

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, Inc. Phone (208) 342-8369 E. SquiresPost Office address 8925 Birch Lane East, Nampa, Idaho 83687**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 reason for the proposed changes: Applicant has purchased seven and one-half acres of this water right. Intent of transfer is to move the right to Applicant's property for year round industrial use related to a soft-drink manufacturing plant. Water will be diverted from an existing well on Applicant's property.

B. DESCRIPTION OF RIGHT(S), OR PORTIONS THEREOF, AFTER THE REQUESTED CHANGE

- 1.
- | Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--------------|-------------|-----------------------|------------------|----------------|
| 63-32202 | May 9, 1977 | 0.12 cfs/ 22.15 ac-ft | Industrial | 1/1 to 12/31 |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 0.12 cubic feet per second and /or 22.15 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 diversion
		NW	SW	10	3N	2W	Canyon	Nagel Beverage Co. Well

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	2W	10										1							

RECEIVED

Total Acres _____

JUN 05 2007

Part 1

WATER RESOURCES
WESTERN REGION

6. General information:

- a. Description of diversion system One 12-inch diameter X 425-foot deep well with a deep-well turbine pump, discharging into the existing facility's water distribution system.

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.

- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The land will no longer be irrigated.

- c. Remarks

Intended uses include: industrial uses in the manufacturing of soft drinks and bottled water, dust abatement, and wash-down water. Volume conversion calculations are based upon a duty of water of 2.9 acre-feet per acre of historical consumptive irrigation use on turf grass.

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:

Witness my hand this _____ day of _____, 2003

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

1. Right evidenced by: *Please see attached SRBA Recommendation of Water Right No. 63-32202.*

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____

a. License No. _____ issued by the Idaho Department of Water Resources.

b. Claim No. _____ on file with the Idaho Department of Water Resources.

c. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for 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 Deed to a Water Right

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

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

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
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

9. Describe any other water rights used for the same purpose as described above There are no other water rights
appurtenant to these lands for these purposes.

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse?
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 .12 cfs / 33.8 ac-ft For Irrigation purposes from 03 / 15 to 11 / 15
 (cfs/ac-ft) _____
 amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	31	4N	1E	ADA	16 inch Well

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	1E	31								7.5									7.5

Total acres 7.5**C. DESCRIPTION OF UNCHANGED PROTION OF RIGHT (omit if there is no change)**

1. amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of diversion:

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				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

Please see attached USGS Topographic Series quadrangle map and aerial photograph.

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and /or the new places of use for rights described in part 1. Clearly depict the 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. <u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
Industrial	22.15 AF	24 hrs / day 365 days / year	1 / 1 to 12 / 31
			to
			to

2. Quantity and quality of return flows of discharge:

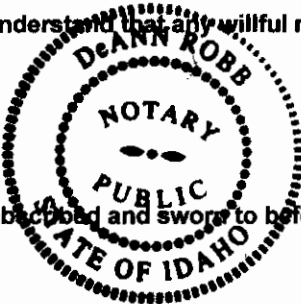
All industrial use is entirely consumptive with no return flows.

3. Describe effects on other water uses resulting from the proposed change:

No impacts are expected. Please refer to attached cover letter for discussion.

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.



DeAnn Robb
(Signature of Applicant)

Subscribed and sworn to before me this 5th day of March April, 2007

DeAnn Robb
(Notary Public)

My commission expires 2012

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 4 attachments

Received by LR Date 6-5-07

Protest filed by _____

Prelim. Check by AR Fee \$100-

Receipted by LR / W035471 Date 6-5-07

Published in _____

Copies of protest forwarded by _____

Pub. Dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

Nagel Beverage Company Regional Well Location Map T3N R2W Sections 3-4, 9-10, and 15-16

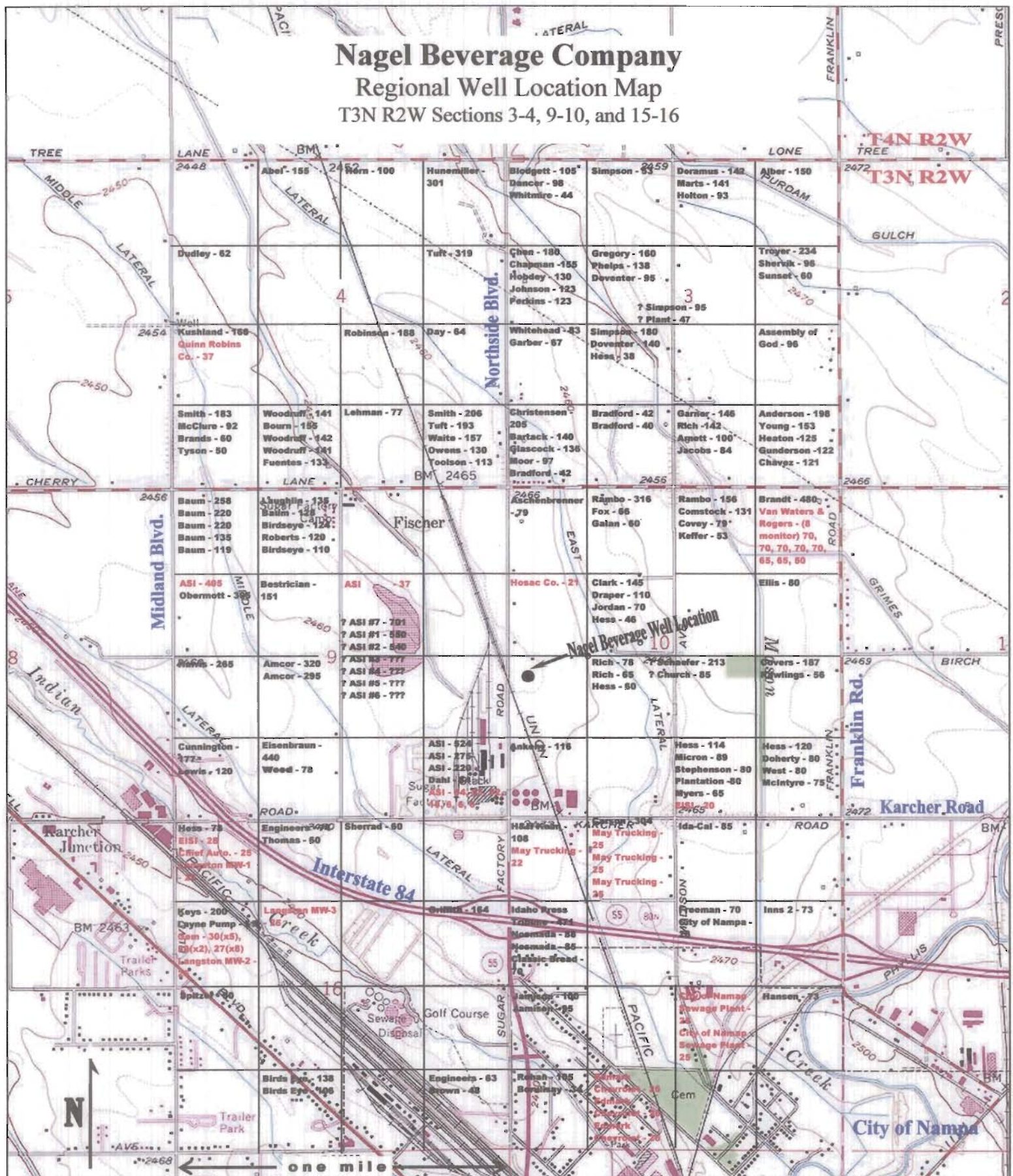


Figure 1. Location map of wells in T3N R2W Sections 3-4, 9-10, and 15-16. Wells are plotted to the nearest 1/4, 1/4 section by name followed by total depth of the well. Owing to space consideration, the five deepest wells are plotted in each 1/4, 1/4 section. If less than 5 wells exist in a 40-acre tract, then all well records are plotted. Wells in red are monitoring wells and wells in center of section are of unknown location. Some well logs may be missing and others may be mis-located on well log. Map is a 1:24,000 scale USGS 7 1/2 - minute map.

Hydro Logic, Inc.

ATTACHMENT A

Nagel Beverage Co. - Test Well

Water Level Data for Zones #1 - #5

August, 15 2005 thru September 1, 2005

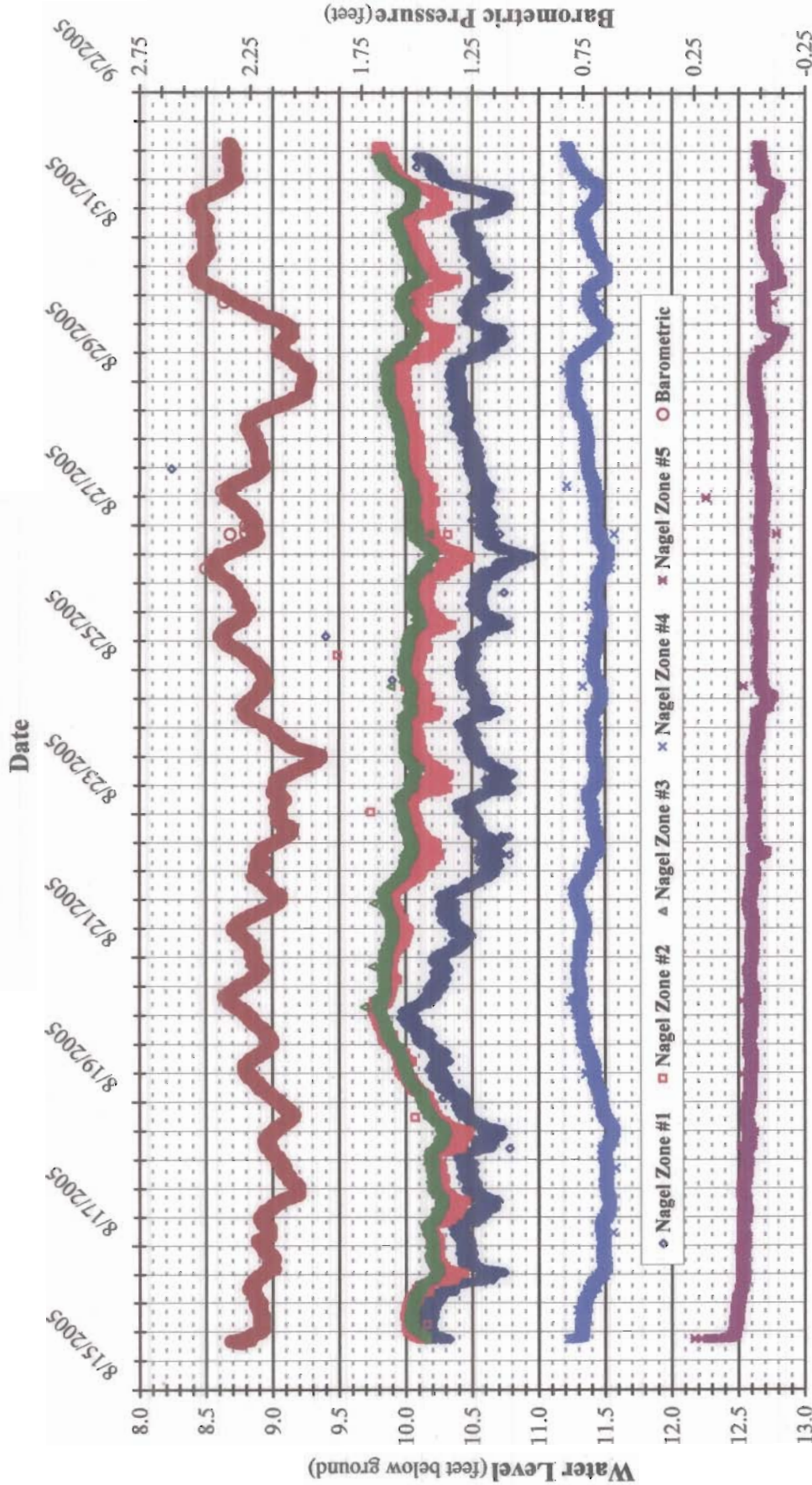


Figure 2. Water level hydrographs of five piezometer tubes of the Nagel Beverage Company's designated long-term monitoring well during the last half of August 2005 when the NBC supply well was not operating. The plots show that no recognizable interference effects from surrounding water wells are affecting any of the completion intervals of this monitoring well during high use season. Indeed, the largest noticeable influence is from the graphed changes in atmospheric pressure. Therefore, the instantaneous diversion rate requested by this transfer application (0.12 cfs) could not cause a measurable interference effect to surrounding wells.

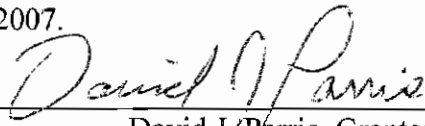


DEED TO A WATER RIGHT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency whereof are hereby acknowledged, David J. Parrie, Grantor, does hereby grant and convey unto Nagel Beverage Company, Inc., an Idaho Corporation, a water right for 0.12 cfs of ground water, with a priority date of May 9, 1977, being evidenced by the Snake River Basin Adjudication Director's Recommendation of Water Right No. 63-32202 (a copy of which is attached hereto).

TO HAVE AND TO HOLD, all and singular the above mentioned and described property together with the appurtenances unto Nagel Beverage Company, Inc., and to their successors and assigns forever.

IN WITNESS WHEREOF, the name of David J. Parrie has been hereunto subscribed this 20 day of February, 2007.

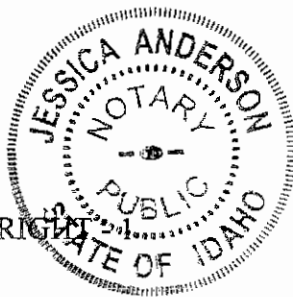


David J. Parrie, Grantor

STATE OF IDAHO)
) ss.
County of Ada)

On this 20 day of February, 2007, before me, the undersigned, a notary public in and for said state, personally appeared David J. Parrie, known or identified to me to be the individual who executed the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.





Notary Public for Idaho
Residing at BOISE Idaho
My Commission Expires 1/10/13

DEED TO A WATER RIGHT

ATTACHMENT C

SRBA

DIRECTORS REPORT 63-32202

IWT072

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 63-32202

Name and Address: SHELDON G HAM
11955 W MESQUITE DR
BOISE, ID 83704

RENATA HAM
5125 N MORNINGGALE
BOISE, ID 83713

Source: GROUND WATER

Quantity: .12 CFS
33.80 AFY

Priority Date: 05-09-1977

Diversion Point: T04N R01E S31 NWNE Within Ada County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	03-15 TO 11-15	.12 CFS 33.80 AFY

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

Place of Use:	Irrigation	Within Ada County
	T04N R01E S31	SENE 7.5
	7.5 Acres Total	

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - License

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

ATTACHMENT D