

JAN 07 2020

IDWR / NORTH

83835

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 86-12074

1. Name of applicant(s) TSCEMINICUM BOTTLING COMPANY LLC Phone 208-305-9435
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 35309 POWELL RD City LEWISTON
 State ID ZIP 83501 Email RICK@ARTESIANFUSION.COM
2. Name of representative, if any _____ Phone _____
 Mailing address _____ City _____
 State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply GROUNDWATER which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
36N	06W	25	5		SE	SE	NEZ PERCE	GROUNDWATER	

5. Water will be used for the following purposes:
- Amount 0.20 CFS for COMMERCIAL purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 0.04 CFS for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.20 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. APPLICANT PLANS TO DRILL WELL WITH PUMP TO USES THROUGH PIPES
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by AF Date _____ Time _____ Preliminary check by _____
 Fee \$ 10000 Receipted by JCN Receipt No. N035859 Date 1-7-2020

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
 - Domestic; show number of households DOMESTIC USE IS FOR BATHROOMS
 - Other; describe fully. COMMERCIAL USE IS FOR A WATER BOTTLING FACILITY

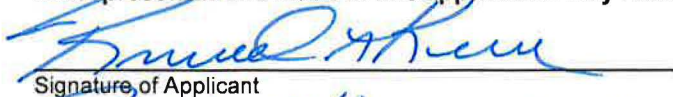
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
36N	05W	30											D,C						
													GL4						
36N	06W	25																D,C	
																		GL5	

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? _____
11. a. Who owns the property at the point of diversion? PORT OF LEWISTON
- b. Who owns the land to be irrigated or place of use? PORT OF LEWISTON
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: APPLICANT HAS LEASE WITH PORT OF LEWISTON
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. APPLICANT IS PROPOSING TO DRILL WELL FOR A COMMERCIAL BOTTLING FACILITY.
DOMESTIC USE WILL BE FOR EMPLOYEES AT FACILITY.
13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

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 rejection of the application or cancellation of an approval.



Signature of Applicant

Richard A. Keane

Print Name (and title, if applicable)

Managing Member
Agave

Signature of Applicant

Print Name (and title, if applicable)

APPLICATION MAP



Legend

- Parcels
- Township/Range
- Sections
- QQ

0 0.0125 0.025 0.05 Miles





0003727932

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0003727932

Date Filed: 1/3/2020 1:14:29 AM

B0451-2493 01/03/2020 1:14 AM Received by ID Secretary of State Lawrence Denney

Entity Name and Mailing Address:

TSCEMINICUM BOTTLING COMPANY, LLC.

The file number of this entity on the records of the Idaho Secretary of State is: 0000589765

Address

35309 POWELL RD
LEWISTON, ID 83501-7834

Entity Details:

Entity Status

Active-Existing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W195428

The registered agent on record is:

Registered Agent

RICK KEANE
Registered Agent

Physical Address

247 THAIN RD STE 106
LEWISTON, ID 83501

Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
RICK KEANE	Manager	35309 POWELL RD LEWISTON, ID 83501
BRIAN KNOX	Member	1360 N 400 E CENTERVILLE, UT 84014

The annual report must be signed by an authorized signer of the entity.

Rick Keane

Sign Here

01/03/2020

Date

Signer's Title: Rick Keane



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene ID 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819

Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 7, 2020

TSCEMINICUM BOTTLING CO LLC
35309 POWELL RD
LEWISTON, ID 83501-7834

Application For Permit No. 86-12074

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the LEWISTON TRIBUNE on 1/16/2020 and 1/23/2020. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in blue ink that reads 'Tammy Alleman'.

Tammy Alleman
Administrative Assistant

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, January 7, 2020 4:22 PM
To: 'Swearingen,Zachary'; 'Sujata.Connell@deq.idaho.gov'; 'portdave@portoflewiston.com'
Subject: Request for Comments on Application for Permit 86-12074
Attachments: 86-12074 Application for Permit.pdf

Dear Interested Agencies:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right application. You can find copies of the application attached to the email and also at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of the application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication. The deadline for comments on the application is February 3, 2020.

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the application.

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
Email: Tammy.Alleman@idwr.idaho.gov
Phone: (208) 762-2800
Fax (208) 762-2819*

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, January 7, 2020 4:18 PM
To: 'legals@lmtribune.com'
Subject: Legal Notice for 86-12074
Attachments: 86-12074 Legal Notice.doc

Please publish the enclosed legal notice in the **Lewiston Tribune** on the dates indicated **January 16th and January 23rd, 2020** (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately. Please send a proof once you have the article ready for print for our review.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **February 3, 2020**. Your cooperation is appreciated.

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
Email: Tammy.Alleman@idwr.idaho.gov
Phone: (208) 762-2800
Fax (208) 762-2819*

The following application has been filed to appropriate the public waters of the State of Idaho:

86-12074

TSCMINICUM BOTTLING CO LLC

35309 POWELL RD

LEWISTON, ID 83501-7834

Point of Diversion L5(SESE)

S25 T36N R06W

NEZ PERCE County

Source GROUND WATER

Use: COMMERCIAL

01/01 to 12/31 0.2 CFS

Use: DOMESTIC

01/01 to 12/31 0.04 CFS

Total Diversion: 0.2 CFS

Date Filed: 1/7/2020

Place Of Use: DOMESTIC

T36N R05W S30

L4(SWSW)

T36N R06W S25

L5(SESE)

Place Of Use: COMMERCIAL

T36N R05W S30

L4(SWSW)

T36N R06W S25

L5(SESE)

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of \$25.00 for each application on or before 2/3/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 1/16/2020 and 1/23/2020