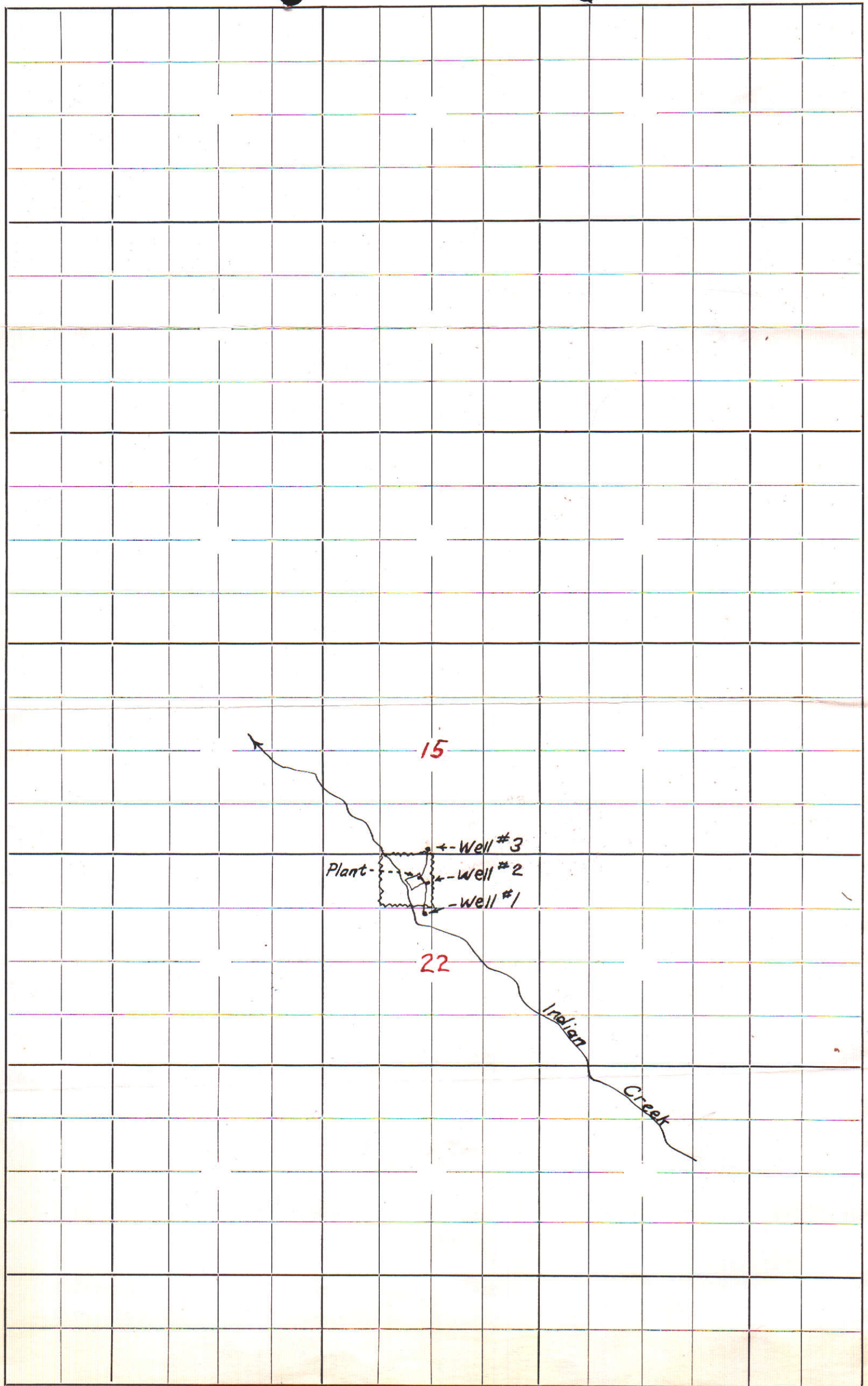




AFFIDAVIT OF PUBLICATION

State of Idaho, ss.
County of Canyon,

Juanita Stanton, of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. I am the Principal Clerk of the Idaho Free Press, a daily newspaper published in the City of Nampa in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been continuously and uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That Saturday of each week has been designated as the particular day of the week on which legal notices required by law or by order of any Court of competent jurisdiction within the State to be published weekly, will be published in said Idaho Free Press in compliance with the provisions of Section 58-108 I. C. A. 1932, as added thereto by Chapter 154, 1933 Session Laws of Idaho, and the Publisher of this newspaper in conformity with the provisions of said law, does, at the head of the Editorial Column of said paper, and in each issue thereof, announce Saturday of each week as the day of the week on which legal notices required by law or by order of any Court of competent jurisdiction to be published weekly, will be published.

4. That the notice, of which the annexed is a printed copy was printed in said Saturday issue of said Idaho Free Press for a period of four successive weeks in the regular and entire issue of each Saturday publication of said paper during the period and time of publication and was printed in the newspaper proper and not in a supplement.

5. That said notice was published in each and every Saturday issue, beginning with the issue of July 16, 1949, and ending with the issue of August 6, 1949.

Subscribed and sworn to before me this 23rd day

of August, 1949.

Harold L. Burdick
Notary Public for Idaho,
Residing at Nampa, Idaho.

My Commission Expires July 14, 1952

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:30 P.M. on the 22nd day of August, 1949, at Nampa, County of Canyon, State of Idaho, before Donald C. Potter, Notary Public, proof will be submitted of the completion of works for the diversion of ten (10) cubic feet per second of the waters of three wells and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 19906 heretofore issued by the State Reclamation Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Terminal Ice & Cold Storage Co., 320 N.W. Hoyt St., Portland, Oregon. (Nampa, Idaho, address - P. O. Box 649).

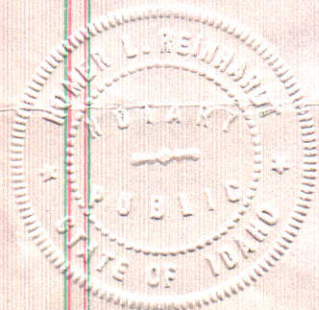
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of use, in accordance with the plans accompanying the application for such permit, is Ten (10) cubic feet per second.

3. The use to which said water has been applied is manufacturing of ice and related purposes, and the amount applied to beneficial use is ten (10) cubic feet per second.

4. The place where said water is used is in Nampa City Acres Additions to the City of Nampa, Idaho, in the NE¼ NW¼ Section 22, Twp. 3 N., Range 2 W. B.M.

5. The date of priority which said user is prepared to establish is August 13, 1946.

MARK R. KULP 19906
State Reclamation Engineer
July 16, 23, 30, Aug. 6.



19906

NAME OF APPLICANT

Terminal Ice & Cold Storage Co

320 Hoyt St

Portland, Oregon

FORM No. 0

T.3N. R2W B.M.

4

3

9

10

16

15

3 Wells

21

Point of Diversion

" Use and Return

NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$

all in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec 22,
T3N R2W B.M.

Permit Map No. 19906

As Approved

AUG 23 1946

MARK R. KULP

State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 19906

Amount Eight (8) sec. ft.

Water District No.

Priority August 13, 1946

THIS IS TO CERTIFY that **TERMINAL ICE AND COLD STORAGE COMPANY**
of **Portland, Oregon**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **August 13,**, 19 **46**; that Permit No. 19906
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
8 second feet, was issued thereunder on **April 20**, 19 **50**, showing that said works
were completed on the **23rd** day of **August**, 1949; and that on the **23rd**
day of **August**, 1949,

TERMINAL ICE AND COLD STORAGE COMPANY
of **Portland**, State of **Oregon**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of **subterranean**
flow from ~~subterranean~~ **three wells**, for the purpose of **manufacturing ice**
under Use Permit No. 19906 of the **Department of Reclamation**
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page **4571**, on the **20th** day of **April**, 19 **50**;

The right hereby confirmed dates from **August 13**, 1946;

^{are}
The Point of Diversion is located in the **NE $\frac{1}{4}$ NW $\frac{1}{4}$** (2 wells) and **SE $\frac{1}{4}$ NW $\frac{1}{4}$** (1 well)
~~XXXXXX~~ Sec. 22, Tp. 3 N., R. 2 W., B. M. **Canyon County**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed **eight (8)** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
NE$\frac{1}{4}$ NW$\frac{1}{4}$	Section 22	Township 3 North,	Range 2 West, B.M.		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
20th day of **April**, 19 **50**.

MARK R. KULP

State Reclamation Engineer

(SEAL)

Nº 19906
63-2640

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

Application No. 27460
Permit No. 19906
District No.

1. Name of Applicant: TERMINAL ICE & COLD STORAGE COMPANY

Postoffice address: 320 Hoyt St., Portland (9) County: Multnomah State: Oregon

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: Incorporated February 1931- State of Oregon
(b) Amount of capital stock: 5,000 shares no-par value authorized- 3,000 shares no-par value issued
(c) Amount paid in: \$300,000.00
(d) Names and addresses of directors: K. H. Stevens, Lowell E. Kern, P. L. Jackson, F. Boyce Fenton, and E. M. Burns, all of Portland, Oregon. Business address ,320 Hoyt St.,Portland,9,Oregon

II. The financial resources of the applicant are:

- (a) Cash on-hand: and government securities \$597,450.00
(b) Treasury stock: None (c) Bonds to be issued: None
(d) Other resources: Accounts receivable- \$79,500.00
Lands, buildings and equipment- \$1,452,500.00

2. Quantity of water claimed: Ten (10) cubic feet per second.

3. Source of water supply: Wells (3) which is a tributary of

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B.M., and is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ (2 wells), and SE $\frac{1}{4}$ NW $\frac{1}{4}$ (1 well)
of Section 22 , T. 3 N. , R. 2 W. , B. M., County of Canyon

5. Water is to be used for Manufacturing ice

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22 , T. 3 N. , R. 2 W. , B. M.
(b) Amount of power generated: H.P., under feet head.
Boise River
(c) Water is to be returned to Indian Creek, tributary to/at a point feet
distant from the corner of Section , T. , R. , B. M., in the
NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22 , T. 3 N. , R. 2 W. , B. M.

7. Estimated cost of works: \$18,000 (Wells, pumpa and pipes)

8. Kind of works: Pumps and pipe lines

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet;

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Three (3) years.

13. The time required for the complete application of the water to the proposed use is Two (2) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

THE TERMINAL ICE & COLD STORAGE COMPANY *Applicant.*

By Lowell E. Kern *Agent.*
Executive Vice President

Date of first receipt at Department of Reclamation: 9:00 A. M. August 13, 1946

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 19906
Recorded in Book 72 Page 19906 Approved August 23, 1946
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho,
and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before October 23, 1946 and to continue diligently and uninterruptedly to completion,
unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before February 23, 1948
The whole of said work to be completed on or before August 23, 1949
Beneficial use of water appropriated in accordance herewith, to be made on or before August 23, 1951

Witness my hand this 23rd day of August, 1946

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ARNOLD WILLIAMS, Governor of the State of Idaho,
and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 23rd
day of August, 1946

STATE OF IDAHO

Countersigned:

(SEAL)

By IRA H. MASTERS
Secretary of State.

By ARNOLD WILLIAMS
Governor.

Remarks :

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
			Permit No. 19906 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that TERMINAL ICE AND COLD STORAGE COMPANY of Portland, County of Multnomah, and State of Oregon, the holder of Permit No. 19906, issued upon Application No. 27460 bearing date of priority of August 15, 1946, authorizing the diversion of Ten (10) second feet of the waters of subterranean flow from three wells, County of Canyon, State of Idaho, for ice manufacturing purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use eight (8) second feet of the waters of said wells; that the points of diversion of said waters are as follows; NE$\frac{1}{4}$ NW$\frac{1}{4}$ Section 22 (two wells) and SE$\frac{1}{4}$ NW$\frac{1}{4}$ Section 22 (one well); Township 3 North, Range 2 West, B.M. and that the place of use of said water is in the NE$\frac{1}{4}$ NW$\frac{1}{4}$ Section 22, Township 3 North, Range 2 West, B.M. Witness my hand this 20th day of April, A. D. 1950. MARK R. KULP State Reclamation Engineer Proof of Completion of Works made August 23, 1949. Certificate of Completion of Works made April 20, 1950.																
LICENSE ISSUED FOR 8 SEC. FT. 1371																			

WRD417

WATER RIGHTS PROOF READING REPORT

05/16/85

PAGE 1

WATER RIGHT NUMBER 63-2640 ✓

OWNER LAST NAME - TERMINAL ICE & COLD STORAGE CO. ✓

FIRST NAME - ORIG OWNER -

ADDRESS LINE 1 - N.W. THIRD AVE. & HOYT STREET ✓

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - PORTLAND ✓

STATE - OR ZIP CODE -

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 08-13-1946 COUNTY - CANYON

TOTAL DIV. RATE - 8.0000 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NENW 22 03N 02W LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

SENEW 22 03N 02W LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - TO -

USE - COMMERCIAL

USE DIV. RATE -

8.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - COMMERCIAL

PLACE OF USE - TWN 03N RNG 02W SEC 22 TRACT NENW LOT AC

DATE -

TOTAL ACRES 0

DECREE NAME -

REMARKS - 2 P/D NENW, S22, T3N, R2W. ✓

NON IRRIG USE - C/MANUFACTURING OF ICE. ✓

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 19906

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED JDC

WATER RIGHT NUMBER 63-2640

WATER RIGHTS EDIT REPORT

08/23/79

PAGE 130

ACT
ION

N OWNER LAST NAME - TERMINAL ICE & COLD STORAGE CO.

CITY - PORTLAND

STATE - OR

N SOURCE - GROUNDWATER

N STAGE - LICENSE

PRIORITY - 08-13-1946 COUNTY - CANYON

TOTAL DIV. RATE -

.8000CFS

N DIVERSION POINT - NENW 22 03N 02W

SENE 22 03N 02W

N USE - COMMERCIAL

USE DIV. RATE - .8000CFS

N USE - COMMERCIAL

PLACE OF USE - TWN 03N RNG 02W SEC 22 TRACT NENW

N REMARKS - 2 P/D NENW, S22, T3N, R2W.

OLD NO. - 19906

IDENT. NO. 63-2640

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 199016 / 63-2640
Old No. New No.

Record

1. Original Owner: Terminal Ice & Cold Storage Co.

Present Owner: _____

2. Address:

3. City: Portland State: Or. Zip: _____4. A. Source of Water: GW

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid): _____

C. Priority Date: 8-13-1946D. County: 27E. Total Diversion Rate: .8

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank): _____

H. Water District: _____

I. DLE/Carey Act (D,C or blank): _____

J. Right Basis (for adjudication claims A,B,C only): _____

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NE NW</u>	<u>22</u>	<u>3^N</u>	<u>2W</u>	_____	_____
	<u>SE NW</u>	<u>22</u>	<u>3^N</u>	<u>2W</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for C purposes. Amount .8
(cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

4-20-79

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. ~~P/D~~ NENW, S22, T3^N, R2W.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 19906

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

April 24, 1950

Re: Permit no. 19906

Terminal Ice & Cold Storage Company
N. W. Third Avenue and Hoyt Street
Portland 9, Oregon

Gentlemen:

We enclose Certificate of Completion of Works, also License and Certificate of Water Right, confirming your right to the use of eight (8) second feet of water from three wells located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, Township 3 North, Range 2 West, B.M., with priority of August 13, 1946 for the purpose of manufacturing ice at your plant in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, same Township and Range.

We also enclose Departmental Receipts No. 22237 and 22256 for the \$10.00 fees paid in connection with Completion of Works and Beneficial Use Proofs under this Permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

CC: Mr. Arthur C. Dayton, Jr.

19906

WAREHOUSES
PORTLAND
SALEM
HILLSBORO
OREGON
NAMPA, IDAHO



TERMINAL ICE AND COLD STORAGE CO.

N.W. THIRD AVENUE AND HOYT STREET

PORTLAND 9, OREGON

April 18, 1950

Department of Reclamation
State of Idaho
Boise, Idaho

APR 20 1950
Department of Reclamation

Attention: Mr. Mark R. Kulp, State Reclamation Engineer

Gentlemen:

In response to your letter of April 14th we are enclosing herewith our check #1206 in the amount of \$5.00 in payment of your fee in connection with the issuing of Certificate of Completion of Works relative to the three wells located on our premises in Nampa Idaho.

Very truly yours,

TERMINAL ICE & COLD STORAGE COMPANY

Alex P. Olson

APO:hcd

encl.

cc: Mr. Arthur C. Dayton

19906



19906

✓
April 14, 1950

Re: Permit No. 19906

Terminal Ice & Cold Storage Company
N. W. Third Avenue and Hoyt Street
Portland 9, Oregon

ATT: Mr. Alex P. Olsson

Gentlemen:

We acknowledge receipt of your letter of April 10, enclosing check for \$5.00 in payment for License fee on the above numbered Permit, in accordance with office letter addressed Mr. Arthur C. Dayton, Jr. on March 29, 1950.

In writing Mr. Dayton, we overlooked the fact that Proof of Completion of Works and Proof of Beneficial Use was made at the same time and that there is a fee of \$5.00 in connection with the issuance of Certificate of Completion of Works in addition to the \$5.00 for the License.

Please, therefore, send us your check for an additional \$5.00 to cover this fee.

Very truly yours,

MARK R. KILP
State Reclamation Engineer
By

Chief Clerk

A:bn

CC+ Mr. Arthur C. Dayton.

19906

WAREHOUSES
PORTLAND
SALEM
HILLSBORO
OREGON
NAMPA, IDAHO



TERMINAL ICE AND COLD STORAGE CO.

N.W. THIRD AVENUE AND HOYT STREET

PORTLAND 9, OREGON

April 10, 1950

RECEIVED
APR 12 1950
Department of Reclamation

Department of Reclamation
State of Idaho
Boise, Idaho

Attention: Mr. Mark R. Kulp, State Reclamation Engineer

Gentlemen:

In response to your letter of March 29, 1950, addressed to Mr. Dayton of our Nampa warehouse regarding permit #19906, we enclose herewith our check #1201 in the amount of \$5.00 in payment of the statutory fee for license in connection with the 3 wells located on our property in Nampa, Idaho.

Very truly yours,

TERMINAL ICE & COLD STORAGE COMPANY

Alex P. Olsson

APO:hcd
encl.



19906

March 29, 1950

✓
Re: Permit No. 19906

Mr. Arthur C. Dayton, Jr., Manager
Terminal Ice & Cold Storage Company
P. O. Box 649
Nampa, Idaho

Dear Mr. Dayton:

We now have on file the report of our Field Engineer on examination for Beneficial Use under Permit No. 19906.

Therefore, upon receipt of the statutory fee of \$5.00, a License will be issued for 8 cubic feet per second from three wells located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, Township 3 North, Range 2 West, B.M. for the manufacture of ice and related purposes.

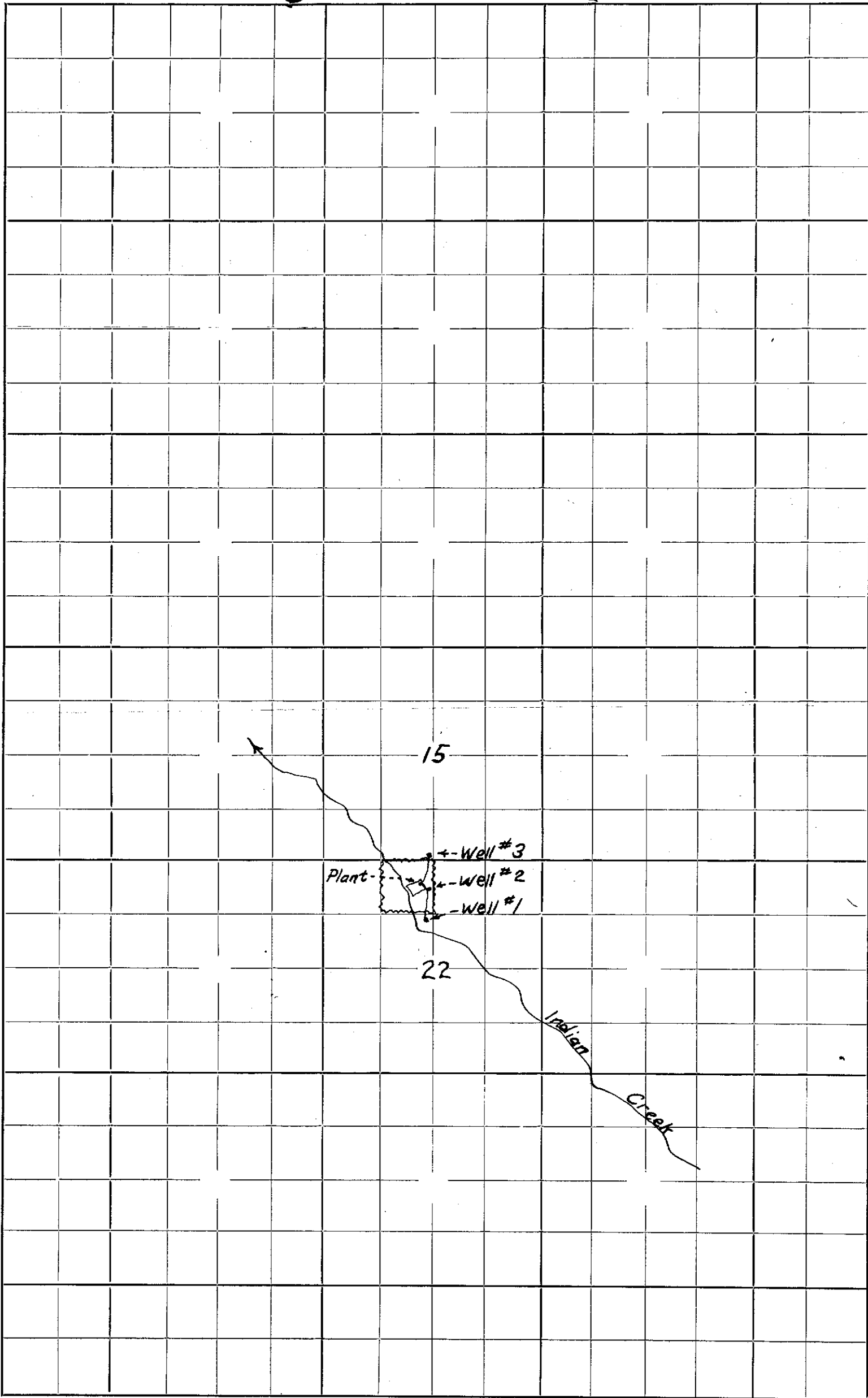
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

19906



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19906

REPORT ON PROOF OF Completion of works and beneficial use

*S. J. S.
max*

app. 100.34

138
Terminal Ice & Cold Storage Co.
Arthur C. Dayton, Jr., Manager
Nampa, Idaho
Permit No. 19906

Examination for Completion of works
and Beneficial Use

County Canyon

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
 6. Give general characteristics of soils, topography, and crops raised.
-

MAR 10 1950
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 19906

Use

This proof is for Completion of works and Beneficial / In Water District No. _____

1. Name of applicant Terminal Ice & Cold Storage Co., Nampa, Idaho
2. Source of water supply: Subterranean (3 drilled wells)
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22
T. 3 N. R. 2 W. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: _____
Three identical units: Loryne Bowler Deep Well Pump. U.S. Motor, 220/440 volts,
3 phase, 1800 R.P.M., 74/37 amps, 30 H.P., Type CEU, Frame 912, Serial
No. 540344, Serial No. 510607, and Serial No. 510635.
5. Water is used for: Manufacture of ice and related purposes
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation): _____
Place of use: Nampa City Acres Addition to City of Nampa, in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22,
Twp. 3 N., Range 2 W., B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Unknown
- Remarks: Well #1. 107' deep with 16" - 12" casing. Delivery 1200 - 1300 G.P.M.
Well #2 102' deep with 16" - 12" casing. Delivery 1800 GP.M.
Well #3 108' deep with 16" - 12" casing. Delivery 1200 G.P.M.
Capacity of wells - 4200 G.P.M., present use 3000 G.P.M.
Ammonia compressors: 3 - 12" x 12" 4 cylinder, 1 - 15" x 10" 4 cylinder,
1 - 15" x 20" 2 cylinder, 1 - 10" x 10" 2 cylinder, 1 - 9" x 9" 2 cylinder.
(capacity of plant, 500 tons/day)

This examination was made on the 21 st day of October, 1949

(Signed)

F. A. Tolman

Examiner.

19906

September 8, 1949

Re: Permit No. 19906

Mr. Arthur C. Dayton, Jr., Manager
Terminal Ice & Cold Storage Company
P. O. Box 649
Nampa, Idaho

Dear Mr. Dayton:

We acknowledge return of the depositions submitted in proof of completion of works and beneficial use under Permit No. 19906.

Before final action is taken in the matter, the law requires that a field examination be made by an Engineer from this Department.

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this Department, will try and contact you at the time he makes the examination in order that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

19906



C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

September 2, 1949

Re: Permit No. 19906

Mr. Arthur C. Dayton, Jr., Manager
Terminal Ice & Cold Storage Company
P. O. Box 649
Nampa, Idaho

Dear Mr. Dayton:

We have received from Mr. Donald C. Potter, the depositions of yourself and two witnesses in proof of completion of works and beneficial use under Permit No. 19906.

However, your proof of completion of works does not describe the location of the wells as called for under Question 3 and neither the deposition of yourself nor your two witnesses in proof of beneficial use give the legal description of the place of use as called for under Question 6.

The depositions are therefore returned for completion as above.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeanne L. Anderson
Chief Clerk

A:bh
Enc.

9-6-49

Legal descriptions added, hope they are ok



Arthur C. Dayton

19906

AFFIDAVIT OF PUBLICATION

State of Idaho, ss.
County of Canyon,

Juanita Stanton, of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. I am the Principal Clerk of the Idaho Free Press, a daily newspaper published in the City of Nampa in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been continuously and uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That Saturday of each week has been designated as the particular day of the week on which legal notices required by law or by order of any Court of competent jurisdiction within the State to be published weekly, will be published in said Idaho Free Press in compliance with the provisions of Section 58-108 I. C. A. 1932, as added thereto by Chapter 154, 1933 Session Laws of Idaho, and the Publisher of this newspaper in conformity with the provisions of said law, does, at the head of the Editorial Column of said paper, and in each issue thereof, announce Saturday of each week as the day of the week on which legal notices required by law or by order of any Court of competent jurisdiction to be published weekly, will be published.

4. That the notice, of which the annexed is a printed copy was printed in said Saturday issue of said Idaho Free Press for a period of four successive weeks in the regular and entire issue of each Saturday publication of said paper during the period and time of publication and was printed in the newspaper proper and not in a supplement.

5. That said notice was published in each and every Saturday issue, beginning with the issue of July 16, 1949, and ending with the issue of August 6, 1949.

Subscribed and sworn to before me this 23rd day of August, 1949.

James L. Buchanan
Notary Public for Idaho,
Residing at Nampa, Idaho.

My Commission Expires July 14, 1952

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:30 P.M. on the 13th day of August 1949, at Nampa, County of Canyon, State of Idaho, Donald C. Potter, Notary Public, will be submitted for the completion of works for the diversion of ten (10) cubic feet per second of water of three weeks and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 1000, heretofore issued by the State Reclamation Engineer, of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Terminal Ice & Cold Storage Co., 122 East 1st St., Portland, Oregon, Nampa, Idaho, address - P. O. Box 410.

2. Said works to be done will be fully described as follows: Set for each diversion and the amount of water to be diverted, and capable of conducting the water to use in accordance with the plans accompanying the application for such permit, is Ten (10) cubic feet per second.

3. The use to which the water has been applied is making and storing of ice and related purposes. The amount applied to beneficial use is (10) cubic feet per second.

4. The place where the water is used is in Nampa, Idaho, in the NE 1/4 of Section 22, T. 33 N., R. 23 E., S. 10 E.

5. The date of completion of work and user is prepared in accordance with 17, 1946.

MARK R. [Signature]
State Reclamation Engineer,
July 18, 23, 30, Aug. 6.

19906

PERMIT NO. 19906

Proof of Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Arthur C. Dayton, Jr., 512 - 8th Avenue South, Nampa, Idaho.
Manager of the Nampa, Idaho, plant of Terminal Ice & Cold Storage Co.
whose local mailing address is P. O. Box 649, Nampa, Idaho.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Terminal Ice & Cold Storage Co., 320 N. W. Hoyt Street, Portland 9, Oregon.
I am manager of the Nampa, Idaho, plant of the corporation.
I am appearing in its behalf by authority of its Executive Management.

✓ Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion. Source of water supply is three drilled wells.

Ans. Permit No. 19906 dated August 23, 1946. Provides for diversion of ten (10)
cubic feet per second of water the source of which is three drilled wells. Point of diver-
sion NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$ T3N, R2W, B.M., Sec. 22, County of Canyon (Nampa City Acres Add. to City of
Nampa, Idaho)

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. The water is used in the manufacture of ice, the operation of refrigeration
machinery and equipment and related purposes, and other uses common to the operation
and maintenance of an ice manufacturing plant and cold storage warehouse.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Yes, the water is now being used in varying amounts, depending on seasonal
operation, up to the approved quantity.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. The works of diversion are fully completed and to the best of knowledge
they comply in all respects with the terms of the permit.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. No variance to our knowledge.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same. 3 wells, 3 complete pumps and motors with pipes to point of use:

Ans. Well No. 1 96 ft. cost \$2,322.00, No. 2 100 ft cost \$2,337.50, No. 3 108 ft
cost \$2,278.00; 3 complete pumps & motors cost \$4,148.07; wood pipe cost
\$3,028.41; power lines cost \$2,647.40; miscellaneous cost \$988.62; total
\$17,750.00.

(Sign here.)

Arthur C. Dayton Jr.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in Nampa,

County of Canyon, State of Idaho, on this 23rd
 day of August A. D. 1949

Danald C. Foster

Notary Public.

My Commission expires March 1, 1953

19906

Permit No. 19906

Proof of Completion of Works**DEPOSITION OF WITNESS**

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Clifford E. Hosack, 707 6th Avenue South, Nampa, Idaho

Well Contractor

Ques. 2. Are you acquainted with Terminal Ice & Cold Storage Co., the holder of Permit No. 19906, authorizing the diversion of Ten second-feet of the waters of wells, at Nampa, Idaho for manufacturing ice purposes? How long have you known him, and where does he reside?

Ans. March, 1946, Nampa, Idaho

Ques. 3. Have you read or heard read said Permit No. 19906, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. I am acquainted with the Ice manufacturing plant that requires the water, the capacity of the plant requires 10 second-feet of water.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. The works of diversion consists of three drilled wells, each some over 100 feet in dept, with 16" O.D. casing at the top and 12" I.D. casing at the bottom portion. Each well is equipped with a Layne & Bowler vertical turbine pump with 8" pipe, rated at 1200 G.P.M. powered with a U.S. 30 H.P. 220 Volt, 4 pole, vertical 1800 R.P.M. electric motor, with 30 HP 220 Volt Mengerson panel board. The water is carried thru creosoted-coated wood pipe, 10" and 12" pipe being used from the wells to a common point of convergence, thence thru 16" pipe to place of use.

(Sign here.)

Clifford E. Hosack

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Nampa

County of Canyon, State of Idaho, on this 23rd day of August, A. D. 1949

Donald C. Fetter

19906

Permit No. 19906

Proof of Completion of Works**DEPOSITION OF WITNESS**

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. W. J. Hayes, 1612 2nd Street South, Nampa, Idaho,

Owner Nampa Transfer and Storage, Nampa, Idaho

Ques. 2. Are you acquainted with Terminal Ice and Cold Storage Co., the holder of Permit No. 19906, authorizing the diversion of ten second-feet of the waters of wells, at Nampa, Idaho for manufacturing ice purposes? How long have you known him, and where does he reside?

Ans. March, 1946, Nampa, Idaho

Ques. 3. Have you read or heard read said Permit No. 19906, and are you familiar with its terms and conditions?

Ans. yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. I am acquainted with the ice manufacturing plant that requires the water, the capacity of the plant require 10 second-feet of water.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. The works of diversion consists of three drilled wells, each some over 100 feet in depth, with 16" O.D. casing at the top and 12" I.D. casing at the bottom portion. Each wells is equiped with a Layne & Bowler vertical turbine pump with 8" pipe, rated at 1200 GPM powered with a US 30 HP 220 Volt, 4 pole, vertical 1800 RPM electric motor, with 30HP 220 volt Mongerson panel board. The water is carried thru creosoted-coated wood pipe, 10" and 12" pipe being used from the wells to a common point of convergence, thence thru 16" pipe to place of use

(Sign here.)

W. J. Hayes

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Nampa County of Canyon, State of Idaho, on this 23rd day of August, A. D. 1949.

Donald C. Fetter

19906

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19906

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Arthur C. Dayton, Jr., 512 - 8th Avenue South, Nampa, Idaho.
Manager of the Nampa, Idaho, plant of Terminal Ice & Cold Storage Co.
whose mailing address is P. O. Box 649, Nampa, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Acting in behalf of Terminal Ice & Cold Storage Co., 320 N.W. Hoyt St., Portland, Oregon.
Arthur C. Dayton, Jr., is the managing resident agent. I am manager of the local
plant and appear in its behalf by authority of its executive management.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit dated August 23, 1946. - Date of priority to be established is August 23, 1946.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Source of water supply is three drilled wells - Point of diversion N.E. $\frac{1}{4}$ of N.W. $\frac{1}{4}$
and S.E. $\frac{1}{4}$ of N.W. $\frac{1}{4}$ - T 3 N. R 2 W.B.M. - Section 22 - County of Canyon.
(Nampa City Acres Additions to the City of Nampa, Idaho)

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. The works of diversion consists of three drilled wells, each some over 100 feet in depth, with 16" OD casing at the top and 12" ID casing at the bottom portion. Each well is equipped with a Layne & Bowler vertical turbine pump with 8" pipe, rated at 1200 G.P.M., powered with a US-30 HP 220 Volt, 4 pole, vertical 1800 RPM electric motor, with 30 HP 220 Volt Mongerson panel board. The water is carried thru creosoted-coated wood pipe, 10" and 12" being used from the wells to a common point of convergence, thence thru 16" pipe to place of use. Capacity 10 second-feet.

✓ Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. The water is used in the manufacture of ice, the operation of refrigeration
machinery and equipment and related purposes, and other uses common to the
operation and maintenance of an ice manufacturing plant and cold storage warehouse.
Source of water supply is three drilled wells - point of diversion NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and SE $\frac{1}{4}$
of NW $\frac{1}{4}$ T3N, R2W BM - Section 22, County of Canyon (Nampa City Acres Addition to the
City of Nampa, Idaho)

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. No power is generated, see answer to question No. 6 above.

19906

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. 10 second-feet

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.
Ans. There has been no change of ownership.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. Water has been used continuously since March 1946 in the manufacture of ice.
All of the 10 second-feet has been used through our plant

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.
Ans. There have been no other diversions.

(Sign)

Arthur C. Dayton Jr.

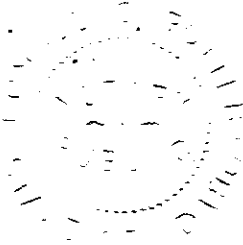
I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was

subscribed and sworn to before me, at my office in Nampa, County of Canyon,

State of Idaho, on this 23rd day of August, A. D. 1949.

Donald C. Fetter

My commission expires March 1, 1953.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19906

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Clifford E. Hosack, 707 6th Avenue South, Nampa, Idaho

Well Contractor

Ques. 2. Are you acquainted with Terminal Ice & Cold Storage Co, the holder of Permit No. 19906? How long have you known him and where does he reside?

Ans. March, 1946, Nampa, Idaho

Ques. 3. Have you read or heard read said Permit No. 19906, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. The works of diversion consists of three drilled wells, each some over 100 feet in depth, with 16" O.D. casing at the top and 12" I.D. casing at the bottom portion. Each well is equipped with a Layne & Bowler vertical turbine pump with 8" pipe, rated at 1200 G.P.M. powered with a U.S. 30 HP 220 Volt, 4 pole, vertical 1800 RPM electric motor, with 30 HP 220 Volt Mongerson panel board. The water is carried thru creosote coated wood pipe, 10" and 12" pipe being used from the wells to a common point of convergence, thence thru 16" pipe to place of use.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 10 second-feet

✓ Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. The water is used in the manufacture of ice, the operation of refrigeration machinery and equipment and related purposes, and other uses common to the operation and maintenance of an ice manufacturing plant and cold storage warehouse. Source of water supply is three drilled wells - point of diversion NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$ T3N, R2W, BM, Section 22, County of Canyon. (Nampa City Acres Addition to the City of Nampa, Idaho)

19906

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. See answer to question #6

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. 10 second feet required for operation of plant

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Over the past two year period have witnessed the 10 second-feet of water being utilized in the manufacture of ice

(Signed)

Clifford E. Hosack

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Nampa,

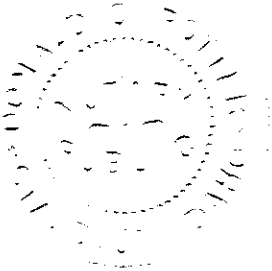
County of Canyon, State of Idaho, on this 23rd day of August,

A. D. 19 49.

Donald C. Patten

Notary Public.

My commission expires March 1, 1953



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19906

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. W. J. Hayes, 1612 2nd Street South, Nampa, Idaho

Owner Nampa Transfer & Storage, Nampa, Idaho

Ques. 2. Are you acquainted with Terminal Ice & Cold Storage Co, the holder of Permit No. 19906? How long have you known him and where does he reside?

Ans. March 1946, Nampa, Idaho

Ques. 3. Have you read or heard read said Permit No. 19906, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. The works of diversion consists of three drilled wells, each some over 100 feet in depth, with 16" O.D. casing at the top and 12" I.D. casing at the bottom portion. Each well is equipped with a Layne & Bowler vertical turbine pump with 8" pipe, rated at 1200 GPM, powered with a US 30HP 220 volt, 4 pole, vertical 1800 RPM electric motor, with 30HP 220 Volt Mongerson panel board. The water is carried thru cresoted-coated wood pipe, 10" and 12" pipe being used from the wells to a common point of convergence, then thru 16" pipe to place of use.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 10 second feet

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. The water is used in the manufacture of ice, the operation of refrigeration machine and equipment and related purposes, and other uses common to the operation and maintenance of an ice manufacturing plant and cold storage warehouse. Source of water supply is three drilled wells - Point of diversion NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$, T3N, R2W, BM, Section 22, County of Canyon. (Nampa City Acres Addition to the City of Nampa, Idaho)

19906

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. See answer to question #6

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. 10 second-feet required for operation of plant

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Over the past two year period have witnessed the 10 second-feet of water being utilized in the manufacture of ice

X (Signed)

W. J. Hayes

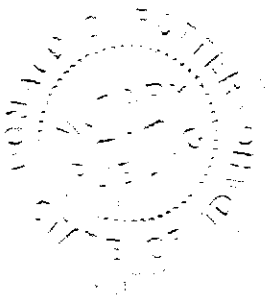
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Nampa

County of Canyon, State of Idaho, on this 23rd day of August, A. D. 19 49

Donald C. Patton

Notary Public.

My commission expires March 1, 1955



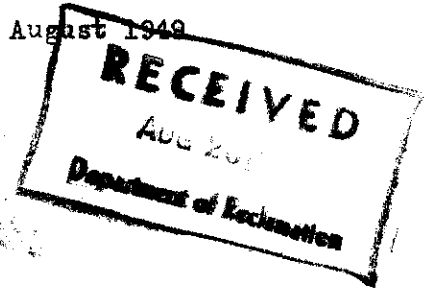
POTTER AGENCY

Real Estate - Loans - Insurance

113 TWELFTH AVENUE SOUTH

NAMPA, IDAHO

23 August 1949



State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

Re: Permit No. 19906 - Terminal
Ice and Cold Storage Co.

We are enclosing herewith Proof of Completion of Works, Deposition of Witness signed by W. J. Hayes of Nampa. We Also enclose Proof of Application of Water to Beneficial Use, Deposition of Witness signed by W. J. Hayes. Similar Depositions are enclosed for Clifford E. Hosack of Nampa.

Proof of Completion of Works, Deposition of Holder, and Proof of Application of Water to Beneficial Use, Deposition of Holder signed by Arthur C. Dayton Jr., representative for Terminal Ice and Cold Storage Co. are also enclosed.

Affidavit of Publication signed by Juanita Stanton for the Idaho Free Press, a daily newspaper, is also enclosed.

Very truly yours,

POTTER AGENCY

By 
Donald C. Potter

DCP/fgh

Enc. 7

CC: Terminal Ice & Cold Storage Co.

American Insurance Group

19906

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, August 13, 1949

Re: Permit No. 19906
Terminal Ice & Cold Storage Co.

Mr. Donald C. Potter, Notary Public,
No. 113 12th Avenue South
Nampa, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 19906.....

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On August 23, 1949....., the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Nampa, Idaho..... before Donald C. Potter, Notary Public.....

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

MARK R. KULP

Commissioner of Reclamation
~~State Reclamation Engineer~~
State Reclamation Engineer

19906

July 19, 1949

Re: Permit No. 19906

Idaho Free Press
Nampa, Idaho

Gentlemen:

Thank you for your tear sheet from your issue of July 16, 1949, containing several legal notices.

In checking the enclosed notice, we note that in line 7, there is a dash instead of the word and figure 10. This should read "for the diversion of ten (10) cubic feet per second."

Please make this correction in your subsequent issues.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A:bb
Enc.

19906

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: July 13, 1949

Re: Permit No. 19906

Idaho Free Press

Nampa, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **August 22, 1949**, the date set for proof, the expense of the publication to be paid by the applicant, **Terminal Ice & Cold Storage Co.** of **Box 649, Nampa Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

19906

✓
June 27, 1949

Re: Permit No. 19906

Terminal Ice & Cold Storage Co.
P. O. Box 649
Nampa, Idaho

Gentlemen:

As per your telephone information, we have completed the Notice of Proof of Completion of Works and Beneficial Use under your Permit No. 19906 by filling in the name of Donald C. Potter as the Notary Public before whom the proof is to be made.

A copy of the notice will be sent to the Idaho Free Press at Nampa, with instructions to publish it once a week for four consecutive weeks prior to August 22, 1949, and to send you the Affidavit of Publication together with statement of costs.

We enclose herewith, the necessary forms of deposition to be used in making these proofs, consisting of one for a representative of the Company and one for each of two witnesses for each proof.

At the time set, a representative of the Company should appear before Mr. Potter with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder, for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

CC: Terminal Ice & Cold Storage Co.
Portland, Oregon

19906

June 17, 1949

Re: Permit No. 19906

Terminal Ice & Cold Storage Co.
N.W. Third Avenue & Hoyt Street
Portland 9, Oregon

Attention: Mr. Alex. P. Olsson

Dear Mr. Olsson:

We acknowledge receipt of your letter of June 16, 1949, enclosing Notice of Proof of Completion of Works and Beneficial Use under Permit No. 19906.

The proof may be made at Nampa, but the notice should give the name of a Notary Public there, before whom the proof is to be made, as this proof is not made before the State Reclamation Engineer.

We are sending a copy of this letter to your Nampa office, as no doubt they will know a Notary Public in Nampa before whom this proof may be made.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

14906

Form No. 11

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) 320 N. W. Hoyt Street, Portland 9, Oregon
June 16, 1949

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the The Idaho Free Press of Nampa, Idaho, published in the county in which the works are situated.

Terminal Ice & Cold Storage Co.

By Alex P. Olson
Vice Pres.

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

Engineer

19906

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at Nampa, Idaho on the 22nd
day of August, 1949, at 2:30 P.M. M. County of
Canyon State of Idaho, before Donald C. Potter, Notary Public,
proof will be submitted of the completion of works for the diversion of ten (10)
cubic feet per second of the waters of three wells and of
the application to beneficial use of said water, in accordance with the terms and
conditions of Permit No. 19906 heretofore issued by the State
Reclamation Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation
holding said permit are Terminal Ice & Cold Storage Co., 320 N.W. Hoyt St., Portland,
Oregon. (Nampa, Idaho, address - P.O. Box 649)

2. Said works of diversion will be fully completed on the date set for
such completion, and the amount of water which said works are capable of con-
ducting to the place of use, in accordance with the plans accompanying the appli-
cation for such permit, is ten (10) cubic feet per second.

3. The use to which said water has been applied is manufacturing of
ice and related purposes, and the amount applied to beneficial use is
ten (10) cubic feet per second.

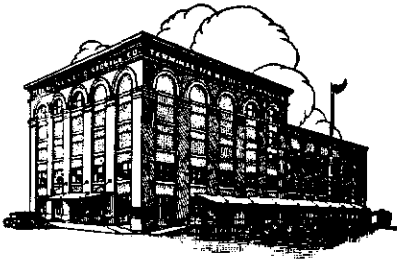
4. The place where said water is used is in Nampa City Acres
Additions to the City of Nampa, Idaho, in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, Twp. 3 N., Range
2 W., B. M.

5. The date of priority which said user is prepared to establish is
13
August 23, 1946

MARK R. KULP

State Reclamation Engineer

19906



TERMINAL ICE AND COLD STORAGE CO.

N.W. THIRD AVENUE AND HOYT STREET

PORTLAND 9, OREGON

June 16, 1949



Mr. Mart R. Klup
State Reclamation Engineer
Dept. of Reclamation
Boise, Idaho

Dear Sir:

In response to your letter of June 1st (form No. 7) we are enclosing herewith form No. 11 and No. 36 in connection with notice of proof of completion of three wells drilled on our property in Nampa City Acres addition to the City of Nampa, Idaho.

There are a few questions in connection with this which we ask that you kindly correct for us if you find them to be in error. In the first place we have shown that notice is to be given at Nampa, Idaho on the 22nd day of August, 1949. If this should be shown as Boise, Idaho instead of Nampa, please change accordingly. Also, if the date is not correct you may change it.

We did not know what to fill in the blank space at the last of the third line following the word "before". We assume this to be "before the State Reclamation Engineer". However, we left this blank and ask that you kindly fill in the necessary information.

Thank you in advance for your kind cooperation in assisting in the completion of this notice.

Respectfully yours,

TERMINAL ICE AND COLD STORAGE COMPANY

Alex P. Olsson

APO:hcd
encl.



19906

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

*To Al Ingstad
Nampa -*

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Terminal Ice & Cold Storage Co.
No. 320 Hoyt Street
Portland, 9, Oregon

Boise, Idaho, **June 1, 1949**

Dear Sir:—

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 19906.

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof **MUST** be on or before August 23, 1949. Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

MARK R. KULP

Commissioner of Reclamation.
XXXXXXXXXXXXXXXXXXXX
State Reclamation Engineer

19906

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 19906

Date August 27, 1946

Dear Sir:

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

MARK R. KULP

State Reclamation Engineer

Terminal Ice & Cold Storage Co.
C/o Al Hogstad
Box # 40
Nampa, Idaho
Encl. Receipt # 19585

19906

NAME OF APPLICANT

Terminal Ice Cold Storage Co

320 Hoyt St

Portland, Oregon

FORM No. 0

T. 3 N. R. 2 W. B. M.

4

3

9

10

16

15

3 Wells

Point of Diversion

NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$

21

" 22 "

Return

all in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec 22, T. 3 N. R. 2 W. B. M.

Permit Map No. *19906*

As Approved

AUG 23 1946

MARK R. KULP

State Reclamation Engineer

PACIFIC DEPARTMENT

1137



Atna Insurance Company

INCORPORATED 1819

HARTFORD,
CONN.

CANYON LOAN COMPANY INC.

1108 FIRST STREET SOUTH

TELEPHONE: 634

NAMPA, IDAHO

August 10, 1946

Bureau of Reclamation
Boise, Idaho

Attention Miss Anderson

Dear Miss Anderson:

I am enclosing two checks in the amount of \$7.25, in payment of filing fees for wells for the Terminal Ice and Cold Storage Company.

The use to be made of this water is manufacturing of ice for the icing of refrigerator cars, also cold storage refrigeration.

Hoping this gives you the information desired,

Yours truly,

Al. Togstad

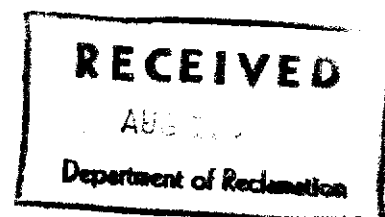
Al Togstad

Box 410

Nampa, Idaho.

AT:np

Enclosure



19906

August 9, 1946

Mr. Al Togstead
Box 410
Nampa, Idaho

Dear Mr. Togstead:

We acknowledge receipt of your letter of August 8th, enclosing the application of the Terminal Ice & Cold Storage Company, of Portland, Oregon, to appropriate ten (10) second feet of water from three wells, for manufacturing purposes, accompanied by check of the Canyon Loan Co. for \$5.00.

The filing fee on this amount of water amounts to \$7.25- being at the rate of \$5.00 for the first second foot or fraction thereof, and 25 cents additional for each additional second foot or fraction thereof.

We therefore return your check, and ask that you substitute for it a check in the amount of \$7.25.

We assume that the use to be made of this water is for the manufacture of ice- but the application does not define what the manufacturing covers. Please advise as to this.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

19900

PACIFIC DEPARTMENT



Aetna Insurance Company

HARTFORD,
CONN.

INCORPORATED 1819

CANYON LOAN COMPANY INC.

1108 FIRST STREET SOUTH

TELEPHONE: 634

NAMPA, IDAHO

August 8, 1946

Commissioner of Reclamation
Boise, Idaho

Dear Sir:

Enclosed is check for \$5.00, filing fee
for water from three wells to be used by Terminal
Ice and Cold Storage Company, as per enclosed
forms.

Upon completion please return all papers
to the undersigned.

Yours truly,

Al Togstad.

Al Togstad
Box 410
Nampa, Idaho

AT:np

Enclosure



19906



July 11, 1946

Canyon County Loan Company, Inc.
1108 1st Street South
Nampa, Idaho

Gentlemen:

In reply to your request of July, 10th,
we enclose a form of application for permit
to appropriate the public waters of the
State of Idaho; and also regulations and
instructions in regard to filing same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
by

A
Encls.

Chief Clerk

, 9906

W. ROSS MCCAIN, PRESIDENT

H. F. MILLS, MANAGER

PACIFIC DEPARTMENT



Aetna Insurance Company

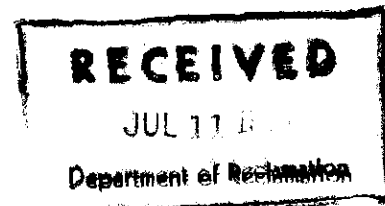
INCORPORATED 1819

HARTFORD,
CONN.

CANYON LOAN COMPANY INC.

INSURANCE OF ALL KINDS
1108 FIRST STREET SOUTH
TELEPHONE: 707

NAMPA, IDAHO
July 10, 1946



Commissioner of Reclamation
Boise, Idaho

Dear Sir:

Kindly send form for Application for Permit
of use of artesian flow water.

Yours truly,

CANYON LOAN COMPANY, INC.

Al Togstad.

Al Togstad, Vice President

AT
EA



19906

**NOTICE OF PROOF OF
COMPLETION OF WORKS
and
APPLICATION OF WATER TO
BENEFICIAL**

Notice is hereby given that at 2:30 P.M. on the 22nd day of August, 1949 at Nampa, County of Canyon, State of Idaho, before Donald C. Potter Notary Public, proof will be submitted of the completion of work for the diversion of — cubic feet per second of the waters of three wells and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 19906 heretofore issued by the State Reclamation Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Terminal Ice & Cold Storage Co., 320 N.W. Hoyt St., Portland, Oregon. (Nampa, Idaho, address —P. O. Box 649).

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of use, in accordance with the plans accompanying the application for such permit, is Ten (10) cubic feet per second.

3. The use to which said water has been applied is manufacturing of ice and related purposes, and the amount applied to beneficial use is ten (10) cubic feet per second.

4. The place where said water is used is in Nampa City Acres Additions to the City of Nampa, Idaho, in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, Twp. 3 N., Range 2 W. B.M.

5. The date of priority which said user is prepared to establish is August 13, 1946.

MARK R. KULP

State Reclamation Engineer

July 16, 23, 30, Aug. 6.

7-16-49