

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 CompanyPhone (208) 639-3145Post 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 the reason for the proposed changes: To change the place of use and points of diversion 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)
63-32001 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 diversion
		NW	SW	10	3N	2W	CANYON	Two 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

RECEIVED

MAY 10 2007

WATER RESOURCES
WESTERN REGION

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 X 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:

Witness my hand this _____ day of _____, 2004 _____.

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 attached approved water right transfer No 71581.

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. 71581 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 _____ for _____ purposes from _____ to _____
-
- (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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is not 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)

4. Point(s) of Diversion:

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

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	

Total acres _____

**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.

[illegible]

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.

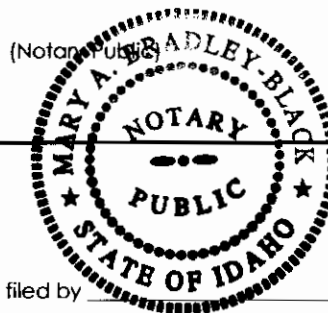
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Jane Finn VP
 (Signature of Applicant and Title)

Subscribed and sworn to before me this 10th day of April, 2006

Mary A Bradley-Black

My commissions expires 1/3/07

**FOR DEPARTMENT USE ONLY**

Transfer contains 6 pages and 3 attachments

Received by SB Date 5.10.07 Protest filed by _____

Prelim. check by AB Fee 3250.00

Received by SB Date 5.10.07 W035384

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

The map shows a grid of sections with numerous well locations labeled. Key roads include Midland Blvd., Northside Blvd., Franklin Rd., Karcher Road, and Interstate 84. A scale bar indicates one mile. A north arrow points towards the top left.

Proposed Well Locations:

- Section 3: ? Simpson - 95, ? Plant - 47
- Section 4: ? ASI #7 - 701, ? ASI #1 - 550, ? ASI #2 - 540, ? ASI #3 - 777, ? ASI #4 - 777, ? ASI #5 - 777, ? ASI #6 - 777
- Section 9: ASI - 524, ASI - 275, ASI - 220, Dahi - 524, ASI - 524, H&B - 108, May Trucking - 22, May Trucking - 25, May Trucking - 25, May Trucking - 25
- Section 10: Rich - 78, Schaefer - 213, Church - 65, Hess - 60, Hess - 114, Micron - 89, Stephenson - 80, Plantation - 80, Myers - 85, ESI - 20, Ida-Cal - 85, Freeman - 70, City of Nampa - 25, Inns 2 - 73
- Section 15: Birds Eye - 138, Birds Eye - 146, Engineers - 53, Brown - 48, Rohan - 105, Boulsay - 24, Edmark - 25, Cheyenne - 25, Edmark - 25, Cheyenne - 25

Figure 1. Location map of wells in T3N R2W Sections 3-4, 9-10, and 15-16. Wells are plotted to the nearest ¼, ¼ section by name followed by total depth of the well. Owing to space consideration, the five deepest wells are plotted in each ¼, ¼ section. If less than five wells exist in a 40-acre tract, then the wells plotted are the only wells listed. 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 mislocated on well log. Map is a 1:24,000 scale USGS 7 ½ -

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)

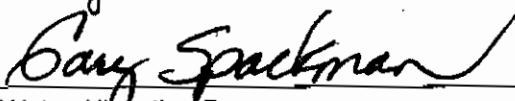
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-7640	YES	NO	YES	YES	NO	NO

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
COMBINED TOTALS		0.38 cfs	32.5 af	N/A	N/A		0.38 cfs	32.5 af	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of February, 20 05



Chief, Water Allocation Bureau

ATTACHMENT B (4 PAGES)

WATER RIGHT NO. 63-32001
As Modified by Transfer No. 71581

In accordance with the approval of Transfer No. 71581, Water Right No. 63-32001 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 SWNW Sec. 8 Twp 03N Rge 02E ADA County

PLACE OF USE: INDUSTRIAL

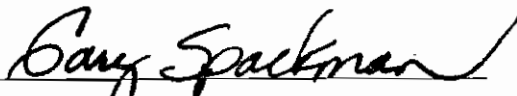
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	8							X										

CONDITIONS OF APPROVAL

1. 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.

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 1st day of February, 2005


Chief, Water Allocation Bureau

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

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.
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.
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 1st day of February, 2005

Gay Spackman
Chief, Water Allocation Bureau

ADA COUNTY CONSOLIDATED PROPERTY TAX BILL

COUNTY TREASURER - TAX COLLECTOR FOR TAXING DISTRICTS OF ADA COUNTY
 BOX 2868, BOISE, ID 83701 PH. #(208) 287-6800

PROPERTY TYPE: REAL TAX ROLL: PRIMARY
 DELINQUENT TAXES PARCEL NUMBER R77778177
 YEAR(S) TAX YEAR CODE AREA BILL NUM
 2003 01-1 667
 MORTGAGE COMPANY REQUESTING YOUR TAX B

PROPERTY DESCRIPTION:
 LOTS 1 4 & VAC ALLEY
 BTWN & PT OF VAC ALLEY
 ADJ BLK 28
 SCOTTS 3RD SUB
 #R7780507790R

PROPERTY ADDRESS: 5465 W IRVING ST

THIS IS A LISTING OF THE TOTAL AMOUNT YOU PAY EACH TAXING DISTRICT, INCLUDING BONDS, OVERRIDES AND CERTIFICATIONS IF APPLICABLE. PHONE INDIVIDUAL TAXING DISTRICTS WITH QUESTIONS REGARDING TAXES.

% LEVY CHANGE	NAME OF TAXING DISTRICT	TAXING DISTRICT PHONE NUMBER	TAXING DISTRICT TOTAL LEVY AMOUNT	TAX AMOUNT BY TAXING DISTRICT
4.92	SCHOOL DISTRICT #1	287-2029	.006990187	28027.17
	SCHOOL #1 BOND	287-2029	.000620000	2485.89
2.66-	SCH #1 SUPPLMNT	287-2029	.000832633	3338.44
4.35-	BOISE CITY	384-3725	.005559237	22289.76
2.06	ADA COUNTY	287-7000	.002800145	11227.18
.72	ADA COUNTY HIGHWAY	387-6120	.001011366	4055.07
5.15	EMERGENCY MEDICAL	375-7048	.000122472	491.05
TOTAL LEVY:			.017936040	
TOTAL TAXES:				71914.56

VENDOR 856
 CODE 3100

IF YOU HAVE SOLD THIS PROPERTY OR A MORTGAGE COMPANY RESPONSIBLE FOR PAYING TAX, PLEASE FORWARD THIS IMMEDIATELY.

FOR MORE DETAILED INFORMATION REGARDING TAX LAWS, SEE BACK TAX BILL.

TO AVOID LATE CHARGE AND INTEREST, FULL OR FIRST HALF TAXES MUST BE PAID IN PERSON OR BY U.S. POSTAL SERVICE NO LATER THAN:

DEC 22, 2003

IF ANY PORTION OF THE TAX BECOMES DELINQUENT, A 2% LATE CHARGE WILL BE APPLIED. INTEREST ON THE DELINQUENT BALANCE WILL ACCRUE AT 1% PER ANNUUM DATING FROM JANUARY 1ST. WHEN DELINQUENT BALANCES, PLEASE CALL 287-6800 FOR THE CORRECT AMOUNT INCLUDING LATE CHARGE AND INTEREST.

IF YOU HAVE QUESTIONS ABOUT YOUR ASSESSED VALUE, CALL THE ADA COUNTY ASSESSOR (208) 287-7200.

CURRENT YEAR ASSESSED VALUE

4009500.
 AMOUNT OF HOMEOWNER'S EXEMPTION

ADMINISTRATIVE ADJUSTMENT	-
TOTAL PROPERTY TAX BILLED	71914.56
PREPAYMENTS RECEIVED PRIOR TO BILL PRINTING	-
CIRCUIT BREAKER (SENIOR CITIZEN) EXEMPTION	-
TOTAL TAXES DUE	71914.56

TO PAY YOUR PROPERTY TAX WITH A CREDIT CARD - SEE INSTRUCTIONS ON BACK.



KEEP THIS PORTION FOR YOUR RECORDS

PLEASE DETACH AND RETURN BOTTOM PART WITH PAYMENT

PRIOR YEAR VALUE	CURRENT YEAR VALUE
3959000.	4009
PRIOR YEAR TAX	CURRENT YEAR TAX
70524.54	71914

ATTACHMENT C