

\* APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

XXX The City of Dayville (Name of applicant)

of (Postoffice), County of Grant

State of Oregon, do hereby make application for a permit to appropriate the

following described public waters of the State of Oregon, subject to existing rights:

If the applicant is a corporation, give date and place of incorporation

A municipal Corporation organized and incorporated 1913

1. The source of the proposed appropriation is Guyon Spring, trib. The South Fork of the John Day River, a tributary of The John Day River

2. The amount of water which the applicant intends to apply to beneficial use is one cubic feet per second. for general municipal purposes

3. The use to which the water is to be applied is general municipal purposes

4. The point of diversion is located 1000 ft. N and 1000 ft. W from the SE corner of Section 11 Twp. 13 South, Range 26 E. W. M.

(If preferable, give distance and bearing to Sec. Cor.) (If there are more than one points of diversion, each must be described. Use separate sheet if necessary)

being within the SE 1/4 of the SE 1/4 of Sec. 11, Tp. 13 S., R. 26 E., W. M., in the county of Grant

5. The pipe line to be 1 1/2 in length, terminating in the SW 1/4 of the SE 1/4 of Sec. 1, Tp. 13 S., R. 26 E., W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the ditch, canal or other works is Dayville Municipal Water System

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam feet, length on top feet, length at bottom feet; material to be used and character of construction

Concrete catch basin at the spring, with 3 inch pipe line to the reservoir, then 6 inch main to streets of City. The reservoir is to be about 40 by 24 by 10 feet

(b) Description of headgate concrete catch basin.

\* A different form of application is provided where storage works are contemplated. These forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

CANAL SYSTEM OR PIPE LINE—

8. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) ..... feet; width on bottom ..... feet; depth of water ..... feet; grade ..... feet fall per one thousand feet.

(b) At ..... miles from headgate: width on top (at water line) ..... feet; width on bottom ..... feet; depth of water ..... feet; grade ..... feet fall per one thousand feet.

(c) Length of pipe, 12000 ft.; size at intake, 3 in.; size at 7920 ft. from intake 3 in.; size at place of use 6 inches in.; difference in elevation between intake and place of use, about 60 feet ft. Is grade uniform? no. Estimated capacity, one sec. ft.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR IRRIGATION—

9. The land to be irrigated has a total area of ..... acres, located in each smallest legal subdivision, as follows: .....

Township	Range	Section	Forty-acre Tract	Number Acres to be Irrigated
See separate description of land where water is to be used as Exhibit "A".				
13 S	26 E	1	SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	

(If more space required, attach separate sheet)

(a) Character of soil ..... no irrigation

(b) Kind of crops raised ..... none

POWER OR MINING PURPOSES—

10. (a) Total amount of power to be developed ..... theoretical horsepower.

(b) Quantity of water to be used for ~~power~~ ..... sec. ft.

(c) Total fall to be utilized ..... feet.  
(Head)

(d) The nature of the works by means of which the power is to be developed .....

(e) Such works to be located in ..... of Sec. ....  
(Legal subdivision)

Tp. ...., R. ...., W. M.  
(No. N. or S.) (No. E. or W.)

(f) Is water to be returned to any stream? .....  
(Yes or No)

(g) If so, name stream and locate point of return .....

....., Sec. ...., Tp. ...., R. ...., W. M.  
(No. N. or S.) (No. E. or W.)

(h) The use to which power is to be applied is .....

(i) The nature of the mines to be served .....

E X H I B I T " A "

Description of the Place of Use:

Beginning at the S. E. corner of Sec. 1, Twp. 13 S., R. 26 E., W. M.; thence north to the South Fork River; thence down said South Fork River to the line running between the N $\frac{1}{2}$  of the NE $\frac{1}{4}$  and the S $\frac{1}{2}$  of the NE $\frac{1}{4}$  of said Sec. 1; thence due west on said line 1650 feet; thence due south 3960 feet to the south line of said Sec. 1; thence due east 1980 feet to place of beginning and including the townsite of the City of Dayville, Grant County, Oregon and adjacent areas.

E X H I B I T " B "

O P T I O N

KNOW ALL MEN BY THESE PRESENTS That G. E. B. CAMPBELL-MARTIN and J. CAMPBELL-MARTIN for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration to them in hand paid by the City of Dayville, Grant County, Oregon, a municipal corporation, do, by these presents, grant to the said City of Dayville for a period of one year from the date of these presents, an exclusive option to buy one certain spring, known as the Guion spring, and all waters therefrom, located about two miles in a southerly direction from the said City of Dayville.

IT IS UNDERSTOOD That the price under this Option shall be the sum of Five Hundred Dollars (\$500.00), and shall include all rights to the waters of said Guion spring, and a right of way for the transfer of the same across the lands of the said G. E. B. CAMPBELL-MARTIN and J. CAMPBELL-MARTIN in the most practical location, and shall also include any other springs in the immediate vicinity, which the said City of Dayville shall have the right to develop the same. But it is understood that the said G. E. B. CAMPBELL-MARTIN and J. CAMPBELL-MARTIN do reserve in case of sale to said City the prior right to water, and also right to any domestic or camp use while camping near, for said purpose of lambing.

BUT IT IS UNDERSTOOD That in case of such purchase the said G. E. B. CAMPBELL-MARTIN and J. CAMPBELL-MARTIN will not allow said sheep to contaminate said spring or springs in any manner. And it being further provided that in case of such purchase that the said City of Dayville in constructing and developing said spring will make said water available to the said G. E. B. CAMPBELL-MARTIN and J. CAMPBELL-MARTIN for the uses and reservations herein made.

IT IS UNDERSTOOD That water shall be furnished one band of sheep from October 1st to July 1st.

IT IS ONE OF THE FURTHER TERMS OF THIS OPTION That the said G. E. B. CAMPBELL-MARTIN and J. CAMPBELL-MARTIN will in case of such purchase by the said City of Dayville

make, execute, and deliver to the said City a good and sufficient warranty deed, free of all incumbrances, to said spring or springs and to said right of way.

IT IS ONE OF THE FURTHER TERMS OF THIS OPTION That the terms of said payment of \$500.00 shall be as follows, to-wit:

To be paid when the town starts using the water.

IT IS ONE OF THE FURTHER TERMS OF THIS OPTION That the said City of Dayville may at any time during the life of this Option make a filing before the State Engineer of the State of Oregon for the waters of said spring, subject to the condition that should this Option not be exercised and said Conveyance not made, then and in that case the said City shall cancel and release its said filing in the State Engineer's office.

IT IS ONE OF THE FURTHER TERMS OF THIS OPTION That should the same be exercised by the said City that the said G. E. B. CAMPBELL-MARTIN and J. CAMPBELL-MARTIN do represent that said City is receiving a first and prior right to all of said waters of said springs, subject to the reservations herein made for stock and domestic purposes.

IT IS FURTHER UNDERSTOOD BY THE TERMS OF THIS OPTION That the said City of Dayville may prospect or inspect said springs to such extent as may be necessary to determine the amount of the flow of the same, doing no material or unnecessary damage.

IT IS FURTHER UNDERSTOOD That this Option shall be binding upon the heirs, administrators, and executors on the part of the said grantors of this Option, but shall not be assigned or conveyed by said City of Dayville.

IN WITNESS WHEREOF We have hereunto set our hands and seals to duplicates this 19th day of December, 1931.

In the Presence of:

(signed) Mrs. W. R. Wilkinson (signed) G. E. B. Campbell-Martin (SEAL)

(signed) Mrs. Edith Amis (signed) J. Campbell-Martin (SEAL)

This Option is accepted by said City of Dayville by a regular meeting of the Common Council held on the 28th day of December, 1931.

(signed) E. E. Roope  
Mayor

Attest: (signed) Wanda Snyder  
Recorder.

STATE OF OREGON )  
                  ) ss  
COUNTY OF GRANT )

BE IT REMEMBERED That on this 19th day of December, 1931, before me, a Notary Public in and for the above named County and State, personally appeared the within named G. E. B CAMPBELL-MARTIN and J. CAMPBELL-MARTIN, who are known to me to be the identical individuals described and who executed the within Option and acknowledged that they executed the same freely and voluntarily for the purposes therein named.

IN TESTIMONY WHEREOF, I have hereunto set my hand and notarial seal the day and year last above written.

(signed) Dean Swift  
Notary Public for Oregon.

My Commission expires

Feb. 13, 1935.

MUNICIPAL SUPPLY—

11. To supply the city of Dayville  
Grant \_\_\_\_\_ County, having a present population of 200  
(Name of) \_\_\_\_\_  
and an estimated population of 500 in 1945

(Answer questions 12, 13, 14, and 15 in all cases)

- 12. Estimated cost of proposed works, \$ 6000.00
- 13. Construction work will begin on or before August 1st, 1932
- 14. Construction work will be completed on or before August 1st, 1933
- 15. The water will be completely applied to the proposed use on or before August 1st, 1934

CITY OF DAYVILLE, GRANT CO., OREGON  
(Name of applicant)

By E. E. Roope  
Mayor

Signed in the presence of us as witnesses:

- (1) Earl B. Moore \_\_\_\_\_, John Day, Oregon \_\_\_\_\_  
(Name) (Address of witness)
- (2) Winifred E. Keigur \_\_\_\_\_, John Day, Oregon \_\_\_\_\_  
(Name) (Address of witness)

Remarks: The City of Dayville is attempting to secure a spring known as the Guion spring, or Guyon spring; the City has an Option on this spring, a copy of which is hereto attached as Exhibit "B". The waters of the spring are desired for general municipal uses, and the City desires this application to cover not only the present uses, but all future uses.

STATE OF OREGON, }  
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for \_\_\_\_\_

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before \_\_\_\_\_, 193....

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 193....

STATE ENGINEER

Application No. 14465

Permit No. 10493

PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

Division No. District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 15th day of January

1932, at 8:00 o'clock A.M.

Returned to applicant:

Corrected application received:

Approved:

March 3, 1932.

Recorded in book No. 35 of

Permits on page 10493

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 6 Page 150

Fees Paid \$10.00 PERMIT

STATE OF OREGON, )
County of Marion, ) ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions:

The right herein granted is limited to the appropriation of 1.0 second-foot of the waters of Guyon spring, tributary of South Fork of the John Day River, for general municipal purposes and said right is granted to the exclusion of all subsequent appropriations by authority of Section 5723, Oregon Laws, as amended in 1929. See Special order of the State Engineer dated February 29, 1932.

The priority date of this permit is March 9, 1931.

Actual construction work shall begin on or before March 3, 1933. and shall thereafter be prosecuted with reasonable diligence and be completed on or before

October 1, 1934. Extended to Oct. 1, 1935
Extended to Oct. 1, 1936
Extended to Oct. 1, 1937

Complete application of the water to the proposed use shall be made on or before

October 1, 1935. Extended to Oct. 1, 1937

WITNESS my hand this 3rd day of March, 1932

CHAS. E. STRICKLIN

STATE ENGINEER

Permits for power development are subject to the limitation of franchise as provided in section 5723, Oregon Laws, and the payment of annual fees as provided in section 5803, Oregon Laws.