

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 63-34123

Priority: July 29, 2015

Maximum Diversion Rate: 0.02 CFS

Maximum Diversion Volume: 7.4 AF

It is hereby certified that:

ROCKS WATER LLC 2608 HIGHWAY 21 BOISE ID 83716-3244

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 29, 2015, and has submitted Proof of Beneficial Use on June 18, 2026. An examination confirms water is diverted from:

Source : SPRING

Tributary: MORES CREEK

Beneficial Use

COMMERCIAL

Period of Use

01/01 to 12/31

Rate of Diversion

0.02 CFS

Annual Volume

7.4 AF

Location of Point(s) of Diversion

SPRING SW¼ NE¼ SE¼, Sec. 10, Twp 04N, Rge 04E, B.M. BOISE County

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	04E	10													X				

Conditions of Approval

1. Commercial use under rights 63-7227 and 63-34123 when combined shall not exceed a total diversion rate of 0.02 cfs and a total annual maximum diversion volume of 8.0 af.
2. Commercial use is for a water bottling facility.
3. To mitigate during the non-irrigation season for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall rent three (3) acre feet of storage water from the Water District 63 rental pool November 1 through March 31 each year to be left undiverted in Lucky Peak Reservoir for mitigation purposes. Permit holder shall maintain a record of such rentals and shall provide the record to the Department upon request.
4. The right holder shall comply with all provisions of the mitigation plan received 7/19/16. Failure to mitigate as described by the plan of mitigation, while still diverting water under this permit, is cause for the director to cancel a water right permit or revoke a subsequently approved water right license.

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5. To mitigate during the irrigation season for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official record for the following water right will be changed to show that diversion and use of water is not authorized because the rights, or portion thereof, are being dedicated to mitigation purposes.

<u>Right No</u>	<u>Use Changed to Mitigation by Non-Use</u>	<u>Mitigation Rate (cfs)</u>	<u>Mitigation Volume (AF)</u>	<u>Mitigation Acres</u>
63-185B	Irrigation	0.056	5.4	2.8

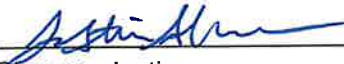
The land that will no longer be irrigated under this right is located within the service area of South Boise Water Company. Additionally, associated rights 63-148C, 63-150, 63-185A, 63-185B, 63-2392C and 63-2392D for the South Boise Water Company service area will be modified to reduce authorized irrigation acreage by 2.8 acres to prevent enlargement.

If the specified mitigation right, or portion thereof, is sold, transferred, leased, used on any place of use, or is not deliverable at a rate equal to or greater than 60% of the face value due to a shortage of water or a priority call, then the amount of water authorized for diversion under this right approval shall be reduced by the same proportion as the reduction beyond the 60% level to the mitigation rights.

6. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
9. This right does not grant any right-of-way or easement across the land of another.
10. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 30th day of July, 2026.



Shearer, Justin
Water Resources Supervisor

State of Idaho
Department of Water Resources
Attachment to Water Right
63-34123
(COMMERCIAL)

This map depicts the COMMERCIAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

04E



- | | |
|-----------------------|------------------|
| Point of Diversion | Townships |
| Place Of Use Boundary | Sections |
| State Outline | Quarter Quarters |



0 0.04 0.09 0.14 0.18 Miles



Imagery: 2023 Aerial Photography
Prepared By Cheever, Skyler



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

July 31, 2026

ROCKS WATER LLC
2608 HIGHWAY 21
BOISE ID 83716-3244

RE: License No. 63-34123

ISSUANCE OF LICENSE

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at 208-287-4856.

Sincerely,

Justin Shearer

Justin Shearer,
Water Resources Supervisor

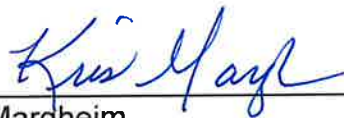
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on July 31, 2026, I served a true and correct copy of Water Right License No. 63-34123 by U.S. Mail, postage prepaid, to the following:

ROCKS WATER LLC (Current Owner)
2608 HIGHWAY 21
BOISE ID 83716-3244

WATER DISTRICT #63
DANIEL HOKE (Watermaster)
PO BOX 767
STAR ID 83669-4500



Kris Margheim
Technical Records Specialist 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

The accompanying document is a “**Preliminary Order**” issued by the Idaho Department of Water Resources (“Department”) pursuant to Idaho Code § 67-5243. **This preliminary order can and will become a final order without further action of the Department, unless a party petitions for reconsideration, petitions for review, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5243(3))

Any party may file a petition for reconsideration of this preliminary order with the Department within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer will issue a written order disposing of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law.

PETITION FOR REVIEW (EXCEPTIONS)

(See Idaho Code § 67-5245)

Within fourteen (14) days after: (a) the service date of this preliminary order, (b) the service date of a denial of a petition for reconsideration of this preliminary order, or (c) the failure of the presiding officer to dispose of a petition for reconsideration of this preliminary order within twenty-one (21) days, any party may petition the Director in writing to review any part of this preliminary order by filing exceptions, and any supporting brief, with the Department.¹ Any parties opposing the exceptions shall have fourteen (14) days from the service date of the exceptions to file a brief. If the Director determines that oral argument is necessary, the Director will provide reasonable notice to the parties of the place, date, and hour for the argument.

The Director will issue a final order on exceptions within fifty-six (56) days of receipt of the final written brief or oral argument, whichever is later, unless extended for good cause. The Director may remand the matter for or hold an evidentiary hearing if further factual development of the record is necessary before issuing a final order.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

Unless the right to a hearing before the Director or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order,

¹ The Director may decide to review this preliminary order upon his own motion. Should the Director decide to do so, the Director will provide written notice to the parties within the period the parties are allowed to petition the Director for review of the preliminary order.

or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Director to contest the action. The person shall file with the Director, within fifteen (15) days after receipt of written notice of the action issued by the Director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the Director and requesting a hearing. **Note: The request must be received by the Department within this fifteen (15) day period.**

CERTIFICATE OF SERVICE

(See IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration, petition for review, or a request for hearing of this preliminary order shall be served on all other parties to the proceeding in accordance with Rules 53 and 202 of the Department's Rules of Procedure.