willburn
Canton P. Trinity Co. Cal