

Hydro Logic, Inc.

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June 5, 2007

Mr. Steve Lester
Water Rights Supervisor
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Subject: Transfer of Water Right No. 63-32202

Dear Steve:

Under cover of this letter, I transmit an Application for Transfer of a water right on behalf of the Nagel Beverage Company (NBC). As you are aware from previous transfer applications, NBC owns and operates a soft drink bottling operation in Nampa, Idaho. As a result of the move of its operations from Boise to Nampa, and a planned future expansion into additional markets, NBC will need additional water supplies. It has acquired water right No. 63-32202 as part of this plan and now needs to transfer the same.

This transfer application consists of the following:

- 1) Transfer application signed by the Applicant and notarized.
- 2) Hydro Logic, Inc. check No. 06089 in the amount of \$100 for Transfer processing fee for .12 cfs.
- 3) Figure 1. Location map on USGS topographic series base map.
- 4) Figure 2. Hydrograph of the Nagel Beverage Company's monitoring well.
- 5) Deed to a water right conveying water right No. 63-32202 to which a copy of the SRBA Director's recommendation of that water right is attached
- 6) This cover letter.

With respect to Part 3 b. of the application, I address the potential effects to existing water uses from the change in nature of use as follows: The water right to be transferred was previously diverted for irrigation of 7 ½ acres of the Stone Creek Turf Farm in Meridian, Idaho. The authorized flow rate and annual diversion volume respectively are .12 cfs and 33.8 acre-feet per year. Nagel proposes to change the nature of use from irrigation to industrial use, and the period of use from the irrigation season to year-round. Because the proposed industrial use is entirely consumptive, NBC is entitled to transfer only the consumptively used portion of the irrigation water right totaling 22.15 acre-feet per year based on the previously allowed transferable consumptive use from irrigation water rights of 2.92 acre-feet per year per acre. The authorized diversion rate of 0.12 cfs will remain the same.

The only impact to existing water uses is that the 7½ acres previously irrigated by this water right will no longer be irrigated. Owing to the small diversion rate and annual volume of this water right, and given the distance to surrounding water wells (Figure 1), measurable interference effects to existing wells are not expected as a result of this transfer. NBC's continued monitoring of water levels in its specially-constructed observation well on the same site supports this conclusion (Figure 2).

Please contact me directly at 342-8369 with any questions concerning this proposed transfer.

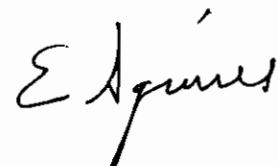
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WATER RESOURCES
WESTERN REGION

Respectfully,

Ed Squires



c: Nagel Beverage Company