

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: A27-04096
Date Received: 1/18/1990
Receipt No: E011782
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: STATE OF IDAHO
Address: DEPT OF FISH & GAME
600 S WALNUT
PO BOX 25
BOISE ID 83707
208-334-2920

2. Date of Priority: DEC 23, 1902

3. Source: PINE CREEK Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	44E	18	NW	NE	NE		CARIBOU

Beginning Point of Instream Flow							
07S	44E	8	SW	SW	SW		CARIBOU

Ending Point of Instream Flow							
07S	44E	8		SW	SW		CARIBOU

5. Description of diverting works:
DAM EARTHEN WATER TO DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	05/01	11/15	0.090		
IRRIGATION	06/20	09/20	1.000		

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

8. Total consumptive use is 150.0 Acre Feet Per Annum

9. Non-irrigation uses:
S/ UP TO 300 HEAD CATTLE AND CALVES AND 3 HORSES

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NOV 13 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	44E	7	NE	SE		IRR	5.0
			NE	SE		STOCK	
			SE	SE		IRR	35.0
			SE	SE		STOCK	
						Section Acres	40.0
		8	SW	SW		IRR	20.0
			SW	SW		STOCK	
						Section Acres	20.0
						Total Acres	60.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
27-11272, 04094A, 04095

14. Remarks:
CHANGED OWNERSHIP 5/28/95/JT/GT

15. Basis of Claim: BENEFICIAL USE

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NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: R. C. STOCKING 208-678-5308
Address: 1359 ELBA AVE.
BURLEY, ID 83318

2. Date of Priority: DEC 23, 1902

3. Source: PINE CREEK Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	44E	18	NW	NE	NE		CARIBOU

Beginning Point of Minimum Instream Flow							
07S	44E	8	SW	SW	SW		CARIBOU

Ending Point of Minimum Instream Flow							
07S	44E	8	SW	SW	SW		CARIBOU

5. Description of diverting works:
DAM EARTHEN WATER TO DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	05/01	11/15	0.090		
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S/ UP TO 300 HEAD CATTLE AND CALVES AND 3 HORSES

A27-04096

Page 1

Date: 01/19/90

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A2704096

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	44E	7	NE	SE		IRR	5.0
			NE	SE		STOCK	
			SE	SE		IRR	35.0
			SE	SE		STOCK	
			Section Acres				40.0
		8	SW	SW		IRR	20.0
			SW	SW		STOCK	
			Section Acres				20.0
			Total Acres				60.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
27-11272, 04094A, 04095

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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CIVIL CASE NUMBER: 39576

Ident. Number

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Date Received

1/18/90

Receipt Number

E001782

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JAN 16 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) R. C. STOCKING Phone (208) 678-5308

Mailing Address 1359 Elba Ave., Burley, Idaho Zip 83318

2. Date of Priority (Only one (1) per claim) December 23, 1902

3. Source of water supply (a) Pine Creek

which is tributary to (b) Blackfoot River

4. a. Location of existing point of diversion is: Township 7 South Range 44E Section 18,
NW 1/4 of NE 1/4 of NE 1/4, Govt. Lot, B.M., County of Caribou

Additional points of diversion if any: None

b. If instream flow, beginning point of claimed instream flow is:

Township 7 South Range 44 E Section 8, SW 1/4 of SW 1/4 of SW 1/4,

Govt. Lot B.M., County of Caribou

ending point is: Township 7 South Range 44E Section 8, SW 1/4 of SW 1/4 of

SW 1/4, Govt. Lot B.M., County of Caribou

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
Including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Dam Earthen, 50" Water to Ditch about 3,000 feet long,
Ditch is 1 foot deep and 2 feet wide

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 6-20 to 9-20 amount 1.0 or _____

For Stock Water purposes from 5-1 to 11-15 amount 0.09 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.09 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 150 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stock water 300 head cattle and 3 horses

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7S	44E	7													5			35	40
7S	44E	8											20						20
7S	44E	7													S			S	
7S	44E	8											S						

Total number of acres irrigated 60

11. In which county (ies) are lands listed above as place of use located? Caribou

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Livestock use is in conjunction with water from Dip Creek in Sec. 16, Twp. 7 S, Rge. 44 EBM and Blackfoot River in Secs. 8, 9 & 17, Twp. 7 S, Rge. 44 EBM; and Angus Creek in Sec. 8, 4 & 5 Twp. 7 S, Rge. 44 EBM, Caribou County

14. Remarks: The stock water from Pine Creek is used to water the cattle which also water from Dip Creek and Blackfoot River and Angus Creek depending on pasture where livestock are located

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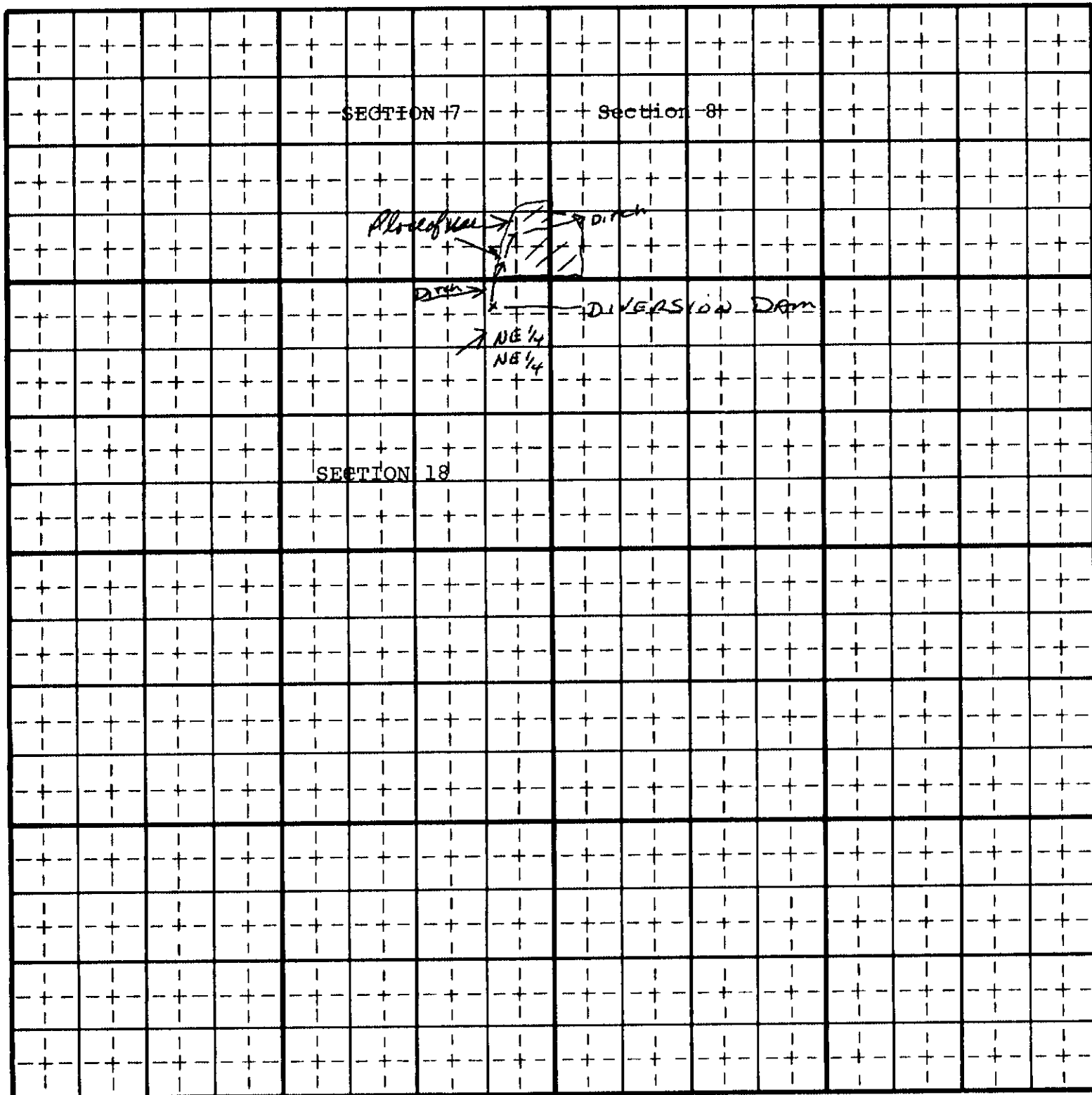
Last Name Stocking Ident No. _____

NOV 12 1992

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

TWP. 7 SOUTH, RANGE 44 E., B.M.



Last Name Stocking Ident No. _____

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Copies: White-State, Nov-12-1992

Log for claim 27-04096

Spatial Dynamics LTD

12/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s44e	7	NESE	5	12	Indiscernible
07s44e	7	SESE	35	34	
07s44e	8	SWSW	20	25	
Totals:			60	71	

 SPATIAL
DYNAMICS

AJ5809NP
No. A27-04096

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/00
PAGE: 88

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STATE OF IDAHO DEPT OF FISH & GAME 600 S WALNUT PO BOX 25 BOISE ID 83707 (208) 334-2920	12/23/1902	IRRIGATION STOCKWATER	06-20 09-20 05-01 11-15	1.000 CFS 0.090 CFS	
TOTAL DIVERSION:					1.090 CFS	
CONSUMPTIVE USE:						150.00 AFA

Water Source: PINE CREEK

Tributary to: BLACKFOOT RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:	T07S R44E S18	NWNE	CARIBOU County
Point(s) of Beginning Stream Reach:	T07S R44E S08	SWSWSW	CARIBOU County
Point(s) of Ending Stream Reach:	T07S R44E S08	SWSW	CARIBOU County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
07S 44E	7	:	:	:	:	:	:	:	:	:	:	:	:	:		
07S 44E	8	:	:	:	:	:	:	:	:	:	:	:	:	:		
TOTAL ACRES													60.0			

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE				
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac			
07S 44E	7	:	:	:	:	:	:	:	:	:	:	:	:	:		
07S 44E	8	:	:	:	:	:	:	:	:	:	:	:	:	:		

POU County: CARIBOU

Non-Irrigation Uses: S/ UP TO 300 HEAD CATTLE AND CALVES AND 3 HORSES

Other Rights: 27-11272, 04094A, 04095

Remarks: GEN **CHANGED OWNERSHIP 5/28/95/JT/GT**

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that R. C. STOCKING
(Name of Claimant)

1359 Elba Avenue, Burley, Idaho 83318
(Mailing Address)

Telephone No. 678-5308

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) December 23, 1902

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Pine Creek tributary to Blackfoot River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	
Quantity	<u>1.0 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>June 20</u>	To <u>September 20</u>
Quantity	<u>0.09 cfs</u>	Use <u>Stock Water</u>	Period of Use From <u>May 1</u>	To <u>November 15</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 1.09 cfs TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE 1/4 NE 1/4, Sec. 18 Twp. 7 S. Rge. 44 E.B.M., County of Caribou

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Dam earthen, 50" water, ditch about 3,000' long, Ditch 1 foot deep and 2 feet wide

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	44E	7													5			35	40
7S	44E	8										20							20

No. of acres 60

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Stock Water

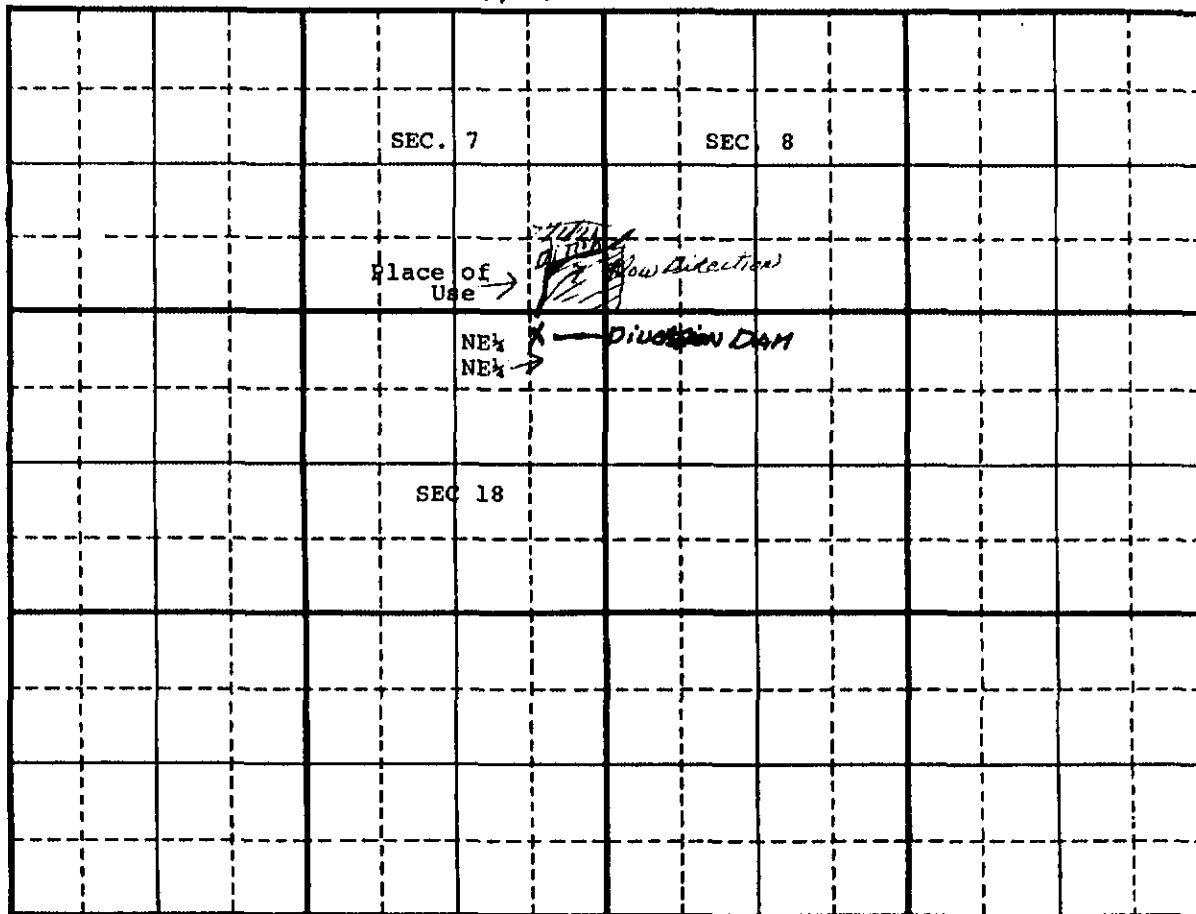
NOTE: Include here the type and number of stock watered: 300 Cows and Calves

- (7) If you are claiming water as a member of an organization, list name of organization:

N/A

(B) Remarks _____

T 7 S., R. 44 E



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 Minidoka) ss.

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.

Sworn to before me this 16th day of February

R C Storking
(Claimant)

19 83

William H. Storking
Notary Public
Residing at Rupert, Idaho

My commission expires Life

CUW 3483 FOR DEPARTMENT USE ONLY
Received by BP Date 2/18/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by Rou Date 2-22-83 3/8/83 claimant by: _____
\$30.00 fee received by BP Date 3-8-83 #25473
Published in Caribou County SUN
Dates 3/17 & 3/24/83



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

JUNE 28, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STATE OF IDAHO
DEPT OF FISH & GAME
600 S WALNUT
BOISE ID 83707

RE: CHANGE IN OWNERSHIP FOR A27-04094A, -11272, -04096,
-04095 AND -11276

Dear Sirs:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

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NOV 13 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

MAR 2 1995

Department of Water Resources

DATE OF CLOSING: February, 1995

LEGAL DESCRIPTION OF PROPERTY: Township 7 South Range 44 East, B.M.
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, B.M.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

See attached Exhibit A, Legal Description of Real Property

☐ 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) A27-04094A; A27-11272; A27-04096; A27-04095
Assigned by IDWR: and A27-11276 *OK*

☒ Name and Address of Former Owner/Claimant(s)(Seller): R. C. Stocking
1359 Elba Avenue
Burley, ID 83318

☒ New Owner/Claimant (Purchaser): The State of Idaho, Department of Fish and Game

☐ New Mailing Address: 600 So. Walnut, P.O. Box 25
Boise, Idaho 83707

☐ New Telephone Number: (208) 334-2920

☐ 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) The State of Idaho Department of Fish and Game Date _____

By: [Signature] Date 2/24/95

☒ Signature of Former Owner/Claimant(s) Estate of R. C. Stocking Date _____

By: [Signature] Date 2/10/95

Personal Representative

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

FOR IDWR USE ONLY:

Initial Review and Data Entry

Date: 3-21-95 By: SSherman - need Deed.

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

4/11/1989

RBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME StockingCLAIM IDENT. NO. A27-04096DATE RECEIVED 11/18/90

CK # _____

AMOUNT \$ _____

YES

NO

Required Info?

1. Is the name and address complete with zip code?
2. Is a priority date entered?
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered?
(b) Is a tributary to entered? (if required) N/A
4. Is the legal description of the p.d. sufficient?
5. Is there a description of the diverting works?
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.
Is the period of use included?
Is a quantity claimed for each use?
7. Is a total quantity claimed entered?
8. If required is a consumptive use entered? N/A
Is the consumptive use correct? N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A
10. Is (are) the place(s) of use and purpose(s) indicated?
11. Is (are) the county(ies) entered?
12. Is the ownership of p.u. checked?
13. Are other water rights listed or "none" indicated?
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A
15. Is the basis of the claim indicated?
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.
18. Has the claim been signed, sealed, and dated by a notary?
19. Was this claim filed on time, or was an extension granted?
20. Is the fee enclosed correct? Exempt
21. If this claim is based on an existing water right, has the identification number been entered? N/A
22. Should this claim be data entered?

Claim checked by: DeDate: 11/19/90Claim must be returned to claimant: (Yes) X (No)Claimant must be notified of modifications: (Yes) X (No)

Receipt Prepared by: De
 Claim data entered by: De
 Sent to claimant by: De

Date: 11/19/90Date: 11/19/90Date: 11/19/90

Checked by: _____

Date: _____

Comments: _____

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NOV 12 1992

WILLIAM T. GOODMAN
LARRY R. DUFF
STEVEN A. TUFT
ALAN GOODMAN

LAW OFFICE
Goodman and Duff

CHARTERED
717 7TH STREET
BOX D
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE NO.
436-4774

January 17, 1990

RECEIVED

JAN 18 1990

Department of Water Resources
Eastern District Office

Idaho Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, ID 83401

Gentlemen:

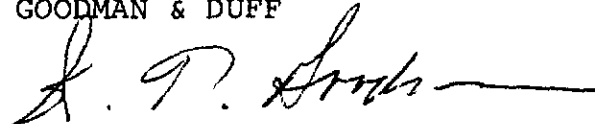
We enclose with this letter five (5) Notice of Claim to a Water Right for Mr. R. C. Stocking of 1359 Elba Avenue, Burley, Idaho, as follows:

- | | |
|---|----------|
| 1. Claim to Domestic Water with filing fee of | \$25.00 |
| 2. Claim to Stockwater and Irrigation Water, Pine Creek, with filing fee of | \$110.00 |
| 3. Claim to Stockwater, Angus Creek, with filing fee | \$25.00 |
| 4. Claim to Stockwater, Dip Creek, with filing fee | \$25.00 |
| 5. Claim to Stockwater, Blackfoot River, with filing fee | \$25.00. |

Please make these filings for Mr. Stocking.

Very truly yours,

GOODMAN & DUFF


William T. Goodman

WTG:LA
Encl.

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