

Jun 12, 1967

420

F.B. WALKER
Ct. of Appeals

June 12, 1967

M-36762

BOUNDARY DISPUTE
FORT APACHE INDIAN RESERVATION

Indian Lands: Generally--Surveys of Public Lands: Generally

A surveyor instructed to follow the southern edge of a mesa "as near as practicable" in establishing the northern boundary of an Indian reservation did not commit a gross error requiring resurvey when he was forced by mountainous terrain to follow a nearby hydrologic divide.

Words and Phrases: "as near as practicable"--Surveys of Public Lands: Generally

Instructions requiring a surveyor to follow the southern edge of a mesa "as near as practicable" in establishing the northern boundary of an Indian reservation allowed the surveyor considerable leeway in his field operations, and gross error was not committed when because of mountainous terrain it was necessary to follow a nearby hydrologic divide as part of the boundary.

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