

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: A29-10698
Date Received: 3/22/1990
Receipt No: E012496
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VIRGIL GERMER 208-775-3782
Address: 5268 W. PORTNEUF RD.
INKOM, ID 83245-0000

Name: LAURA GERMER 208-775-3782
Address: 5268 W. PORTNEUF RD.
INKOM, ID 83245-0000

A2910698

2. Date of Priority: JUN 10, 1928

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	23	NE	SE			BANNOCK

5. Description of diverting works:
PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.260		

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

8. Total consumptive use is 32.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-10698

Page 1

Date: 03/22/90

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NOV 16 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	23	NE	SE		IRR	13.0
Section Acres							13.0
Total Acres							13.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
29-07658, 04067

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): Virgil F. Adams Date: 3-22-90
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of March 19 90 Gene Carl
Notary Public

Seal

Residing at Heise, Id
My Commission Expires 2/26/96

Log for claim A29-10698

Spatial Dynamics BTD

9/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	23	NESE	13	33	Indiscernible
Totals:			13	33	

AJ5809NP
No. A29-10698

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 293

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=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM    TO    RATE    VOLUME
-----
C VIRGIL T GERMER    06/10/1928    IRRIGATION    03-15    11-15    0.260 CFS
C LAURA GERMER
5268 W PORTNEUF RD
INKOM ID 83245
(208) 775-3782
                                     TOTAL DIVERSION:    0.260 CFS
                                     CONSUMPTIVE USE:    32.50 AFA
=====
```

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T07S R35E S23 NESE BANNOCK County

Place of Use Legal Description for: IRRIGATION

NE				NW				SW				SE									
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
07S	35E	23	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	13.0
																			TOTAL ACRES	13.0	

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-07658, 04067

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-07659 A29-04065 A29-04156 A29-07658 A29-07659 A29-10094 A29-10696

Other Water Rights Listing Overlapping Place(s) of Use:

A29-04065 A29-04067 A29-04156 A29-04425 A29-07658 A29-10696 R29-04067

Conditions of Approval:

- R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for
- irrigation of the lands above.

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

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

Audit: 03/22/90 DCARLSON 03/01/93 FRAZEE 03/29/95 POST-STD 04/12/00 CVANDERM

1 Feb 1995

To Whom it May Concern in
regards to Claim for water right
from the Portneuf River for
irrigation AJ5809ND NO. A29-10698

This property now owned by Virgil
Germer and Laura Germer. Water
was first pumped from the Portneuf
River for irrigation purpose in
the year of 1928.

Grace Palmer

2-1-95

Cynthia A Brangton

PROPERTY COMMISSION
EX-103 3-5-98

Microfilm

NOV 13 1996

INPUT: _SELECTION:FRAZER-NAME-SIMPLOT.SEL

TYPE OF ACTION: ADD

MODIFY ALL FIELDS FLAG:

LAST NAME: YOUNG, GRAY OR BRUCE BELZER
ADDRESS LINE 1: J R SIMPLOT CO LEGAL DEPT
ADDRESS LINE 3: PO BOX 27
CITY: BOISE

FIRST NAME:

ADDRESS LINE 2: 999 MAIN ST STE 1300

STATE: ID ZIP: 837070027

PHONE NUMBER: (208) 389-7318

36-02208 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02212 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02213 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02542 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02619 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02620 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02648A ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02648B ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02729 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04006 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04179 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04180 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04181 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04182 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04256 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-07333 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-07636 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-08154 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-13319 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-13320 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
57-02202 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
57-02203 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A01-04058 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A01-10101 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-00006 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-00015 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-00060 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-00076 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-00087 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02053 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02118 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02139 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02166 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02220 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02221 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02222 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02241 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02409 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-07027 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-07040 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-07382 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-10002 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-10026 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-10049 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A22-07423 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A22-07451 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A24-07113 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A24-07164 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A24-07169 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE

*You have N.O.A. copy.
- Sel*

RECEIVED

APR 0 1993

Department of Water Resources
Eastern District Office

*Print out attached to ea. claim?
J. R. [unclear]*

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APR 13 1994

INPUT: _SELECTION:FRAZER-NAME-SIMPLOT.SEL

TYPE OF ACTION: ADD
MODIFY ALL FIELDS FLAG:

LAST NAME: YOUNG, GRAY OR BRUCE BELZER
ADDRESS LINE 1: J R SIMPLOT CO LEGAL DEPT
ADDRESS LINE 3: PO BOX 27
CITY: BOISE

FIRST NAME:
ADDRESS LINE 2:999 MAIN ST STE 1300
PHONE NUMBER: (208) 389-7318

STATE: ID ZIP: 837070027

A25-13297 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A25-13298 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A27-02138 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A27-02168 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A27-07126 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A27-07294 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A27-11241 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
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A27-11338 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A29-02375 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
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A29-07763 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
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A29-11313 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-02054 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-02075 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-02076A ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-02076B ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-02119 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-02125 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-07007 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-07053 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-07061 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-10092 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A35-02413 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A35-04175 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A35-04189 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A35-08114 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A35-08131 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A35-08162 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A35-11480 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-02208 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-02212 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-02213 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-02542 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
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A36-02648 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-02729 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-04006 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-04179 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE

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APR 13 1994

GRAY YOUNG
BRUCE BELZER
Attorneys at Law
J. R. Simplot Company Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707
(208) 389-7318
(208) 389-7515 Telefacsimile

Attorneys for J. R. Simplot Company

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF CASSIA

In Re the General Adjudication
of Rights to the Use of Water
From the Snake River Drainage
Basin Water System.

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States;
The State of Idaho;
and All Claimants to the Use
of Water from the Snake River
Basin Water System,

Respondents.

ALICE FOSHA, HELEN FLINT, and
BEVERLY ADAMS, individuals,

Plaintiffs,

vs.

A. KENNETH DUNN, Director of the
Department of Water Resources
of the State of Idaho,

Twin Falls County
Civil Case No. 39576

and

Cassia County
Civil Case No. 13770-12-83

NOTICE OF APPEARANCE

*Don modified thru
C.A.N. program.
4-1-93*

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APR 6 1993

Department of Water Resources
Eastern District Office

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APR 13 1994

Defendants.)

IN THE MATTER OF THE GENERAL)
DETERMINATION OF RIGHTS TO THE)
USE OF GROUNDWATER DIVERTED)
FROM SECTIONS 19, 20, 21, 28, 29,)
30, 31, 32, AND 33, T. 11 S.,)
R. 27 E., B.M.)

A. KENNETH DUNN, Director of the)
Department of Water Resources)
of the State of Idaho,)

Counterplaintiff,)

vs.)

ALICE FOSHA, HELEN FLINT, and)
BEVERLY ADAMS, individuals,)

Counterdefendants.)

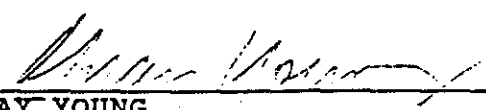
TO ALL PARTIES:

GRAY YOUNG, Assistant General Counsel, J. R. Simplot
Company, hereby enters his appearance as co-counsel on behalf
of J. R. Simplot Company in this action. All notices to
J. R. Simplot Company should be delivered to the following
address:

Gray Young
Bruce Belzer
J. R. Simplot Company
Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707

DATED this 20th day of January, 1992.

By


GRAY YOUNG

Assistant General Counsel

4607w/1-20-92/1:42

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APR 13 1994

CERTIFICATE OF MAILING

I HEREBY CERTIFY that a true and correct copy of the foregoing NOTICE OF APPEARANCE was mailed this 20th day of January, 1992, in an envelope with sufficient first-class postage prepaid thereon to the following:

Idahome Farms, Inc.
1925 Oakley Avenue
Burley, ID 83318

Dennis Jay Harper
Star Route
Declo, ID 83323

Roland Allen Land &
Livestock
Star Route
Malta, ID 83342

Mark J. Taylor
Strong & Hanni
5th Floor, Boston Building
Salt Lake City, UT 84111
Attorney for Fosha, et al.

Leo A. Jardine
Jardine, Linebaugh,
Brown & Dunn
Suite 400
370 East South Temple
Salt Lake City, UT 84111
Attorney for Raft River Ranches, Inc.

A. Lynne Krogh-Hampe
Deputy Attorney General
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706-2237


VICKI SPANGLER

MICROFILMED

APR 13 1994

Reed W. Larsen
RACINE, OLSON, NYE, COOPER
& BUDGE, CHARTERED
P.O. Box 1391 - Center Plaza
Pocatello, ID 83204-1391
Telephone: (208) 232-6101

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 Drainage Basin
Water System,

Case Nos. 39576 ✓
41798

The State of Idaho, ex rel.
R. Keith Higginson in his official
capacity as director of the Idaho
Department of Water Resources,

AMENDED NOTICE OF
APPEARANCE

Petitioner,

vs.

Document No.
92-01-011

United States; State of Idaho; and
all unknown claimants to the use
of water from the Snake River
Drainage Basin Water System,

Respondents.

THERON J. SMITH and CARMA B.
SMITH, husband and wife,

Plaintiffs,

vs.

AMENDED NOTICE OF APPEARANCE - 1

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APR 13 1994

JAY SCOFFIELD and TARA)
SCOFFIELD, husband and wife;)
GRACE PALMER, a single person;)
BILLIE JEANNE CROXALL, a single)
person; VIRGIL T. GERMER and)
LAURA GERMER, husband and wife;)
KEITH HIGGINSON, director of the)
Idaho Department of Water Resources,)
and JOHN DOES I, II, III and IV,)
Defendants.)

TO: THE ABOVE-NAMED PLAINTIFFS AND THEIR ATTORNEY OF RECORD:

COMES NOW Reed W. Larsen, of the firm of Racine, Olson, Nye, Cooper & Budge, Chartered, and hereby enters an amended appearance on behalf of Defendants Virgil Germer and Laura Germer, husband and wife, Thomas R. Thompson and Tracy Thompson, husband and wife, and Joseph E. Matthews and Tahna Matthews, husband and wife, in the above matter and hereby gives notice of their representation by the firm of Racine, Olson, Nye, Cooper & Budge, Chartered. All future pleadings and correspondence and notice should be sent to the undersigned counsel.

Thomas R. Thompson and Tracy Thompson are the predecessors in interest to the property owned by the Defendant Grace Palmer and Joseph E. Matthews and Tahna Matthews are the successors in interest of property owned by Billie Jean Croxall, Defendants in the above action, and as such they are proper parties to appear and defend this litigation.

AMENDED NOTICE OF APPEARANCE - 2

MICROFILMED

APR 13 1994

DATED this 31 day of December, 1991

RACINE, OLSON, NYE, COOPER
& BUDGE, CHARTERED

By 

REED W. LARSEN

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 31 day of December, 1991, a true, correct and complete copy of the foregoing was mailed, postage prepaid, to the following:

Thomas J. Holmes
P.O. Box 967
Pocatello, ID 83204

Isaac McDougall
P.O. Box 4048
Pocatello, ID 83205

Billie Jeanne Croxall
5230 W. Portneuf Road
Inkom, ID 83245

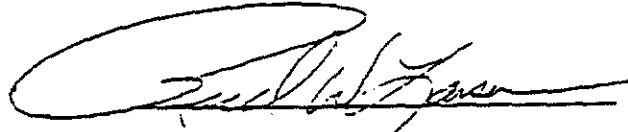
Grace Palmer
5208 W. Portneuf Road
Inkom, ID 83245

Jim Jones
Attorney General
Statehouse, Room 210
Boise, ID 83720

Peter C. Monson
U.S. Attorney
Land & Natural Resources Div.
Indian Resources Section
P.O. Box 44378
Washington, D.C. 20026

A. Lynne Krogh-Hampe
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

Jay and Tara Scoffield
5195 West Portneuf Road
Inkom, ID 83245



AMENDED NOTICE OF APPEARANCE - 3

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APR 13 1994

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
	GERMER						
	VIRGIL	C	A29-07659	08/25/1982	GROUNDWATER	0.040	04 STOCK 43 DOMEST
	LAURA	C	A29-07659	08/25/1982	GROUNDWATER	0.040	04 STOCK 43 DOMEST
	VIRGIL	C	A29-10698	06/10/1928	PORTNEUF RI	0.260	01 IRR
	VIRGIL	C	R29-07659	08/25/1982	GROUNDWATER	0.040	04 STOCK 43 DOMEST
	LAURA	C	R29-07659	08/25/1982	GROUNDWATER	0.040	04 STOCK 43 DOMEST
	VIRGIL T	C	A29-04067	04/01/1945	PAPOOSE CRE	0.260	01 IRR
	VIRGIL	C	A29-07658	08/25/1982	GROUNDWATER	0.150	01 IRR 49 FIRE
	LAURA	C	A29-07658	08/25/1982	GROUNDWATER	0.150	01 IRR 49 FIRE
	LAURA	C	A29-10698	06/10/1928	PORTNEUF RI	0.260	01 IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

Modified all
+ AZ9-10101 - Crossall
Suffield - A+R29-04064B
✓ - 10103
Palmer AZ9-10102
Matthews A+R29-04064C
Thompson A+R29-04064D

Attach NOA
to each record
A+R?

NOA.

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APR 13 1994