

Application No. 170
Permit No. E 3.
Certificate No. 845

Name A. B. Guernsey
By
Address Canyon City Mo.
Date filed
Action suspended until

Stream Index, Page No.
Application Record, Book No.

FEEES PAID

Date	Amount	Receipt No.
Total		

FEEES REFUNDED

Date	Amount	Check No.

Returned to applicant'
Date completed
Date of approval

ASSIGNMENTS

Date	To whom	Address	Volume	Page

REMARKS

CONSTRUCTION

Date for beginning
Date for completion
Extended to
Date for application of water
Extended to

PROSECUTION OF WORK

Form "A" filed
Form "B" filed
Form "C" filed

FINAL PROOF

Blank mailed
Proof received
Date certificate issued
Receipt for recording fee No.

NOTICE OF PROSECUTION OF WORK WITH DILIGENCE

Permit No.

Application No.

I, A. B. Guernsey, holder of Application No. 170, being

Permit No. 3, issued by the State Engineer of the State of Oregon, for the appropriation of 5 second feet of the waters of Bear Creek (Bear Valley)

have, during the year beginning July 8, 1910, and ending July 8, 1911, expended Five hundred dollars in the construction of works for the utilization of water

under the aforesaid permit. Such construction work being more particularly described as follows:

Building headgate, constructing about two miles of ditch, 1 ft. deep and averaging five feet wide,
Here describe briefly the extent of construction work, such as height of dam, length of canal or flume constructed, etc., so that the Board may judge as to whether or not such work is being prosecuted with reasonable diligence as required by law.

connecting former work with head of ditch & March 2
antelope this ditch was in rock slab flume across
IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of December, 1911.

Seneca Trans Co., Ore. A. B. Guernsey
(Present Address) (Signature of Applicant)

Fill out, detach and mail to the Secretary, Board of Control, Salem, Oregon, on or before the expiration of one year from the date of beginning of work as fixed in your permit; also likewise for each succeeding year, until completion of works, when the notice, Form B, especially prepared for such purpose shall be used.

(This shows the progress work in)

Permit No. 3

Application No. 170

I, A. B. Guernsey, holder of Application No. 170, being

Permit No. 3, issued by the State Engineer of the State of Oregon, for the appropriation of 5 second feet of the waters of Bear Creek (Bear Valley)

have, during the year beginning July 8, 1909, and ending July 8, 1910, expended four hundred fifty dollars in the construction of works for the utilization of water

under the aforesaid permit. Such construction work being more particularly described as follows:

Built ditch, the middle part of the ditch, 2 3/4 miles
Here describe briefly the extent of construction work, such as height of dam, length of canal or flume constructed, etc., so that the Board may judge as to whether or not such work is being prosecuted with reasonable diligence as required by law.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of December, 1911.

Seneca, Trans Co., Ore. A. B. Guernsey
(Present Address) (Signature of Applicant)

Fill out, detach and mail to the Secretary, Board of Control, Salem, Oregon, on or before the expiration of one year from the date of beginning of work as fixed in your permit; also likewise for each succeeding year, until completion of works, when the notice, Form B, especially prepared for such purpose shall be used.

July 8-10
" " 12
" " 14

NOTICE OF COMPLETION OF CONSTRUCTION

(Almond B. Guernsey and A. B. Guernsey represent one and the same person.)
I, Almond B. Guernsey, holder of Application No. 170, being

Enlargement Permit No. 3, issued by the State Engineer of the State of Oregon for the appropriation of 5 second feet of the waters of Bear Creek, being a tributary of Silvies River

in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, have completed the construction of the works described therein for the application of water to a beneficial use on the 13th day of October, 1911, being within the time limitation as fixed in said permit for the completion of construction work.

Remains was under the impression that I had until the 8th day
If the works have a less capacity than as described in the permit, or you have definitely abandoned your plan of irrigating any of the lands described in your permit, you should so state in order that our records may not be

of July, 1914, in which to make this proof, and as the waters
of these above streams are now being adjudicated, was an additional
reason for not making proof before; will irrigate 375.15 acres.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of July, 1913.

Seneca, Oregon. Almond B. Guernsey
(Present Address) (Signature of Applicant)

Fill out, detach, and mail to the Secretary, Board of Control, Salem, Oregon. Form D should be used in reporting progress of work if more than one year has been allowed for completion.

Permit No.

Application No.

Abstract of Enlargement Permit No. 3

Application No. 170 Certificate No. _____

WATER DIVISION NO. 2 COUNTY OF GRANT.

Stream Bear Creek Tributary of _____

Name of Applicant A. B. Guernsey,

Address of Applicant Seneca, Oregon.

Date of Priority July 6th, 1909 Amount of Water Granted _____ Sec. Ft.

Use of Water Irrigation

Land to be Irrigated 375.15 Acres. Horsepower to be Developed _____

Amount of Water for Irrigation _____ Sec. Ft., for Horsepower _____ Sec. Ft.

Domestic _____ Sec. Ft. Municipal _____ Sec. Ft. Mining _____ Sec. Ft.

Name of Canal or Reservoir _____

Point of Division or Dam _____ of Sec. _____ Tp. _____ R. _____ W. M.

Date of Approval of Permit July 8th, 1909. Storage _____ Acre Ft.

Date of Beginning of Construction July 8th, 1910. Proof filed Year 1909

Annual Proofs of Construction due _____ Proof filed _____

Annual Proofs of Construction due _____ Proof filed _____

Annual Proofs of Construction due _____ Proof filed _____

Date of Completion of Construction July 8th, 1912. Proof filed _____

Date for Completing Beneficial Use July 8th, 1914. Proof filed _____

Final Proof of Appropriation filed with Board _____

Certificate issued _____ Total Amount of Water _____ Sec. Ft.

Description of Land to be Irrigated as Shown by Permit

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
			See attached sheet.															

REMARKS: _____

Abstract of Management

Applicant No. 120 Certificate No.

NAME OF APPLICANT

Special Agent in Charge

Name of Applicant

Address of Applicant

Date of Priority July 1903

Use of Water

Amount of Water for Irrigation

Amount of Water for Domestic

Name of Canal or Reservoir

Point of Division or Dam

Date of Approval of Permit

Date of Beginning of Construction

Annual Report of Construction

Annual Report of Construction

Annual Report of Construction

Annual Report of Construction

Date of Completion of Construction

Date for Completing Financial Report

Final Report of Appropriation filed with Board

Certificate issued

Description of land to be irrigated as shown by Permit

Year	Acres	Value	Production	Other
1903				
1904				
1905				
1906				
1907				
1908				
1909				
1910				
1911				
1912				
1913				
1914				
1915				
1916				
1917				
1918				
1919				
1920				

has attached sheet

LAB	TIME	DATE	TIME	DATE	TIME	DATE	TIME	DATE	TIME	DATE	TIME	DATE	TIME	DATE	TIME	DATE	TIME	DATE	TIME	DATE
100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200
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FORM 100 (REV. 11-15-60) UNITED STATES GOVERNMENT

Ap. E 170

June 6, 1919

Mr. Geo. H. Cattamach,
Canyon City, Oregon.

Dear Sir:-

In reply to your request of May 29, I am enclosing
certified copy of Application No. 170, Permit E. 3, in the
name of A. B. Guernsey.

The fee provided by law for furnishing this copy is
\$1.50.

According to our records, Water Right certificate
845 issued under this permit and should be recorded in your
county.

Very respectfully

Percy A. Cooper,

State Engineer.

WTC-LA



LAW OFFICE OF
GEO. H. CATTANACH
CANYON CITY, OREGON

May 29th, 1919.

ap
E 170

RECEIVED
JUN 3 1919

FILE NO.

E, 170-E3

Hon. Percy Cupper,
State Engineer,
Salem, Oregon.

Dear Sir:

Will you please send me certified copy of application for permit of A. B. Guernsey, of Seneca, Oregon, made on or about July 6, 1909, together with enlargement ~~of~~ permit No. 3, issued to the said A. B. Guernsey.

Very truly yours,

GHC/BA

Geo. H. Cattanaach

Cert 845

Cert copy app 170-E3



C 31

Sept 16, 1913.

Mr. Geo. T. Cochran, Div. Supt. Dist. No. 2
La Grande, Ore.

Dear Sir:-

On Sept. 16, 1913. I examined land to be irrigated under E. Permit No 3. Application No. 170. I ran a traverse line segregating that land which has had wild hay growing, from that which had water used upon it but had but little grass and the sage brush had not been cleared.

The area cross-hatched in black in the ground growing wild hay and that in red the ground with little grass.

The $S\frac{1}{2}$ of $SE\frac{1}{4}$ and $SE\frac{1}{4}$ - $SW\frac{1}{4}$ sec 25 T 16S. R 30 E. the holder claims to have had water on; as the ditch is not constructed ^{West of the} SW corner of the $NW\frac{1}{4}$ - $NN\frac{1}{4}$ sec 31. the only way it



[The page contains approximately 25 lines of extremely faint, illegible text, likely bleed-through from the reverse side of the paper. The text is too light to be transcribed accurately.]

could have received water in by following the natural slope. By running levels I found this possible and it is my opinion that the ground has received some water in this manner. As the permit gives until July 8, 1914. for complete beneficial use I suggest that he be not granted a certificate on the $S\frac{1}{2}$ - $SE\frac{1}{4}$ and $SE\frac{1}{4}$ - SW. sec 25 T. 16 S. R. 30 at least until he has the ditch and laterals built. If this is excepted he should be notified.

Mr. A. B. Guernsey the holder of this permit has done a great amount of hard work and I think has so far shown good faith.

Respectively

C. H. C. Sticklin.



OTIS PATTERSON
Attorney and Counselor at Law
CANYON CITY, OREGON

July 22, 1913.

Mr. John H. Lewis,
State Engineer,
Salem, Oregon.

OFFICE OF STATE WATER BOARD
RECEIVED
JUL 25 1913
SALEM, OREGON

Dear sir:-

I am at this time sending you the proof of the completion of the ditch of Almond B. Guernsey, under Application No. 170, Enlargement Permit No. 3.

Very respectfully,

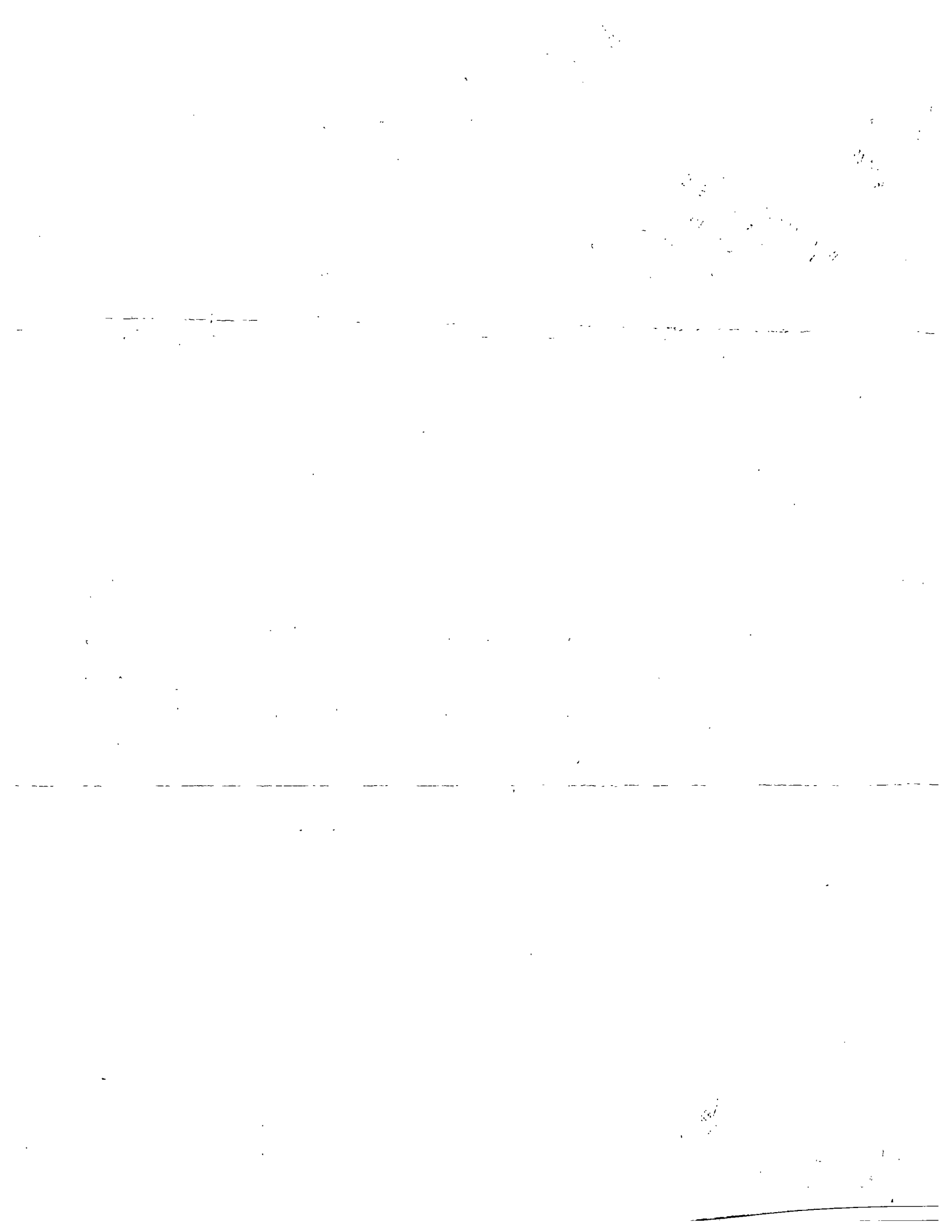


OP/DE

P. S.--Mr. Guernsey's letter of the 16th day of June, 1913, was written under a misapprehension of the conditions. His main ditches are all completed. He has a few, small laterals to build but these are really no part of the ditch as set out in his application as above.

O. P.

RECEIVED
JUL 25 1913
SALEM, OREGON



OTIS PATTERSON
Attorney and Counselor at Law
CANYON CITY, OREGON July 5, 1913.

Con. 170

Mr. John H. Lewis,

Salem, Ore.

Dear Sir:-

Mr. A. B. Guernsey of Seneca, Oregon,
has handed me a letter of Mr. Percy A. Cupper, acting
State Engineer, of date June 19, 1913, and I wish to
say on behalf of Mr. Guernsey that he is under some mis-
apprehension regarding the completion of his actual
wonstruktion work on the ditch, under Application
No. 170, Permit No. 3.

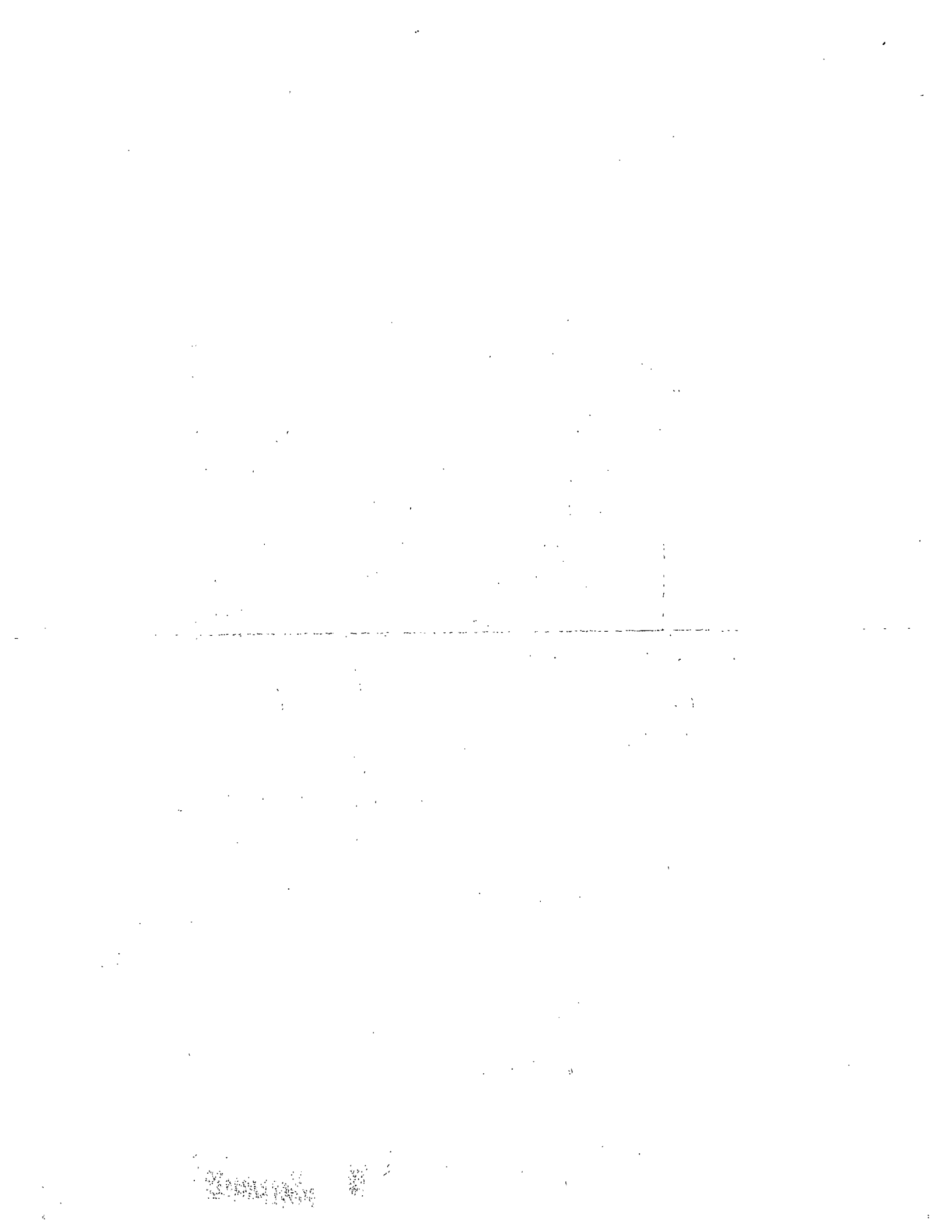
You will hear from him later concerning
the matter.

Yours truly,

Otis Patterson

OP/MD

OFFICE OF STATE ENGINEER
RECEIVED
JUL 10 1913
SALEM, OREGON



Application No. 170

June 19, 1915.

Mr. A. B. Guernsey,

Seneca, Oregon.

Dear Sir:

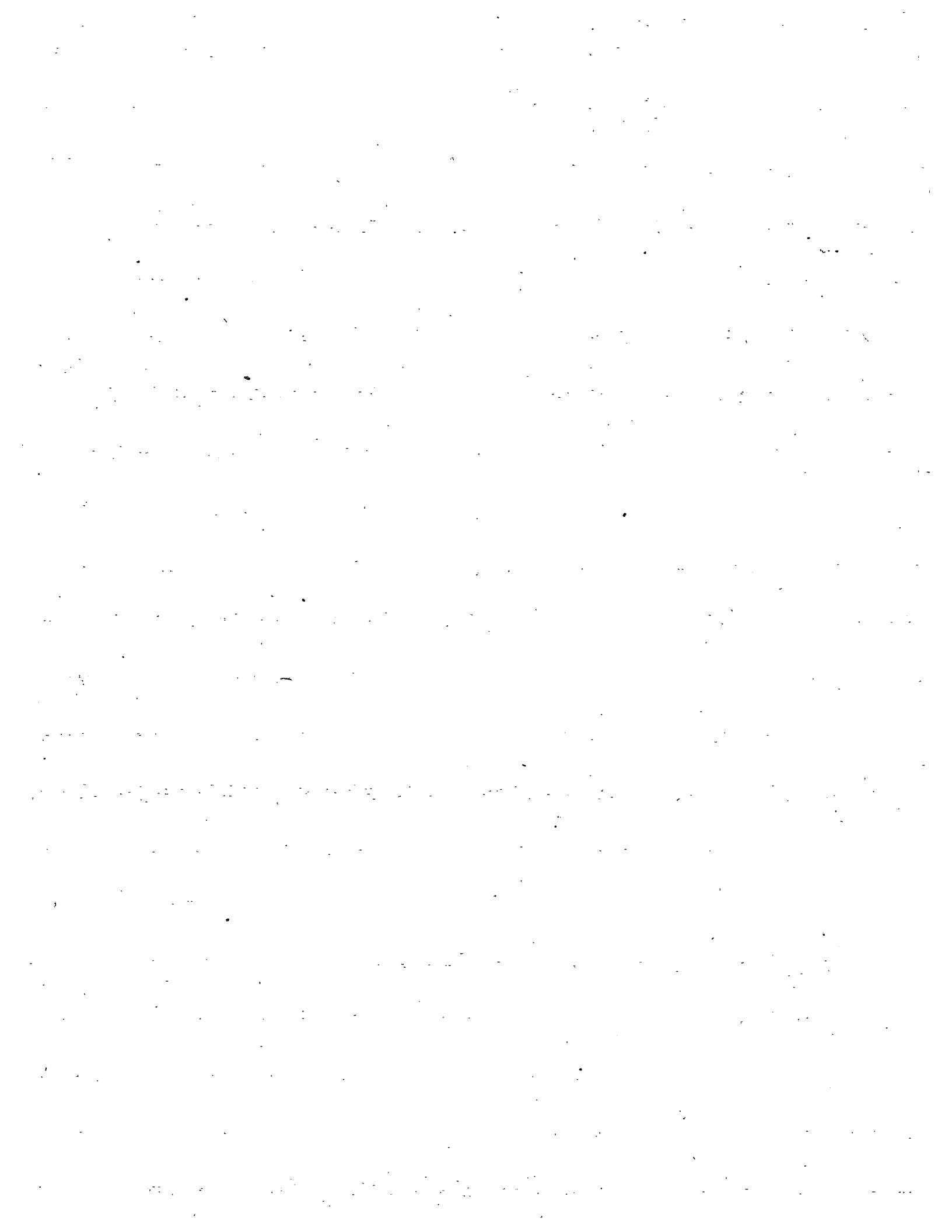
I am in receipt of your letter of the 16th inst., relative to your application No. 170, permit No. 3. If you find it impossible to complete the work of actual construction within the time fixed in the permit you can secure an extension of time in which to do so. You should add further the reasons why the work could not be done within the time fixed in the permit. Your application for an extension of time will then be submitted to the State Water Board for its consideration.

Very respectfully,

Percy A. Cupper,

Acting State Engineer.

PAC/e



170
180

6-16-13

Seneca Grant Co oil

Mr John H. Lawrence Salomon

Dear Sir

will Reit you a few lines
in regard to watters rights
I have permit no 3 on
Bear creek Grant Co oil
and I think my time is up
to make proof on it in
July 1913 can a man get
an extension of time or how
this is quite an objection
project for a Poor man that
I have here a long ditch and
lots of work Please Let me
know what I have got to
do yours Resc

A. B. Guernsey, Seneca
Grant Co.

oil



Law Office of
~~XXXXXX~~ OTIS PATTERSON
Canyon City, Oregon

December 30, 1911.

BOARD OF CONTROL
RECEIVED
JAN 4 1912
SALEM, OREGON.

Hon. John H. Lewis,
State Engineer,
Salem, Oregon.

Dear sir:-

At the request of Mr. A. B. Guernsey I am at this time sending you annual proofs for the two years back, and trust that you may find them correct.

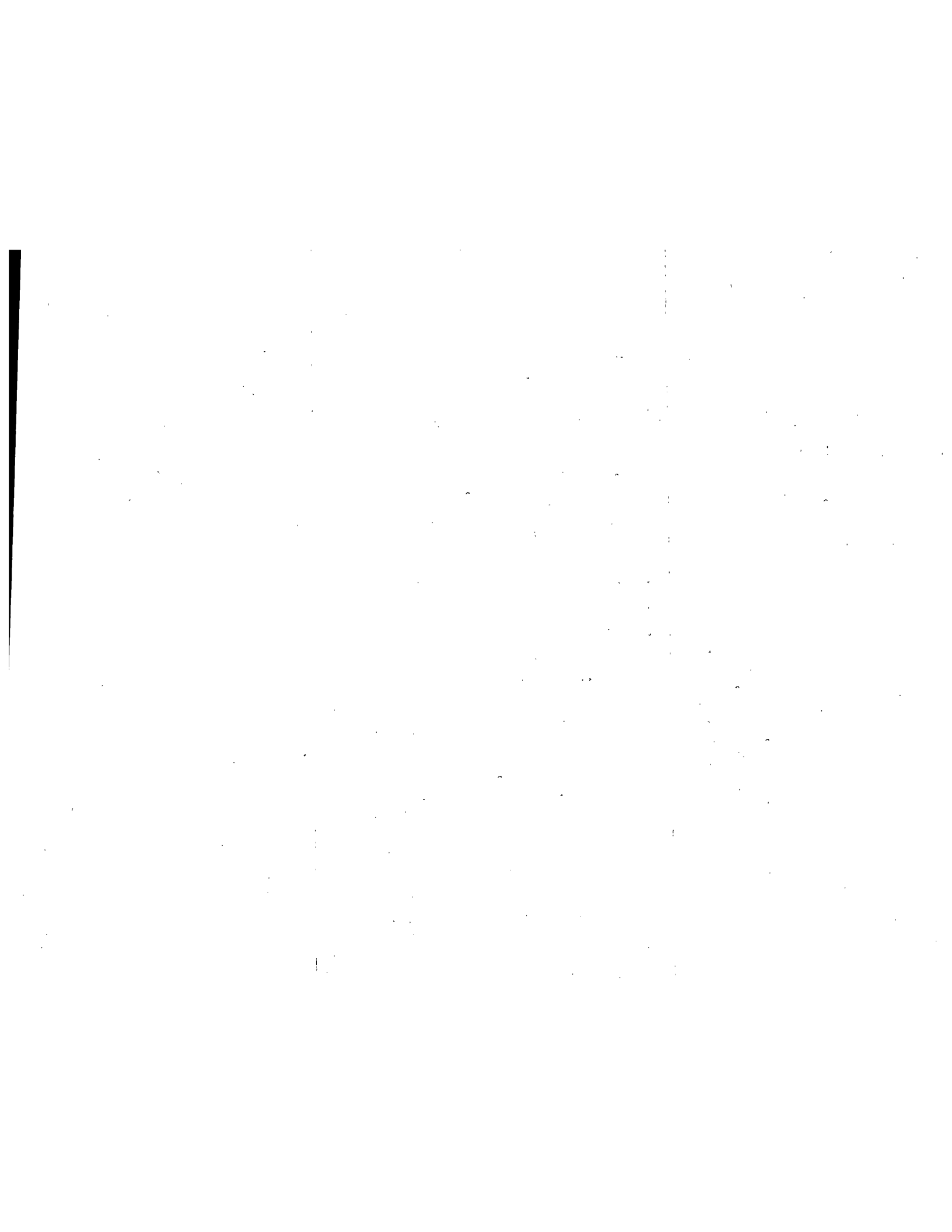
Mr. Guernsey has prosecuted the work on his ditch to my own knowledge in a manner that clearly shows his good faith.

I am,

Yours truly,

Otis Patterson

OP/D



Application 170

#18a

December 5, 1911.

Mr. Otis Patterson,
Canyon City, Oregon.

Dear Sir:

I beg to acknowledge receipt of \$1.50, fees as provided by law for furnishing certified copy of application No. 170, permit No. 5. I enclose such certified copy herewith, also my certificate showing that failure to issue final water right certificate by the Board of Control is not due to blanches on the part of the applicant.

Very respectfully,

John H. Lewis.

State Engineer.

PAC/N

(Enc)

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

I, John H. Lewis, State Engineer of the State of Oregon, and ex-officio President of the Board of Control of the State of Oregon, do hereby certify that no water right certificate, as provided by Section 6633 of Lord's Oregon Laws, has been issued by the Board of Control to A. B. Guernsey, of Canyon City, Oregon, permittee under permit No. 3, issued by me; and I further certify that the failure to issue such certificate is not due to any laches on the part of said A. B. Guernsey, or on account of his noncompliance with the law.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of December, 1911.

State Engineer of the State of Oregon
and ex-officio president of the Board
of Control, of the State of Oregon.

170 -
~~XXXXXXXX~~

OTIS PATTERSON

Law Office of
~~XXXXXXXX~~ PATTERSON
Canyon City, Oregon

170

OFFICE OF STATE ENGINEER

December 2, 1911

RECEIVED
DEC 5 1911

SALEM, - OREGON.

Mr. John W. Lewis,
State Engineer,
Salem, Oregon.

#18a

Dear sir:-

I herewith enclose you the ^{sum of} \$1.50 in payment of a certified copy of the enlargement permit, No. 3, application No. 170, of A. B. Guernsey, to take five cubic feet per second of the waters of Bear Creek, Bear Valley, Grant County, Oregon, the same being desired in the matter of a desert land proof, and you will also accompany the same with the usual certificate relating to the matter of laches on his part in the non-issuance of the final water right certificate.

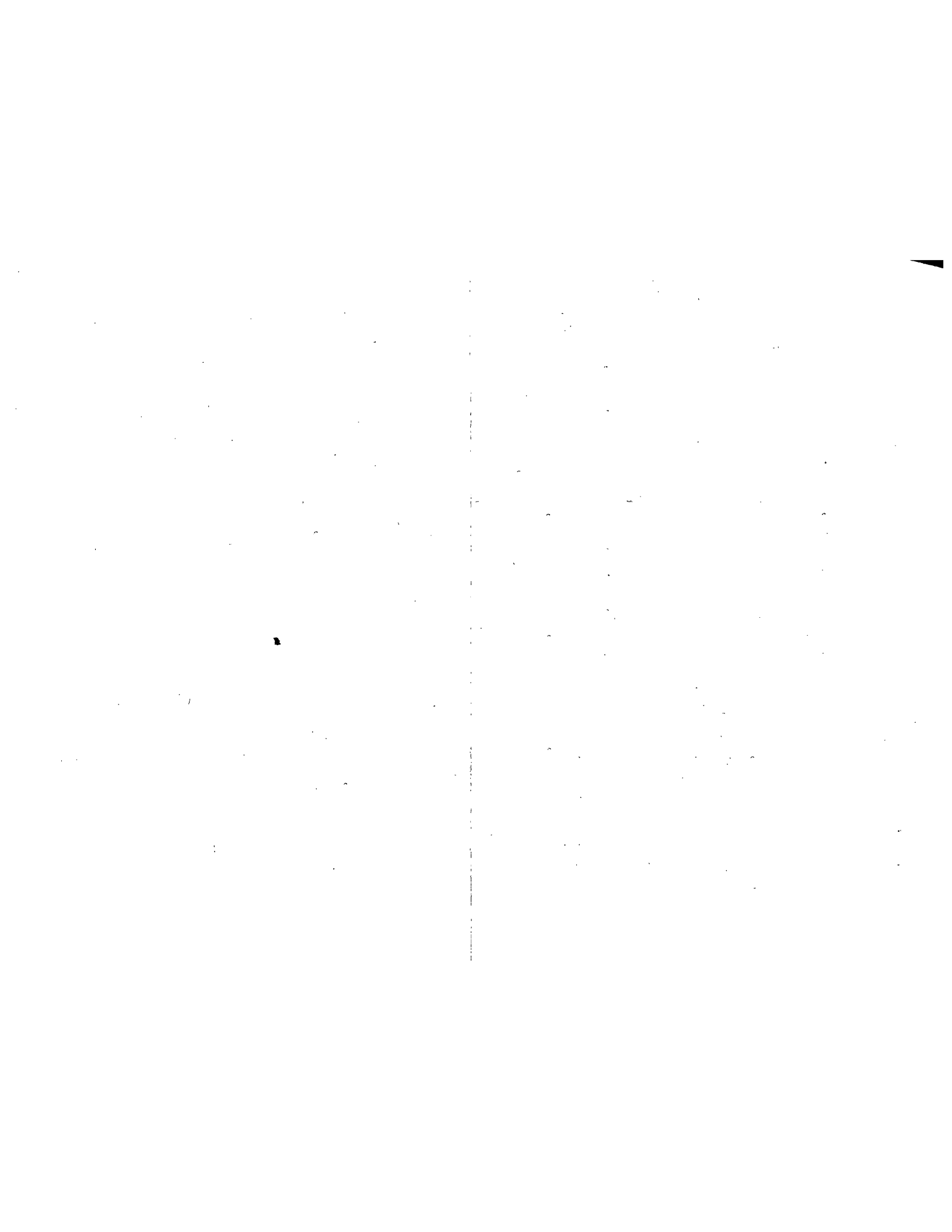
If there are any charges for the latter the same will be sent you at an early date or upon notification of such charges.

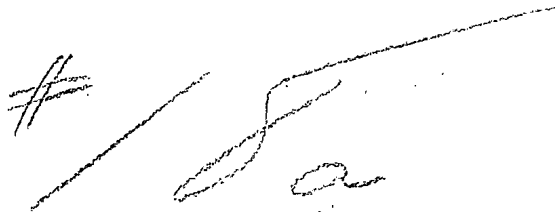
I am,

Yours truly,

Otis Patterson

OP/D



A handwritten signature in dark ink, appearing to be 'A. B. Guernsey', written in a cursive style. The signature is positioned at the top center of the page, above the date.

July 9, 1909.

Messrs. Leedy & Patterson,
Canyon City, Oregon.

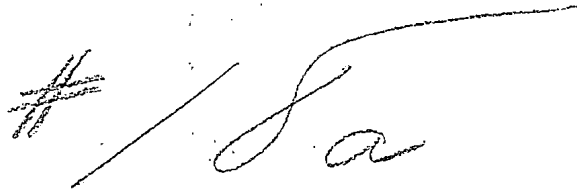
Gentlemen:

I enclose herewith application No. 170, in the name of A. B. Guernsey, approved, being enlargement permit No. 3, together with one tracing.

Very respectfully,

State Engineer.

(2 enclosures.)

A handwritten signature in dark ink, consisting of a stylized initial 'H' followed by a long horizontal stroke and a cursive 'a'.

July 6, 1909.

Messrs. Leedy & Patterson,
Canyon City, Oregon.

Gentlemen:

I am in receipt of yours of the 3d inst., transmitting application for enlargement permit, in the name of A. B. Guernsey (No. 170), together with a draft for \$31.78, receipt of which is hereby acknowledged. This application will be examined as soon as the same can be reached and, if found insufficient, will be returned for correction, as provided by law.

Very respectfully,

State Engineer.

Law Office of
LEEDY & PATTERSON
Canyon City, Oregon

app-170

July 3rd, 1909.

Mr. John H. Lewis,
State Engineer,
Salem, Oregon.

Dear sir:

Herewith we enclose you in behalf of our client Mr. A. B. Guersey duplicate application for enlargement permits for water appropriation for irrigation purposes. We also enclose you Portland draft for \$31.78 in payment of the fees due on same.

Under separate cover we send you by registered mail duplicate maps of the proposed enlargement and extension.

In this you will also find the permission of present owners of water right and ditch for the enlargement and use of the water.

Yours very truly,

ADL.
4 Enc.

*Draft
\$ 31.78 Recd*



Division No.

E Permit No. 3

District No.

Being Application No. 170

Proof of Appropriation of Water

(In accordance with the provision of Chapter 216, Laws of Oregon, for 1909, and the regulations of the Board of Control thereunder.)

From Bea Creek Tributary of Seneca River

1 Q. State your name. A. A. B. Guernsey

2 Q. Postoffice address. A. Seneca, Ore.

3 Q. Are you the original applicant for enlargement Permit No. 3? A. Yes

4 Q. If not, state the date of your securing an interest therein, and the nature of your interest in the works constructed under such permit.

A.

5 Q. For what purpose is water used? A. Irrigation

6 Q. When did the construction of the Aug 1909

ditch (or other distributing works described in said permit) begin? A.

7 Q. When was it completed? A. 1913

8 Q. Give the date when water was first beneficially used. A. 1910

9 Q. What are the dimensions of the ditch (or other distributing works) built under said permit?

A. Width on top 60 Width on bottom 50 Depth 15' Grade 0'

10 Q. Give the legal subdivisions of land owned or controlled by you on which water has been used, and if an appropriation of water for irrigation is claimed, give the acreage which has been irrigated in each legal subdivision prior to the time of the expiration of your permit. (In answering use the following form.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
<u>16S.</u>	<u>31E.</u>	<u>25</u>												<u>40.</u>			<u>40.</u>	<u>40.</u>
<u>16S.</u>	<u>30E.</u>	<u>30</u>												<u>40.</u>	<u>40.</u>		<u>40.</u>	<u>38.1</u>
	<u>30</u>	<u>31</u>					<u>18.74</u>	<u>31.3</u>										
		<u>29</u>												<u>31.</u>	<u>16.</u>			

11 Q. Has the water been used beneficially and land irrigated each year since the expiration of your permit?

A.

12 Q. What crops were grown on this land in 1913? Give estimated acreage of each crop.

A. 15.2 acres in wild hay and timothy the remainder in pasture at this date.

13 Q. During what months is water beneficially used?

A. 1st May to 1st Aug.

14 Q. Give the amount of your investment in the construction of ditch and laterals. A. \$900

15 Q. Give the estimated cost per acre of preparing land for irrigation. A.

16 Q. Does the map filed with this permit show correctly the location of diverting works and area of

REPORT OF SUPERINTENDENT

I hereby certify and report that under my direction an investigation has been made of the works constructed under Enlargement Permit No. 3, described in the foregoing proof.

I found the same to be as stated in proof, except as to the S¹/₂ of the SE¹/₄ and the SE¹/₄ of the SW¹/₄ Sec. 25, S. 16 S., R. 30 E.

The necessary ditches should be constructed
if for a right is granted for this
land. Owner of permit should be notified
is complete by the expiration of his time, or some
extension of time

I do not recommend that said proof be accepted and that a water right certificate be issued

in accordance with said proof.

Geo. J. Cochran
Supt. Water Division No. 2

La Grande, Oregon, Oct. 13, 1913

PROOF OF APPROPRIATION

DITCH

UNDER

PERMIT NO. 3

BEING APPLICATION NO. 170

DIVISION NO. 2 DISTRICT NO.

DATE OF PRIORITY

NAME OF STREAM

TRIBUTARY OF

DITCH

NAME OF CLAIMANT

P. O.

Filed with me this 11 day of

Oct 13, 1913

Superintendent

Filed in this office this

day of 16th, 1913

Secretary Board of Control

Fees paid, \$ 1