

BEFORE THE STATE ENGINEER OF OREGON

..... in Grant County

In the Matter of the Determination of the Relative Rights
to the Waters of JOHN DAY RIVER and its Tributaries,
a Tributary of Columbia River.

STATEMENT AND PROOF OF CLAIM

(The claimant must submit separate proof as to each ditch through which a water right is claimed.)

I, the undersigned, of John Day, Oregon, being called as a witness
in support of this statement of claim, and being first duly sworn, testify as follows:

1. Q.—What is claimant's name and postoffice address? If a corporation, give the place of
incorporation and the authority by which you make this proof.

A.— Henry Campbell

(If this proof is made by you as agent, or attorney, the written

authorization therefor must be signed by the claimant upon the back hereof.)

2. Q.—Do you claim a right to the waters of the above named stream or a tributary thereof?
If from a tributary, give its name.

A.— yes the overflow waters of Pine creek and the S

John Long ditch from Indian Creek as conveyed by Smith

Brothers ditch

3. Q.—What is the nature of the right or use on which this claim to the waters of said
stream is based?

A.— Irrigation Domestic and

(Irrigation, power, mining, domestic, stock, etc.)

4. Q.—How was such right initiated, or upon what is it based?

A.— Diversion and continuous use

(Appropriation, diversion and use, etc.)

5. Q.—State the date of the initiation of such water right. A.— 1903

6. Q.—What steps were taken by this claimant or his predecessor in interest to initiate said
right? Answer fully, attaching separate sheet if necessary.

A.— Constructing about one mile of ditches to gather and
concentrate such overflow waters and convey the same to
point of use

7. Q.—When was water first used for irrigation, or other beneficial purposes?

A.— In the spring of 1903

8. Q.—State the means of utilizing such water, giving the name by which the ditch is most
commonly known, if a ditch is used.

A.— By means of main ditch known as the Campbell Ditch
and laterals thereto

9. Q.—State the interest claimant has in such ditch, with the names of any other water users
interested therein.

A.— Am sole owner in Campbell ditch but have no
interest in the John Long ditch or the Smith brothers
ditch except the overflow waters therefrom

[Proof No. 192]

10. Q.—State the date of the beginning of construction. A.— about Apr 1st 1903
11. Q.—State the date of completion. A.— May 18th 1903
12. Q.—State the dimensions of the ditch canal or pipe line as originally constructed, just below the wasteway or headgate.

A.—Width (top) 16 in 1/3 feet; width (bottom) 12 in 2 1/2 feet; depth 12 in 1 foot; grade, or fall in feet per 1,000 feet, 30 nches feet.

13. Q.—If said ditch has been enlarged, state the date of beginning and completion of each enlargement, and its dimensions as enlarged.

A.—

First enlargement—Width (top) _____ feet; width (bottom) _____ feet; depth _____ feet; grade, or fall per 1,000 feet, _____ feet.

Second enlargement—Width (top) _____ feet; width (bottom) _____ feet; depth _____ feet; grade, or fall per 1,000 feet, _____ feet.

14. Q.—State the area of land which your ditch, as originally constructed, was intended to irrigate. A.— 51 acres.

15. Q.—If water is used for irrigation, state the number of acres reclaimed and irrigated the first year. A.— 10 acres

16. Q.—How many acres were irrigated each subsequent year up to and including the present year? A.— 51 acres

17. Q.—How many acres were irrigated after the first enlargement of said ditch? After each successive enlargement?

A.— _____

18. Q.—Give the number of acres irrigated under said ditch at the present time in each smallest legal subdivision (40-acre tract), using the following form. (The lands have been surveyed and are shown on the plat of the State Engineer, which you may examine at the time of the hearing. Your answer to this question should conform to those maps, unless you object to the same and submit maps of your own showing such information. No proof will be accepted which does not answer this question in detail.) (Attach separate sheet if necessary.)

A.—

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
<u>13</u>	<u>32</u>	<u>22</u>		<u>2</u>	<u>22</u>	<u>26</u>												
					<u>22</u>	<u>26</u>												

Total 51 acres.

IN THE MATTER OF THE APPLICATION OF HENRY CAMPBELL
FOR ADJUDICATION WATER RIGHTS GRANT COUNTY
STATE OF OREGON

State of Oregon)
Grant County (SS

I B H Tureman being first duly sworn on oath

say;-

I am well acquainted with the lands embraced in the application of Henry Campbell for adjudication of water rights, to-wit the NE $\frac{1}{4}$ of sec 22 in TP 13 S r 32 EWM and am also well acquainted with the general contour of the land and conditions surrounding the same ,

That there is a vast amount of seepage and also a great amount of overflow water occasioned through the irrigation of the farm lands immediately above and adjoining the lands under consideration

That the said Henry Campbell has his ditches so constructed as to intercept and gather said seepage and overflow water and convey the same to and upon the lands he desires to irrigate which are shown by the State Engineers plat of such lands and described in his application to which this affidavit is attached and made a part thereof,

That said ditches heretofore mentioned are so constructed that said ditches cause no inconvenience to other users of said waters nor do they interfere with any ~~other~~ other right to the use thereof.

Subscribed and sworn to before me this 9th day of June 1927

B. H. Tureman

A. J. Hughes

Notary Public for Oregon

My Commission expires; ::::: Aug. 19, 1927.

(If the witness finds the space insufficient to properly answer any question, he should attach hereto said answer on a separate sheet or sheets. A corporation supplying water for irrigation to lands not its own should attach to its proof a complete list of the persons owning the lands so supplied with the correct description of the lands owned by each such person in each smallest legal subdivision. Certified copies of records and such evidence as the claimant may desire to submit should be attached to this proof and marked for identification as exhibit "A," "B," "C," etc.)

19. Q.—State the character of the soil and kind of crops cultivated.

A. — Generally black loom and considerable gravel
Hay Grain and garden vegetables

20. Q.—When does the irrigating season begin and when does it end, and if water is used for other purposes, during what months is it used?

A. — April 15th and ends about Sept 1st domestic
and stock purposes the full year

21. Q.—What amount of water do you estimate is necessary for the proper irrigation of the lands which you are irrigating or propose to irrigate, or for any other purpose for which a right is claimed?

A. — about one miners inch per acre

22. Q.—Do you accept the maps prepared by the State Engineer as showing correctly the location of said ditch and the lands irrigated therefrom?

NOTE—In case there is objection to the official plat or a part thereof the parties objecting must, when giving proof, file a written statement of the reasons therefor, and must, within thirty days, file with the State Engineer a map covering the part objected to, with affidavit of surveyor thereto giving date of survey. Such map should be on tracing linen preferably on a scale of four inches to the mile (20 chains to one inch), and should have marked thereon, within each 40-acre legal subdivision, the area of land which is irrigated. Such map should correspond in size to legal cap paper so as to be easily filed with the claim.

A. — yes

23. Q.—If water is used for power, state the total fall utilized and the theoretical (not actual) horsepower developed.

NOTE—Theoretical horsepower equals total quantity claimed in cubic feet per second, times fall in feet, divided by 8.8 (one cubic foot per second falling 8.8 feet equals one theoretical horsepower).

A. —

24. Q.—Describe the nature of the works by which the power is developed, the place where located, and state whether the water is returned to the stream after use and at what point.

A. —

25. Q.—If for mining purposes, describe the location and character of the mines to be served and state whether after use the water is returned to the stream and at what point.

A. —

26. Q.—If water is used for mining or power purposes, state whether there are any diversions between the point of your diversion and the return of such water to the stream.

A. —

27. Q.—Give description of your land as it appears in your deed. (Attach separate sheet if necessary.)

A. — US Patent for S 1/2 NE 4 and NE 8 of
NE 1/4 of Sec 22 in Township 13 S
Range 33 E W M

28. Q.—What interest have you in the lands irrigated or place where the water is used?

A. — I am the owner

29. Q.—What additional evidence have you attached hereto or submitted herewith?

A. — the affidavit of B.H. Tureman as to the ditches
and the amount of overflow water

(If the witness finds the space insufficient to properly answer any question, he should attach hereto said answer on a separate sheet or sheets. A corporation supplying water for irrigation to lands not its own should attach to its proof a complete list of the persons owning the lands so supplied with the correct description of the lands owned by each such person in each smallest legal subdivision. Certified copies of records and such evidence as the claimant may desire to submit should be attached to this proof and marked for identification as exhibit "A," "B," "C," etc.)

I hereby certify upon oath that the foregoing statement and answers are true as I verily believe.

Henry Campbell
Signature of Claimant, or Agent Making Proof.

Subscribed and sworn to before me this 6 day of June, 1927.

J. J. English
~~State Engineer.~~

[or] Notary Public for Oregon.
My commission expires Aug. 19, 1927

AUTHORIZATION OF AGENT

I, _____, of _____,
State of _____, do hereby make and appoint _____
_____, of _____, my agent
and attorney for me and in my name, place and stead, to make and submit the within Statement
and Proof of Claim.*

And I hereby designate said agent as the proper party upon whom lawful and valid service
may be made of all process and notices in any contest commenced by or against me, in the within
entitled matter, and said agent is hereby duly authorized to appear in any and all such contests as
my true and lawful agent and attorney, giving and granting unto my said attorney full power and
authority to do and perform all and every act necessary and requisite to be done in the premises,
as fully as I might or could do if personally present, hereby ratifying and confirming all my said
agent shall lawfully do by virtue of this power.

Signature of Claimant.

* Claimant should cross out the second paragraph of the Authorization if he does not desire the agent to appear for him in the proceeding after the filing of this claim.

Filed, July 26, 1927.
Fees paid:
Irrigation .51 acres, \$ 7.65
Power, _____ H. P., \$ _____
Other use, _____, \$ _____
Recording certificates, \$ 1.00
Total, \$ 8.65
Receipt No. 6126

Alva Luper
State Engineer.