

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-4229
Date Received: 8/7/1989
Receipt No: W004113
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

ICE HOUSE PARTNERS Phone:
C/O PAT LARGE
2711 S. CURTIS
BOISE ID USA 83705

2. Date of Priority: 06/01/1908

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	03W	22	NW SW	CANYON	

5. Description of diverting works:

WELL, 6" CASING, 5.5 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
INDUSTRIAL	1/01	12/31	0.27	

7. Total Quantity Appropriated is:
0.27 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	03W	22	NW	SW	INDUSTRIAL	

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

AC. DIV. RATE=120 GPM.

WATER IS USED TO COOL COMPRESSORS AND ALSO ICE PRODUCTION OWNERSHIP CHANGED BY LH
1/23/96.

CHANGE IN OWNERSHIP LG 9-27-2006

15. Basis of Claim: Statutory Claim

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED**JUL 06 2006****WATER RESOURCES
WESTERN REGION**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>A63-04229</u>					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Mountain Valley LLC
321 main Street Caldwell
4. New Owner/Claimant(s) Pat Large - Ice house partners
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 2711 So. Curtis. Boise, ID 83705
 City, State and ZIP Code Boise, Idaho 93705
- New Telephone Number 208 362-2211
5. Date you acquired the property Nov 10, 1998

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Pat Large Partner
PAT LARGE

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only
 Received by KLB Date 7/6/06 Fee 0
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

①

9844743

PN 50743

Ice House

WARRANTY DEED

FOR VALUE RECEIVED MOUNTAIN VALLEY L.L.C.

the Grantor, does hereby grant, bargain, sell and convey unto PAT LARGE, an unmarried man and EVELYN RUTH, an unmarried woman and BILL ASBURY and KIM ASBURY, husband and wife

the Grantees, whose address is

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1998 and subsequent years, covenants, conditions, restrictions and easements of record; and that it will warrant and defend the same from all lawful claims whatsoever.

DATED: November 10, 1998

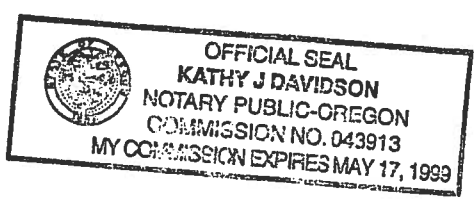
MOUNTAIN VALLEY L.L.C.

BY: Darrell R. Gustaveson Terri L. Gustaveson
ITS Directors

STATE OF ~~IDAHO~~ Oregon
COUNTY OF ~~CANYON~~ Malheur

On this 1 day of December, 1998, before me, a notary public, personally appeared DARRELL R. GUSTAVESON AND TERRI L. GUSTAVESON, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument as MEMBERS of MOUNTAIN VALLEY, L.L.C. and acknowledged to me that they executed the same as such MEMBERS.

Kathy J. Davidson
Notary Public
Residing at Ontario, Idaho Oregon
My commission expires: 5-17-99



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

EXHIBIT "A"

That part of Lots 6 and 7 in Block 72 of CALDWELL, according to the Revised Map filed in Book 1 of Plats at Page 20, in the office of the County Recorder, Canyon County, Idaho, lying South of the Caldwell-Wilder Branch of the Union Pacific Railroad Company.

ALSO

All that part of Lot 8 in Block 72 of the Original Townsite of Caldwell, Canyon County, Idaho, lying South of the Caldwell-Wilder Branch of the Union Pacific Railroad Company, described as follows, to-wit:

BEGINNING at the most Southerly corner of said Lot 8 THE REAL POINT OF BEGINNING; thence

Northwesterly along the Southwesterly line of said Block 72 a distance of 25 feet to the most Westerly corner of said Lot 8; thence

Northeasterly along the Northwesterly line of said Lot 8 a distance of 52.2 feet to a point thereon that is 9.5 feet distant Southerly measured at right angles, from the center line of the main track of the Wilder Branch of the Oregon Short Line Railroad Company, leased to the Union Pacific Railroad Company, as constructed and operated over and across said Lot 8; thence

Easterly along a straight line that is parallel with and 9.5 feet distant Southerly measured at right angles, from said center line of main track a distance of 30.5 feet to a point; thence

Easterly along a curve to the right tangent to the end of the last above described straight line, having a radius of 468.84 feet and which is 9.5 feet distant Southerly measured radially from said center line of main track a distance of 4.7 feet to a point on the Southeasterly line of said Lot 8 that is 77 feet distant Northeasterly from said Most Southerly corner, measured along said Southeasterly line; thence

Southwesterly along said Southeasterly line of Lot 8 a distance of 77 feet to the REAL POINT OF BEGINNING.

ALSO

All that part of Lot 9 in Block 72 of the ORIGINAL TOWNSITE OF CALDWELL, Canyon County, Idaho, lying South of the Caldwell-Wilder Branch of the Union Pacific Railroad Company, described as follows, to-wit:

BEGINNING at the most Southerly corner of said Lot 9 the REAL POINT OF BEGINNING; thence Northwesterly along the Southwesterly line of said Block 72 a distance of 25 feet to the most Westerly corner of said Lot 9; thence Northeasterly along the Northwesterly line of said Lot 9 a distance of 77 feet to a point thereon that is 9.5

feet distant Southerly, measured radially from the center line of the main track of the Wilder Branch of the Oregon Short Line Railroad Company, leased to the Union Pacific Railroad Company, as constructed and operated over and across said Lot 9; thence Easterly along a curve to the right having a radius of 468.84 feet, which is parallel with and 9.5 feet distant Southerly, measured radially from said center line of main track of Wilder Branch, a distance of 33.7 feet to a point on the Southeasterly line of said Lot 9 that is four tenths (.4) of a foot distant Southwesterly from the most Easterly corner of said lot measured along said Southeasterly line; thence Southwesterly along said Southeasterly line of Lot 9, a distance of 99.6 feet to the REAL POINT OF BEGINNING.

ALSO

Lots 10, 11 and 12 in Block 72 of CALDWELL, according to the REVISED MAP filed in Book 1 of Plats, at Page 20, in the office of the County Recorder, Canyon County, Idaho.

REQUEST
TYPE Deed FEE 9.00
PIONEER — NANA/PA

CANYON COUNTY RECORDER
Jesse H. Hume

98 FEB 2 PM 4 21

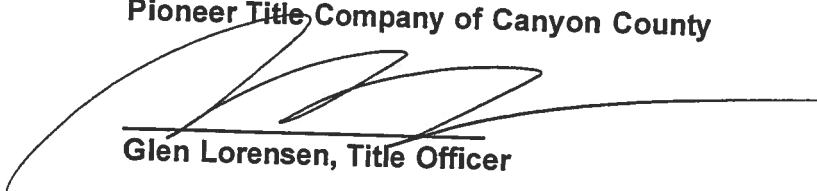
RECORDED

9844748

REF: PN50743
J1044449

(This policy not valid unless countersigned by PIONEER TITLE COMPANY OF CANYON COUNTY)

FIRST AMERICAN TITLE INSURANCE COMPANY
Countersigned by
Pioneer Title Company of Canyon County



Glen Lorensen, Title Officer

SCHEDULE A

Order No.: **PN50743**
Policy No.: **J1044449**
Amount of Insurance: **\$40,000.00**
Premium: **\$325.00**
Date of Policy: **December 2, 1998 @ 4:21 p.m.**

1. Name of Insured:

PAT LARGE and EVELYN RUTH and BILL ASBURY and KIM ASBURY

2. The estate or interest in the land which is covered by this policy is:

Fee Simple

3. Title to the estate or interest in the land is vested in:

PAT LARGE, an unmarried man and EVELYN RUTH, an unmarried woman and BILL ASBURY and KIM ASBURY, husband and wife

4. The land referred to in this policy is described as follows:

See Attached Exhibit "A"

SCHEDULE B

Order No.: **PN50743**

Policy No.: **J1044449**

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

PART I

SECTION I

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims or easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

SECTION II

7. **General taxes for the year 1998 which are a lien, payable on or before December 20 of said year and not delinquent until after said date. (R 5074 and R 5076)**
8. **Special assessments and sewerage charge, if any, for the City of Caldwell, for which we make no certification.**
9. **Liens and assessments of Pioneer Irrigation District, and the rights and powers of said district as by law provided. No search made.**

Effect of Order of Exclusion recorded December 23, 1986 as Instrument No. 8632054, records of Canyon County, Idaho.

PN50743

EXHIBIT "A"

That part of Lots 6 and 7 in Block 72 of CALDWELL, according to the Revised Map filed in Book 1 of Plats at Page 20, in the office of the County Recorder, Canyon County, Idaho, lying South of the Caldwell-Wilder Branch of the Union Pacific Railroad Company.

ALSO

All that part of Lot 8 in Block 72 of the Original Townsite of Caldwell, Canyon County, Idaho, lying South of the Caldwell-Wilder Branch of the Union Pacific Railroad Company, described as follows, to-wit:

BEGINNING at the most Southerly corner of said Lot 8 THE REAL POINT OF BEGINNING; thence

Northwesterly along the Southwesterly line of said Block 72 a distance of 25 feet to the most Westerly corner of said Lot 8; thence

Northeasterly along the Northwesterly line of said Lot 8 a distance of 52.2 feet to a point thereon that is 9.5 feet distant Southerly measured at right angles, from the center line of the main track of the Wilder Branch of the Oregon Short Line Railroad Company, leased to the Union Pacific Railroad Company, as constructed and operated over and across said Lot 8; thence

Easterly along a straight line that is parallel with and 9.5 feet distant Southerly measured at right angles, from said center line of main track a distance of 30.5 feet to a point; thence

Easterly along a curve to the right tangent to the end of the last above described straight line, having a radius of 468.84 feet and which is 9.5 feet distant Southerly measured radially from said center line of main track a distance of 4.7 feet to a point on the Southeasterly line of said Lot 8 that is 77 feet distant Northeasterly from said Most Southerly corner, measured along said Southeasterly line; thence

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ALSO

Lots 10, 11 and 12 in Block 72 of CALDWELL, according to the REVISED MAP filed in Book 1 of Plats, at Page 20, in the office of the County Recorder, Canyon County, Idaho.

10. Liens and assessments of Caldwell Municipal Irrigation System, and the rights and powers of said district as by law provided. No search made.
11. Right of Way for Wilder Branch of Oregon Short Line Railroad. (Lot 10)
12. Reservation in Quitclaim Deed recorded March 2, 1945 as Instrument No. 296320 by the Oregon Shortline Railroad Company as follows:

"EXCEPTING from this grant and reserving unto the Grantor, its successors and assigns forever all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered, including, without limiting the generality of the foregoing, coal, oil and gas and rights thereto, together with the sole, exclusive and perpetual right to explore for, remove and dispose of said minerals by any means or methods suitable to the Grantor, its successors and assigns, but without entering upon or using the surface of the lands hereby conveyed, and in such manner as not to damage the surface of said lands or to interfere with the use thereof by the Grantee, its successors or assigns."
(Affects that portion within Lot 9, Block 72, Caldwell Townsite)
13. Reservation in Quitclaim Deed recorded March 8, 1945 as Instrument No. 296530 by the Oregon Shortline Railroad Company as follows:

"EXCEPTING from this grant and reserving unto the Grantor, its successors and assigns forever all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered, including, without limiting the generality of the foregoing, coal, oil and gas and rights thereto, together with the sole, exclusive and perpetual right to explore for, remove and dispose of said minerals by any means or methods suitable to the Grantor, its successors and assigns, but without entering upon or using the surface of the lands hereby conveyed, and in such manner as not to damage the surface of said lands or to interfere with the use thereof by the Grantee, its successors or assigns."
(Affects that portion within Lot 8, Block 72, Caldwell Townsite)
14. Any right, title or interest in any minerals, gravel, mineral rights or related matters, including, but not limited to, oil, gas, coal and other hydrocarbons. Matters may appear of record affecting said rights, but neither this Commitment nor the forthcoming Policy covers an examination of or insurance as to the ownership or condition of minerals. Affects those properties not affected by the reservations in #296320 and #296530. See Parcel R 5075.

"NOTHING FURTHER"

Idaho Department of Water Resources

T04N, R03W, SEC 22

Claim No: 63-4229

Prepared By: Kimberly Brown

Date: July 7, 2006



Place of Use



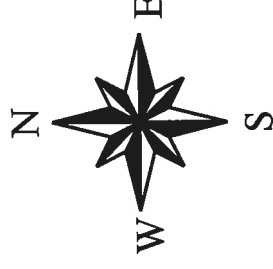
Section Lines



1/4 1/4



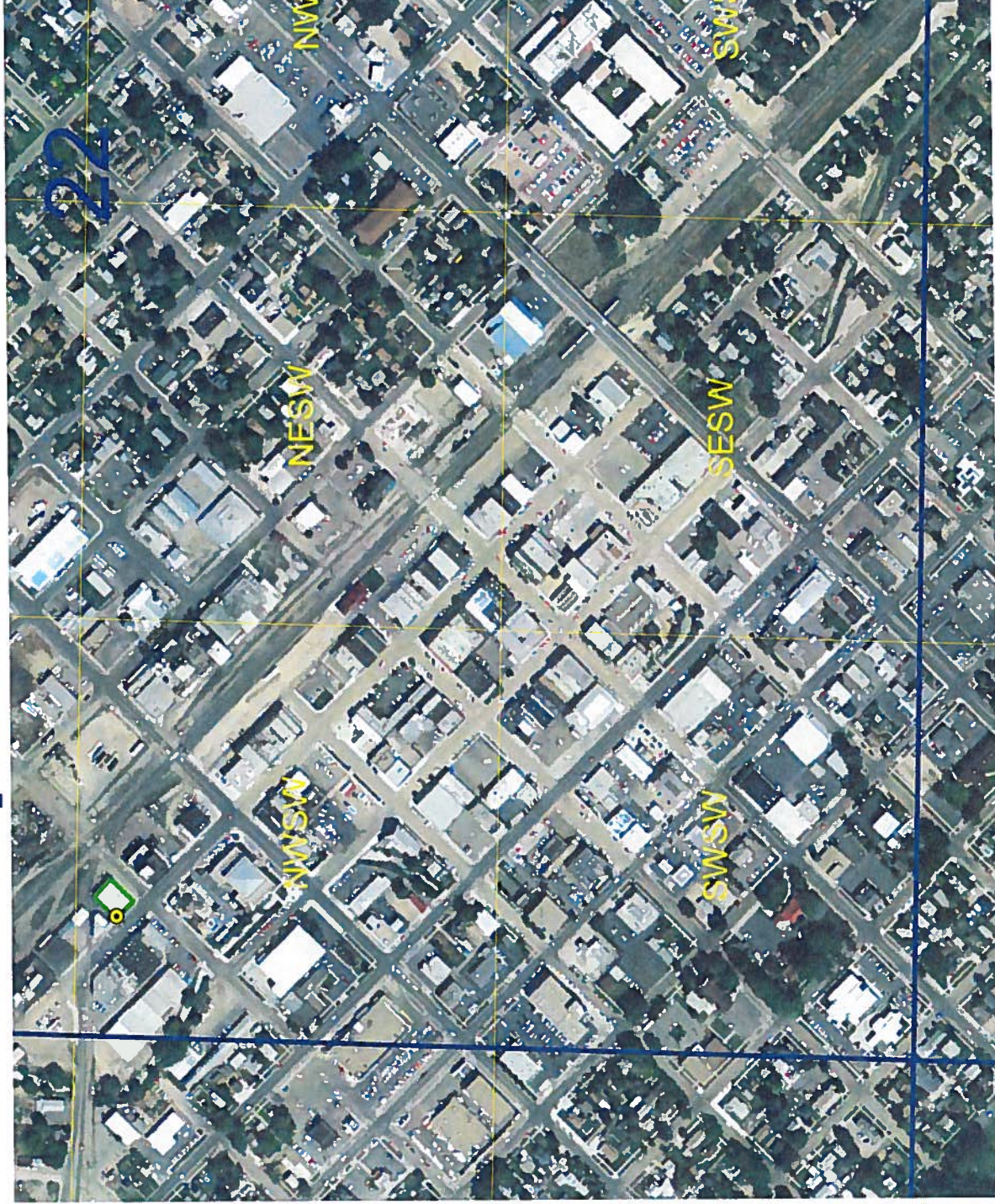
Point of Diversion



00.02 Miles



1987 NAPP



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-04229**
Date Received: 8/ 7/1989
Receipt No: W004113
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: MOUNTAIN VALLEY LLC 208-459-8181
Address: 321 MAIN STREET
CALDWELL ID 83605

2. Date of Priority: JUN 1, 1908

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	22		NW	SW		CANYON

5. Description of diverting works:
WELL, 6" CASING, 5.5 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.270		

7. Total Quantity Appropriated is:
0.270 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INDUSTRIAL, ICE & COLD STORAGE PLANT.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	22	NW	SW		INDUST	

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
CALDWELL CITY WATER SYSTEM

14. Remarks:
AC. DIV. RATE=120 GPM.
WATER IS USED TO COOL COMPRESSORS AND ALSO ICE PRODUCTION
OWNERSHIP CHANGED BY LH 1/23/96.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 11-15-95

RECEIVED
JAN 16 1996

LEGAL DESCRIPTION OF PROPERTY: Township 04N Range 03W
Section 22, 1/4 of NW 1/4 of SW 1/4 Govt. Lot _____, B.M. _____
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

RECEIVED
JAN 17 1996

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s)
Assigned by IDWR: A63-04229
- [] Name and Address of Former Owner/Claimant(s)(Seller): Scott's Food Distributing Company, Inc
321 main street
Caldwell, ID. 83405
- [] New Owner/Claimant (Purchaser): Mountain Valley LLC
- [] New Mailing Address: 321 Main Street
Caldwell, ID 83405
- [] New Telephone Number: (208) 459 - 8181
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

WATER RESOURCES
WESTERN REGION

- [] Attach proof of ownership, describe proof attached: _____
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s) Mountain Valley LLC Date 12-28-95
by Terri Gustafson, member Date 12-28-95
- [] Signature of Former Owner/Claimant(s): Scott's Food Dist. Co., Inc. Date 1-11-96
Bruce A. Scott, Pres. Date 1-11-96

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 1-23-96 By: AD

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 1-23-96 By: AD

Claim Numbers of Split, if any:

RECEIVED

JAN 23 1996

WATER RESOURCES
WESTERN REGION

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

OCT 07 1996

8174
JLC

INSTRUMENT NO. 9532233 WARRANTY DEED

For value received, SCOTT'S FOOD DISTRIBUTING COMPANY, Inc., an Idaho Corporation, c/o COLLEEN S. SCOTT, 1103 N. Indiana Avenue, Caldwell, Idaho 83605, Grantor, does hereby convey, grant, bargain, and sell unto MOUNTAIN VALLEY, L.L.C., an Idaho Limited Liability Company, c/o DARRELL R. GUSTAVESON, 468 NW 12th, Ontario, Oregon 97914, Grantee, the following described premises in Canyon County, Idaho, to wit:

ALL That part of Lot 9, Block 72, Caldwell, Canyon County, Idaho, according to the Revised map filed in Book 1 of Plats, Page 20, records of said County, described as follows, to-wit:

BEGINNING At the most Southerly corner of said Lot 9; thence Northwesterly along the Southwesterly line of said Block 72 a distance of 25 feet to the most West-erly corner of said Lot 9; thence Northeasterly along the Northwesterly line of said Lot 9 a distance of 77 feet to a point thereon that is 9.5 feet distant South-erly, measured radially from the centerline of the main track of the Wilder Branch of the Oregon Short Line Railroad Company, leased to the Union Pacific Railroad Company, as constructed and operated over and across said Lot 9; thence Easterly along a curve to the right having a radius of 468.84 feet, which is parallel with and 9.5 feet distant Southerly, measured radially from said centerline of main track of Wilder Branch, a distance of 33.7 feet to a point on the Southeasterly line of said Lot 9 that is four-tenths (.4) of a foot distant Southwesterly from the most Easterly corner of said lot, measured along said Southeasterly line; thence Southwesterly along said Southeasterly line of Lot 9 a distance of 99.6 feet to the POINT OF BEGINNING.

AND

LOTS 10, 11 and 12, Block 72, Caldwell, Canyon County, Idaho, according to the Revised map filed in Book 1 of Plats, Page 20, records of said County.

AND ALSO

THAT Part of Lots 6 and 7, Block 72, Caldwell, Canyon County, Idaho, according to the Revised map filed in Book 1 of Plats, Page 20, records of said County, lying South of the Caldwell-Wilder Branch of the Union Pacific Railroad Company.

RECEIVED

JAN 23 1996

WATER RESOURCES
WESTERN REGION

POOR ORIGINAL
MICROFILMED
OCT 07 1996

AND ALSO

ALL That part of Lot 8, Block 72, Caldwell, Canyon County, Idaho, according to the Revised map filed in Book 1 of Plats, Page 20, records of said County, described as follows, to-wit:

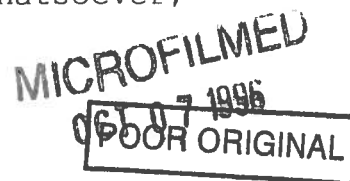
BEGINNING At the most Southerly corner of said Lot 8; thence Northwesterly along the Southwesterly line of said Block 72 a distance of 25 feet to the most Westerly corner of said Lot 8; thence Northeasterly along the Northwesterly line of said Lot 8 a distance of 52.2 feet to a point thereon that is 9.5 feet distant Southerly, measured at right angles from the centerline of the main track of the Wilder Branch of the Oregon Short Line Railroad Company, leased to the Union Pacific Railroad Company, as constructed and operated over and across said Lot 8; thence Easterly along a straight line that is parallel with and 9.5 feet distant Southerly, measured at right angle from said centerline of main track, a distance of 30.5 feet to a point; thence Easterly along a curve to the right tangent to the end of the last above-described straight line, having a radius of 468.84 feet and which is 9.5 feet distant Southerly, measured radially from said centerline of main track a distance of 4.7 feet to a point on the Southeasterly line of said Lot 8 that is 77 feet distant Northeasterly from said most Southerly corner, measured along said Southeasterly line; thence Southwesterly along said Southeasterly line of Lot 8 a distance of 77 feet to the POINT OF BEGINNING.

EXCEPTING From all parcels any right title or interest in minerals, mineral rights, oils or oil rights.

TOGETHER With all water, water rights, ditches and rights of way for ditches appurtenant thereto evidence by Idaho Department of Water Resources Water Right Claim Number A63-04229, subject to the Snake River Basin Adjudication.

TOGETHER With all tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

To have and to hold said premises, with their appurtenances unto the said Grantee, Grantee's heirs and assigns forever. Grantor does hereby covenant to and with Grantee that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances and that Grantor will warrant and defend the same from all lawful claims whatsoever, subject only to the following encumbrances:



1. Restrictions imposed by law, ordinance or regulation by any governmental entity, department or agency;
2. Restrictions contained in any covenants of record affecting the premises;
3. All rights of way or easements, affecting the premises regardless of how evidenced or acquired and whether the same appear of record or not;
4. Taxes and assessments of all taxes units not yet due and payable;
5. Reservations in patents or state grants or in acts authorizing the issuance thereof;
6. All repayment contracts between irrigation districts within which said premises are situated and any government or agency; and
7. The bonded debt of all taxing units within which said premises are located.

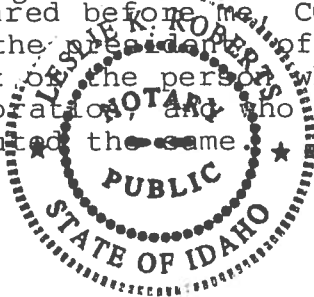
DATED: November 15, 1995

SCOTT'S FOOD DISTRIBUTING
COMPANY, Inc.
Grantor

By: Colleen S. Scott
President

STATE OF IDAHO)
 : ss.
County of Canyon)

On the 15th day of November, 1995, before me, the undersigned, a notary public for said state, personally appeared before me, COLLEEN S. SCOTT, known or identified to me to be the president of the corporation that executed the instrument of the person who executed the instrument on behalf of said corporation, and who acknowledged to me that such corporation executed the same.



Colleen S. Scott
Notary Public for Idaho
Residing at: 4411 H
My commission expires: 7-14-98

POOR ORIGINAL

REQUEST
PIONEER — CALDWELL
TYPE Deed FILE 9.00

95 NOV 16 PM 3 24

MICROFILMED
OCT 07 1996
32233

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS.

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-04229

Date Received: 7/12/1989

Receipt No: 000413

Received By: _____

RECEIVED
AUG 07 1989

Department of Water Resources
Western Regional Office

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: RICHARD W. SCOTT 208-459-8516
Address: 1103 N. INDIANA
CALDWELL, ID 83605

AND/OR

Name: SCOTTS FOOD DISTRIBUTING COMPANY, INC. 208-459-8181
Address: 321 MAIN ST.
CALDWELL, ID 83650

2. Date of Priority: JUN 01, 1908

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	22	NW	SW			CANYON

5. Description of diverting works:
WELL, 6" CASING, 5.5 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.270		

7. Total Quantity Appropriated is:
0.270 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
I/ICE & COLD STORAGE PLANT.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	22	NW	SW		INDUST	

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
CALDWELL CITY WATER SYSTEM

14. Remarks:
AC. DIV. RATE=120 GPM.
WATER IS USED TO COOL COMPRESSORS AND ALSO ICE PRODUCTION

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☒ do not ☐ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 6

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT of SCOTT'S FOOD DISTRIBUTING CO., INC. that I have signed the foregoing

Organization DBA SCOTT'S ICE document in the space below as PRESIDENT of

SCOTT'S FOOD DISTRIBUTING CO., INC. and that the statements contained in the foregoing document DBA SCOTT'S ICE are true and correct.

Richard W. Scott
Signature of Authorized Agent

PRESIDENT, SCOTT'S FOOD DISTRIBUTING CO., INC.
Title and Organization

4 AUGUST 1989
Date

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 4 day
of August 19 89

Silvia Lopez
Notary Public

Seal

Residing at Caldwell

My Commission Expires 2-26-93

09/27/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4229

NAME AND ADDRESS: ICE HOUSE PARTNERS
C/O PAT LARGE
2711 S. CURTIS
BOISE ID 83705

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.270 CFS
188.200 AFY

PRIORITY DATE: 06/01/1908

POINT OF DIVERSION:

T04N R03W S22 NWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
INDUSTRIAL

PERIOD OF USE
01/01 12/31

QUANTITY
0.270 CFS
188.20 AFY

PLACE OF USE: INDUSTRIAL Within CANYON County

T04N R03W S22 NWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Property is also known as Lot 9 S of RR, Lots 10-12 inc Blk 72, Caldwell Original.

Industrial use is for manufacturing ice and producing refrigeration.

07/06/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4229

NAME AND ADDRESS: MOUNTAIN VALLEY LLC
321 MAIN ST
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.270 CFS
188.200 AFY

PRIORITY DATE: 06/01/1908

POINT OF DIVERSION:

T04N R03W S22 NWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

INDUSTRIAL

01/01 12/31

0.270 CFS
188.20 AFY

PLACE OF USE: INDUSTRIAL Within CANYON County

T04N R03W S22 NWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Property is also known as Lot 9 S of RR, Lots 10-12 inc Blk 72, Caldwell Original.

Industrial use is for manufacturing ice and producing refrigeration.

09/29/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-4229

ICE HOUSE PARTNERS
C/O PAT LARGE
2711 S. CURTIS
BOISE ID 83705

RECEIVED

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

None

OCT 20 2006
WATER RESOURCES
WESTERN REGION

2. Describe the changes you wish to make in the proposed recommendation:

None

3. Give a brief explanation as to why you disagree with these portions:

N/A

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10-17-06

SIGNATURE:

Pat Large Evelyn Rumm Bill Asbury

Please print your name:

PAT LARGE Evelyn Rumm Bill Asbury

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

Thank you very much for all the help
your people were wonderful to work with
PAT LARGE

FOR Kimberly Urgent ☐

DATE 10-16-06 TIME 1:15 A.M.
P.M.

While You Were Out

M Pat Large

OF _____

PHONE 362-2711
AREA CODE NUMBER EXTENSION

TELEPHONED		PLEASE CALL	☒
CAME TO SEE YOU		WILL CALL AGAIN	☐
RETURNED YOUR CALL		WANTS TO SEE YOU	☐

MESSAGE _____

~~63-4299~~

~~4229~~

He agrees with our
recommendation so I asked
that he send us the Notice

SIGNED lg of Error Reply. a. adams-
9711 J-KB

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4229

WATER RIGHT NUMBER: 63-4229

Owner Type

Original Owner

Name and Address

RICHARD W SCOTT
1103 N INDIANA
CALDWELL, ID 83605
(208)459-8516

Current Owner

Property Address:

MOUNTAIN VALLEY LLC
321 MAIN ST
CALDWELL, ID 83605
(208)459-8181

Original Owner

SCOTTS FOOD DISTRIBUTING CO INC
321 MAIN ST
CALDWELL, ID 83650
(208)459-8181

Priority Date: 06/01/1908

Basis: ~~Statutory Claim~~

Status: Active

Beneficial Use

Source

GROUND WATER

TributaryBeneficial Use

INDUSTRIAL

From To

1/01 to 12/31

Diversion Rate

0.270 CFS

Total Diversion:

0.270 CFS

Annual Volume

188.2 AF

188.2 AF

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NW1/4SW1/4

Sec. 22, Twp 04N, Rge 03W, B.M.

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	
04N 03W 22										X							

Conditions of Approval:

1.

AC. DIV. RATE=120 GPM.

WATER IS USED TO COOL COMPRESSORS AND ALSO ICE PRODUCTION OWNERSHIP

CHANGED BY LH 1/23/96.

Remarks:

ADD J01 - Place of use is also known as lot 9 S of RR
Lts. 10-12 inc Blk 72, ~~SW~~ Caldwell Original.

Parcel No: R 0507600000. (0.1 AC)

Q: when did SHP go in (from 2-HP)?
1973

Current Owner: work:
Pat Lange (#362-2711)
2711 S. Curtis Rd.
Boise 83705

80 gal/m = 0.178 cfs
120 gal/m = 0.267 cfs

At Field Exam
Ken gave
clmt. a Comm.
Use Volume Qu.
+ I sent
one also.
twice!

Field Exam Date 7.6.06

(in-office review)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$77.⁰⁰
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None in 822
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A63-4229

Owner: Mountain Valley LLC Phone No. 459-8181

(Property Address) Current Address: 321 Main St., Caldwell 83605

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER Pat Large
- ☐ No change Address
- ☒ NEW ADDRESS 2711 S. Curtis Rd., Boise 83705
- ☐ How long owned property? _____

Accompanied by: N/A

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
 - ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
 - ☒ Priority date is acceptable/within mandatory filing dates?
- Priority date, per claimant, is: 6/1/1908
- (If priority date, based on your exam, seems questionable, explain below.)

* An Affidavit signed by Pat Large, a Caldwell City Directory from 1906-1907; and a Caldwell City Directory from July, 1909 were submitted by Pat Large on July 7, 2006

Source: Ground Water Tributary to _____

- ☒ No Change –SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

See Field Report.

OVERLAP REVIEW

Other water rights with the same point of diversion: *None*

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

- ☐ No change
- ☐ Different Uses

Use *Industrial* From _____ To _____ Amount _____ CFS *188.2* AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

(172,800 gal/day x 365 days/yr.) / 325,850 AF = 193.6 AF (V) 0.26 cfs x 1.9835 x 365 days =

TOTAL VOLUME - Groundwater only

- ☒ Incomplete on claim, the total is, Amount _____ CFS *188.2* AFA
- ☐ Changes found, the new total is, Amount _____ CFS _____ AFA
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

188.2 AF

NON-IRRIGATION USES:

- ☒ No change
- ☐ Changes Exam found: Domestic # of homes _____ Stock # _____
Types _____ Additional comments: _____

PLACE OF USE:

- ☒ No Change
- ☐ Changes shown below:

*Place of use is also known as:
 Lt 9 S of RR, Lts 10-12 incl
 Blk 72, Caldwell Original*

Parcel No: R05076000000.

Lined area for notes or additional information.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

> Field Exam - 8/8/05

DATE EXAM CONDUCTED: 7-6-06 (in-office review)

FIELD EXAMINER: Kimberly Brown

Industrial
~~COMMERCIAL USE VOLUME~~

RECEIVED

JUL 06 2006

WATER RESOURCES
WESTERN REGION

* Please keep in mind that these questions pertain only to the use of the water listed on the enclosed Adjudication Claim #63-4229.

Type of Establishment: (example - camp, church, country club, bar/lounge, boardinghouse, factory, motel, highway rest area, hospital, laundry, office, park, restaurant, school, service station, theater)

Ice manufacturing facility being converted to a bottled water manufacturing facility.

Type of Facilities: (example: kitchen facility/cafeteria, lavatory facilities, shower(s), bath(s), sink(s), trailers, flush toilets)

2 bathrooms

1 Kitchen

Number of Fixtures: (example: number of flush toilets, number of bathtubs, number of bathroom/kitchen sinks, number of showers, etc.)

2 flush toilets

1 Kitchen sink

1 packaging unit to bottle water

How many employees (and/or public individuals) per day use each of the facilities your commercial use is based upon?

10

How many hours per day is the facility open for this specific use?

The facility will operate continuously

How many days per week is the facility open for this use?

7

run continuously
24 hrs/day

In my conversation with Pat Large on 6/29/06, Mr. Large said that they use Caldwell City water for the kitchens and bathrooms.
-Kimberly Brown

Is this facility open year round? Yes No

If not, please indicate the length of time the facility is open during the year.

The Facility will be open year round beginning
Sept 15 2006

** Most businesses have a good idea of how many gallons of water per day they use. If this is true in your case, please indicate how many total gallons of water you use for the commercial purposes explained above:

172,800 gallons when in full operation.
This use is based on the amount
of water being when we shut the pumps
off in December 2004. This use is also
based on the previous claim to water rights
by Richard Scott

1987 - similar usage over the yrs.

(same system since 1921 (when elevator went in))

Additional information you feel may be pertinent:

We have traced the water usage from this
facility back to 1808 based on information
shown in the Caldwell City Directories from
1906-1907, 1909, 1977 & 1990. we have also provided
a receipt for a new elevator installed
in the facility in 1991

PAT LARGE
Your name

208-362-2711
Business telephone number

Please return to:

ATTN: Kimberly Brown
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4229

WATER RIGHT NUMBER: 63-4229

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICHARD W SCOTT 1103 N INDIANA CALDWELL, ID 83605 (208)459-8516

Priority Date: 06/01/1908

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
INDUSTRIAL	1/01 to 12/31	0.270 CFS	
	<u>Total Diversion:</u>	0.270 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 22, Twp 04N, Rge 03W, B.M.
CANYON County		

Place of Use

INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	03W	22										X							

Conditions of Approval:

1. AC. DIV. RATE=120 GPM.

Remarks:Comments:

REAL PROPERTY INQUIRY

```

+++++
01 6R 5076-000- -0 001-00 SCH132+ 21 19,975 .10
+++++
LARGE, PAT +
& RUTH, EVELYN +
& ASBURY, BILL +
& ASBURY, KIM H/W +
+
2711 S CURTIS RD +
BOISE ID 83705 +
+++++
22-4N-3W SW CALDWELL ORIGINAL 1210 + TOTAL 52,500 .10
LT 9 S OF RR, LTS 10-12 INC BLK 72 ++++++
SURFACE RIGHTS ONLY + SURVEY INST 9844743
+ DRAIN DR VALUE APPR SMB
+ CLASS CM REAP 03 MAN 02 UNIT 0
+ PARCEL 6RC1210072009A H/O N C/B N
+ PRIOR ACCOUNT 5R 5076-000- -0
+ 02 MH on Property NO
MODE:F ACTION: COMPANION SHEET INQUIRY TRQK361

01 ACCOUNT: 6R 5076-000- -0 AREA 001-00 DRAIN VALUE CLASS CM H/O N
SEC 22 TWN 4N RNG 3W QTR SW CITY/SUB C1210 BLK 072 LOT 009A
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
LARGE, PAT MOUNTAIN VALLEY, L L C
& RUTH, EVELYN
& ASBURY, BILL
& ASBURY, KIM H/W
MAILING ADDRESS LEGALS
2711 S CURTIS RD 22-4N-3W SW CALDWELL ORIGINAL 1210
BOISE ID 83705 LT 9 S OF RR, LTS 10-12 INC BLK 72
SURFACE RIGHTS ONLY
SITE ADDRESS
321 MAIN ST CA
COMMENTS REMARKS
9532233, 9844743

PRIOR ACCOUNT 5R 5076000 0
PARCEL C1210072009A SRVY
INSTR 9844743 ACRES .10
SPLIT YR DOCUMENT WD

```

Receipt Details for ID W004113

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
8/7/1989 3:48:10 PM	8/7/1989	Western	\$77.00	Check
Payer		SCOTTS FOOD DISTRIBUTING		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
11995			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$77.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	4229		\$77.00	Claim

Print Report

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4229

03/20/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2275	Water Right	04N	03W	22	NW	SW		IRRIGATION		PIONEER IRRIGATION DISTRICT
~~4229~~	~~Claim~~	~~04N~~	~~03W~~	~~22~~	~~NW~~	~~SW~~		~~INDUSTRIAL~~		~~MOUNTAIN VALLEY LLC~~
15265	Claim	04N	03W	22	NW	SW		INDUSTRIAL		DARIGOLD INC
15266	Claim	04N	03W	22	NW	SW		INDUSTRIAL		DARIGOLD INC
15267	Claim	04N	03W	22	NW	SW		INDUSTRIAL		DARIGOLD INC
2998	Water Right	04N	03W	22	NW	SW		INDUSTRIAL		DARIGOLD INC
2999	Water Right	04N	03W	22	NW	SW		INDUSTRIAL		DARIGOLD INC
3000	Water Right	04N	03W	22	NW	SW		INDUSTRIAL		DARIGOLD INC
~~4229~~	~~Water Right~~	~~04N~~	~~03W~~	~~22~~	~~NW~~	~~SW~~		~~INDUSTRIAL~~		~~RICHARD W SCOTT~~
15265	Claim	04N	03W	22	NW	SW		DOMESTIC		DARIGOLD INC
15266	Claim	04N	03W	22	NW	SW		DOMESTIC		DARIGOLD INC
15267	Claim	04N	03W	22	NW	SW		DOMESTIC		DARIGOLD INC

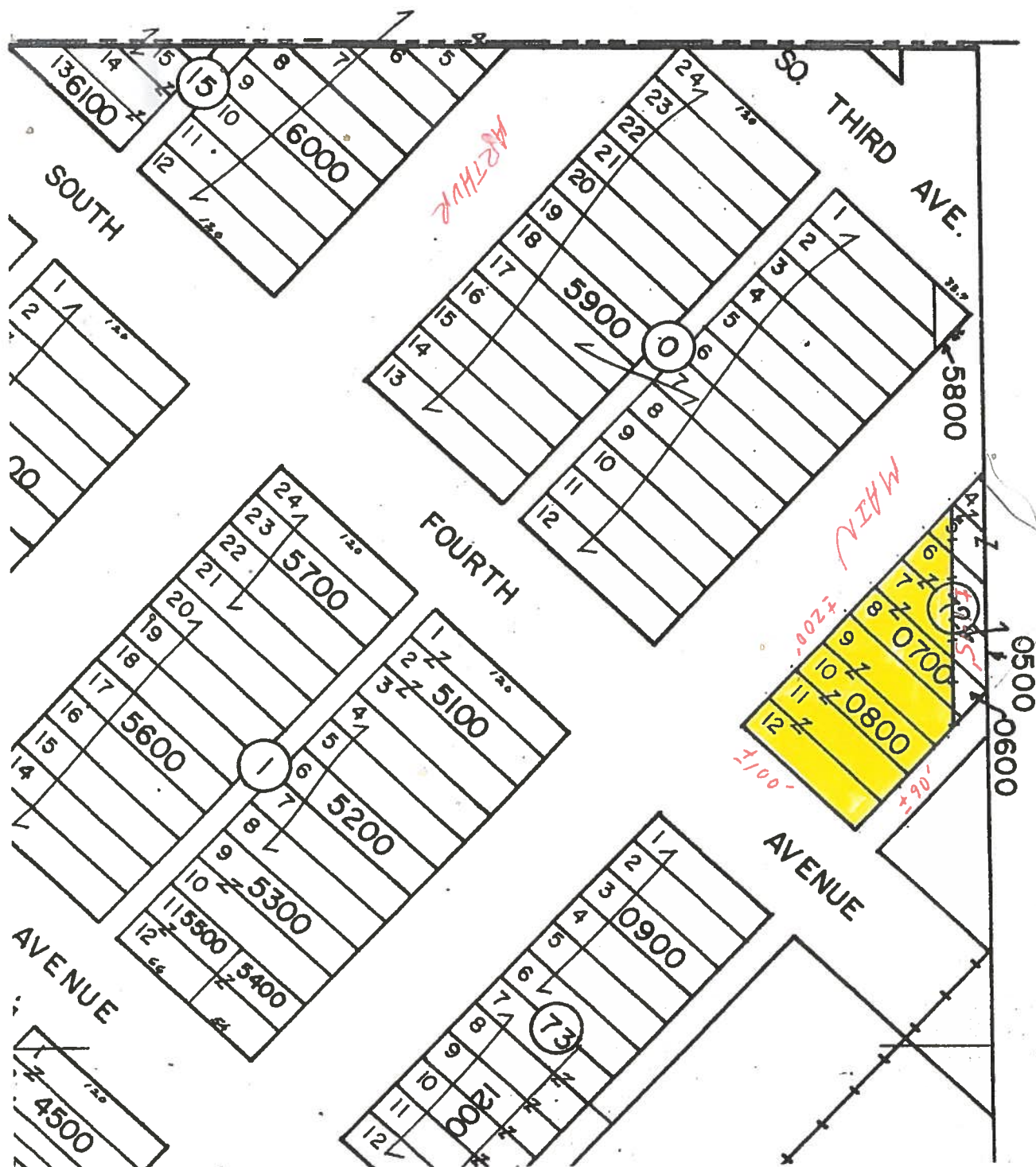
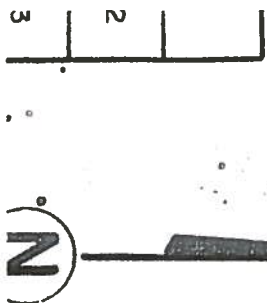
no overlap

**WATER RESOURCES
WESTERN REGION**



This map is attached solely for the purpose of assisting in locating the land and the company assumes no liability for variations, if any.

○○○○



RECEIVED

JUL 06 2006

WATER RESOURCES
WESTERN REGION

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
A63-4229)
)
)
State of Idaho)
County of Canyon)

AFFIDAVIT

PAT LARGE

deposes and says: Ice House Partners purchased
The Scotts Ice and Cold storage facility
in november of 1998 from Mountain Valley
LLC. The facility remained in continuous
operation from 1908 thru 1998 and
The water pump operated 24 hrs. per day
Through December of 2004. The company
was owned and operated by Caldwell
Ice and Cold storage company beginning
in 1908 at 321 Main Street in Caldwell.
Scotts Ice & Cold storage purchased the
business some time in the 40's or 50's and
operated the plant continuously until 1991 when
it was purchased by Mountain Valley LLC who
continued to operate under the Trade name of Scotts Ice

PAT LARGE
(Signature)

Partner

RECEIVED

JUL 06 2006

WATER RESOURCES
WESTERN REGION

Caldwell Clothing Co.

no B. Stesson and Longley Hats, Walk-Over and
strong and Garfield Shoes. Guaranteed Clothing and
Raincoats.

A Full Line of Men's and Young Men's Underwear,
Hose, Shirts and Neckwear

O. F. Building
Main St.

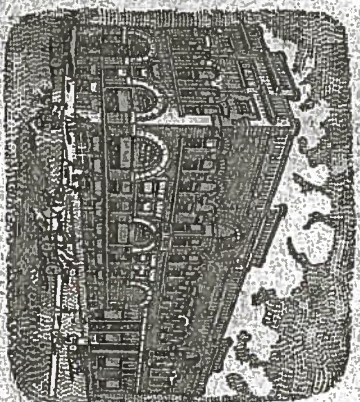
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JULY, 1909

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Idaho Implement and Grain Co., W. G. Cowden, Mgr., 601-611 Main.

INSURANCE.

Hawkes, Charles T., Insurance, 115 South 7th.
Wilkinson, Wm. R., General Insurance and Surety Bonds,
Notary Public, 115 South 7th.

IRRIGATION COMPANIES.

Payette-Boise Water Users' Assn., W. L. Girard Secy., 109 South 7th.
Pioneer Irrigation District, office 714 Arthur, N. S. Dils,
Pres., Edgar Meek, Secy.

JEWELERS AND WATCHMAKERS.

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Harnon, F. S., Jeweler, 112 South Kimball.
Moe, S. N., Jeweler, 123 South 7th.
Webb, Clyde D., Watchmaker, 807 Arthur.

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Aven.

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Kimball.

Garten, J. G., Livery Barn, 522 Arthur.

Star Livery Barn, Dick French, Prop., 124 North Kimball.

Van Housen, H. E., Livery and Feed Stable, 502 Main.

LUMBER AND COAL.

Caldwell Lumber Co., Lumber, H. R. Cleaver, Mgr., 822 Main.
Central Lumber and Fuel Co., Lumber and Coal, I. S. Bin-
ford, Mgr., 428 Main.

Farmers' Lumber and Coal Co., C. D. Gates, Mgr., 601 Rail-
road.

Idaho Lumber Co., W. P. Kelleher, Mgr., 116 North Kimball.

MAGNETIC TREATMENT.

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Slabaugh, 116 South 7th.

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Bon Ton Millinery, Mrs. Myrtle Henderson, Prop., 114 South
Kimball.

Gilgan, M. E., Millinery, 612 Main.

Russell, Mrs. Frances B., Millinery, 112 South Kimball.

MONUMENTS.

Gordon & Adams, Monumental Works, N. C. Gordon, C. Q.
Adams, 814 Albany.

NEWSPAPERS AND PERIODICALS.

Caldwell News, F. G. Burroughs, Editor, 114 South 7th.
Caldwell Tribune, Tribune Printing and Publishing Co., 811
Main.

Gem State Rural, A. E. Gipseon, Editor, J. H. Gipseon, Mgr.,
613 Main.

Idaho Odd Fellow, A. E. Gipseon, Editor, J. H. Gipseon, Mgr.,
613 Main.

NOTARIES PUBLIC.

Gupp, W. R., Notary Public, Postoffice Block.
Madden, Ross S., Notary Public, 109 South 7th.

Slovel, Geo. W., Notary, 104 North 7th.

Zeb, Henry J., Notary Public, 107 South 7th.

OPTICIANS.

Bowen, F. H., Jeweler and Optician, 725 Main.

Kautzman, Ham, Optician, Room 21, 712 Main.

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- Bohlsen, F. C., 704 Belmont.
- Bohlsen, John W., Jeweler, 704 Belmont.
- Boise and Interurban Ry. Co., Depot, Geo. D. Barnard, Agt., 621 Main.
- Bonesteale, Harry F., Travelling Salesman, 708 Everett.
- Bon Ton Millinery, Mrs. Myrtle Henderson, Prop., 114 South Kimball.
- Boone, Jas., Clerk, Rooms Little Block.
- Boone, John, Clerk, Elgin and 9th.
- Boone, Thos. W., Pacific Hotel.
- Boone, Ernest, Bookkeeper, 1102 Cleveland.
- Boone, Florence, Student, Elgin and 9th.
- Boone, Grace, Clerk, Elgin and 9th.
- Boone, James, 816 Belmont.
- Boone, Marie, 816 Belmont.
- Boone, Mrs. Martha, Elgin and 9th.
- Boone, May, Telephone Operator, Elgin and 9th.
- Boone, Minnie, Clerk, Elgin and 9th.
- Boone, William J., President College of Idaho, 816 Belmont.
- Borkenhagen, Frank, Clerk, 916 Cleveland.
- Borkin, John W., Retired, 1014 Cleveland.
- Borkin, Leonard W., Borkin & Blake, 1014 Cleveland.
- Borkin, Louise, 1014 Cleveland.
- Borkin & Blake, Drugists, L. W. Borkin, H. T. Blake, L. A. Harmon, 123 South Kimball.
- Boulton, Payne A., Supt. Public Schools, 1106 Everett.
- Boulware, Bertie, Music Teacher, 320 Cleveland.
- Bowen, F. H., Jeweler and Optician, 725 Main.
- Bowen, F. H., residence 818 Denver.
- Boyes Hardware Co., Fred C. Boyes, Hardware and Paints, 708 Main St.
- Boyes, Edith J., 812 Everett.
- Boyes, Fred C., Hardware Dealer, 402 Blaine.
- Boyes, S. Earl, Clerk, 812 Everett.
- Boyes, Mrs. Sarah J., Widow, 812 Everett.
- Bredshaw, Arthur, Carpenter, 1414 Cleveland.
- Bredshaw, Grace, Widow, 1414 Cleveland.
- Brannard, G. S., Gardner, 1322 Dearborn.
- Breshars, Fred W., Laborer, North 3rd ave. ext.
- Brass, Ernest F., Stockman, 812 Belmont.
- Bray, But, Ranch.
- Bray, Chas. H., Ranch.
- Brehman, Bruce, Bartender, 603 Cleveland.
- Breneman, Mrs. Elizabeth E., Widow, 1307 Albany.
- Breshars, Frank M., Sheriff, 1004 Albany.
- Breshars, Martha, Widow, 1701 Cleveland.
- Brett, Mrs. Annie, 718 South 6th.
- Brett, Caddie, 603 South 5th.
- Brett, Clemmie, 603 South 5th.
- Brett, Dixie G., 603 South 5th.
- Brett, Ellen V., 603 South 5th.
- Brett, Josephine, 603 South 5th.
- Brett, Richard, Asst. Supt. Miller, 603 South 5th.
- Brett, R. D., Lineman, 707 Denver.

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- Bridges, Wm. A., Carpenter, 1128 Cleveland.
- Bridges, Wm. M., Student, 1128 Cleveland.
- Brigham, P. A., Ranch.
- Brooks, Wm. M., Prop. Idaho Hotel, 722 Arthur.
- Brosius, J. P., Barber, 618 Main, res. 210 Kimball.
- Brown, Mrs. Carrie, Widow, 612 Aven.
- Brown, Mrs. Daniel, Widow, 603 Cleveland.
- Brown, D. S., Saloon, 705 Main.
- Brown, Daniel S., Saloon, res. 324 S. Kimball.
- Brown, Elmer N., Water Master, 511 Grant.
- Brown, Wm., Ranch.
- Brown, Joshua P., Farmer, 1117 Blaine.
- Brown, P. E., Ranch.
- Brunbaugh, Del, Baker, 913 Blaine.
- Brunbaugh, Pearl, 913 Blaine.
- Buckner, Thos. E., Attorney, 1504 Cleveland.
- Bullock, B. C., Lumber, 1005 Chicago.
- Bullock, Edw., Mgr. Ford Co., Lower House, 1410 Blaine.
- Buntrock, C. L., Transfer and Baggage, 713 Main, Res. 701 Denver.
- Burch, Mrs. Bessie, Widow, 803 South 7th.
- Burger, Chas. F., Clerk, 818 Blaine.
- Burns, Thos., Ranch.
- Burris, Fred O., Clerk, 907 Franklin.
- Burroughs, F. G., Editor Caldwell News, 703 South 6th.
- Button, Wallace M., Painter and Carpenter, 214 Dearborn.
- Butts, Mrs. A. O., Boarding House, 409 Cleveland.

C

- Caldwell Bakery, Frank Woods Prop., 715 Main.
- Caldwell Building and Loan Association, Jas. Munro, Secretary, 700 Main.
- Caldwell Clothing Co., Ltd., Sumner Dee, J. D. Kelleher, 703 Main.
- Caldwell Commercial Bank, J. C. Rice, Pres.; J. H. Lowell, Vice Pres.; E. A. Clark, Cashier; E. H. Plowhead, Asst. Cashier, 700 Main.
- Caldwell Commercial Club, Walter Griffiths, Pres.; Geo. H. Handy, Secy, 121 South 7th.
- Caldwell Electric Co., E. R. Walsh, A. E. Sutton, 813 1/2 Main.
- Caldwell Elevator and Milling Co., Railroad and 5th.
- Caldwell Forwarding Co., Farm Implements, Wool, 821 Main.
- Caldwell Fruit Growers and Producers' Association, Samuel G. Smith, Mgr., 714 Arthur; J. W. Murray, Secy.
- Caldwell Hotel, C. W. Cooper, Prop., 806 1/2 Main.
- Caldwell Ice and Cold Storage Co., Dr. E. E. Dutton, 321 Main.
- Caldwell, Idaho, Creamery Co., Ltd.; M. A. Combs, Mgr., 6th ave. between Arthur and Blaine.
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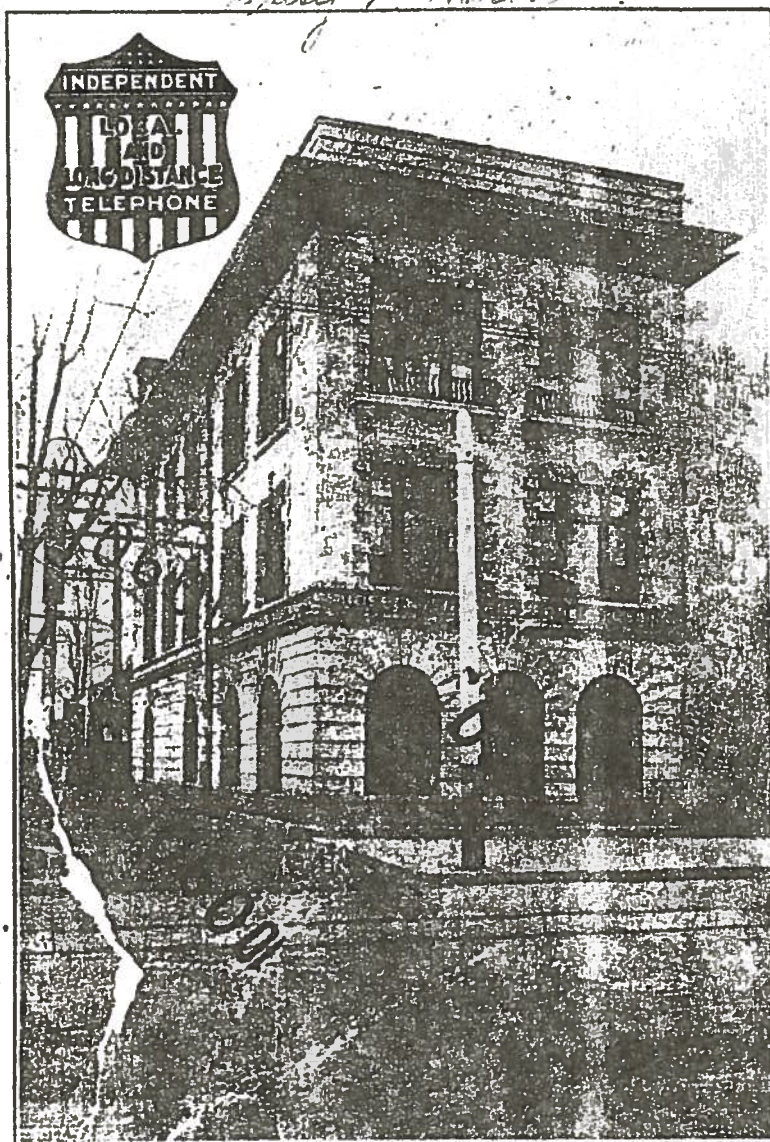
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Independent Long Distance Telephone Company

DIRECTORY

Daisy F. Vinson



Caldwell Exchange

1906-1907 ?

A

- 102 Abstractor's Room, Court House.
- 3091 Ackley, O. R., res.
- 4113 Adams, C. Q., res.
- 417red Agee, Rev., Ranch.
- 2035 Allen, Chas., res.
- 515red Allen, Clark, res.
- 1176 Altizer, Mrs. J. H., res.
- 174 American State Bank, S. D. Simpson, Pres.
- 113red Anderson, C. B., Ranch.
- 107 Andrews, H. D., res.
- 178 Andrews, L., res.
- 1206 Ashbaugh, John, res.
- 2099 Aven, H. B., res.

B

- 135 BAKER & HARRIS, Groceries, Grain & Mill Feed.
- 416red Bader, W. F., Ranch.
- 1088 Badley, O. V., res.
- 1086 Baker, J. L., res.
- 914red Baker, J. L., Ranch.
- 1131 Baker, J. A., res.
- 14 BALLANTYNE MERC. CO., Hardware & Groceries.
- 122 Ballantyne, A., res.
- 192 Ballantyne, H. J., res.
- 156 BANKS & WALKER, Real Estate & Insurance Office.
- 3220 Banks, A. A., res.
- 3094 Banks, C. B., res.
- 4108 Bardsley, W. M., Ranch.
- 2131 Bardsley, C. N., res.
- 3095 Barnard, G. E., res.
- 3027 Barnett, W. H., res.
- 119red Baum, Joseph, Ranch.
- 4225 Bayless, A., res.
- 4046 Beaty, Swain, res.
- 3137 Beal, Ralph, res.
- 412red Biggs, L., Ranch.
- 2043 Bird, Joseph E., res.
- 1079 Bird, A. C., res.
- 2079 Blais, Fred, res.
- 2235 Blake, H. T., res.
- 209 BOISE & INTERURBAN RAILROAD DEPOT, Caldwell.
- 129 Bon Ton Millinery, Myrtle Henderson, Prop.
- 2071 Boone, Rev. W. J., res.
- 34 BOTKIN & BLAKE, Druggists.
- 1167 Botkin, L. W., res.
- 420red Boulton, W. E., Ranch.
- 150 Boulton, P. A., res., Principal of Public Schools.
- 3157 Bowen, F. H., res.
- 2049 Boyes-Beck Hardware Co., Ltd.
- 53 Boyes, F. C., res.
- 1078 Boyes, S. J., res.
- 1082 Breshears, Frank, res.
- 2096 Brett, R. D., res.

- 193 Bridges, T. F., res.
- 4073 Brown, Elmer, res.
- 2182 Buckner, T. E., res.
- 1196 Burch, Mrs. Bessie, Rooms and Board.
- 4079 Burton, J. C., res.
- 175 Burroughs, F. G., res.
- 717red Burris, F. O.
- 1137 Butts, Mrs. O. A.

C

- 1160 Caldwell Bakery, Frank Woods, Prop.
- 2165 Caldwell Clothing Co., J. Kelleher, Manager.
- 8 CALDWELL COMMERCIAL BANK, Elmer A. Clark, Cashier.
- 148 CALDWELL COMMERCIAL CLUB, J. B. Gowen, Sec'y.
- 194 Caldwell Creamery, C. B. Marlatt, Manager.
- 16 Caldwell Forwarding Co., Office, J. B. Gowen, Mgr.
- 33 Caldwell Livery & Feed Stable, A. A. Farris, Mgr.
- 10 Caldwell Lumber Co., H. R. Cleaver, Manager.
- 51 CALDWELL NEWS, F. G. Burroughs, Editor & Prop.
- 152 Caldwell Plumbing & Heating Co., Hartenbower Bros.
- 181 Caldwell Power Company.
- 1070 Caldwell Rooming House, C. W. Cooper, Mgr.
- 132 Caldwell Sanitarium, Miss A. E. Holt, Prop.
- 03 CALDWELL TRIBUNE, J. S. Davis, Prop.
- 3085 Calkins, C. H., res.
- 3228 Calkin, S., res.
- 3215 Campbell Ranch.
- 172 Campbell, D. D., res.
- 1114 CANYON COUNTY ABSTRACT COMPANY.
- CANYON COUNTY COURT HOUSE.
- 1158 Assessor's Office, Frank Crowthers.
- 7 Attorney's Office, O. M. VanDuyn.
- 2028 District Judge, E. L. Bryan.
- 101 Engineer, Fred McConnell.
- 1028 Probate Judge, F. A. Hagelin.
- 195 Recorder's Office, O. V. Badley.
- 1006 Sheriff's Office, Frank Breshears.
- 2006 Superintendent of Schools, Miss Grace Carleton.
- 3028 Treasurer's Office, Wm. Mark.
- 60 Canyon Lumber & Coal Company, W. P. Kelleher, Mgr.
- 81 CANTON PRINTERS.

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WATER RESOURCES
WESTERN REGION

OTIS ELEVATOR COMPANY

Salt Lake City, Utah,
Dec. 5, 1921.

SPECIFICATIONS FOR ~~HYDRAULIC~~ ELEVATOR INSTALLATION

CONSISTING OF

ONE (1) PLUNGER ELECTRIC FREIGHT ELEVATOR,
for
CALDWELL ICE & COLD STORAGE CO.,
Caldwell.....Idaho.

TO: Caldwell Ice & Cold Storage Co.,
Caldwell, Idaho.

DIMENSIONS AND TRAVEL

The ----- elevator to be installed in accordance with the following details:

Size of platform to be about 6'0" x 6'0"

The car to travel from basement to second, about 26'0"

CAPACITY

The elevator to lift a load of 2000 lbs. in addition to the weight of the car
with a maintained water pressure of ----- lbs. per square inch at the operating valve, from
~~PUMPING PLANT,~~

and the piping done according to our drawings.

CAR OR PLATFORM

Platform to be of our regular freight construction.

Also furnish and install two (2) semi-automatic gates.

OPERATING DEVICE

The operating device to consist of a flexible hand rope
giving the attendant complete control of the operating mechanism.

CYLINDER	The cylinder to be constructed of steel pipe of sufficient thickness to withstand a test pressure of 400 lbs. per square inch. The sections to be thoroughly and substantially connected by means of external couplings.
STUFFING BOX	The top of cylinder to be provided with stuffing box made of cast iron with steel studs and composition nuts.
PLUNGER	The plunger to be made of selected steel tubing, turned true and smooth, and to be carefully inspected before leaving the Shop.
WELL FOR CYLINDER	The well for the cylinder to be sunk into the ground by ~~us~~ ^{OWNER} ~~The water and power used in this process to be furnished by the owner at point adjacent to drilling machine.~~
CONTROLLING VALVE	The valve to be of the Otis piston type, receiving and discharging the water through graduated openings
AUTOMATIC STOP	The operating mechanism to be provided with an automatic stop attachment designed to bring the platform to an easy and gradual stop at upper and lower limits of travel, independently of the operator.
GUIDE POSTS AND GUIDES	We are to furnish guide posts and guides for the platform consisting of <u>steel toes</u> ~~--- -- -- -- --~~ located at <u>corners</u> of hatchway.
PLATFORM FRAME	The platform frame to be substantially constructed and to be provided underneath with a special platen to which the plunger is securely fastened by means of selected bolts.
PIPING	All water pipe connections ~~for supply, discharge and drip, including connections between valve and~~ cylinder, to be made by <u>us</u> .
SPECIAL ITEMS	The elevator will be provided with a mechanical rope lock mounted on the car platform by means of which the operator can lock the operating cable when the car is at any landing, and which will prevent the starting of the car from any other floor until the operating cable lock is released by attendant.
PREPARATORY WORK	The owner of building to remove excavated material from building; prepare legal hatchway, including extension of same above top level in case this is necessary to allow the car to travel to that landing, and the making ~~as per O.E.Co's drawings~~ of necessary pit at proper distance below lowest landing; prepare place for the machinery; do all cutting of walls timbers and grillage beams; furnish in place hatchway enclosures and doors and gates in same and hatchway covers and supports, if necessary; furnish and install gate sills, if required, and proper supports for guide posts; do painting and mason work, including the repairing of all plastering; also do all necessary waterproofing and protect all parts of the apparatus from frost. All owner's work shall be completed in time not to delay our work.

PROPOSAL

We propose to furnish and erect One plunger electric freight elevator,
for building located at Caldwell, Idaho

in accordance with the foregoing detailed specifications of January 19, 1922 for the sum of
(\$1820.00) EIGHTEEN HUNDRED AND TWENTY -- Dollars

The hatchway to be ready by March 10th after which we are to have the uninterrupted use of same. The apparatus shall be installed in complete running order by April 1, 1922 but any unforeseen delay on our part shall not operate as a forfeiture of this contract.

Quotations subject to change without notice.

It is agreed that the Otis Elevator Company is privileged to proceed immediately with the manufacture of this machinery and apparatus, and that such parts as have been manufactured before the building is ready for their placement, and/or are deliverable on the date or dates designated in this agreement, will be shipped, and payments will become due in accordance with the terms of this contract. Presentation of bill of lading will constitute evidence of shipment and authority for collection of payment due at that time. And it is further agreed that the purchaser will receive, store and protect the apparatus from injury, until it can be installed in its permanent position.

Payments are to be made, pro rata per elevator, as follows: Twenty per cent within 30 days after signing of contract, fifty per cent upon shipment of engine, fifteen per cent when the engine is in permanent position, and the remaining fifteen per cent when the elevator is in complete running order, and we reserve the right to discontinue our work until payments are made as agreed.

All work herein specified will be installed in accordance with the requirements of the Industrial Accident Commission in force at the date first above written, but payment shall not be dependent upon the certificate or approval of said Commission.

Should we be delayed by reason of any default on your part in the terms and conditions of this proposal, the entire contract price, less payments theretofore made, shall become due on the date named herein for completion, and any deferred payment shall bear interest at the full legal rate from such date.

It is agreed that the workmen shall be given a safe place to do their work. If not, we reserve the right to discontinue our work in the building when conditions are such that the lives of our workmen are endangered by the work of other contractors using the elevator hatchways.

We are to retain title to and possession of all machinery, implements and apparatus furnished by us under terms of this proposal, until final payment shall have been made.

All agreements or contracts are subject to delays caused by strikes, lockouts, accidents or by any other cause beyond our control.

We hereby guarantee that the material and workmanship of the apparatus furnished by us, under these specifications, shall be first-class, and that we will make good any defects, not due to ordinary wear and tear, which may develop within one (1) year.

This proposal, and the acceptance thereof by the undersigned, shall constitute, exclusively and entirely, the contract for the elevator apparatus described in the foregoing specifications, and all prior representations or agreements, relating thereto, whether written or verbal, shall be deemed to be merged herein.

This contract is not valid unless approved by Pacific Coast Manager
of the Otis Elevator Company.

Respectfully submitted,

OTIS ELEVATOR COMPANY

By R. E. Christensen

SIGNED AND ACCEPTED
IN DUPLICATE

Jan 19 1922

F. G. Pickett

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JUL 06 2006

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Figure 1

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S Rowena Av 466-2784
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layful Child) rsl
v Les Schwab in St Central 465-7486
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processor Av Apt 4
h225 Hudson

3 E Roosevelt Av 466-9266
Central 466-6696
Hudson Av 467-1336
in's Onions h bx817

Bk Of ID rRt 2

in Av
ott's Ice & Cold ana Av
ad h435 1st St N

v S 466-4380
th Nampa High 466-0806
& Cold Storage

s Auto Sls)

High Sch r1112

119 E Bright St 466-8461
r Caldwell Sch 1 Av
h1811 12th Av 467-1919

1 Oregon Av 454-0898
alley Floral h1510

466-8328

SCOTT

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" John A emp Scott's Ice & Cold Stge r1103 N Indiana Av
" Joyce recpt Kirk L Jenkins r1719 Alder Caldwell
" Joyce P ofc mgr Blaindell Dental Ofc h1719 Alder St Apt A 459-0223
" Juanita Mrs sec James Oldsmobile-G M C 2708 Clifton Way
" Junior emp Crooks r403 E Lincoln Av
" Kathy Mrs f s mgr Nampa Sr High h228 20th Av S
" Katrina ofc sec Nampa Fin Co r18458 11th Av
" Ken & Darla; emp Armour's h613 S 19th Av
" Kim Mrs checker Paul's Mini h920 10th Av S
" Laura recpt Family Beauty r612 IVY St Apt 4
" Le Roy mtr Nampa High Sch h623 1/2 6th Rd N 466-8214
" Leslie retd h811 10th St N
" Lorretta h1717 Sunny Ridge Rd Apt 5d 467-5615
" Marcia J Mrs ofc sec Pacific Hides h1204 W Hudson Av
" Margt retd h616 16th Av N Rm 68 467-9728
" Mary B Mrs circulation bkpr Ida Press Tribune h403 E Lincoln Av 466-7600
" Mike clk Lone Star Market r928 S 20th St
" Nancy clk Water Sewer & Trash Billing rMiddleton
" Neva mgr B Dalton Bookseller r809 E 2d St S Middleton
" Nina Mrs production Simplot Potato h227 Florence St
" Nivy studt r1824 Oregon Av
" Phyllis D Mrs retd h1920 Brock Av 459-6694
" Raleigh R & Sophie J; mech Talbot Lanes h621 N Kimball Av 469-2673
" Rakston & Joann; water serv UPRR h711 2d St S 466-3156
" Randy h1010 Fern St Lot 2
" Raymond D h3705 E Greenhurst Rd 466-9068
" Richd sexton Kohler Lawn Cemetery
" Richd & Nina; emp City Of Nampa h227 Florence St
" Richd W & Kathy; mtrc 188H h928 20th Av S 466-0186
" Richd W & Colleen S; pres Scott's Ice & Cold Stge h1103 N Indiana Av 466-8516
" Robt K retd h1817 E Elgin St Lot 29 469-4432
" Ron Insp State Agriculture Dept (Brand Insp) rMeridian
" Russell & Kim; custdn Nampa High Sch h920 10th Av S 467-3686
" Ruth tchr Nampa Christian Sch r619 8th Av S
" Sandra h2506 S Wisconsin Av 454-2176
" Sharon A h131 Smith Av 467-4769
" Steve trk drvr Bestway Exp h208 S 43d Av

SCOTT

" Teresa studt r1824 Oregon Av
" Terri Mrs admn service rep The Associates Financial Svs h2819 Polaris St
" Terry L & Carol N (Gibbons Scott & Dean C P A) r2408 Brookside Dr
" Tilman R retd h106 E Hazel St 454-1032
" Timothy W & Teresa; mech Lanay Berg Chev h2819 Polaris St 459-7143
" Tom & Juanita; pres James Oldsmobile-G M C r5708 Clifton Way (Boise)
SCOTT TOM MOTORS Tom Scott President, D H Mass General Manager, Paul Bull Sales Manager, Maeda, Subaru, Sales Service, Parts, 608 11th Av N (Nampa), Tel (208) 466-8967
" Tom Oldsmobile G M C Tom Scott Pres Juanita Scott Sec 823 2d St S 466-3563
" Vrlis retd h211 E Hazel St Apt 18 459-9676
" Wayne R & Dorothy J; can hne mech Silgan Container Corp h619 8th Av S 466-6537

SCOTT'S ICE & COLD STORAGE

Richard W Scott President, Mrs Colleen S Scott Vice-President, David W Scott Director, Serving The Entire Treasure Valley, 321 Main Av, Tel 466-8181

Scott's Auto Sales (Dennis Scott) used cars 3404 Cleveland Blvd 459-8212

SCOTT'S GENERATOR CO (Scott McKnight, Randy McKnight, Bart McKnight), Suppliers And Manufacturers Of Starters, Generators, Alternators, Suppliers Of Regulators, 215 1st Av S, Tel 466-7814

Scovel James A & Verna L; retd h220 S 20th Av 459-7873
Scovell Arth R & Dianne S; retd h2521 Norman St 454-2437
" Arthur Jr & Kimberly; emp Wood Grains (Nampa) h312 Boise Av
" Dianne S Mrs tchr akde Caldwell Sch Dist h2521 Norman St
" Tim L USA r2521 Norman St
" Scripture Jo Ann ofc sec Messuri Bates & Gibbons r316 Tucker Av (P)
" Nina Mrs retd h702 6th St (P) 722-5559

Scrivner F Chas & Fern; retd h331 Borah St 465-0112

Scroggin Michl desk clk Five Crowns Inn r308 Johnson Dr

Scroggins Bobby J & Eva; emp Fleetwood Home h624 S Canyon St 467-3474

" Eva M Mrs payroll wkr Simplot h624 S Canyon St

" Jarvis & Rova O; retd h2108 Crescent Dr 459-3000

" Ronda r636 W Roosevelt Av
" Wm r1723 S Juniper St Apt 11

Scudder Jack H & Josephine L; retd h384 Holland Dr 466-1698

" Josephine L Mrs h384 Holland Dr
Scully M h115 19th Av S 467-7366

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-4229
Evidence of Priority and Industrial Use Volume**

June 29, 2006

I sent a request for evidence of priority and Industrial use volume on March 21, 2006 to the business address of: 321 Main St., Caldwell. When the envelope of information was returned as: Return To Sender/VACANT on March 28, 2006, I found that 2005 Canyon County Tax Lot data listed the current owner as:

Pat Large
2711 S. Curtis Rd
Boise 83705

Therefore, I resent the same information and request to Pat Large on Curtis Rd. on March 30, 2006.

As of June 29, 2006, I still had not received anything and nothing had been returned. As a very last resort before disallowing this claim, I called #459-8181 on June 29, 2006 and spoke with Pat Large. After speaking with Mr. Large about the need to provide evidence of the claimed priority date, I also asked a few questions. Mr. Large verified:

- that there is one well,
- that the system was used in 1987, but that the business closed its doors in 2000 when it filed for bankruptcy, and
- that they use Caldwell City water for the kitchen sink and the bathrooms; as a backup for the well.

Regarding the *Narrative* found in the *Field Report* that “the ice house is not operation at this time,” Mr. Large replied that the plan is to have everything “up-and-running within the next two months.” Mr. Large explained that they “had a pipe freeze a year ago and it flooded the basement of the place, but that all taken care of.”

Kimberly Brown
Senior Water Resource Agent
Western Region

WESTERN REGION

**2735 Airport Way
P.O. Box 1000
Boise, Idaho 83705-5000**

**RETURN SERVICE
REQUESTED**

**PRESORTED
FIRST CLASS**



02 1A
0004389390 MAR 21 2006
MAILED FROM ZIP CODE 83702

\$00.530

0004389390 MAR 21 2008
MAILED FROM ZIP CODE 83702

RECEIVED

MAR 28 2005

WATER RESOURCES
WESTERN REGION

ಕೃತಕವಾಗಿ ಕೂರಡ್ಡುಗಳನ್ನು ಬಳಸುವುದರಿಂದ



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

March 21, 2006

DIRK KEMPTHORNE

Governor

KARL J. DREHER

Director

3/30/06

MOUNTAIN VALLEY LLC
321 MAIN ST
CALDWELL, ID 83605

Present to:

RE: EVIDENCE OF PRIORITY & COMMERCIAL USE VOLUME

Snake River Basin Claim No(s): A63-4229

Hot large
2711 S. Curtis Rd
Bonise HI 96705



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

March 21, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MOUNTAIN VALLEY LLC
321 MAIN ST
CALDWELL, ID 83605

*Correct -
(Business Property Address)*

RE: EVIDENCE OF PRIORITY & COMMERCIAL USE VOLUME
Snake River Basin Claim No(s): A63-4229

Dear Claimant,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Your water right file contains an affidavit submitted by H. F. Reas on May 1, 1959 that substantiates the use of the well since February 20, 1939. However, the claimed priority date is June 1, 1908. If you are comfortable with the 1939 affidavit being used as your evidence of priority, I will change the priority date to 2/20/1939. If you are able to provide earlier evidence going back to the claimed year of 1908, I will also except any earlier documentation you may provide. Any evidence prior to 1939 needs to be submitted by April 11, 2006.

In addition, our contractor, Ken Henley, who conducted the field investigation of your plant on August 8, 2005, gave you a *Commercial Use Volume* questionnaire. In his field report, he stated that he gave this questionnaire to Pat Large and that Mr. Large would mail the completed document to our office. As of this date I have not received this information. I have enclosed another *Commercial Use Volume* questionnaire and ask that you send a completed copy to:

IDWR - Western Region

ATTN: Kimberly Brown

2735 Airport Way

Boise ID 83705-5082 Please also submit the completed questionnaire by April 11, 2006.

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
 - ☐ Well logs (if needed)
 - ☐ Copy of topo or NAPP
 - ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
 - ☐ Check POD & POU overlap, see below – include overlapping right for exam
 - ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A63-04229

Owner: Ice House PARTNERS Phone No. 208-367-2711

Current Address: 22711 So. Curtis Rd. Boise Id. 83705

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER Pat Large, Evelyn Ruth + Bill Asbury
- ☐ No change Address
- ☒ NEW ADDRESS 22711 S. CURTIS Rd. Boise, Id. 83705
- ☐ How long owned property? 7 yrs

Accompanied by: PAT LARGE

PRIORITY DATE

- ☐ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: June 1, 1908

(If priority date, based on your exam, seems questionable, explain below.)

Source: ground water Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
			NW	SW	22	04 N	03 W	Canyon	

Description of diverting works

4" Well 5.5 HSP. Pump. + Also A 5.0 HSP. with 2" but lets on each pump. See picture #1 & 2

OVERLAP REVIEW

Other water rights with the same point of diversion:

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES☒ No change☐ Different UsesUse INDUSTRIAL From 01/01 To 12/31 Amount 0.270 CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only☐ Incomplete on claim, the total is, Amount .270 CFS _____ AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	03W	22																	

Overlap with other water rights: Baldwin City Water System.

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative:

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
	Baldor	5.5	36K78106		2"
	GE	5HP	F283		2"

FLOW MEASUREMENTS: GPS 2283066

Attach appropriate documents USR. 1388903

NARRATIVE/REMARKS/COMMENTS

The Ice House is NOT in operation at current time, but my understanding from Mr. Large it was in 1987. The current plan by the owners is to have a water bottling business in operation in the near future. Pat Large has a copy of the Evidence of Priority pamphlet & will do further research on priority date if necessary. He also has a copy of the Commercial Use Volume & will get the information & mail it to TDWR with claim number on it. It is my understanding from Mr. Large the well has not been used in the last two years.

[illegible]

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: Aug 8, 2005

FIELD EXAMINER: Ken Henley

FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{4cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{4cm}}$$

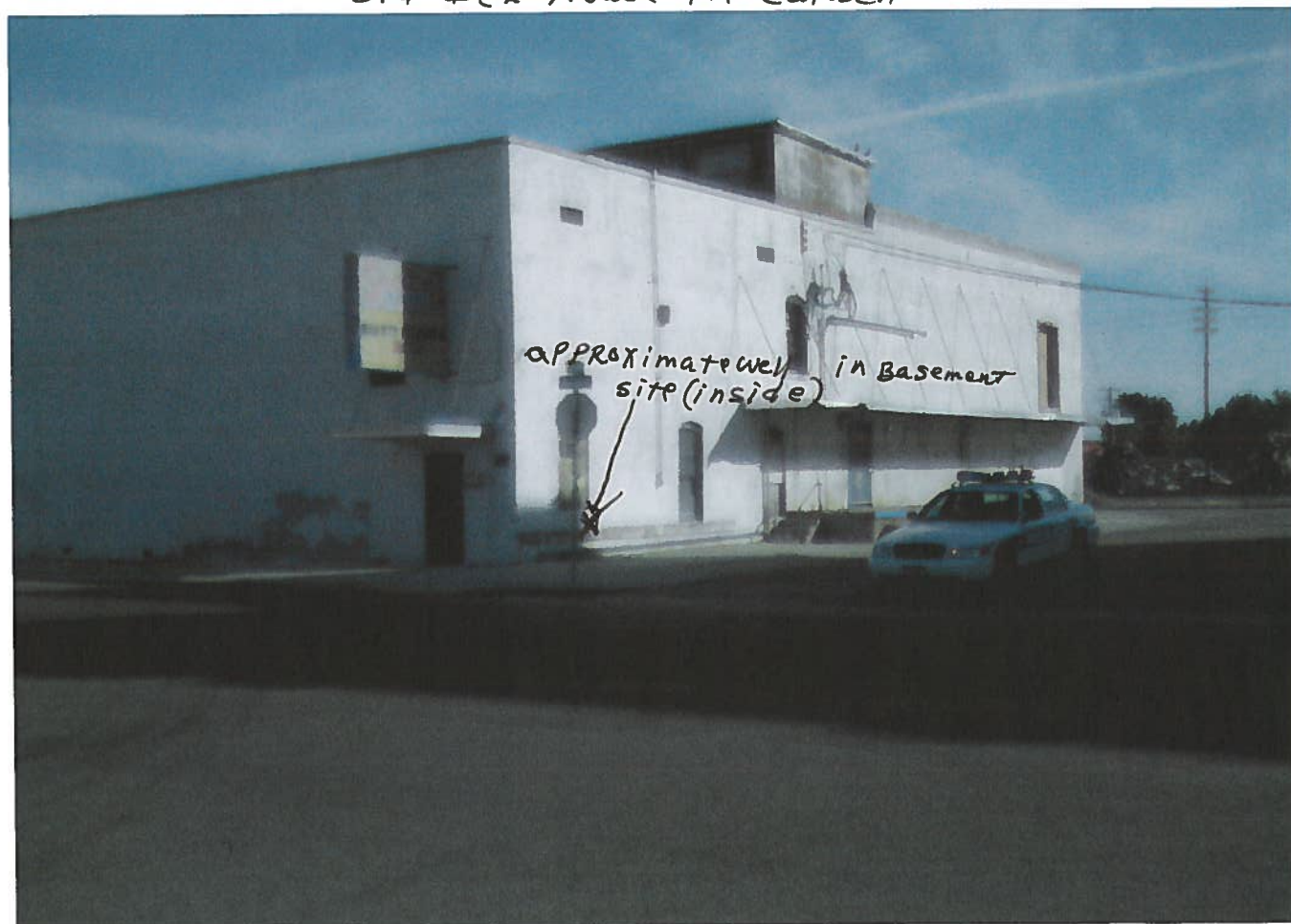
$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{4cm}}$$

2. Volume Calculations for Other Uses:

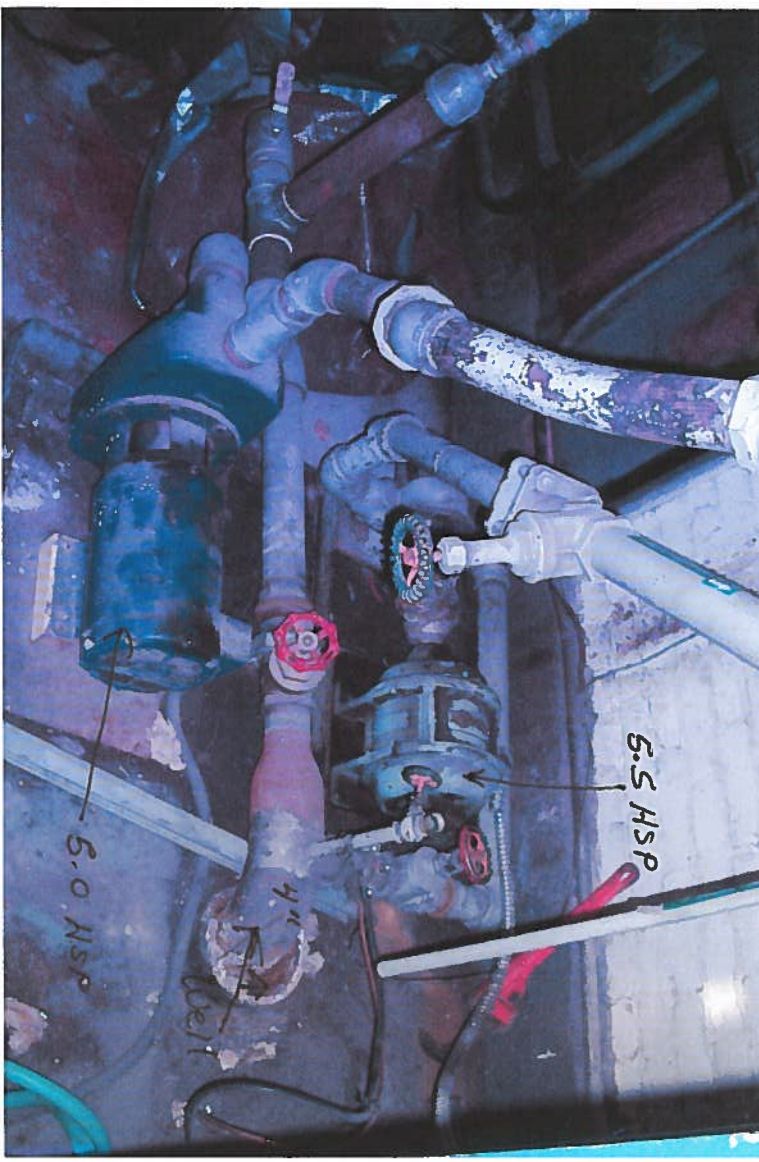
Ken did
not do a
measurement!



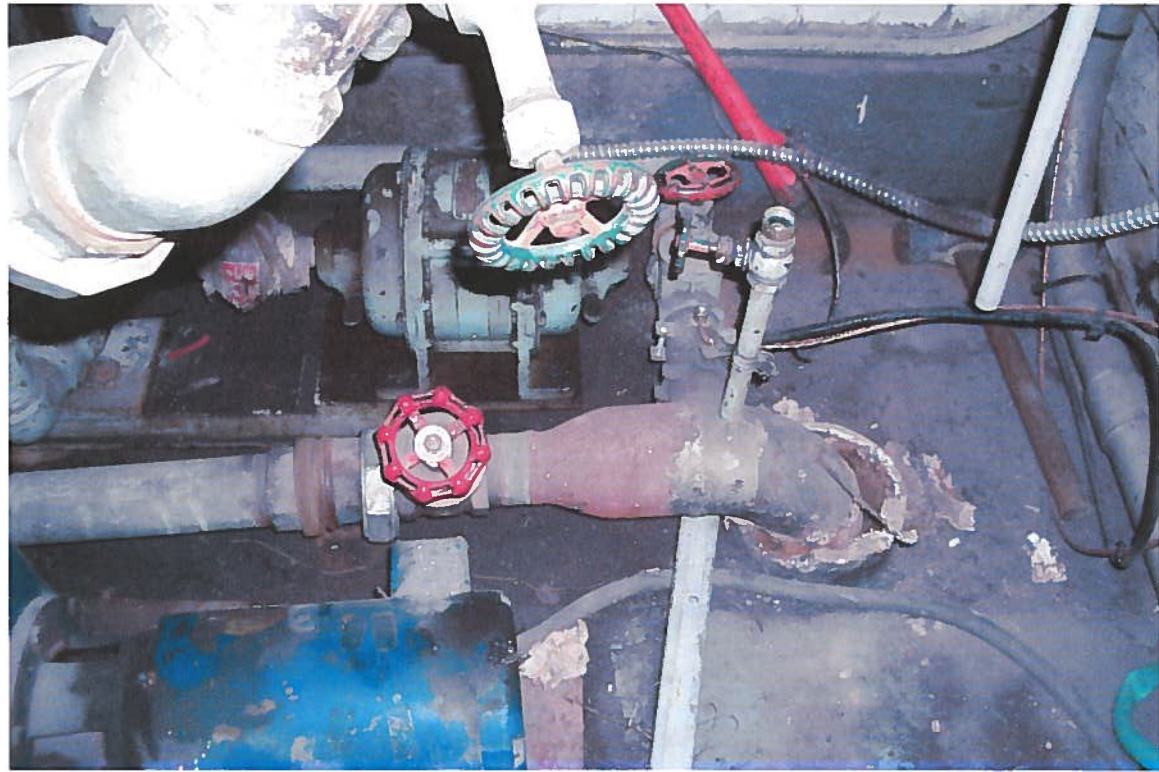
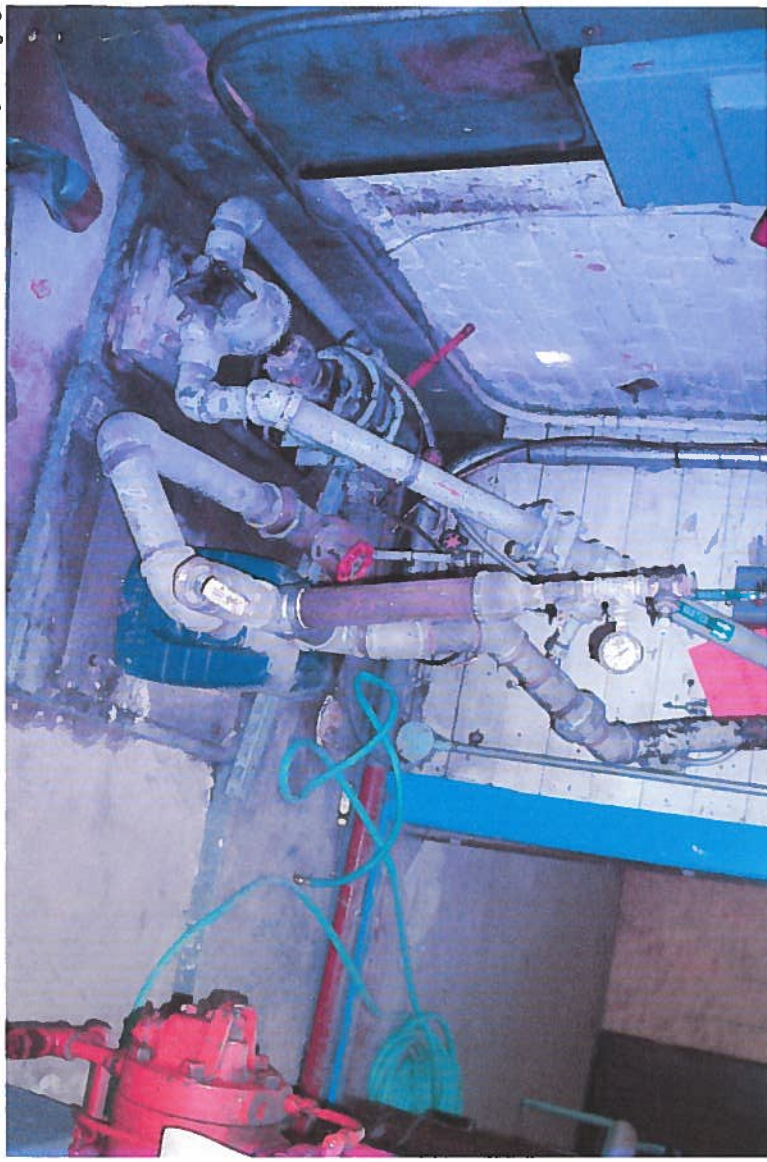
Old ICE House in Calwell



Picture #1



Picture #2



Picture #3

Ice 001



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 23, 1996

Re: Notice of Claim to a Water Right No. A63-04229

Mountain Valley LLC
321 Main Street
Caldwell, ID 83605

Claimant(s):

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1
Enclosure

MICROFILMED
OCT 07 1996

LOCKERS
FOOD
DRY ICE



STORAGE
ICE

321 MAIN ST.

CALDWELL, IDAHO



BRASS MONKEY BRAND

PHONE 459-8181 & 454-0872

January 22, 1996

Dear Adjudication Staff,

Enclosed is a copy of a warranty deed that shows that Mrs. Colleen Scott was the owner of Scott's Food Distributing. Mr. Richard W. Scott has been deceased since July 1994.

Sincerely,

Terri L. Gustaveson
Mountain Valley LLC.

RECEIVED

JAN 23 1996

WATER RESOURCES
WESTERN REGION

MICROFILMED

OCT 07 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

[JANUARY 19, 1995]

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MOUNTAIN VALLEY LLC
TERRI L. GUSTAVESON
321 MAIN STREET
[CALDWELL ID 83605]

Dear Wateruser(s):

This office has reviewed the **Notice of Change of Water Right Ownership** form submitted to our office. However, due to the items checked below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to **COMPLETE OR RESEARCH ONLY THE FOLLOWING ITEM(S) SHOWING A CHECKMARK IN THE BLANK FOR THAT ITEM(S).**

_____ There is no existing water right in our records either under the former owner's name or for the legal description given. If, after contacting the former owner, you find more information concerning a water right, please contact us.

_____ Legal description of property. Please complete showing the legal description by 1/41/4 (40-acre tract), section, township and range for the property changing ownership. If you only have a subdivision lot & block legal description, please send us a copy of your subdivision plat map.

_____ It appears you receive your water from an irrigation district, ditch company, municipality or community water company. If this is the case, then the water right remains in the name of this entity and you should contact them concerning the ownership change.

_____ Name and address of former owner (seller). This will clarify the original owner of the water right.

_____ Name, address and phone number of new owner (purchaser).

_____ This change in ownership appears to result in a splitting of the water right. A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. The amount of water in CFS, the place of use by 1/4 1/4 with the number of acres in each 1/41/4 (if applicable) and the point of diversion by 1/41/4, Section, Township and Range is needed. If this right is not being split, please submit proof of ownership for the remaining portion.
Enclosed is a computer copy of this right for your review.

_____ Proof of ownership is needed. This proof can be a copy of the warranty deed, sales contract or tax assessment in your name which includes a description of this property by 1/41/4, Section, Township and Range.

MICROFILMED
OCT 07 1996

_____ **Signature of new owner (purchaser) is needed on this form.**

XXX **Other:** We are unable to process this ownership change until we have some
proof that Mrs. Scott was the previous owner of the business. The Claim to a Water
Right is in the name of Richard W. Scott and/or Scotts Food Distributing. Please submit
a copy of a warranty deed that shows that she was an owner of this property and is
transferring ownership to you.

Please complete the above item(s), if required, on the Notice of Change of Water Right Ownership form and return it with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed(if one exists), will remain in the original owner's name.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1
Enclosures

MICROFILMED
OCT 07 1990



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
JAN 16 1996

DATE OF CLOSING: 11-15-95

LEGAL DESCRIPTION OF PROPERTY: Township 04N Range 03W Section 22, 1/4 of NW 1/4 of SW 1/4, Govt. Lot _____, B.M. _____
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) RECEIVED
JAN 17 1996

[] Water Right Number(s) _____
Assigned by IDWR: A63-04229 WATER RESOURCES
WESTERN REGION

[] Name and Address of Former Owner/Claimant(s)(Seller): Scott's Food Distributing Company, Inc
321 main street
Caldwell, ID. 83605

[] New Owner/Claimant (Purchaser): Mountain Valley LLC

[] New Mailing Address: 321 Main Street
Caldwell, ID 83605

[] New Telephone Number: (208) 459 - 8181

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s) Mountain Valley LLC Date 12-28-95
by Terri Gustafson, member Date 12-28-95

[] Signature of Former Owner/Claimant(s) Scott's Food Dist. Co., Inc Date 1-11-96
Bruce A. Scott, Pres. Date 1-11-96

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED
OCT 07 1996

COMMUNICATION DOCUMENTATION

Claim No. A63-04229

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent KAY WALKER *KW*



DATE

March 20, 1995

CUSTOMER

MRS. RICHARD SCOTT

SUBJECT:

Mrs. Scott called the office this morning to check on the status of the above referenced notice of claim. This claim is for a well and pump, used in the ice making business, that claims a June, 1908 priority date. Mrs. Scott said her husband has passed away and she is preparing to sell the business.

She stated that evidence of priority for this use has been previously submitted so the new owner shouldn't have to worry about that. She also said she would give the buyer copies of all of her documents concerning this water right. She wanted to make sure that the new owner would not be left without water since her claim had not been verified.

Mrs. Scott relayed that her business produced 30 ton of ice every 24 hours.

MICROFILMED
OCT 07 1996

(8) Remarks Xerox copies of four affidavits are attached hereto,

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Canyon

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Richard W. Scott
(Claimant)

Sworn to before me this 30th day of July 1973

Notary Public

Residing at Caldwell, Idaho

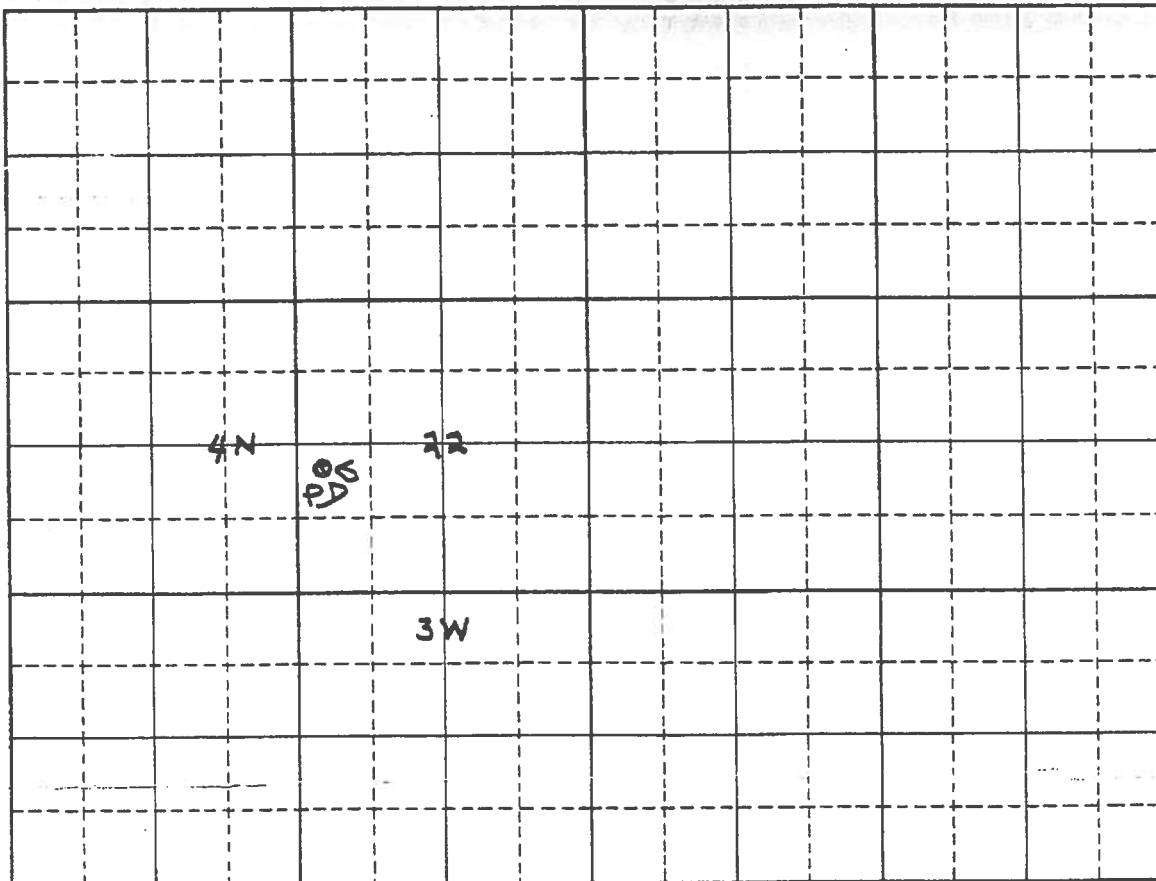
My commission expires 6-1-77

Rec'd #1144246 for Department Use Only

Received by	Date 8-1-73	Exception filed by:	Forwarded to	Date
Prelim. check by <i>R.W.H.</i>	Date 8-1-73		claimant by:	
\$10.00 fee received by <i>ey</i>	Date 8-1-73			
Approved for publication by				
Published in				
Dates				

(8) Remarks

63 42 0



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

ss.

County of Canyon

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Richard W. Swartz
(Claimant)

Sworn to before me this 14th day of August, 19 73

Wayne E. Davis
Notary Public for Idaho
Residing at Caldwell, Idaho

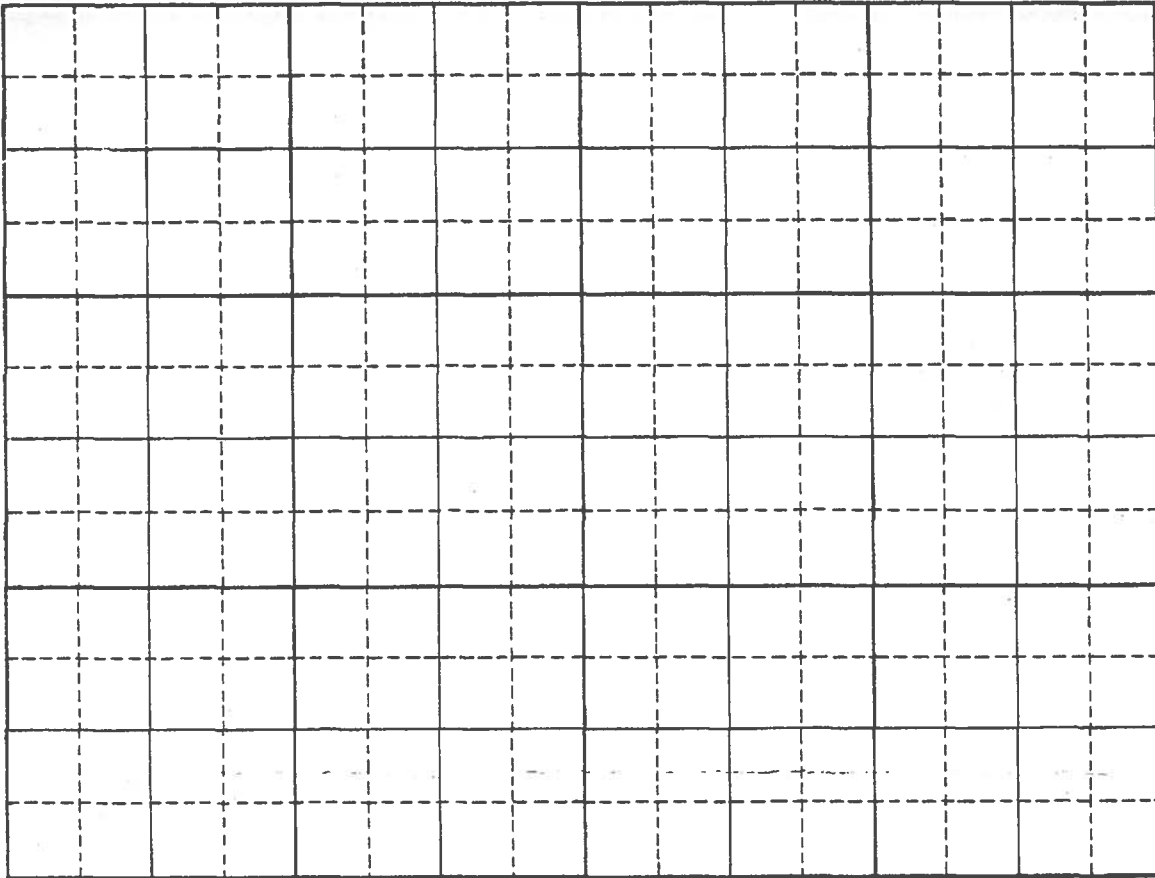
(SEAL)

My commission expires June 1, 1977

Rec'd # 11442 For Department Use Only

Received by DR. W. A. Date 8-1-73
Prelim. check by DR. W. A. Date 8-1-73
\$10.00 fee received by DR. W. A. Date 8-1-73
Approved for publication by SW 9-12-73
Published in News Tribune
Dates 8-23-73 8-30-73

Exception filed by: _____ Date _____
Forwarded to claimant by: _____ Date _____

(8) Remarks Xerox copies of four affidavits are attached hereto.

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

ss.

County of Canyon

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Richard W. Scott
(Claimant)

Sworn to before me this 30th day of July, 19 73.

Notary Public

Residing at Caldwell, IdahoMy commission expires 6-1-77

Reit #11442 For Department Use Only

Received by R.W.H. Date 8-1-73
 Prelim. check by R.W.H. Date 8-1-73
 \$10.00 fee received by ef Date 8-1-73
 Approved for publication by ef
 Published in _____
 Dates _____

Exception filed by: _____ Date _____
 Forwarded to claimant by: _____

AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Canyon)

L. O. TOLLMAN, Being first duly sworn, deposes and says:

That he is a resident of 215 West Hazel Street, Caldwell, Canyon County, Idaho, over the age of 21 years, and a citizen of the United States;

That since October 21, 1939 he has been and now is employed by Caldwell Ice and Cold Storage Company located at 321 Main Street, Caldwell, Canyon County, Idaho; that said Company's plant is located on Lots 10 to 12 in Block 72, Original Townsite of Caldwell, and that there is a well located on the Southeast corner of said Lot 12 and the following pumps located on said well, to-wit:

One 2-horse power, 1730 revolutions per minute direct drive to pump, manufactured by Westco Pump Corporation, Davenport, Iowa; Pump No. 4D5-25-47SS-A1, 2 inch inlet and 2 inch outlet, said pump being used continually and capable of pumping 120 gallons per minute;

One 1½ horse power 1705 revolutions per minute direct drive to pump, manufactured by Westco-Chippewa Pump Co., No. 4D5-31703A1, 2 inch inlet and 2 inch outlet, capable of pumping 80 gallons per minute, this pump used as auxiliary;

That said pumps and said well have continually been on said premises and used continuously during his entire employment with said firm.

L. O. Tollman, Jr.

Subscribed and sworn to before me this 1st day of May, 1959.

(SEAL)

Robert L. Alexander
Notary Public for Idaho;
Residing at Caldwell, Idaho.

My commission expires 5-30-62.

AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Canyon)

H. F. REAS, Being first duly sworn, deposes and says:

That he is a resident of 523 North Kimball, Caldwell, Canyon County, Idaho, over the age of 21 years, and a citizen of the United States;

That since February 20, 1939, he has been and now is employed by Caldwell Ice and Cold Storage Company located at 321 Main Street, Caldwell, Canyon County, Idaho; that said Company's plant is located on Lots 10 to 12 in Block 72, Original Townsite of Caldwell, and that there is a well located on the Southeast corner of said Lot 12 and the following pumps located on said well, to-wit:

One 2-horse power, 1730 revolutions per minute direct drive to pump, manufactured by Westco Pump Corporation, Davenport, Iowa; Pump No. 4D5-25-4798-A1, 2 inch inlet and 2 inch outlet, said pump being used continually and capable of pumping 120 gallons per minute;

One 1½ horse power 1705 revolutions per minute direct drive to pump, manufactured by Westco-Chippewa Pump Co., No. 4D5-31703A1, 2 inch inlet and 2 inch outlet, capable of pumping 80 gallons per minute, this pump used as auxiliary;

That said pumps and said well have continually been on said premises and used continuously during his entire employment with said firm.

H. F. Reas

Subscribed and sworn to before me this 1st day of May,
1959.

(SEAL)

Robert L. Alexander
Notary Public for Idaho;
Residing at Caldwell, Idaho.

My commission expires 5-30-60.

AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Canyon)

ARNOLD R. BRANDEN, Being first duly sworn, deposes and says:

That he is a resident of 122 West Hazel Street, Caldwell, Canyon County, Idaho, over the age of 21 years, and a citizen of the United States;

That since March 1, 1953, and continuously to this date, he has been Manager of Caldwell Ice and Cold Storage Company located at 321 Main Street, Caldwell, Canyon County, Idaho; that said Company's plant is located on Lots 10 to 13 in Block 72, Original Townsite of Caldwell, and that there is a well located on the Southeast corner of said Lot 13 and the following pumps located on said well, to-wit:

One 2-horse power, 1730 revolutions per minute direct drive to pump, manufactured by Westco Pump Corporation, Davenport, Iowa; Pump No. 4D5-25-4792-A1, 2 inch inlet and 2 inch outlet, said pump being used continually and capable of pumping 120 gallons per minute;

One 1½ horse power 1705 revolutions per minute direct drive to pump, manufactured by Westco-Chippewa Pump Co., No. 4D5-31703A1, 2 inch inlet and 2 inch outlet, capable of pumping 80 gallons per minute, this pump used as auxiliary;

That said pumps and said well have continuously been on said premises and used continuously during his entire employment with said firm;

That he is thoroughly familiar with the plant operation and type of machinery used in said business and knows that said well and pumps would be essential to the economical operation of any plant that manufactures ice and produces refrigeration;

That he has reviewed the records of said Company and has determined that the same was incorporated on September 26, 1908 and that said records reflect that F. G. Pickett, Refrigeration Engineer, purchased a one-half interest in said Company on April 4, 1931.

(SML) Subscribed and sworn to before me this 30th day of April, 1959.

Residing at Caldwell, Idaho.

Robert L. Alexander
Notary Public for Idaho;

AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Canyon)

JOE COCHRANE, Being first duly sworn, deposes and says:

That he is a resident of 302 Elgin Street, Caldwell, Canyon County, Idaho, over the age of 21 years, and is a citizen of the United States;

That he was employed by Caldwell Ice and Cold Storage Company, 321 Main Street, Caldwell, Canyon County, Idaho, from February 20, 1928 to July 19, 1945. That said Company's firm is located on Lots 10 to 12, both inclusive, in Block 72, Original Townsite of Caldwell, Canyon County, Idaho, and that there is a well located on the Southeast corner of said Lot 12, and that there is installed on said well two pumps as follows:

One 2 horse power, 1730 revolutions per minute direct drive to pump, manufactured by Westco Pump Corporation, Davenport, Iowa; Pump No. 4D5-25-4798-11, 2 inch inlet and 2 inch outlet, said pump being used continually and capable of pumping 120 gallons per minute;

One 1½ horse power 1705 revolutions per minute direct drive to pump, manufactured by Westco-Chippewa Pump Co., No. 4D5-31703A1, 2 inch inlet and 2 inch outlet, capable of pumping 80 gallons per minute, this pump used as auxiliary;

Affiant states that the 2 horse power pump above described was in place and being operated when he commenced work as aforesaid and that he installed the above mentioned 1½ horse power pump during his employment.

Affidant further states that the pump and well had been in use at least ten years before his employment and was in use continuously during his employment.

Subscribed and sworn to before me this 1st day of May, 1959.

(SEAL)

Robert H. Alexander
Notary Public for Idaho;
Residing at Caldwell, Idaho.
My commission expires 5-30-62.