

RECEIVED

SEP 15 2008

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Marissa McNeal
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.
4. That said notice was published the following:
09/04/2008, 09/11/2008

e0100285 06558792
1 Idaho Dept. of Water Resource
2735 Airport Way
BOISE ID 83705

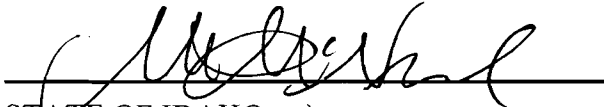
**PROPOSED CHANGE OF
WATER RIGHT**

Nagel Beverage Company of 8925 Birch Lane East, Nampa, ID 83687 filed Application No. 73831 and 73832 to transfer 2 water rights with a 1972 and 1977 priority date from ground water totaling 0.50 cfs. Application no. 73831 proposes to change the place of use for the applicant's industrial right from their previous processing facility in Boise to their current facility in Nampa at 8925 Birch Ln between Cherry Ln and Karcher Rd just east of Northside Blvd. Application no. 73832 proposes to retire 7.5 acres of irrigated land and provide 22.2 AF for year round industrial use from one current and one proposed well at the Nampa facility.

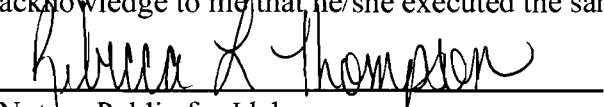
For specific details regarding the applications, please contact the Idaho Department of Water Resources (IDWR) Western Region at 208-334-2190 or visit www.idwr.idaho.gov with detail provided under "new water right applications." Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Any protest against the proposed change must be filed with the Director, IDWR Western Region, 2735 Airport Way, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before September 22, 2008. The protestant must also send a copy of the protest to the applicant.

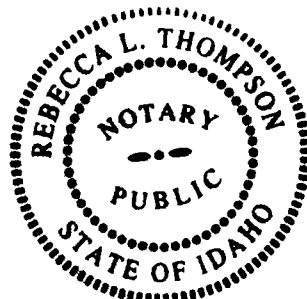
DAVID R. TUTHILL, JR.,
Director

Sept 4, 11, 2008 06558792


STATE OF IDAHO)
County of Canyon)

On the 11th day of September in the year of 2008
before me, a Notary Public, personally appeared.
Marissa McNeal,
known or identified to me to be the person
whose name is subscribed to the within
instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledge to me that he/she executed the same.


Notary Public for Idaho
Residing at Nampa
My commission expires April 19, 2014



✓ OK
DB 9/30/08