

11/06/2006

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

RIGHT NUMBER: 63-32002

NAME AND ADDRESS: NAGEL BEVERAGE COMPANY  
8925 BIRCH LN  
NAMPA ID 83687-8072

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.380 CFS  
32.500 AFY

The total instantaneous diversion of water from all points of diversion under Right 63-32002 shall not exceed 0.38 cfs, nor a total combined annual volume of 32.5 af.

PRIORITY DATE: 07/27/1972

POINT OF DIVERSION:

T03N R02W S10 NWSW Within CANYON County

T03N R02W S10 NWSW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>                              | <u>PERIOD OF USE</u> | <u>QUANTITY</u>        |
|----------------------------------------------------|----------------------|------------------------|
| INDUSTRIAL                                         | 01/01 12/31          | 0.380 CFS<br>32.50 AFY |
| Industrial use is for a beverage bottling company. |                      |                        |

PLACE OF USE: INDUSTRIAL in CANYON County

T03N R02W S10 NWSW

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

Prior to diversion of water under approved Transfer No. 71581, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Failure of the right holder to comply with the conditions of Transfer No. 71581 is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by Transfer 71581 within one year of the date of the approval.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

This right is a split from former right 63-7640.

Prior to the diversion and use of water under approved Transfer No. 71581, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

04/11/2006

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

RIGHT NUMBER: 63-32002

NAME AND ADDRESS: NAGEL BEVERAGE COMPANY  
5465 W IRVING ST  
BOISE ID 83706

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.380 CFS  
32.500 AFY

The total instantaneous diversion of water from all points of diversion under Right 63-32002 shall not exceed 0.38 cfs, nor a total combined annual volume of 32.5 af.

PRIORITY DATE: 07/27/1972

POINT OF DIVERSION:

T03N R02W S10 NWSW Within CANYON County

T03N R02W S10 NWSW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>                              | <u>PERIOD OF USE</u> | <u>QUANTITY</u>        |
|----------------------------------------------------|----------------------|------------------------|
| INDUSTRIAL                                         | 01/01 12/31          | 0.380 CFS<br>32.50 AFY |
| Industrial use is for a beverage bottling company. |                      |                        |

PLACE OF USE: INDUSTRIAL Within CANYON County

T03N R02W S10 NWSW

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

04/11/2006

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

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Prior to diversion of water under approved Transfer No. 71581, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Failure of the right holder to comply with the conditions of Transfer No. 71581 is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by Transfer 71581 within one year of the date of the approval.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

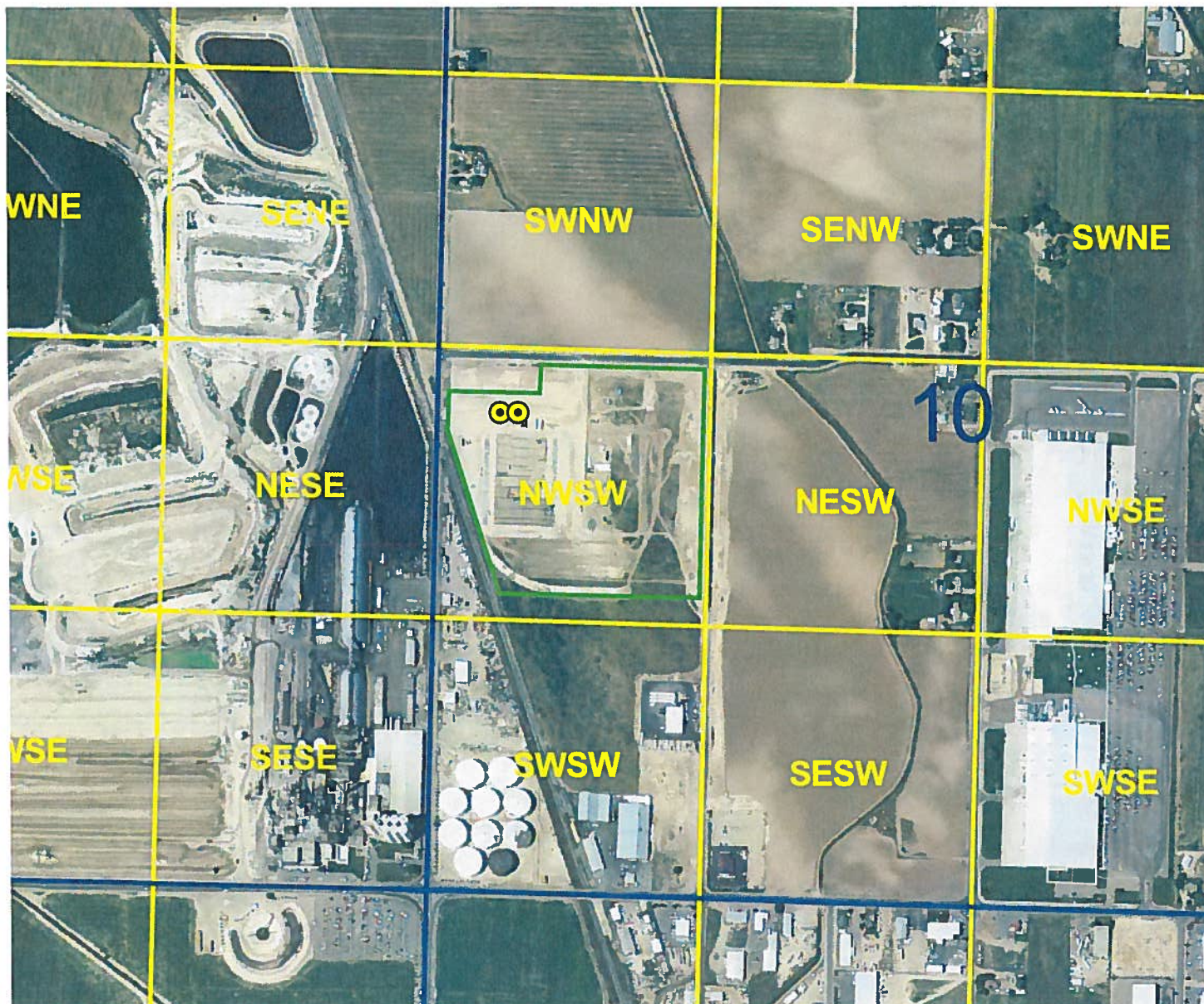
This right is a split from former right 63-7640.

Prior to the diversion and use of water under approved Transfer No. 71581, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.



State of Idaho  
Idaho Department of Water Resources  
Western Region

T3N R2W SECTIONS 10  
Water Right (s): 63-32002



1320 0 1320 2640 Feet



-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

GIS Place of Use Illustration  
2004 Photography  
Prepared By: Vicky Music  
Date: April 2006

04/29/2005

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

RIGHT NUMBER: 63-32002

NAME AND ADDRESS: NAGEL BEVERAGE COMPANY  
5465 W IRVING ST  
BOISE ID 83706

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.380 CFS  
32.500 AFY

The total instantaneous diversion of water from all points of diversion under Right 63-32002 shall not exceed 0.38 cfs, nor a total combined annual volume of 32.5 af.

PRIORITY DATE: 07/27/1972

POINT OF DIVERSION:

T03N R02W S10 NWSW Within CANYON County  
T03N R02W S10 NWSW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>        |
|-----------------------|----------------------|------------------------|
| INDUSTRIAL            | 01/01 12/31          | 0.380 CFS<br>32.50 AFY |

Industrial use is for a beverage bottling company.

PLACE OF USE: INDUSTRIAL Within CANYON County

T03N R02W S10 NWSW

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: License

After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

The right holder shall accomplish the change authorized by Transfer 71581 within one year of the date of the approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Claim Report 63-32002

WATER RIGHT NUMBER: 63-32002

recommended for  
transfer 71581

| <u>Owner Type</u> | <u>Name and Address</u>                                                        |
|-------------------|--------------------------------------------------------------------------------|
| Current Owner     | NAGEL BEVERAGE COMPANY<br>5465 W IRVING ST<br>BOISE, ID 83706<br>(208)376-2361 |

Priority Date: 07/27/1972

Basis: License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From To</u>          | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| INDUSTRIAL            | 01/01 to 12/31          | 0.380 CFS             | 32.50 AF             |
|                       | <u>Total Diversion:</u> | 0.380 CFS             | 32.50 AF             |

Location of Point(s) of Diversion

|               |            |                                 |
|---------------|------------|---------------------------------|
| GROUND WATER  | NW1/4SW1/4 | Sec. 10, Twp 03N, Rge 02W, B.M. |
| CANYON County |            |                                 |
| GROUND WATER  | NW1/4SW1/4 | Sec. 10, Twp 03N, Rge 02W, B.M. |
| CANYON County |            |                                 |

Place of Use

INDUSTRIAL

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 02W | 10  |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |        |

Conditions of Approval:

- 01Q After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
- 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
- Industrial use is for a beverage bottling company.
- T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-32002

5. WB4 The total instantaneous diversion of water from all points of diversion under Right 63-32002 shall not exceed 0.38 cfs, nor a total combined annual volume of 32.5 af.
6. T09 Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. P21 This right is a split from former right 63-7640.
10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Remarks:

Comments:

1. pskaggs 2/1/2005 3:35:35 PM Transferred Right  
Comment: This is now an approved transfer, transfer number = 71581

Water Supply Bank:

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-7640

WATER RIGHT NUMBER: 63-7640

|                   |                                                                                |
|-------------------|--------------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                        |
| Current Owner     | NAGEL BEVERAGE COMPANY<br>5465 W IRVING ST<br>BOISE, ID 83706<br>(208)376-2361 |

Priority Date: 07/27/1972

Basis: License

Status: Active Transferred

|               |                  |
|---------------|------------------|
| <u>Source</u> | <u>Tributary</u> |
| GROUND WATER  |                  |

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| INDUSTRIAL            | 1/01 to 12/31           | 0.760 CFS             | 65.00 AF             |
|                       | <u>Total Diversion:</u> | 0.760 CFS             | 65.00 AF             |

Location of Point(s) of Diversion

|              |            |                                    |
|--------------|------------|------------------------------------|
| GROUND WATER | NW1/4NW1/4 | Sec. 8,   Twp 03N,   Rge 02E, B.M. |
| ADA County   |            |                                    |

Place of Use

INDUSTRIAL

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 02E | 8   |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

Conditions of Approval:Remarks:Comments:

1. pskaggs   2/1/2005 3:35:25 PM   Approved Transfer 71581  
 Comment: Approved transfer 71581 is associated with all or part of this Right and the following records.  
 Claim 63-32001   0.38 cfs   32.5 afa   0 total acres  
 Claim 63-32002   0.38 cfs   32.5 afa   0 total acres

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-32002

02/13/2006

1

| Right # | Type        | Twp | Rge | Sec | QQ | Q  | Lot | Purpose of Use | Acres/Total | Name                   |
|---------|-------------|-----|-----|-----|----|----|-----|----------------|-------------|------------------------|
| 8830    | Claim       | 03N | 02W | 10  | NW | SW |     | IRRIGATION     | 27/97       | J & H LAND CO          |
| 8830    | Water Right | 03N | 02W | 10  | NW | SW |     | IRRIGATION     | 27/97       | J & H LAND CO          |
| 32002   | Claim       | 03N | 02W | 10  | NW | SW |     | INDUSTRIAL     |             | NAGEL BEVERAGE COMPANY |

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 63-32002  
Date Received: 10/9/2003  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NAGEL BEVERAGE COMPANY Phone:  
8925 BIRCH LN  
NAMPA ID USA 83687-8072

2. Date of Priority: 07/27/1972

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 03N      | 02W   | 10      | NW SW                 | CANYON |      |
| 03N      | 02W   | 10      | NW SW                 | CANYON |      |

5. Description of diverting works:

Deep well pumping from cold water aquifer

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| INDUSTRIAL | 01/01 | 12/31 | 0.38   | 32.5       |

7. Total Quantity Appropriated is:

0.38 C.F.S. and/or 32.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: Soft drink production

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use        | Acres |
|----------|-------|---------|------------|-----|------------|-------|
| 03N      | 02W   | 10      | NW         | SW  | INDUSTRIAL |       |

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-7640.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The total instantaneous diversion of water from all points of diversion under Right 63-32002 shall not exceed 0.38 cfs, nor a total combined annual volume of 32.5 af.

Industrial use is for a beverage bottling company.

15. Basis of Claim: License

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE  
FORM 3547

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE  
FORM 3547

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WESTERN REGIONAL OFFICE  
2735 AIRPORT WAY  
BOISE, IDAHO 83705

ADDRESS SERVICE  
REQUESTED

NAGE465\* 837062009 1706 16 10/09/06  
NAGEL BEVERAGE COMPANY  
8925 BIRCH LN  
NAMPA ID 83687-8072

NAGEL BEVERAGE COMPANY  
5465 W IRVING ST  
BOISE ID 83706

FIRST CLASS



UNITED STATES  
\$0.75  
02 1A  
0004310839  
OCT  
MAILED FROM ZIP CODE

OCT 23 2006

RECEIVED

OCT 23 2006

65-32002

DEF  
17  
CE

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 63-32002  
Date Received: 10/9/2003  
Receipt No: X777777  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NAGEL BEVERAGE COMPANY Phone: (208) 376-2361  
5465 W IRVING ST  
BOISE ID USA 83706

2. Date of Priority: 07/27/1972

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 Lot | County | Type |
|----------|-------|---------|--------|--------|---------|--------|------|
| 03N      | 02W   | 10      | NW     | SW     |         | CANYON |      |
| 03N      | 02W   | 10      | NW     | SW     |         | CANYON |      |

5. Description of diverting works:

Deep well pumping from cold water aquifer

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| INDUSTRIAL | 01/01 | 12/31 | 0.38   | 32.5       |

7. Total Quantity Appropriated is:

0.38 C.F.S. and/or 32.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: Soft drink production

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use        | Acres |
|----------|-------|---------|------------|-----|------------|-------|
| 03N      | 02W   | 10      | NW         | SW  | INDUSTRIAL |       |

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-7640.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The total instantaneous diversion of water from all points of diversion under Right 63-32002 shall not exceed 0.38 cfs, nor a total combined annual volume of 32.5 af.

Industrial use is for a beverage bottling company.

15. Basis of Claim: License

**WATER RIGHT NO. 63-32002**  
**As Modified by Transfer No. 71581**

In accordance with the approval of Transfer No. 71581, Water Right No. 63-32002 is now described as follows.

**Right Holder:** NAGEL BEVERAGE CO  
 5465 W IRVING  
 BOISE ID 83706

**Priority Date:** July 27, 1972

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| INDUSTRIAL            | 01/01 to    | 12/31     | 0.38 CFS              | 32.5 AF       |
|                       |             |           | 0.38 CFS              | 32.5 AF       |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER NWSW Sec. 10 Twp 03N Rge 02W CANYON County  
 GROUND WATER NWSW Sec. 10 Twp 03N Rge 02W CANYON County

**PLACE OF USE:** INDUSTRIAL

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 03N 02W 10  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|             |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

- EXP 1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- EXP 2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
- EXP 4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- EXP 5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
- EXP 6. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
- EXP 7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

**WATER RIGHT NO. 63-32002**  
**As Modified by Transfer No. 71581**

**CONDITIONS OF APPROVAL**

8. The total instantaneous diversion of water from all points of diversion under Right 63-32002 shall not exceed 0.38 cfs, nor a total combined annual volume of 32.5 af.
9. Industrial use is for a beverage bottling company.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 1<sup>st</sup> day of February, 20 05

*Gary Spackman*  
Chief, Water Allocation Bureau

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 71581**

This is to certify that: NAGEL BEVERAGE CO  
 5465 W IRVING  
 BOISE ID 83706  
 (208)376-2361

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

**Summary of Water Rights Before the Proposed Change**

| <u>Right</u> | <u>Origin/Basis</u> | <u>Priority</u> | <u>Rate</u> | <u>Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 63-7640      | AJC/License         | 07/27/1972      | 0.76 cfs    | 65.0 af       | N/A               | N/A                | GROUND WATER  |

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 63-7640               | YES          | NO         | YES        | YES            | NO                   | NO                   |

**Summary of Water Rights After the Approved Change**

| <u>Existing Right</u> | <u>New No. (changed portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 63-7640               | 63-32002                         | 0.38 cfs             | 32.5 af                | N/A               | N/A                | 63-32001                           | 0.38 cfs              | 32.5 af                 | N/A                         | N/A                          |
| <b>COMBINED</b>       |                                  |                      |                        |                   |                    |                                    |                       |                         |                             |                              |
| <b>TOTALS</b>         |                                  | <b>0.38 cfs</b>      | <b>32.5 af</b>         | <b>N/A</b>        | <b>N/A</b>         |                                    | <b>0.38 cfs</b>       | <b>32.5 af</b>          | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 1<sup>st</sup> day of February, 20 05

  
 Chief, Water Allocation Bureau

**SUPPORT DATA**  
**IN FILE #** 63-7640

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

*Please direct all inquiries to Ed Squires at 342-8369*

Name of applicant Nagel Beverage Company Phone (208) 376-2361

Post Office Address 5465 W. Irving, Boise, Idaho 83706

**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion    ☒ Add diversion point(s)    ☒ Change place of use  
☐ Change nature of use    ☐ Change period of use    ☐ Other \_\_\_\_\_
2. Describe the reason for the proposed changes: To add two new wells as points of diversion and to change the place of use of 1/2 of the water right's volume and flow rate to the location of a new bottling plant near Nampa in Canyon County, Idaho.

**B. DESCRIPTION OF RIGHTS(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE**

1. Right Number    Priority    Amount    Nature    Period of Use  
(cfs/ac-ft)  
( SPLIT )    07/27/1972    .38 cfs/32.5 af    Industrial    1/1 to 12/31
2. Total amount of water being transferred .38 cfs cubic feet per second and/or 32.5 acre-feet per annum.
3. Source of water Groundwater tributary to N/A
4. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec | Twp | Rge. | County | Local name for division      |
|-----|-----|-----|-----|-----|-----|------|--------|------------------------------|
|     |     | NW  | SW  | 10  | 3N  | 2W   | CANYON | Two new Nagel Beverage Wells |
|     |     |     |     |     |     |      |        |                              |

5. Lands irrigated or place of use:

| Twp | Rge | Sec | NE 1/4 |    |    |    | NW 1/4 |    |    |    | SW 1/4 |    |    |    | SE 1/4 |    |    |    | Total |
|-----|-----|-----|--------|----|----|----|--------|----|----|----|--------|----|----|----|--------|----|----|----|-------|
|     |     |     | NE     | NW | SW | SE | NE     | NW | SW | SE | NE     | NW | SW | SE | NE     | NW | SW | SE |       |
| 3N  | 2W  | 10  |        |    |    |    |        |    |    |    |        | I  |    |    |        |    |    |    |       |
|     |     |     |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |       |

Total acres N/A

6. General Information:

- a. Description of diversion system Deep wells pumping from cold water aquifer.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?  
Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: N/A
- d. Remarks: N/A

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_  
And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

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Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

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**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED:** Please see copy of Water Right License attached as Attachment B.

1. Right Evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 63-7640 issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- c. Transfer Nos. \_\_\_\_\_ which produce these rights.

2. Attach a copy of last year's tax notice of the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other \_\_\_\_\_

3. Source of water \_\_\_\_\_ tributary to \_\_\_\_\_

4. Date of priority \_\_\_\_\_

5. Water is used for the following purpose:

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right \_\_\_\_\_ cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |  |  |  | NW 1/4 |  |  |  | SW 1/4 |  |  |  | SE 1/4 |  |  |  | Totals |
|------|------|------|--------|--|--|--|--------|--|--|--|--------|--|--|--|--------|--|--|--|--------|
|      |      |      |        |  |  |  |        |  |  |  |        |  |  |  |        |  |  |  |        |
|      |      |      |        |  |  |  |        |  |  |  |        |  |  |  |        |  |  |  |        |
|      |      |      |        |  |  |  |        |  |  |  |        |  |  |  |        |  |  |  |        |

Total acres \_\_\_\_\_

9. Describe any other water rights used for the same purpose as described above.

\_\_\_\_\_

**PART 2**

10. To your knowledge, has any portion of the water right undergone a period of five or more consecutive years of non-use?

No If yes, describe \_\_\_\_\_**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*

1. Amount
- .38 cfs/32.5 acre-feet per annum
- for
- Industrial
- purposes from
- January 1
- to
- December 31
- 
- (cfs/ac-ft)

2. Point(s) of Diversion:
- No Change**

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp       | Rge       | Sec      | NE 1/4 |    |    |    | NW 1/4 |          |    |    | SW 1/4 |    |    |    | SE 1/4 |    |    |    | Total |
|-----------|-----------|----------|--------|----|----|----|--------|----------|----|----|--------|----|----|----|--------|----|----|----|-------|
|           |           |          | NE     | NW | SW | SE | NE     | NW       | SW | SE | NE     | NW | SW | SE | NE     | NW | SW | SE |       |
| <b>3N</b> | <b>2E</b> | <b>8</b> |        |    |    |    |        | <b>I</b> |    |    |        |    |    |    |        |    |    |    |       |

Total acres N/A**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is not change)*

1. Amount .38cfs/32.5 acre-feet for Industrial purposes from January 1 to December 31  
(cfs/ac-ft)
- Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)
- Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

4. Point(s) of Diversion:

| Lot | 1/4 | 1/4       | 1/4       | Sec      | Twp       | Rge.      | County     | Local name for division    |
|-----|-----|-----------|-----------|----------|-----------|-----------|------------|----------------------------|
|     |     | <b>NW</b> | <b>NW</b> | <b>8</b> | <b>3N</b> | <b>2E</b> | <b>ADA</b> | <b>Nagel Beverage Well</b> |

5. Lands irrigated or place of use:

| Twp       | Rge       | Sec      | NE 1/4 |    |    |    | NW 1/4 |          |    |    | SW 1/4 |    |    |    | SE 1/4 |    |    |    | Total |
|-----------|-----------|----------|--------|----|----|----|--------|----------|----|----|--------|----|----|----|--------|----|----|----|-------|
|           |           |          | NE     | NW | SW | SE | NE     | NW       | SW | SE | NE     | NW | SW | SE | NE     | NW | SW | SE |       |
| <b>3N</b> | <b>2E</b> | <b>8</b> |        |    |    |    |        | <b>1</b> |    |    |        |    |    |    |        |    |    |    |       |

Total acres N/A

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

**Please see attached labeled copy of USGS map.**

A large grid for drawing a map, consisting of 10 columns and 10 rows of squares. The grid is used to depict land by section, township, and range number.

SCALE: 2 inches equal 1 mile. Draw plan in ink.

## PART 3

## B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount Hours/days/year Period of Use  
\_\_\_\_\_ to \_\_\_\_\_
2. Quantity and quality of return flows and location of discharge:
3. Describe effects on water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

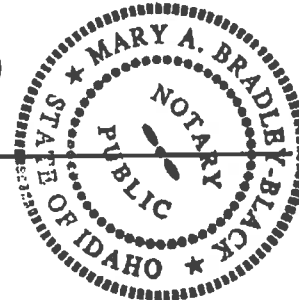
Vance [Signature] V.P.  
(Signature of Applicant and Title)

Subscribed and sworn to before me this 10<sup>th</sup> day of August, 2004

Mary A. Bradley-Black

(Notary Public)

My commissions expires 1/3/07



## FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and \_\_\_\_\_ attachments

Received by KH Date 8/23/04 Protest filed by \_\_\_\_\_

Prelim. check by g Fee 250.00

Receipted by KH Date 8/23/04 W032142

Published in \_\_\_\_\_ Copies of protest forwarded by \_\_\_\_\_

Pub. dates \_\_\_\_\_ Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial

\_\_\_\_\_ re'd. \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_



**NAGEL BEVERAGE CO., INC.**

PHONE (208) 378-2381 • FAX (208) 378-2798 • 5465 IRVING ST. • BOISE, IDAHO 83708

September 29, 2004

To Whom It May Concern:

In accordance with the Record of Actions of Board of Directors, effective April 16, 2003  
Mr. Vance Miller was elected as Vice-President of Nagel Beverage.

A handwritten signature in dark ink, appearing to read "William E. Morris". The signature is fluid and cursive.

William E. Morris  
Treasurer/Assistant Secretary

ATTACHMENT A

## WATER RIGHT LICENSE

THIS IS TO CERTIFY, that NAGEL BEVERAGE COMPANY

Beneficial Use      Period of Use      Rate of Diversion      Annual Volume

Industrial    from January 1 to December 31 at 0.76 cfs and 65 acre feet

\_\_\_\_\_ from \_\_\_\_\_ at \_\_\_\_\_ cfs and \_\_\_\_\_

\_\_\_\_\_ from \_\_\_\_\_ at \_\_\_\_\_ cfs and \_\_\_\_\_

(enter date inclusive)

Description and location of place of use:

[illegible]

SCANNED

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of  
March 19 79

Deputy Director

**MICROFILMED**

ATTACHMENT B

# IDAHO DEPARTMENT OF WATER RESOURCES

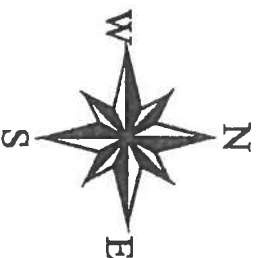
Claim: 63-7640

Date Prepared: 11-5-03

Prepared By: Gene Gibbs

T03N, R02E  
S8

ATTACHMENT C

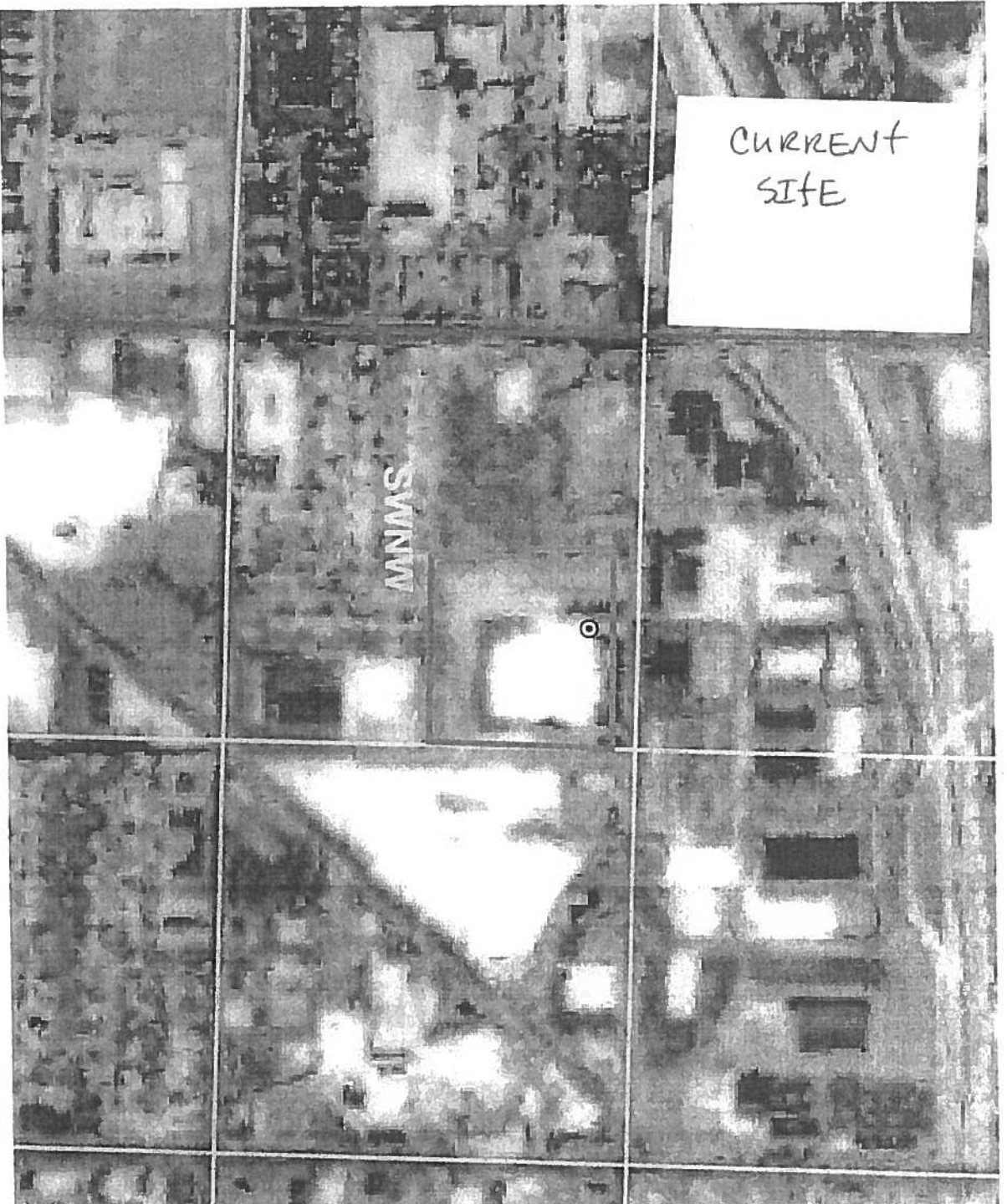


○ Point of Diversion

□ Place of use

□ Section

□ 1/4 1/4



1987 NAPP

[illegible]

ATTACHMENT D

238204/02



A Pioneer Company  
**PIONEER TITLE COMPANY**  
 OF ADA COUNTY  
 8151 W. Riffman Ave. / Boise, Idaho 83704  
 (208) 377-2700

REQUEST PIONEER MAP  
 TYPE W. J. FEE 7.00

NOEL RALES  
 GANNON CNTY RECORDER  
 BY *John D. Smith*

JAN 15 PM 4 44

RECORDED

200402592

### WARRANTY DEED

For Value Received Ronald W. Van Auker, a married man, as his sole and separate property

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Nagel Beverage Co

hereinafter referred to as Grantee, whose current address is 5465 Irving Street, Boise, ID 83706  
 the following described premises, to-wit:

See exhibit "A", attached hereto and made a part thereof, by reference and which is comprised of four (3) pages

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

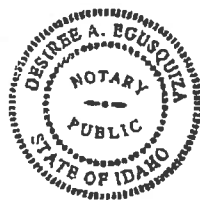
Dated: January 6, 2004

*Ronald W. Van Auker*  
 Ronald W. Van Auker

STATE OF IDAHO, County of ADA, ss.

On this 15th day of January, in the year of 2004, before me the undersigned, notary public personally appeared Ronald W. Van Auker known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

*Desiree A. Egusquiza*  
 Desiree A. Egusquiza  
 Notary Public of IDAHO  
 Residing at Nampa, Idaho  
 Commission expires: March 9, 2006



ATTACHMENT E1

EXHIBIT "A"

A parcel of land being Parcel A as shown on Record of Survey Instrument Number 200222457, located in the NW1/4 of the SW1/4 of Section 10, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho and described as follows:

Commencing at a brass cap monument marking the SW corner of said SW1/4, thence along the South line of said SW1/4 N89°56'06"E a distance of 1324.09 feet to a point from which a 5/8 inch rebar marking the SE corner of said SW1/4 bears N89°56'06"E a distance of 1324.08 feet, thence leaving said South line N00°13'00"W a distance of 1457.49 feet to a 5/8 inch rebar on the West line of said NW1/4 of the SW1/4, said rebar being the POINT OF BEGINNING;

Thence leaving said West line S89°56'06"W a distance of 1006.06 feet to a 5/8 inch rebar on the easterly right-of-way of Northern Pacific Rail Road;

Thence along said right-of-way N19°27'20"W a distance of 559.89 feet to a 5/8 inch rebar;

Thence leaving said right-of-way N89°54'25"E a distance of 1190.54 feet to a 5/8 inch rebar on said West line;

Thence along said West line S00°13'00"E a distance of 528.71 feet to the POINT OF BEGINNING.

Said parcel contains 13.32 acres more or less and is subject to all existing easements and rights-of-ways of record or implied.



EXHIBIT "A"

A parcel of land being Parcel A as shown on Record of Survey Instrument Number 200333829 and being located in a portion of the NW1/4 of SW1/4 of Section 10, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho and described as follows:

Commencing at a brass cap monument marking the NW corner of said NW1/4 of the SW1/4, thence along the North line of said NW1/4 of the SW1/4 N89°53'52"E a distance of 495.00 feet to a 5/8 inch rebar marking the POINT OF BEGINNING;

Thence continuing along said North line N89°53'52"E a distance of 828.30 feet to a 5/8 inch rebar marking the NE corner of said NW1/4 of the SW1/4;

Thence leaving said North line and along the East line of said NW1/4 of the SW1/4 S00°13'00"E a distance of 662.06 feet to a 5/8 inch rebar;

Thence leaving said East line S89°54'25"W a distance of 1190.54 feet to a 5/8 inch rebar on the easterly right-of-way of Northern Pacific Rail Road;

Thence along said right-of-way N19°27'20"W a distance of 403.15 feet to a 5/8 inch rebar on the West line of said NW1/4 of the SW1/4 and from which the SW corner of said S1/4 bears S00°12'00"E a distance of 2365.91 feet;

Thence leaving said right-of-way and along the said West line N00°12'00"W a distance of 61.44 feet to a 5/8 inch rebar;

Thence leaving said West line N89°53'52"E a distance of 495.00 feet to a 5/8 inch rebar;

Thence parallel with said West line N00°12'00"W a distance of 220.00 feet to the POINT OF BEGINNING.

Said parcel contains 17.03 acres more or less and is subject to all existing easements and rights-of-ways of record or implied.



PN52710

QVB  
DKB

EXHIBIT "A"

A portion of the Northwest Quarter of the Southwest Quarter, Section 10, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

BEGINNING at the Northwest corner of said Northwest Quarter of the Southwest Quarter the REAL POINT OF BEGINNING, and bearing

South 220 feet along the West boundary of the aforesaid Southwest Quarter; thence East 495 feet; thence

North 220 feet to the intersection of the North boundary of the aforesaid Southwest Quarter; thence

West 495 feet along the aforesaid North boundary to the REAL POINT OF BEGINNING.

9902296

RECORDED

39 JUN 20 PM 4 21

C. MCCL HALE  
CANYON CITY RECORDER

BY *[Signature]*

PIONEER - NAMPA  
TYPE *[Signature]* FEB 10 00

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 63-7640  
Date Received: 10/9/2003  
Receipt No: W031012  
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

NAGEL BEVERAGE COMPANY Phone: (208)376-2361  
5465 W IRVING  
BOISE ID USA 83706

2. Date of Priority: 07/27/1972

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 03N      | 02E   | 8       | NW NW                 | ADA    |      |

5. Description of diverting works:

300 ft. well w/12 inch casing.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| INDUSTRIAL | 01/01 | 12/31 | 0.76   | 65         |

7. Total Quantity Appropriated is:

0.76 C.F.S. and/or 65 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: Soft drink production

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 Lot | Use        | Acres |
|----------|-------|---------|----------------|------------|-------|
| 03N      | 02E   | 8       | NW NW          | INDUSTRIAL |       |

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: License

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

Date Received

Receipt Number

ALB-7640

1019103

41031012

RECEIVED

OCT 09 2003

WATER RESOURCES  
WESTERN REGION

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Nagel Beverage Company Phone ( 208 ) 376-2361

Mailing Address 5465 W. Irving, Boise, Idaho Zip 83706

2. Date of Priority (Only one (1) per claim) July 27, 1972

3. Source of water supply (a) groundwater  
which is tributary to (b) \_\_\_\_\_

4. a. Location of existing point of diversion is: Township 3N Range 2E Section 8,  
NW 1/4 of NW 1/4 of \_\_\_\_\_ 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of Ada

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. Well is 300 feet deep with  
12 inch casing.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Industrial purposes from 1/1 to 12/31 amount 0.76 or 65

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.76 (cfs) and/or (b) 65 (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Water to be used for the production of soft drinks.

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 |        |
| 3N  | 2E  | 8   |        |       |       |       | X      |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres Irrigated \_\_\_\_\_

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

12. Do you own the property listed above as place of use? Yes X 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.  
\_\_\_\_\_ or None (X)

14. Remarks:

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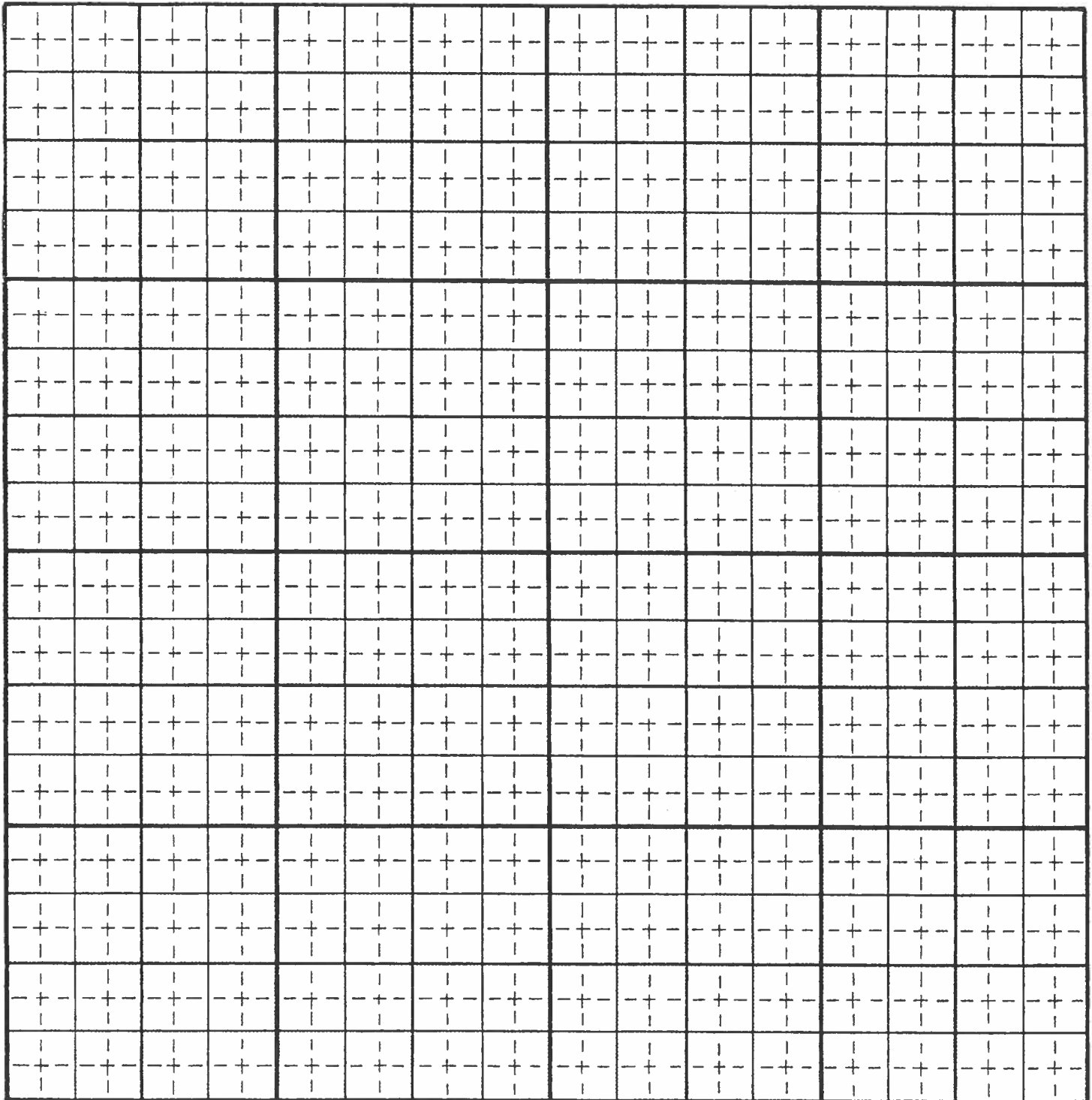
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Last Name Nagel Beverage Ident No. 63-7640

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

Scale: 2 inches equals 1 mile



Last Name Nagel Beverage Ident No. 63-7640

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License X Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number 63-7640  
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 \_\_\_\_\_  
wish to receive and pay a small annual fee for monthly copies of the docket sheet.  
Number of attachments \_\_\_\_\_

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

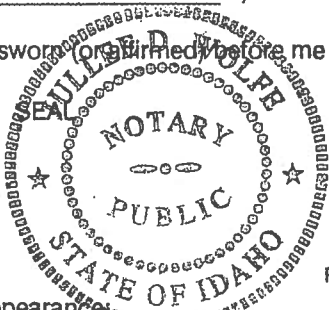
Signature of Claimant (s) \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am Vice President  
Title  
of NAGEL BEVERAGE CO. INC. that I have signed the foregoing  
Organization  
document in the space below as Vice President of NAGEL BEVERAGE CO. INC.  
Title Organization  
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]  
Title and Organization V.P. - NAGEL BEVERAGE CO. INC. Date 9/24/03

State of Idaho/or \_\_\_\_\_ )  
County of Ada ) SS.

Subscribed and sworn to and affirmed before me this 24th day of September 2003



Notary Public [Signature]  
Residing at Nampa  
My Commission Expires 7-21-04

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 Nagel Beverage Ident. Number 63-7640

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-7640 Priority July 27, 1972 Amount 0.76 cfs

THIS IS TO CERTIFY, that NAGEL BEVERAGE COMPANY

of Boise, Idaho, has complied with the terms and conditions of Permit No. 63-7640 issued pursuant to Application for Permit dated July 27, 1972, and has submitted proof to the Department of Water Resources on October 31, 1977, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 0.76 cfs of water from a groundwater source, tributary to \_\_\_\_\_, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

| Beneficial Use    | Period of Use                        | Rate of Diversion  | Annual Volume           |
|-------------------|--------------------------------------|--------------------|-------------------------|
| <u>Industrial</u> | <u>from January 1 to December 31</u> | <u>at 0.76 cfs</u> | <u>and 65 acre feet</u> |
| _____             | from _____                           | _____ cfs and      | _____                   |
| _____             | from _____                           | _____ cfs and      | _____                   |

(both dates inclusive)

Subject, however, to the condition that no more than 0.76 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 65 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 8, Twp. 3N, Rge. 2E, B. M. in the County of Ada

Description and location of place of use:

| Twp. | Range | Sec. | 1N               |                  |                  |                  | 2N               |                  |                  |                  | 3N               |                  |                  |                  | 4N               |                  |                  |                  | Totals |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SE $\frac{1}{4}$ | SW $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SE $\frac{1}{4}$ | SW $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SE $\frac{1}{4}$ | SW $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SE $\frac{1}{4}$ | SW $\frac{1}{4}$ |        |
| 3N   | 2E    | 8    |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated \_\_\_\_\_

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of March, 19 79.

Deputy Director

NOT RECORDED

RECEIVED

Identification No. 63-7640  
 Permit No. 63-7640 Oct 31 1977  
 Department of Water Resources

STATE OF IDAHO  
 DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder NAGEL BEV Co.  
 b) Post Office Address 5465 IRVING
2. Permit Number 63-7640
3. Date of Priority that you are prepared to establish 7-27-72
4. a) Source from which water was appropriated Groundwater  
 b) Location of the point of diversion: N 1/2 XX NW 1/4, Section 8  
 Township 3N, Range 2E Boise Meridian, Other points of diversion: \_\_\_\_\_
5. a) The amount of water and use to which the water has been applied:  
 Amount 1 cfs/50 Ac-Ft. for Industrial purposes from Jan. 1 to Dec. 31 incl.  
 (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
 (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
 (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
 b) Total amount appropriated \_\_\_\_\_ cfs and/or acre-feet per annum  
 c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Meter readings taken  
Ralph A. Kangas, P.E., Consultant
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:  
 a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:  
N/A  
 b) Describe the agreement or understanding by which you take water from the works:  
N/A
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) The well is 300' deep with a 12" Ø casing 281 deep and a 10" Ø screen to 295'. The pump is a "Jacuzzi" Model 2556x6-T2, 25 HP, 3450 RPM, 240 Volts, 3 Ø, 60 cycle with a 4" Ø standard pipe outlet.  
 b) Describe the type and size of measuring device which you have installed at your point of diversion: The flow meter is a "BADGER" 4" Ø MDIM meter installed inside the Mechanical Room upstream from the 2000 Gal. pressure tank.  
 c) Give well driller's name and address and the date the well was completed: Russel Cowe (#62)  
completed the well October 10, 1972.
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: The production of soft drinks.

11/8/77

DATE OF EXAM 5/17/78

ACREAGE  
Found 8  
Recommended 8

Irrigation Requirement 0 Ac Ft/Ac

USE  
Irrigation Q= \_\_\_\_\_ c.f.s. V= \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Domestic Q= \_\_\_\_\_ c.f.s. V= \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q= \_\_\_\_\_ c.f.s. V= \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Industrial 275.76 1/1 12/31

Is water co-mingled? yes \_\_\_\_\_ no X

Name source: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County

Exchange? yes \_\_\_\_\_ no X

Name source exchanged with: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County

Point of injection:  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County

Point of exchange:  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County

Total Q measured 275.76 Method of measurement Meter

Total Q recommended 275.76 Meter No. #MO 539591 Type Bodger Condition operational

Total V recommended 65 ac ft - phoned Lee Sisco & he

Recommended Amendments:

P.D. \_\_\_\_\_  
Place of Use \_\_\_\_\_  
Other \_\_\_\_\_  
None None stated after calling Nagle  
Dev. & getting amnt. of pop they  
bottled & how many hrs. worked  
that he came up with this figure  
for annual volume js 2/2/79

MEASUREMENT CALCULATION:

Bodger meter # MO 539591 at 340 gpm = 275 cfs  
 $340 / 448.66 = 0.7574$

SYSTEM DESCRIPTION:

12" well 480 ft deep with 25 HP Jacuzzi pump with 4" main  
line to 400 gal. storage tank. Well located in  
NW corner of building.

REMARKS:

Water used in the bottling of Pepsi Cola

Examiner's Signature G. L. Sisco Date 12/1/78

Checked by DBS Date 12/1/78

Approved by \_\_\_\_\_ Date \_\_\_\_\_

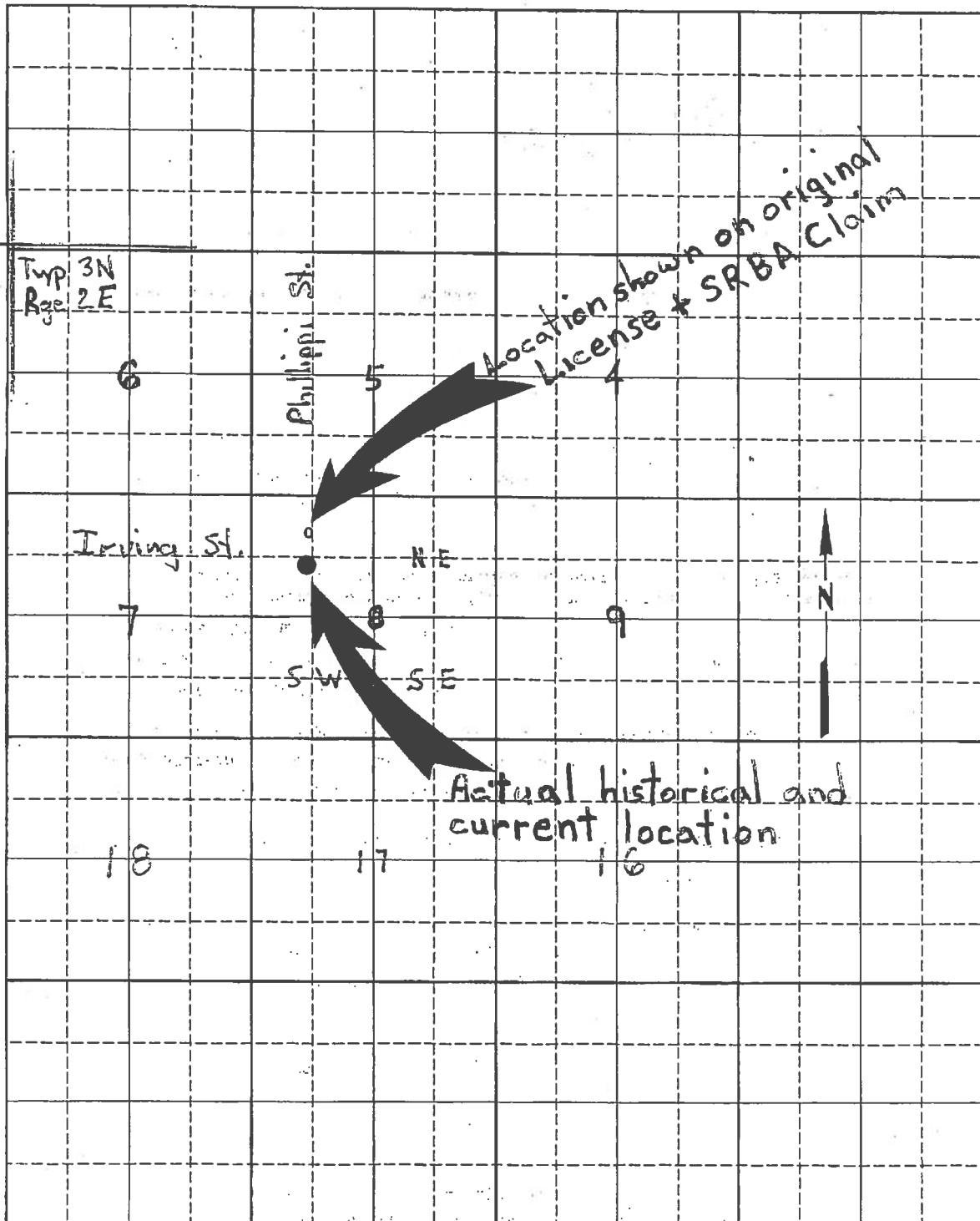
Application No. 63-7646

APPROVED

To Appropriate the Public Waters of the State of Idaho  
(TYPE OR PRINT IN INK)

- HAGEL BEVERAGE COMPANY**
1. Name of applicant \_\_\_\_\_  
post office address \_\_\_\_\_  
**1302 Main - Boise, Idaho**
2. Source of water supply \_\_\_\_\_ Ground Water which is a tributary of \_\_\_\_\_
3. a. Location of point of diversion is **NW 1/4** of Section **8** Township **3N**  
Range **2E** B.M. Ada County; additional points of diversion if any \_\_\_\_\_
- b. If water is not consumed, it will be discharged into \_\_\_\_\_ City Sewer  
of \_\_\_\_\_ % of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ at a point in \_\_\_\_\_ B.M.
4. Water will be used for the following purposes:  
Amount **1** for **Cooling / Air Conditioning** purpose from January 1 to Dec. 31 (both dates inclusive)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)
5. Total quantity to be appropriated \_\_\_\_\_  
\_\_\_\_\_ cubic feet per second and or  
\_\_\_\_\_ acre foot per annum
6. Proposed diverting works  
a. Description of ditches, flumes, pumps, headgates, etc. \_\_\_\_\_  
\_\_\_\_\_
- b. Height of storage dam \_\_\_\_\_ feet above river or capacity \_\_\_\_\_  
canal, \_\_\_\_\_ acre feet materials used in storage dam  
Period of year during which storage will occur \_\_\_\_\_ to \_\_\_\_\_ inclusive
- c. Proposed well diameter is **12** inches, proposed depth of well is **200** feet
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use \_\_\_\_\_ years  
b. Estimated construction cost \$ **10,000.00**
- B. Diversion of water to other uses  
a. If water is not to be applied \_\_\_\_\_  
b. Give the name of \_\_\_\_\_ of \_\_\_\_\_  
Range **2L** B.M. \_\_\_\_\_  
(2) Amount of power to be generated \_\_\_\_\_ hp or kw  
(3) List number of units and of livestock to be sustained \_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_  
Supplied with domestic water \_\_\_\_\_  
(5) If water is to be used for other than agricultural Water to be used for production of soft drinks.

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



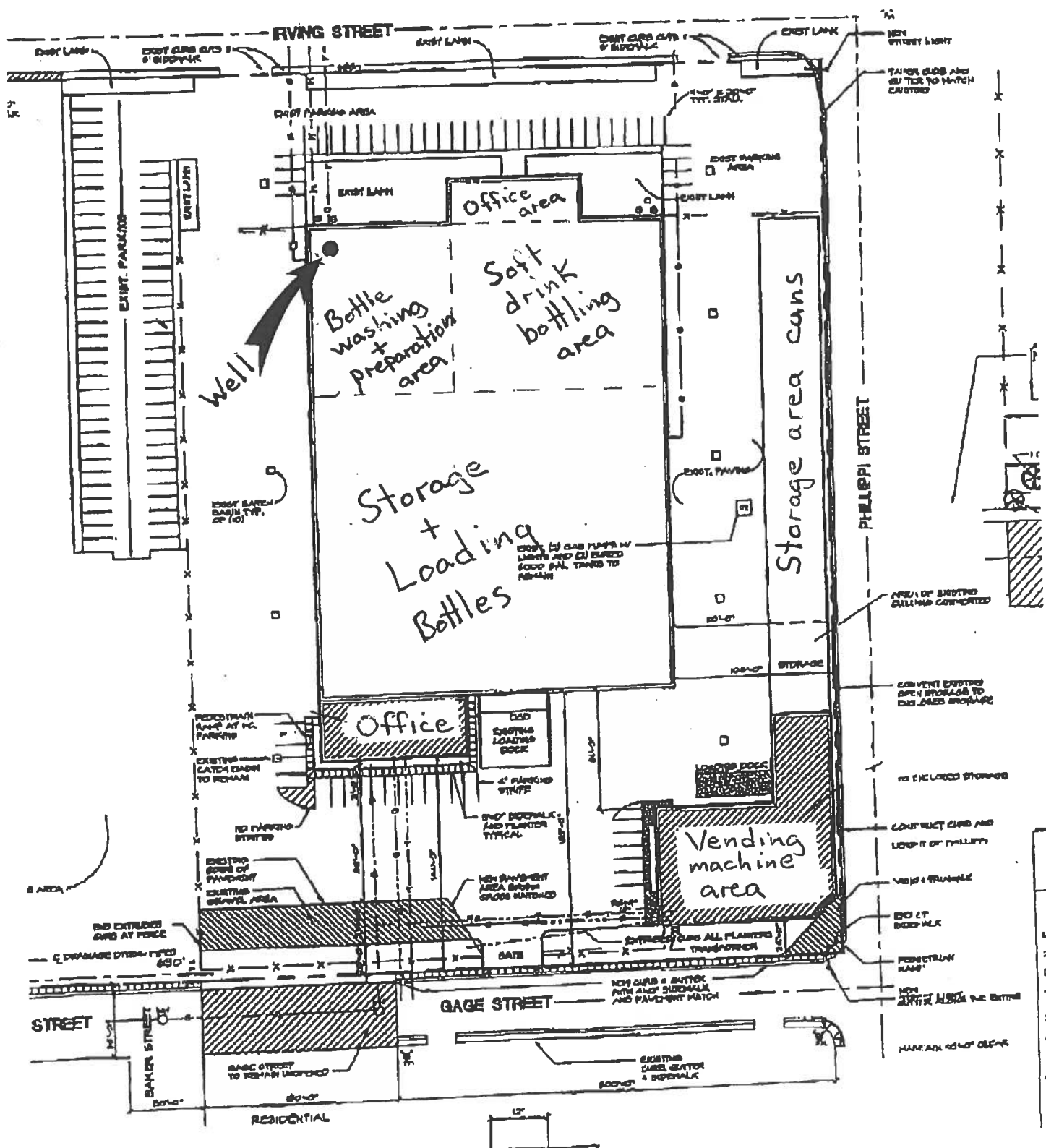
Scale: 2 inches equal 1 mile

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.

By:

NAGEL BEVERAGE COMPANY

(Applicant) Ralph A. Kahgas, P.E.  
SMITH & MONROE ENGINEERS, INC.  
For: NAGEL BEVERAGE COMPANY



## WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

| <b>1. WELL OWNER</b><br>Name <u>Nagel Beverage</u><br>Address <u>Bonita</u><br>Owner's Permit No. <u>63-7640</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |       | <b>7. WATER LEVEL</b><br>Static water level <u>11</u> feet below land surface<br>Flowing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No G.P.M. flow _____<br>Temperature _____ ° F. Quality _____<br>Artesian closed-in pressure _____ p.s.i.<br>Controlled by <input type="checkbox"/> Valve <input type="checkbox"/> Cap <input type="checkbox"/> Plug                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |            |       |  |          |       |  |      |    |     |    |     |   |   |                     |  |   |   |    |                |  |   |    |    |        |   |  |    |    |                  |   |  |    |    |            |  |   |    |    |                   |  |   |    |    |                    |   |   |    |     |       |  |   |     |     |                      |   |  |     |     |       |  |   |     |     |                           |   |  |     |     |       |  |   |     |     |                       |   |  |     |     |       |  |   |     |     |                 |   |  |     |     |                 |   |  |     |     |                     |   |  |     |     |                              |   |  |     |     |                     |   |  |     |     |               |   |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------|-------|--|----------|-------|--|------|----|-----|----|-----|---|---|---------------------|--|---|---|----|----------------|--|---|----|----|--------|---|--|----|----|------------------|---|--|----|----|------------|--|---|----|----|-------------------|--|---|----|----|--------------------|---|---|----|-----|-------|--|---|-----|-----|----------------------|---|--|-----|-----|-------|--|---|-----|-----|---------------------------|---|--|-----|-----|-------|--|---|-----|-----|-----------------------|---|--|-----|-----|-------|--|---|-----|-----|-----------------|---|--|-----|-----|-----------------|---|--|-----|-----|---------------------|---|--|-----|-----|------------------------------|---|--|-----|-----|---------------------|---|--|-----|-----|---------------|---|--|
| <b>2. NATURE OF WORK</b><br><input checked="" type="checkbox"/> New well <input type="checkbox"/> Deepened <input type="checkbox"/> Replacement<br><input type="checkbox"/> Abandoned (describe method of abandoning) _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |       | <b>8. WELL TEST DATA</b><br><input checked="" type="checkbox"/> Pump <input type="checkbox"/> Bailor <input type="checkbox"/> Other<br>Discharge G.P.M. <u>500</u> Draw Down <u>112</u> Hours Pumped <u>8</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |            |       |  |          |       |  |      |    |     |    |     |   |   |                     |  |   |   |    |                |  |   |    |    |        |   |  |    |    |                  |   |  |    |    |            |  |   |    |    |                   |  |   |    |    |                    |   |   |    |     |       |  |   |     |     |                      |   |  |     |     |       |  |   |     |     |                           |   |  |     |     |       |  |   |     |     |                       |   |  |     |     |       |  |   |     |     |                 |   |  |     |     |                 |   |  |     |     |                     |   |  |     |     |                              |   |  |     |     |                     |   |  |     |     |               |   |  |
| <b>3. PROPOSED USE</b><br><input type="checkbox"/> Domestic <input type="checkbox"/> Irrigation <input type="checkbox"/> Test<br><input type="checkbox"/> Municipal <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Stock                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |       | <b>9. LITHOLOGIC LOG</b> <table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td rowspan="16">12"</td><td>0</td><td>3</td><td>Top soil and rubble</td><td></td><td>✓</td></tr><tr><td>3</td><td>12</td><td>Hardpan &amp; Dirt</td><td></td><td>✓</td></tr><tr><td>12</td><td>44</td><td>Gravel</td><td>✓</td><td></td></tr><tr><td>44</td><td>68</td><td>Brown Sandy Clay</td><td>✓</td><td></td></tr><tr><td>68</td><td>74</td><td>Brown clay</td><td></td><td>✓</td></tr><tr><td>74</td><td>93</td><td>Shale (Blue clay)</td><td></td><td>✓</td></tr><tr><td>93</td><td>96</td><td>Fine sand-in shale</td><td>✓</td><td>✓</td></tr><tr><td>96</td><td>142</td><td>Shale</td><td></td><td>✓</td></tr><tr><td>142</td><td>153</td><td>Coarse sand &amp; Gravel</td><td>✓</td><td></td></tr><tr><td>153</td><td>172</td><td>Shale</td><td></td><td>✓</td></tr><tr><td>172</td><td>176</td><td>Gravel-Suspended in Shale</td><td>✓</td><td></td></tr><tr><td>176</td><td>192</td><td>Shale</td><td></td><td>✓</td></tr><tr><td>192</td><td>195</td><td>Sand streaks in Shale</td><td>✓</td><td></td></tr><tr><td>195</td><td>234</td><td>Shale</td><td></td><td>✓</td></tr><tr><td>234</td><td>255</td><td>Fine Water Sand</td><td>✓</td><td></td></tr><tr><td>255</td><td>264</td><td>Cemented Gravel</td><td>✓</td><td></td></tr><tr><td>264</td><td>279</td><td>Sand &amp; Small Gravel</td><td>✓</td><td></td></tr><tr><td>279</td><td>282</td><td>Gravel with Brn. Clay Binder</td><td>✓</td><td></td></tr><tr><td>282</td><td>295</td><td>Small Gravel &amp; Sand</td><td>✓</td><td></td></tr><tr><td>295</td><td>300</td><td>Cemented Sand</td><td>✓</td><td></td></tr></tbody></table> |                           | Hole Diam. | Depth |  | Material | Water |  | From | To | Yes | No | 12" | 0 | 3 | Top soil and rubble |  | ✓ | 3 | 12 | Hardpan & Dirt |  | ✓ | 12 | 44 | Gravel | ✓ |  | 44 | 68 | Brown Sandy Clay | ✓ |  | 68 | 74 | Brown clay |  | ✓ | 74 | 93 | Shale (Blue clay) |  | ✓ | 93 | 96 | Fine sand-in shale | ✓ | ✓ | 96 | 142 | Shale |  | ✓ | 142 | 153 | Coarse sand & Gravel | ✓ |  | 153 | 172 | Shale |  | ✓ | 172 | 176 | Gravel-Suspended in Shale | ✓ |  | 176 | 192 | Shale |  | ✓ | 192 | 195 | Sand streaks in Shale | ✓ |  | 195 | 234 | Shale |  | ✓ | 234 | 255 | Fine Water Sand | ✓ |  | 255 | 264 | Cemented Gravel | ✓ |  | 264 | 279 | Sand & Small Gravel | ✓ |  | 279 | 282 | Gravel with Brn. Clay Binder | ✓ |  | 282 | 295 | Small Gravel & Sand | ✓ |  | 295 | 300 | Cemented Sand | ✓ |  |
| Hole Diam.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Depth |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Material                  |            | Water |  |          |       |  |      |    |     |    |     |   |   |                     |  |   |   |    |                |  |   |    |    |        |   |  |    |    |                  |   |  |    |    |            |  |   |    |    |                   |  |   |    |    |                    |   |   |    |     |       |  |   |     |     |                      |   |  |     |     |       |  |   |     |     |                           |   |  |     |     |       |  |   |     |     |                       |   |  |     |     |       |  |   |     |     |                 |   |  |     |     |                 |   |  |     |     |                     |   |  |     |     |                              |   |  |     |     |                     |   |  |     |     |               |   |  |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 255   | 264                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Cemented Gravel           | ✓          |       |  |          |       |  |      |    |     |    |     |   |   |                     |  |   |   |    |                |  |   |    |    |        |   |  |    |    |                  |   |  |    |    |            |  |   |    |    |                   |  |   |    |    |                    |   |   |    |     |       |  |   |     |     |                      |   |  |     |     |       |  |   |     |     |                           |   |  |     |     |       |  |   |     |     |                       |   |  |     |     |       |  |   |     |     |                 |   |  |     |     |                 |   |  |     |     |                     |   |  |     |     |                              |   |  |     |     |                     |   |  |     |     |               |   |  |
| 264                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 279   | Sand & Small Gravel                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | ✓                         |            |       |  |          |       |  |      |    |     |    |     |   |   |                     |  |   |   |    |                |  |   |    |    |        |   |  |    |    |                  |   |  |    |    |            |  |   |    |    |                   |  |   |    |    |                    |   |   |    |     |       |  |   |     |     |                      |   |  |     |     |       |  |   |     |     |                           |   |  |     |     |       |  |   |     |     |                       |   |  |     |     |       |  |   |     |     |                 |   |  |     |     |                 |   |  |     |     |                     |   |  |     |     |                              |   |  |     |     |                     |   |  |     |     |               |   |  |
| 279                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 282   | Gravel with Brn. Clay Binder                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | ✓                         |            |       |  |          |       |  |      |    |     |    |     |   |   |                     |  |   |   |    |                |  |   |    |    |        |   |  |    |    |                  |   |  |    |    |            |  |   |    |    |                   |  |   |    |    |                    |   |   |    |     |       |  |   |     |     |                      |   |  |     |     |       |  |   |     |     |                           |   |  |     |     |       |  |   |     |     |                       |   |  |     |     |       |  |   |     |     |                 |   |  |     |     |                 |   |  |     |     |                     |   |  |     |     |                              |   |  |     |     |                     |   |  |     |     |               |   |  |
| 282                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 295   | Small Gravel & Sand                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | ✓                         |            |       |  |          |       |  |      |    |     |    |     |   |   |                     |  |   |   |    |                |  |   |    |    |        |   |  |    |    |                  |   |  |    |    |            |  |   |    |    |                   |  |   |    |    |                    |   |   |    |     |       |  |   |     |     |                      |   |  |     |     |       |  |   |     |     |                           |   |  |     |     |       |  |   |     |     |                       |   |  |     |     |       |  |   |     |     |                 |   |  |     |     |                 |   |  |     |     |                     |   |  |     |     |                              |   |  |     |     |                     |   |  |     |     |               |   |  |
| 295                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 300   | Cemented Sand                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | ✓                         |            |       |  |          |       |  |      |    |     |    |     |   |   |                     |  |   |   |    |                |  |   |    |    |        |   |  |    |    |                  |   |  |    |    |            |  |   |    |    |                   |  |   |    |    |                    |   |   |    |     |       |  |   |     |     |                      |   |  |     |     |       |  |   |     |     |                           |   |  |     |     |       |  |   |     |     |                       |   |  |     |     |       |  |   |     |     |                 |   |  |     |     |                 |   |  |     |     |                     |   |  |     |     |                              |   |  |     |     |                     |   |  |     |     |               |   |  |
| <b>4. METHOD DRILLED</b><br><input checked="" type="checkbox"/> Cable <input type="checkbox"/> Rotary <input type="checkbox"/> Dug <input type="checkbox"/> Other                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |            |       |  |          |       |  |      |    |     |    |     |   |   |                     |  |   |   |    |                |  |   |    |    |        |   |  |    |    |                  |   |  |    |    |            |  |   |    |    |                   |  |   |    |    |                    |   |   |    |     |       |  |   |     |     |                      |   |  |     |     |       |  |   |     |     |                           |   |  |     |     |       |  |   |     |     |                       |   |  |     |     |       |  |   |     |     |                 |   |  |     |     |                 |   |  |     |     |                     |   |  |     |     |                              |   |  |     |     |                     |   |  |     |     |               |   |  |
| <b>5. WELL CONSTRUCTION</b><br>Diameter of hole <u>12</u> inches Total depth <u>300</u> feet<br>Casing schedule: <input checked="" type="checkbox"/> Steel <input type="checkbox"/> Concrete<br>Thickness <u>3.75</u> inches Diameter <u>12</u> inches From <u>+1</u> feet To <u>281</u> feet<br>Inches inches feet feet<br>Inches inches feet feet<br>Inches inches feet feet<br>Inches inches feet feet<br>Inches inches feet feet<br>Was a packer or seal used? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>Perforated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>How perforated? <input type="checkbox"/> Factory <input type="checkbox"/> Knife <input type="checkbox"/> Torch<br>Size of perforation _____ inches by _____ inches<br>Number _____ From _____ To _____<br>perforations feet feet<br>perforations feet feet<br>perforations feet feet<br>Well screen installed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>Manufacturer's name <u>Johnson</u><br>Type _____ Model No. _____<br>Diameter <u>105</u> Slot size <u>0.040</u> Set from <u>281</u> feet to <u>295</u> feet<br>Diameter _____ Slot size _____ Set from _____ feet to _____ feet<br>Gravel packed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Size of gravel _____<br>Placed from _____ feet to _____ feet<br>Surface seal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To what depth <u>20+</u> feet<br>Material used in seal <input checked="" type="checkbox"/> Cement grout <input type="checkbox"/> Puddling clay |       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |            |       |  |          |       |  |      |    |     |    |     |   |   |                     |  |   |   |    |                |  |   |    |    |        |   |  |    |    |                  |   |  |    |    |            |  |   |    |    |                   |  |   |    |    |                    |   |   |    |     |       |  |   |     |     |                      |   |  |     |     |       |  |   |     |     |                           |   |  |     |     |       |  |   |     |     |                       |   |  |     |     |       |  |   |     |     |                 |   |  |     |     |                 |   |  |     |     |                     |   |  |     |     |                              |   |  |     |     |                     |   |  |     |     |               |   |  |
| <b>6. LOCATION OF WELL</b><br>Sketch map location must agree with written location.<br><br>County <u>Ada</u> <u>63 7640</u><br>T. <u>3</u> N. <u>2</u> E. <u>W</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |       | <b>10.</b><br>Work started <u>Aug. 2, 72</u> finished <u>Oct 10, 72</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |            |       |  |          |       |  |      |    |     |    |     |   |   |                     |  |   |   |    |                |  |   |    |    |        |   |  |    |    |                  |   |  |    |    |            |  |   |    |    |                   |  |   |    |    |                    |   |   |    |     |       |  |   |     |     |                      |   |  |     |     |       |  |   |     |     |                           |   |  |     |     |       |  |   |     |     |                       |   |  |     |     |       |  |   |     |     |                 |   |  |     |     |                 |   |  |     |     |                     |   |  |     |     |                              |   |  |     |     |                     |   |  |     |     |               |   |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |       | <b>11. DRILLER'S CERTIFICATION</b><br>This well was drilled under my supervision and this report is true to the best of my knowledge.<br><u>Nagel Beverage</u><br>Driller's or Firm's Name _____ Number _____<br>Address _____<br>Signed By _____ Date _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |            |       |  |          |       |  |      |    |     |    |     |   |   |                     |  |   |   |    |                |  |   |    |    |        |   |  |    |    |                  |   |  |    |    |            |  |   |    |    |                   |  |   |    |    |                    |   |   |    |     |       |  |   |     |     |                      |   |  |     |     |       |  |   |     |     |                           |   |  |     |     |       |  |   |     |     |                       |   |  |     |     |       |  |   |     |     |                 |   |  |     |     |                 |   |  |     |     |                     |   |  |     |     |                              |   |  |     |     |                     |   |  |     |     |               |   |  |

# Receipt Details for ID W031012

| Status | Adjustment Type | Version |
|--------|-----------------|---------|
|        |                 | 2       |

**General Information:**

| Date Received        | Date Deposited        | Region          | Total Amount | Payment Type |
|----------------------|-----------------------|-----------------|--------------|--------------|
| 10/9/2003 2:48:16 PM | 10/10/2003 3:23:06 PM | WESTERN         | \$126.00     | Check        |
| Payer                |                       | HYDRO LOGIC INC |              |              |

**Account Information:**

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 2734                 |                           |                  |                 |
| Card Expiration Date | Credit Card Transaction # |                  |                 |
|                      |                           |                  |                 |

**Comment** NOTICE OF CLAIM TO A WATER RIGHT

**Fee Detail:**

| Amount   | Description             | PCA   | Fund | Fund Detail | Subsidiary | Object |
|----------|-------------------------|-------|------|-------------|------------|--------|
| \$126.00 | ADJUDICATION FILING FEE | 42503 | 0337 |             |            | 1155   |

**Refund(s):**

| Amount | Payee | Date | Document Number |
|--------|-------|------|-----------------|
|--------|-------|------|-----------------|

**Water Right Information:**

| Basin Number | Sequence Number | Split Suffix | Amount | Type |
|--------------|-----------------|--------------|--------|------|
|--------------|-----------------|--------------|--------|------|

Print Report