

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A72-16499
Date Received: 10/21/1996
Receipt No: S019623
Received By: RKC

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name:	JAY P NORRIS	208-888-9293
Address:	465 S LINDER RD	
	MERIDIAN ID	83642
AND		
Name:	LINDA M NORRIS	208-888-9293
Address:	465 S LINDER RD	
	MERIDIAN ID	83642
AND		
Name:	MADI LEVINSON	208-888-9293
Address:	465 S LINDER RD	
	MERIDIAN ID	83642
AND		
Name:	LUTHER B HARTSHORN	208-888-9293
Address:	465 S LINDER RD	
	MERIDIAN ID	83642

2. Date of Priority: MAY 20, 1914

3. Source: DAUGHERTY GULCH Trib. to: GARDEN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	18E	3	NW	SE	SE		CUSTER

5. Description of diverting works:
DITCH CUTTING ACROSS GULCH CHANNEL, DELIVERING WATER TO P/U

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) A.F.A.

Acre Feet Per Annum.

10. Place of Use:

Section Acres 32.0

Total Acres	32.0
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15. Basis of Claim: BENEFICIAL USE

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CIVIL CASE NUMBER: 39576
Ident. Number A72-16499
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NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

OCT 18 1996

ACQUIRED UNDER STATE LAW Department of Water Resources
Southern Region

Please type or print clearly

(SEE #14: ADDITIONAL CLAIMANTS)

1. Name of Claimant (s) JAY P. AND LINDA M. NORRIS Phone (208) 888-9293

Mailing Address 465 S. LINDER RD., MERIDIAN, ID Zip 83642

2. Date of Priority (Only one (1) per claim) MAY 20, 1914

3. Source of water supply (a) DAUGHERTY GULCH
which is tributary to (b) GARDEN CREEK

4. a. Location of existing point of diversion is: Township 13N Range 18E Section 3,
NW 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of CUSTER

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

A DITCH, FED BY WATER PASSING
THROUGH OUR HEADGATE ON GARDEN CREEK, RUNS THE
LENGTH OF THE PROPERTY (~1/2 MILE) ALONG THE COUNTY ROAD.
WATER FROM DAUGHERTY GULCH, WHEN FLOWING, INTERSECTS
THE DITCH AT POINT SHOWN ON MAP. A PORTION OF THE
GULCH WATER - SOMETIMES ALL OF IT - CAN BE ACCOMMODATED
BY OUR DITCH, AND HAS BEEN USED MANY YEARS BENEFICIALY
TO HELP IRRIGATE THE PASTURE LAND. THE REMAINDER OF
DAUGHERTY GULCH, WHEN NOT COMPLETELY UTILIZED,
FLows ACROSS OUR PASTURE INTO GARDEN CREEK.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from APR 1 to NOV 1 amount 0.5 or NOT TO EXCEED

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

⊗ WATER FLOW IN GULCH VARIES WITH SNOWFALL/RAIN FALL

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
13	18	3				14									18				32

Total number of acres irrigated 32

11. In which county (ies) are lands listed above as place of use located? CUSTER

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
1888 & 1890 RIGHTS : CLAIMS ATZ-00106A, ATZ-00109A or None ()

14. Remarks: THE TWO ADDITIONAL CO-OWNERS / CLAIMANTS ARE:

MADI LEVINSON AND LUTHER B. HARTSHORN
(THEIR ADDRESSES LISTED IN ITEM #1)

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

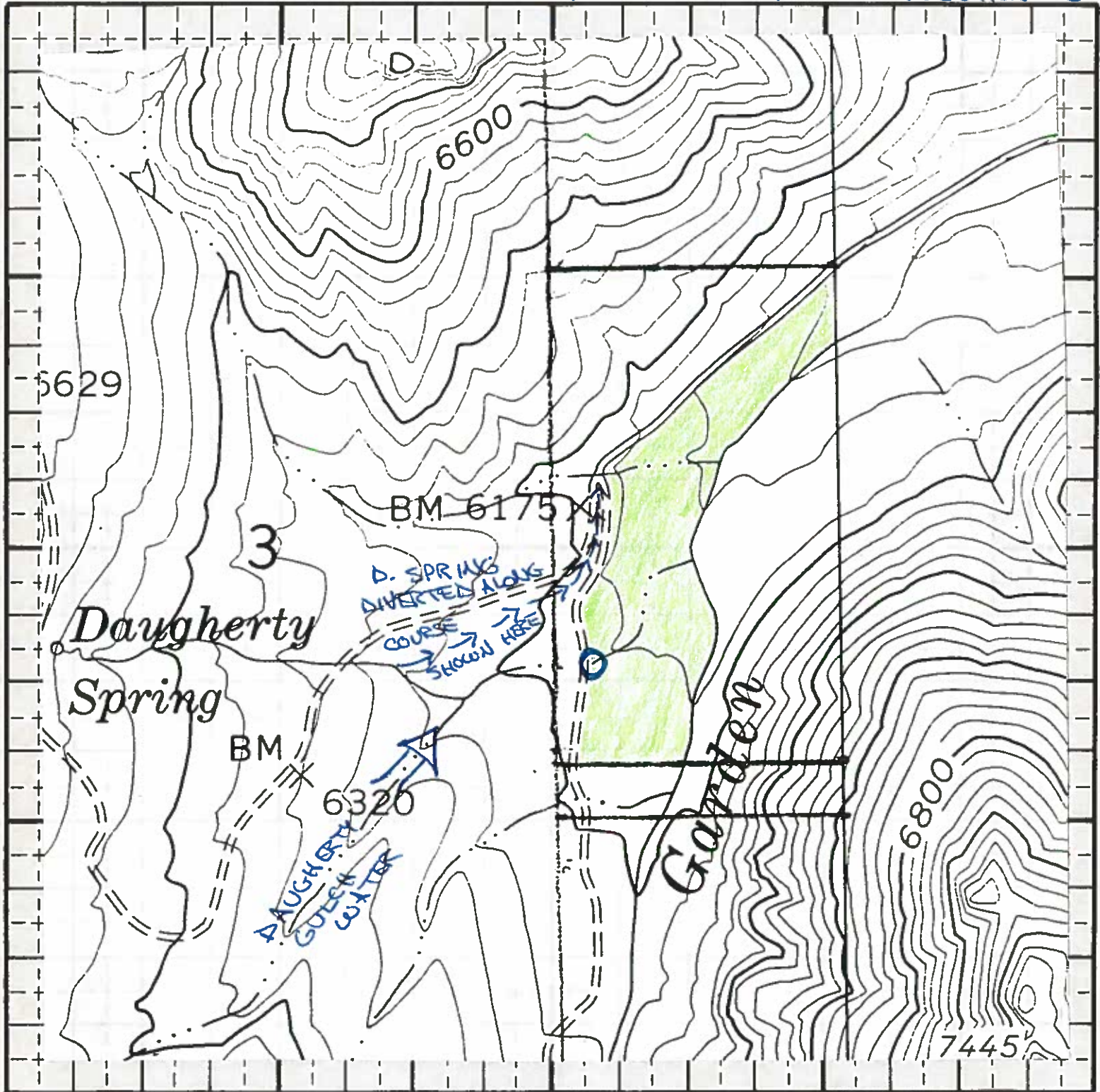
Scale: 2 inches equals 1 mile
4" = 0.5 MILE

GREEN = AREA OF USE

BLUE CIRCLE = POINT OF DIVERSION

LARGE RECTANGLE IS SE 1/4 NE 1/4 + NE 1/4 SE 1/4 OF

TOWNSHIP 13N
RANGE 12E
SECTION 3



Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ (ALREADY
wish to receive and pay a small annual fee for monthly copies of the docket sheet. (RECEIVE
Number of attachments _____ COPY)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) [Signature] Date 10/12/96
[Signature] Date 10/12/96

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Maryland)
~~Idaho~~ or)
County of Prince Georges) SS.

Subscribed and sworn (or affirmed) before me this 12th day of OCTOBER 19 96

Notary Public [Signature]
Residing at 7701 Greenbelt Rd Ste 222 Greenbelt, MD 20770
My Commission Expires February 22, 1999

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

October 15, 1996

Mr. Kelly Christensen
Sr. Water Resource Agent
Dept. of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

Dear Kelly,

Please find enclosed our application for water right to the high water flowing from Daugherty Gulch, which Luther Hartshorn and I have discussed with you by telephone a couple times. As I previously mentioned in a letter from September 1993, and indicated on the map with this application, we have traced the channels for Daugherty Gulch and Daugherty Spring (the latter Mr. James has a water right for), and indeed found that they are entirely separate channels and come from completely separate sources.

Also enclosed is a check for \$100.00, the ordinary filing fee plus the late fee. Please contact us at 301-552-4711, or Luther and Madi at 208-888-9293 if there are any outstanding questions about the claim. We shall probably move soon, therefore Luther and Madi's address is listed on the claim form.

Sincerely,



Jay P. Norris
7005 Blue Bird Ct.
Lanham, MD 20706

RECEIVED

OCT 18 1996

Department of Water Resources
Southern Region



STATE DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE AVE
TWIN FALLS ID 83301
(208) 736-3033

MARK E. DONAHUE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 21, 1996

JAY P NORRIS
465 S LINDER RD
MERIDIAN ID 83642

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM A72-16499

Dear Mr Norris

I have data entered and receipted the claim you submitted. please note that I added the north and east designations to the township and range entries for the place of use in item 10. Also, as you only listed one use, I entered the claimed irrigation rate in item 6 as the total quantity for item 7.

Please review the data entered claim and if you have any questions or corrections contact me at this office.

As the department is required to notify claimants about court proceedings that may affect your adjudication claims, your current address is important to the department. I have enclosed a copy of the address change form for your use, as you indicated that your address should be changing soon. Please list all adjudication claims that you have an interest in.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R72-16499

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
NORRIS

JAY P

1 - 465 S LINDER RD
2 -
3 -VERIFIED BY RLC

11-9-98

City- MERIDIAN
Phone - 208-888-9293

State- ID Zip- 83642

NORRIS

LINDA M

1 - 465 S LINDER RD
2 -
3 -City- MERIDIAN
Phone - 208-888-9293

State- ID Zip- 83642

LEVINSON

MADI

1 - 465 S LINDER RD
2 -
3 -City- MERIDIAN
Phone - 208-888-9293

State- ID Zip- 83642

HARTSHORN

LUTHER B

1 - 465 S LINDER RD
2 -
3 -City- MERIDIAN
Phone - 208-888-9293

State- ID Zip- 83642

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/20/1914 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
DAUGHERTY GULCH GARDEN CREEK+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
13N 18E 3 SW NE SE ⁶⁵⁵147 (37) CUSTER+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.500+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.500 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
13N 18E 3 SE NE 6.3 01 IRRIGATION (37) CUSTER
13N 18E 3 NE SE 6.9 01 IRRIGATION (37) CUSTERTotal Acres: 13.2 ⁶⁵⁵265

+ - - Diversion Means - DITCH CUTTING ACROSS GULCH CHANNEL, DELIVERING WATER TO P/U

Water right number - R72-16499

Prefix Translation: RESEARCH

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - 72-00106A AND 72-00109A

+ - - - - - Remarks - - - - - +

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 13.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00106A, 72-00109E, AND 72-16499.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments- - - - - +
No Comments Found

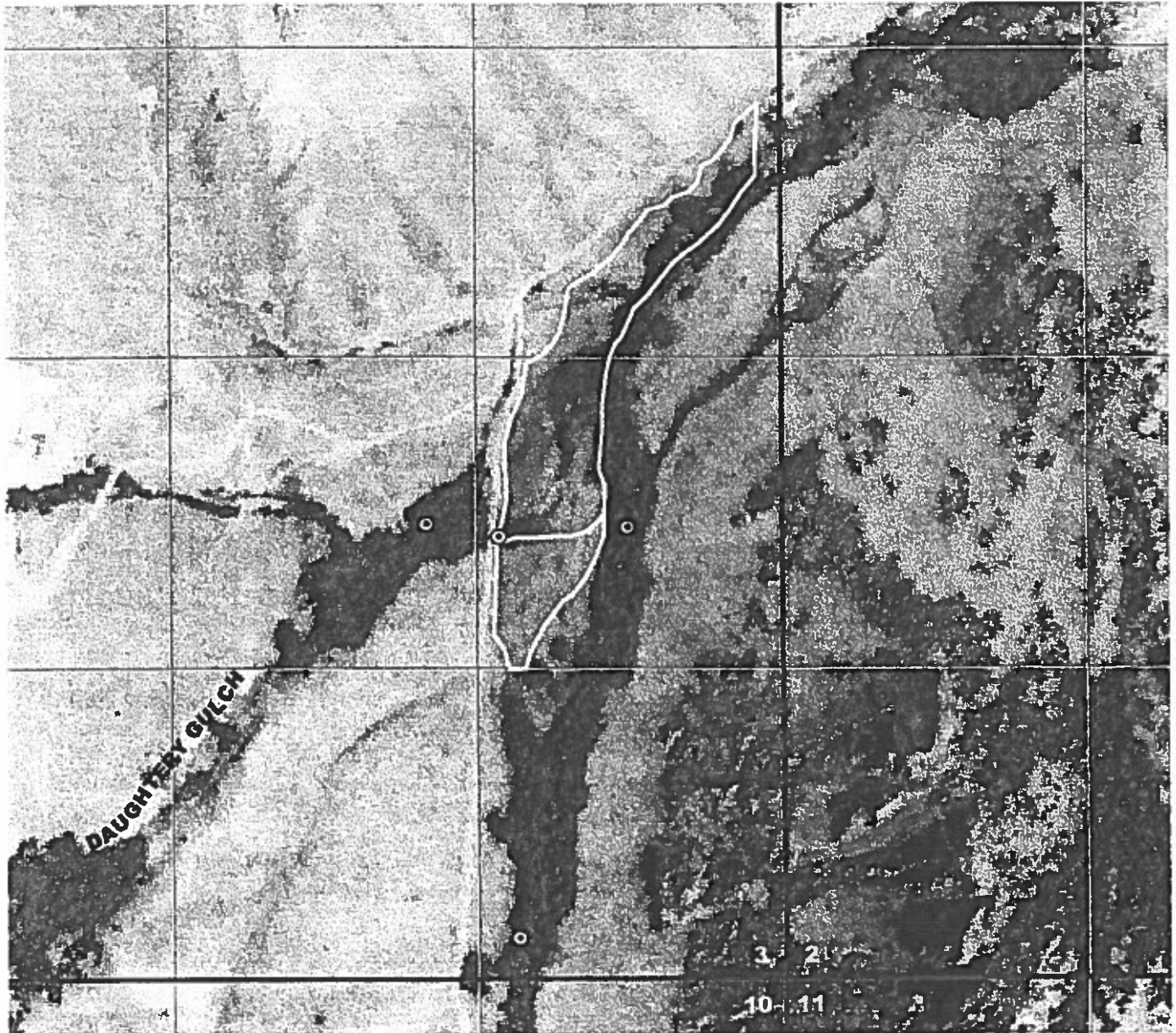
+ - - Audit Fields - - +
11/09/98 KCHRISTE

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/21/1996	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S019623	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	-

72-00106A AND 72-00109E
SOURCE = GARDEN CREEK
72-16499

SOURCE = DAUGHTERY GULCH



0 660 1320 1980 2640 3300 3960 Feet

RECOMMENDED PLACE OF USE
TWP 13N RNG 18E, SEC 3
data entry on October 22, 1998



- **RECOMMENDED POINT OF DIVERSION**
- RECOMMENDED PLACE OF USE**
- **SECTION LINES**
- **QUARTER/QUARTER LINES**

GIS PLACE OF USE PRESENTATION
1992 USDA-F AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

CLAIM NUMBER 72-00106H } Garden Cr DATE 10-22-98 TRANSFER NUMBER Doughty Gr.
72-00109E } AGENT KKC 32 CLAIMED ACRE TOTAL 32
72-16499 Doughty Gulch 17.3 GIS ACRE TOTAL 18.2

				NE				NW				SW				SE			
	TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	<u>13N</u>	<u>18E</u>	<u>3</u>				<u>12</u>									<u>20</u>			<u>32</u>
GIS							<u>6.3</u>									<u>10.7</u>			
RECOM							<u>6.3</u>									<u>11</u>			<u>17.3</u>
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B72-DBPOU.SHP

SHAPE NOS.

264 GR only CLAIM WD Shows Soils meas.
265 Both 72-00106A .72 CFS .38 1.6/CFS 2.40 CFS
72-00109E .32 CFS .32
72-16499 .50 CFS -

NOS. DESCRIPTION

146 Sec 3 Garden Cr Recom WD rate for G. Cr .38
SWSESE .32
.70 CFS
147 Sec 3 + .50 Doughty Gr.
SWNESE 1.20 CFS total less than
soils Recom Claim
rate for 72-16499

DBF TABLES UPDATED

B72-DBPOU.DBF

B72-DBPOD.DBF

9 peg ✓

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-00106A 72-16499
72-00109E

DATE: 10-22, 1998

REVIEWED BY KKC

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62
BB1	.09	.09			6.09	6.17
BC1	.16	.17			5.82	5.46
BK1	.07	.06			10.62	11.86
BT1	.18	.16			3.99	4.19
BT2	.41	.32			2.34	2.87
CB1	.06	.06			11.55	13.47
CHA	.21	.21			4.52	4.76
CP1	.36	.36			2.61	2.78
DAF	.18	.15			5.33	7.27
DB1	.13	.11			5.66	6.65
DBB	.13	.11			5.71	6.69
DBC	.13	.11			5.71	6.69
DMF	.18	.21			5.12	4.72
DRF	.18	.19			9.08	9.68
DT2	.05	.04			12.46	16.50
DWA	.14	.14			4.79	5.01
GO1	.10	.12			12.47	10.51
KEG	.08	.07			8.73	10.06
MBF	.15	.12			7.65	5.81
MUG	.15	.14			4.54	4.98
NDL	.13	.12			5.30	6.06

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
PD2	.11	.12			5.15	4.74
Q	.26	.21			13.2	10.4
RE2	.29	.21			3.15	4.74
RP1	.19	.21			4.89	4.57
SH1	.06	.05			9.37	12.10
SOC	.08	.07			7.38	8.08
SSA	.15	.14			4.79	5.01
SXF	.12	.11			6.14	6.80
TC1	.06	.06			9.82	9.55
TD1	.04	.03			12.46	16.50
WB2	.13	.13			5.37	5.43
WAA	.19	.16			3.81	4.23
WBB	.17	.14			3.36	3.84
WC1	.07	.06			11.24	13.45
WPT	.19	.15			3.16	3.69
WV1	.07	.06			11.24	13.45
XHS						
YN1	.18	.14			5.38	6.92

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL / ROTATION (chart)	ACTUAL / ROTATION (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
BC1	5.82	10	10	.16	= .93 CFS
CP1	2.61	10	7.3	.36	= 2.68 CFS
					= CFS
					= CFS

1.61 CFS

TOTAL ACRES _____

DECREED RATE = _____

CLAIMED DIVERSION RATE = _____

MEASURED DIVERSION RATE = _____