

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: A63-10494
Date Received: 3/07/1990
Receipt No: C015627
Received By: SEF

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NOTUS HOP CO. INC. 208-459-7155
Address: 23955 WAGNER ROAD
CALDWELL, ID 83605

2. Date of Priority: JUN 01, 1987

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	04W	36	NE	SW	NW		CANYON

5. Description of diverting works:
WELL, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	04W	36	SW	NW		IRR	40.0
Section Acres							40.0

10. Place of Use: Continued

Total Acres 40.0

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

1ST UNIT BLACK CANYON IRRIGATION DISTRICT.

14. Remarks:

15. Basis of Claim: PERMIT

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 xx wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ Secretary _____ of _____ Title _____

Notus Hop Co., Inc. _____, that I have signed the foregoing Organization _____

document in the space below as _____ Secretary _____ of _____ Title _____

Notus Hop Co., Inc. _____ and that the statements contained in the Organization _____

foregoing document are true and correct.

Sandra M. Lortz
Signature of Authorized Agent

Secretary, Notus Hop Co., Inc.
Title and Organization

March 12, 1990
Date

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of March 19 90

Jane R. Cook
Notary Public

Seal

Residing at Nampa, Idaho

My Commission Expires 6-10-1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10494

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 5TH
day of JUNE, 1992.

Acting for Norma C. Young
R. Keith Higginson, Director

MICROFILMED

AUG 24 1992

08/22/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-10494

NAME AND ADDRESS: NOTUS HOP CO INC
23955 WAGNER RD
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.620 CFS
139.500 AFY

PRIORITY DATE: 06/01/1987

POINT OF DIVERSION:

T05N R04W S36 NESWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.620 CFS

139.50 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CANYON County

T05N R04W S36

SWNW

31.00

31 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from Black Canyon Irrigation District.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.



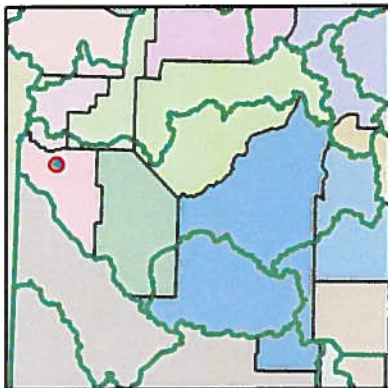
Idaho Department of Water Resources

SRBA Recommendation:

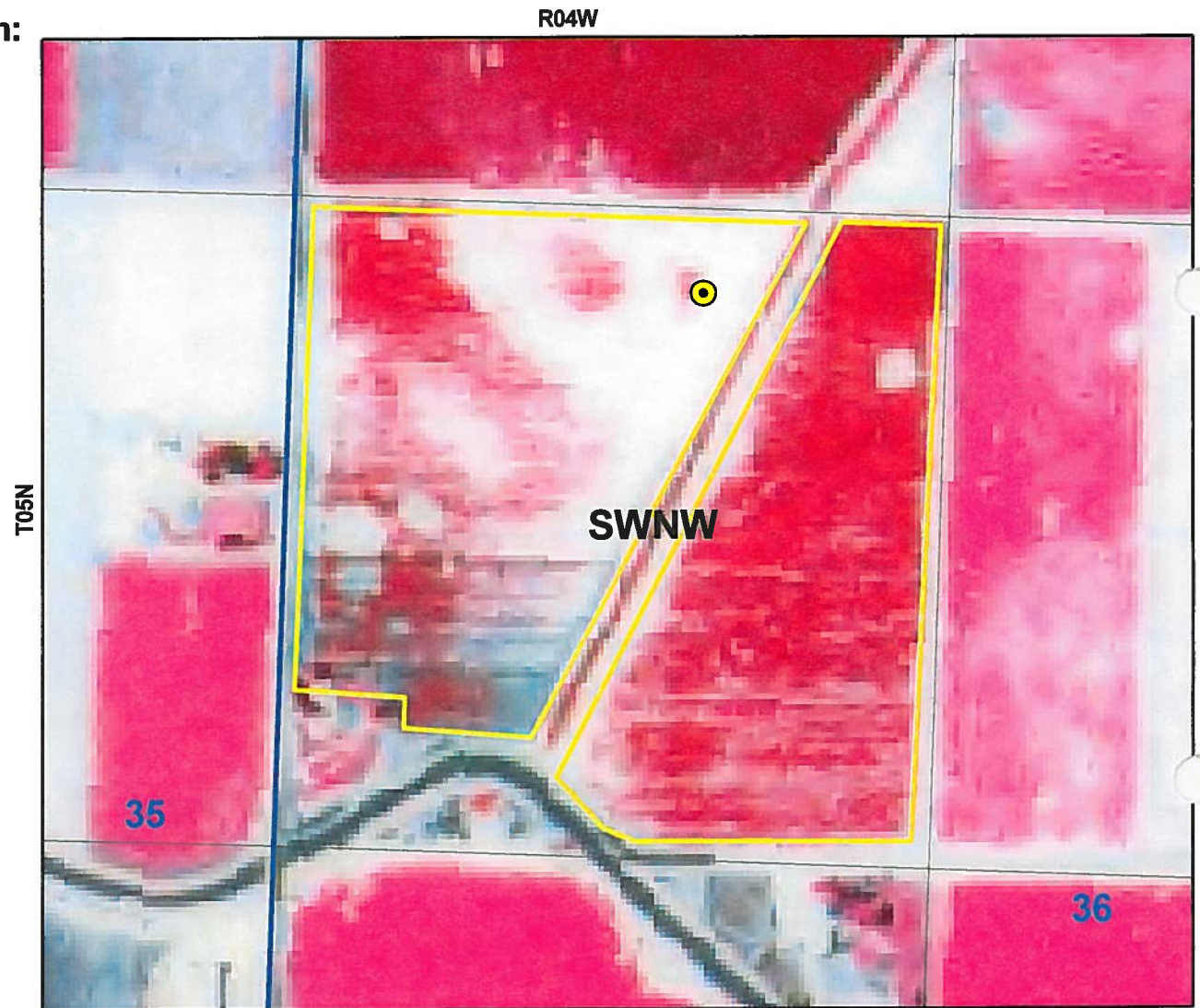
63-10494

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Canyon County
IDWR Basin 63



0 0.1 0.2 Miles



Prepared by S. Egbert
On Wednesday, August 23, 2006
1987/88 Aerial Photography

[illegible]

Idaho Dept. of Water Resources Place of Use Comparison Report

Right	63 2878	BLACK CANYON IRRIGATION DIST,	ELIJAH DRAIN, WILSON DRAIN	05N04W36																	0
Claim	63 2322	UNITED STATES OF AMERICA ACTING THROUGH,	ELIJAH SLOUGH, WILSON SLOUGH	05N04W36	40	40	40	40	40	40	40	40	35	5		5	40	40	35	40	520
Claim	63 2322A	BLACK CANYON IRRIGATION DIST,	ELIJAH SLOUGH, WILSON SLOUGH	05N04W36	40	40	40	40	40	40	40	40	35	5		5	40	40	35	40	520
Rec	63 2322	UNITED STATES OF AMERICA ACTING THROUGH,	ELIJAH SLOUGH, WILSON SLOUGH	05N04W36	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0
Right	63 2322	US DEPT OF INTERIOR,	ELIJAH SLOUGH, WILSON SLOUGH	05N04W36	40	40	40	40	40	40	40	40	35	5		5	40	40	35	40	520
App	63 11933	ASCUAGA FARMS INC,	GROUND WATER	05N04W36									35			9	40	40	37		161
Claim	63 10494	NOTUS HOP CO INC,	GROUND WATER	05N04W36							40										40
Claim	63 21404	NOTUS HOP CO INC,	GROUND WATER	05N04W36	40			40													80
Rec	63 10494	NOTUS HOP CO INC,	GROUND WATER	05N04W36							40										40
Rec	63 21404	NOTUS HOP CO INC,	GROUND WATER	05N04W36	40			40													80
Right	63 10494	NOTUS HOP CO INC,	GROUND WATER	05N04W36							31										3
Right	63 11215	KLAHR & KLAHR INC,	GROUND WATER	05N04W36											15						15
Right	63 21407	NOTUS HOP CO INC,	GROUND WATER	05N04W36							X										0
Right	63 27014	FRANK ASCUAGA, WINIFRED ASCUAGA,	GROUND WATER	05N04W36															X		0
Right	63 27015	FRANK ASCUAGA, WINIFRED ASCUAGA,	GROUND WATER	05N04W36													X				0
Right	63 28362	KLAHR & KLAHR INC,	GROUND WATER	05N04W36										X							0

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10494

Priority: June 1, 1987

Maximum Diversion Rate: 0.62 CFS

Maximum Diversion Volume: 139.5 AF

This is to certify, that NOTUS HOP CO INC
23955 WAGNER RD
CALDWELL ID 836050000

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 1, 1987; and has submitted Proof of Beneficial Use on September 1, 1989. An examination indicates that the works have a diversion capacity of 9.240 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.62 CFS	139.5 AF

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 36, Township 05N, Range 04W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	04W	36		SWNW	31	31

Total number of acres irrigated: 31

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

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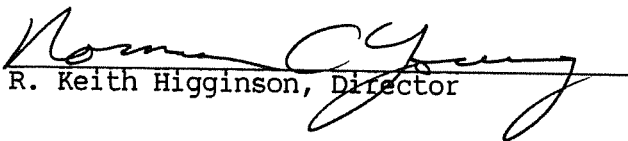
JUN 1 1 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10494

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 5th
day of JUNE, 1992.


Acting for R. Keith Higginson, Director

RECEIVED
MAY 27 1992

JUN 11 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Notus Hop Co. Inc. Phone 459-3441

Post office address P. O. Box 189 Caldwell, Idaho 83606

2. Source of water supply Ground Water which is a tributary of N/A

3. Location of point of diversion is S.W. $\frac{1}{4}$ of N. W. $\frac{1}{4}$ of Govt. Lot

Sec. 36 Township 5 N. Range 4 W. W. B.M. Canyon County; additional
points of diversion if any: la

4. Water will be used for the following purposes: Supplement Irrigation

Amount .8 for Irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .8 and/or (b) 4* 12*
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, pipes & ditches la

b. Height of storage dam feet; active reservoir capacity acre-feet; total
reservoir capacity acre-feet; period of year when water will be diverted to storage:
 to inclusive.

c. Proposed well diameter is 10" to 12" inches; proposed depth of well is 100 feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO

7. Time required for the completion of the works and application of the water 1 year proposed beneficial use is
1 year years (minimum 1 year).

MICHAEL J. JONES

MAR 01 1988

8. Description of proposed use irrigation only, go to item 9:

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	4 W	36							40 X										40Acres

Total number of acres to be irrigated 40

10. Describe any other water rights used for the same purposes as described above. 1st Unit Black Canyon Irrigation District .8 second ft

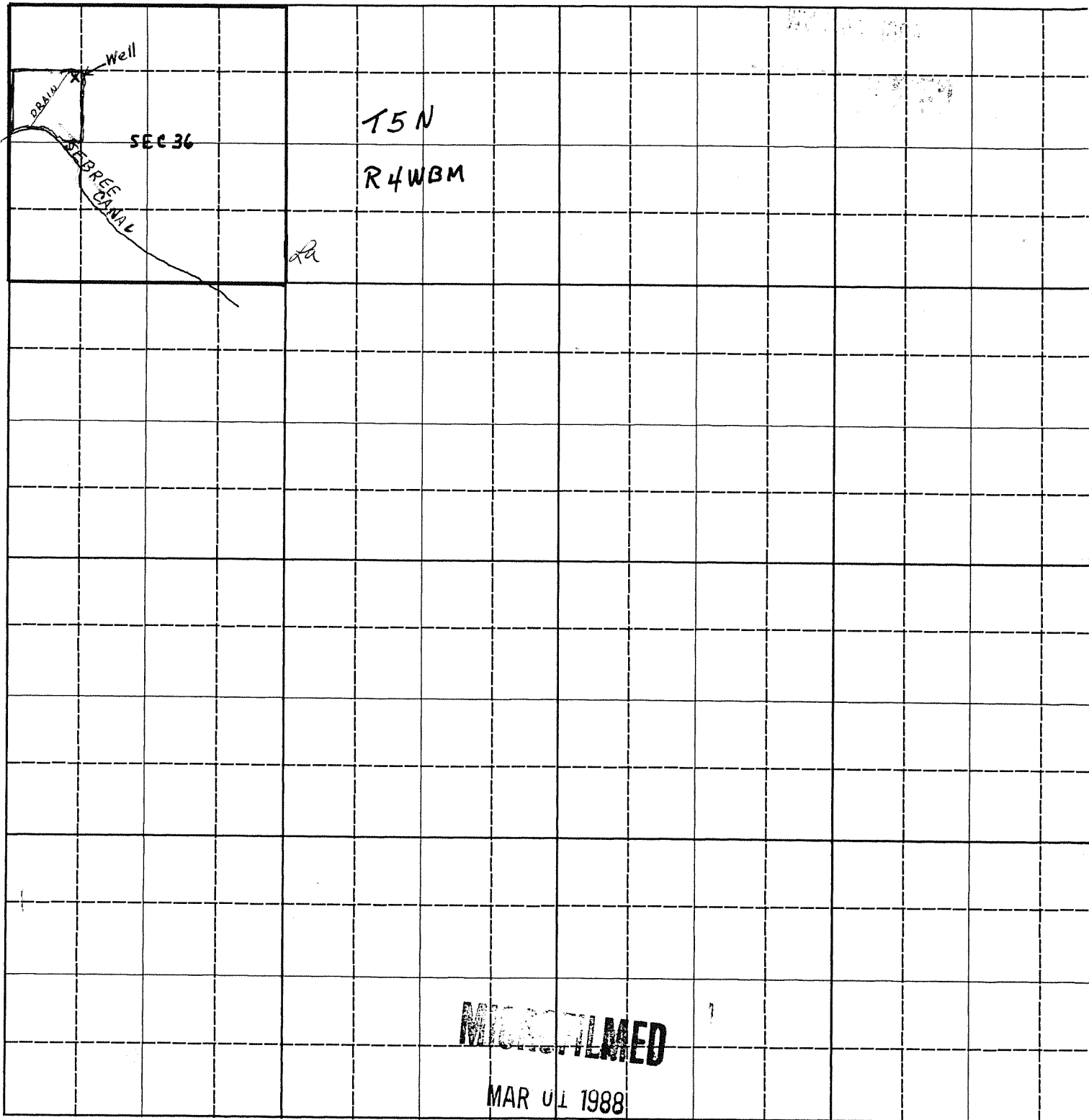
11. a. Who owns the property at the point of diversion? " " " "
- b. Who owns the land to be irrigated or place of use? Notus Hop Co., Inc.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

NOTUS HOP CO., INC.

By: Lars Carlund, Secretary

(Applicant)

Received by nl Date 8-3-87 Time 2:00 pm Proposed Priority 6/1/87
nl Date 6-1-87 Time 1:00 pm Preliminary check by [Signature]
50.00 RE-ADVERTISING FEE SUBMITTED + RECEIVED 8/10/87 # 43889
Fee \$ 45.00 Received by GG # 44877 Date 6/2/87
Publication prepared by JA Date 6/10/87 Published in Press-Tribune
6/17 + 6/24/87
Publication approved BBS bs Date 6/26/87 10/1/87

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-10494, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 88.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 30th day of November, 1987.

[Signature]
Director

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

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FEB 19 1991

A. GENERAL INFORMATION

Department of Water Resources
Permit No. 63-10494

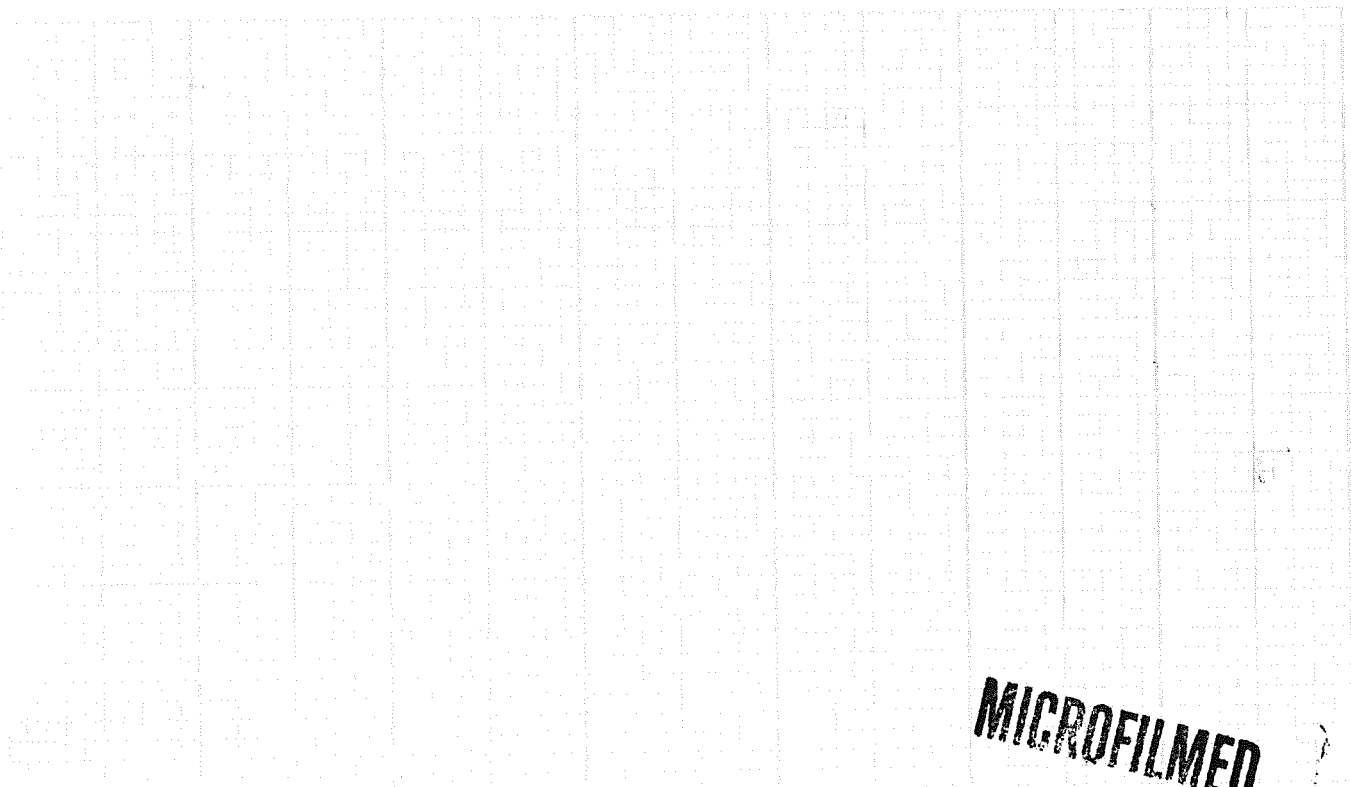
1. Owner: NOTUS HOP CO. INC. Phone No. 459-7155
Current Address: 23955 WAGNER RD. CALDWELL, ID. 83605
2. Accompanied by: JUNIOR GOMEZ EXAM. DATE: 8-15-90
Address: _____ Phone No. _____
Relationship to Permit Holder: CREW SUPERVISOR
3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: DITCH CO. WATER ONLY (63-02878)
63-02322 ☐ Copies Attached
2. Other water rights with same point of diversion: NONE
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

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System Description (continued)

3. **Narrative:** Description (As existing at time of measurement. Indicate pressure, number of sprinklers, etc.)

THE SYSTEM IS A WELL WITH OPEN DISCHARGE INTO A DIRT DITCH SYSTEM. THEY CAN PUMP WATER EAST TO THE EASTERN BOUNDARY TO A DITCH RUNNING SOUTH, OR WEST TO A DITCH ON THE WEST SIDE OF THE P/4. THAT DITCH RUNS SOUTH. DURING THE EXAM THEY WERE PUMPING INTO A DITCH RUNNING ON THE WEST SIDE OF THE MAIN WASTE DITCH. THE WELL IS PUMPING SAND & THEY WERE USING THAT DITCH TO SETTLE OUT THE SAND

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
RIGHT < DRAIN		30 @ 1760 RPM	57726	LANE/BOWLER	8"
DRIVEN BY	LANDINI				
	8530F				

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	NW	36	5N	4E	CANYON	ORTHO PHOTO & AERIAL PHOTO.

6. **Place(s) of Use:**

Indicate Method of Determination AERIAL PHOTO

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	4E	36							31										31

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Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

NO MEASUREMENT MADE
SEE IRRIGATION FROM GND WATER ATTACHMENT.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

allowable Q 31 ac x .02 = .62 cfs

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{31 \times 4.5} = \underline{139.5}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{.62 \times 246 \times 1.9835} = \underline{302.5}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{139.5}$

2. Volume Calculations for Other Uses:

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

OVERLAP IS WITH BLACK CANYON IRR. DIST. WATER.
A SECOND WELL FOR DOMESTIC USE WAS FOUND IN
THIS Q-Q (A63-2140?) NOT THE SAME WELL.
63-2322 is Bureau of Rec. - Associated with Irrigation District

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3-15	11-15	~~N/A~~ .62	139.5
Totals:			.62	139.5

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

J. AUTHENTICATION

Field Examiner's Name

KELLY K CHRISTENSEN

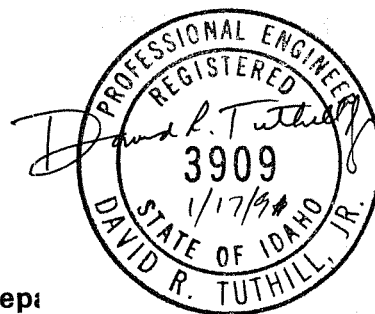
Signature

Kelly K Christensen

Certification Date

Field Report Preparation Date

10-29-90



K. Licensing recommendation shall be prepared by an Idaho Dept employee on a computer printout attached hereto.

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JUN 11 1992

PERMIT 63-10494 INIT RKC
T. R. S. Q/Q
P/D 5N 4W 36 SW/NW 1987
SCALE 8" = 1 MI FLIGHT
PHOTO ID = I-6

376

PICTURES
LOCATION

P/D

8" LINE

DIRT DITCH

T1817

DIRT DITCH

2
33.2

T1796

PICTURE # 1 & 2
LOCATION FOR
ADJUDICATION

20.5

2
39.1

36

2
37

T1761

2
46.2

3
52.9

4
22.2

3
27.8

35 36

3
37.5

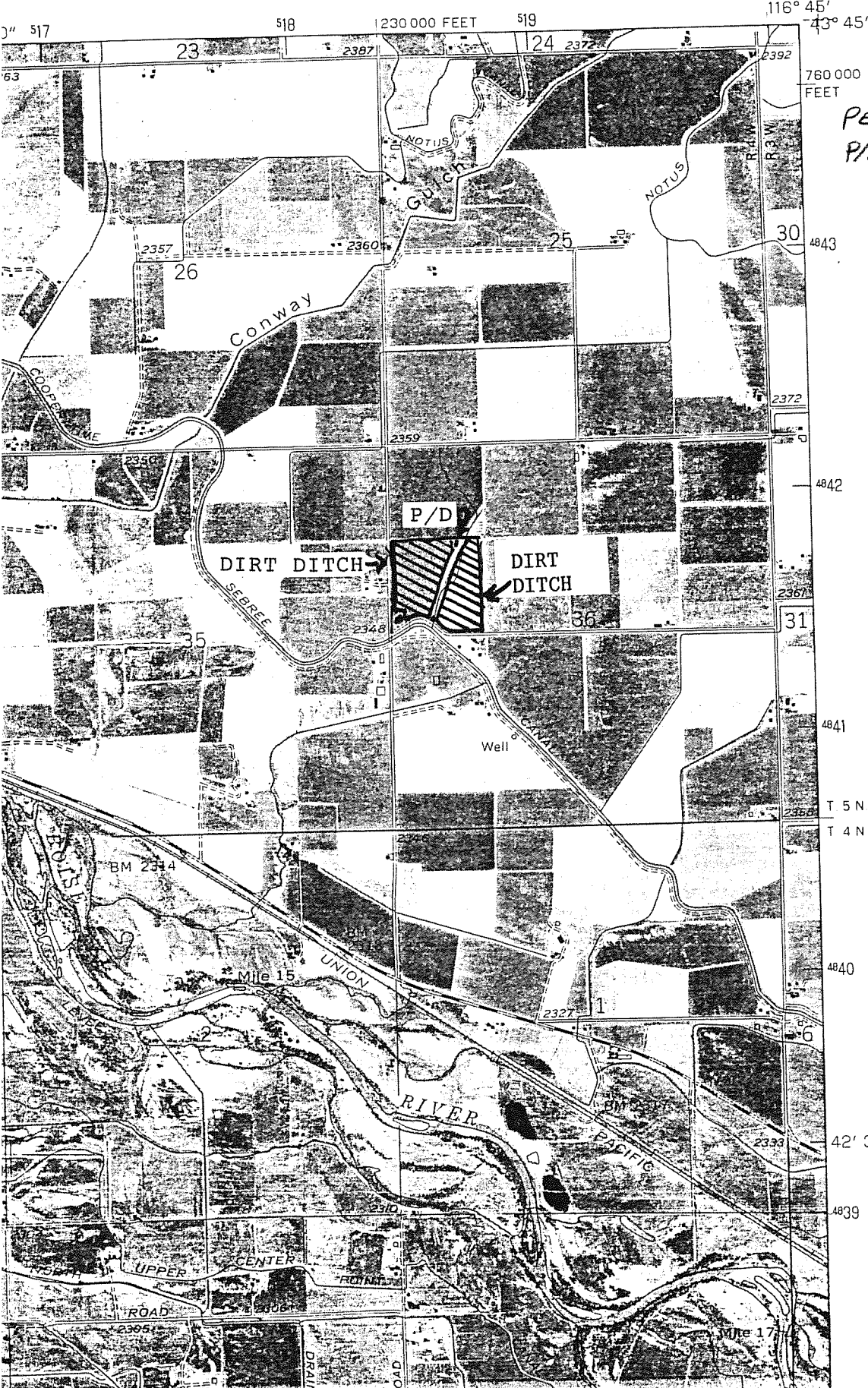
DOMESTIC WELL
ADJUDICATION
CLAIM A63-21407

UNFILMED
JUN 11 1992

R4W R5W

NOTUS QUADRANGLE
IDAHO

7.5-MINUTE SERIES (ORTHOPHOTOQUAD)



PERMIT = 63-10494
P/D = 5N-4W SEC 36
SW/NW

T5N
T4N

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