

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 COEUR D'ALENE-SPOKANE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576 95-12005
Ident. Number 95-9791-95-12004
Date Received: 7-13-09
Receipt No: NO 21249
Received By: em

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day

RECEIVED

JUL 13 2009

IDWR / NORTH

1. Name of Claimant(s) Valerie Brooke Wilke Phone (650) 799-3462

Mailing Address 1040 Creek Dr. Menlo Park CA Zip 94025-5319
Street or Box City State

2. Date of Priority: (Only one per claim) 6/01/1918
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓) (a) surface water Spirit La
which is tributary to (b) Spirit Creek

4. Location of Point of Diversion is: Township 53N, Range 04W, Section 7
NW 1/4 of SE 1/4, or Govt. Lot 6 BM. County of Kootenai
Parcel (PIN) no. 53N04W077910

Additional points of diversion if any: _____

If available, GPS coordinates: _____

5. Description of diverting works (Wells, Pumps, Spring boxes, Pipelines, 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.

pump

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)

For Domestic purposes from 8/01 to 12/31 amount 0.080 cfs () or AFY ()

For Irrigation purposes from 3/15 to 11/15 amount 0.030

7. Total Quantity claimed 0.110 cfs (x) or AFY ()

8. Non-irrigation uses. Describe fully. (eg. Domestic: give number of households served if single ownership;

Stockwater and Number of livestock) 1 household

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JUL 13 2009

Claim # ~~95-9791~~

Valerie Brooke Wilke

9. Location of Place of Use is: Township 53 N, Range 04 W, P.M., Section 7,
NW 1/4 of SE 1/4, Govt. Lot 6 BM. Parcel (PIN) no. 53N04W077910
If different than shown in Item 4
for (Check One) **Domestic** (☒) **Stock** () **Domestic and Stock** ()

Additional places of use, if any _____

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

11. Do you own the property listed above as place of use? Yes (☒) No ()

If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (☒)

13. Remarks: I inherited this property from my mother, Marcella Brooke. See attachment (1) dated 12/24/2008 for water rights,

14. Basis of Claim (Check One) Beneficial Use () See attachment (2) (3) (4) (5) AND (A) Posted Notice (☒) License () Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 95-9791 (old claim #96-4412)

15. Signature(s)

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

Number of attachments: 6

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Valerie Brooke Wilke Date: 7/1/09

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____,
Title Organization

that I have signed the foregoing document in the space below as

_____ of _____,
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Last Name _____ Identification No. 95-12005

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 95-9791

WATER RIGHT NUMBER: 95-9791

Owner Type Name and Address
 Current Owner MARCELLA BROOKE
 1321 WEBSTER AVE
 PALO ALTO, CA 94301

Priority Date: 06/01/1918
 Basis: Statutory Claim
 Status: Active

Source Tributary
 SPIRIT LAKE SPIRIT CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.080 CFS	
IRRIGATION	3/15 to 11/15	0.030 CFS	
<u>Total Diversion:</u>		0.110 CFS	

Location of Point(s) of Diversion

SPIRIT LAKE L6 (NW1/4SE1/4) Sec. 7, Twp 53N, Rge 04W, B.M.
 KOOTENAI County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	04W	7															1.0		1.0
																	L 6		

Total Acres: 1

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:

1. Renumber 12/21/2008 2:15:54 PM Renumber WR 95-9791
 Comment: This has been renumbered from 96-4412

Dates and Other Information:

95-12005

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JUL 13 2009

Attachment (A)
Claim # ~~95-9791~~ Valerie Brooke Wilke

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: [Signature]

Right Number 95-4412 Applicant Brooke

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By [Signature] Date 7/11/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 7/18/83

MICROFILMED

RECEIVED
JUL 13 1983
Department of Water Resources

95-12005

SCANNED
JUL 13 2009

Claim # ~~95-9781~~ Valerie Brooke Wilke

96-4412

BROOKE, MARCELLA

1321 WEBSTER AVE., PALO ALTO, CA 94301

Source: SPIRIT LAKE trib. to SPIRIT CREEK

Priority Date: 01/01/1918

Diversion Pt: LOT 06 Sec 07 T 53N R 04W

Use: IRRIGATION (0.03 CFS)
DOMESTIC (0.08 CFS)

In: LOT 06 Sec 07 T 53N R 04W FOR 1 ACRES

MICROFILMED

95-12005

COANNED

JUL 13 2009

AFFIDAVIT OF PUBLICATION

JUN 20 1983

NOTICE OF CLAIMS
TO WATER RIGHTS
The following claim(s) have
been filed on water right(s)
created by diversion and benefit
of use:

04-4183
DAMIANO, DAVID A.
1332 WILLOW RD., MEAD, WA
83001
Source: BELL CREEK trib. to
ANDERSON LAKE
Priority Date: 07/01/1980
Diversion Pt: SWNE Sec 08 T 47N
R 03W
Use: IRRIGATION (0.1200 CFS)
In: SWNE NWNE Sec 08 T 47N
R 03W FOR 14 ACRES

04-4000
VAN KLESCK, DONALD A. &/or
DOROTHY E.
W. 2250 HWY. 16, COEUR D
ALENE, ID 83814
Source: COEUR D ALENE
LAKE trib. to SPOKANE RIVER
Priority Date: 01/01/1980
Diversion Pt: LOT 01 Sec 15 T 50N
R 04W
Use: IRRIGATION (0.20 CFS)
In: LOT 01 Sec 15 T 50N R 04W
FOR 7 ACRES

04-4111
OGG, EVA S.
N. 825 LAKEVIEW DR., COEUR
D ALENE, ID 83814
Source: SPRING trib. to SINKS
Priority Date: 01/01/1981
Diversion Pt: NESE Sec 14 T 49N
R 04W
Use: DOMESTIC (0.04 CFS)
In: LOT 01 Sec 14 T 50N R 04W

04-4113
WHITE, DARREL &/or EATHY
E. 5300 COBBIN HILL RD.,
HAYDEN LAKE, ID 83825
Source: SPRINGS trib. to SINKS
Priority Date: 01/01/1980
Diversion Pt: SWNW Sec 06 T 49N
R 03W
Use: DOMESTIC (0.04 CFS)
In: NWNW Sec 06 T 50N R 03W

04-4111
FINCH, IVALEE
N. 3901 IVALEE DR., POST
FALLS, ID 83854
Source: GROUNDWATER
Priority Date: 01/01/1980
Diversion Pt: LOT 04 (NENE)
Sec 08 T 50N R 04W
Use: DOMESTIC (0.06 CFS)
In: LOT 04 (NENE) Sec 08 T 50N
R 04W

04-4113
KISHUY, DON
1916 FERNAN HILL RD.,
COEUR D ALENE, ID 83814
Source: GROUNDWATER
Priority Date: 01/01/1980
Diversion Pt: LOT 04 Sec 04 T 51N
R 04W
Use: DOMESTIC (0.04 CFS)
In: LOT 04 Sec 04 T 51N R 04W

04-4113
PRAIRIE WATER ASSN.
C/O JOE ZELLER, E. 2870
HUCKLEBERRY LN., POST
FALLS, ID 83854
Source: GROUNDWATER
Priority Date: 01/01/1980
Diversion Pt: NWSE Sec 07 T 51N
R 05W
Use: IRRIGATION (2.00 CFS)
In: SWNW Sec 07 T 51N R 05W
Sec 04 T 51N R 05W FOR 220
ACRES

04-4113
HULL, PAUL F.
STAR RT., COEUR D ALENE,
ID 83814
Source: SPRING trib. to KID
ISLAND CREEK
Priority Date: 01/01/1980
Diversion Pt: SWNW Sec 08 T 49N
R 04W
Use: IRRIGATION (0.10 CFS);
STOCKWATER (0.10 CFS);
DOMESTIC (0.04 CFS)
In: SWNW Sec 08 T 49N R 04W
SWNW Sec 08 T 49N R 04W
FOR 1 ACRES

04-4113
STAR RT., COEUR D ALENE,
ID 83814
Source: SPRING trib. to KID
ISLAND CREEK
Priority Date: 01/01/1980
Diversion Pt: SWNW Sec 08 T 49N
R 04W
Use: IRRIGATION (0.10 CFS);
STOCKWATER (0.10 CFS);
DOMESTIC (0.04 CFS)
In: SWNW Sec 08 T 49N R 04W
SWNW Sec 08 T 49N R 04W
FOR 1 ACRES

04-4113
STAR RT., COEUR D ALENE,
ID 83814
Source: SPRING trib. to KID
ISLAND CREEK
Priority Date: 01/01/1980
Diversion Pt: SWNW Sec 08 T 49N
R 04W
Use: IRRIGATION (0.10 CFS);
STOCKWATER (0.10 CFS);
DOMESTIC (0.04 CFS)
In: SWNW Sec 08 T 49N R 04W
SWNW Sec 08 T 49N R 04W
FOR 1 ACRES

STATE OF IDAHO,
County of Kootenai, } ss.

Department of Water Resources
Northern District Office

upon oath deposes and says:

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

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The _____

of which the annexed is a printed copy, was published in the regular _____ issue of said newspaper for _____ consecutive _____ commencing on the _____ day of _____, 19____ and ending on the _____ day of _____, 19____, and such publication was made as often during said period as said _____ newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Subscribed and sworn to before me this _____ day of _____, 19____.

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

04-4113
JESSIE, EARL L. &/or
JEANNE &/or ROSE MARY
W. 1628 BLACKWELL RD.,
COEUR D ALENE, ID 83814
Source: SPRING trib. to COEUR
D ALENE LAKE
Priority Date: 01/01/1980
Diversion Pt: NESE Sec 15 T 50N
R 04W
Use: DOMESTIC (0.06 CFS)
In: NESE Sec 15 T 50N R 04W

04-4113
SCHWENDMAN, ROBERT
DOR &/or LYNN E.
S. E. 7100 SPRING ST.,
PULLMAN, WA 99163
Source: SPRING trib. to SINKS
Priority Date: 01/01/1980
Diversion Pt: LOT 04 Sec 04 T 51N
R 04W
Use: DOMESTIC (0.04 CFS)
In: LOT 04 Sec 04 T 51N R 04W

04-4113
PRAIRIE WATER ASSN.
C/O JOE ZELLER, E. 2870
HUCKLEBERRY LN., POST
FALLS, ID 83854
Source: GROUNDWATER
Priority Date: 01/01/1980
Diversion Pt: NWSE Sec 07 T 51N
R 05W
Use: IRRIGATION (2.00 CFS)
In: SWNW Sec 07 T 51N R 05W
Sec 04 T 51N R 05W FOR 220
ACRES

04-4113
HULL, PAUL F.
STAR RT., COEUR D ALENE,
ID 83814
Source: SPRING trib. to KID
ISLAND CREEK
Priority Date: 01/01/1980
Diversion Pt: SWNW Sec 08 T 49N
R 04W
Use: IRRIGATION (0.10 CFS);
STOCKWATER (0.10 CFS);
DOMESTIC (0.04 CFS)
In: SWNW Sec 08 T 49N R 04W
SWNW Sec 08 T 49N R 04W
FOR 1 ACRES

04-4113
STAR RT., COEUR D ALENE,
ID 83814
Source: SPRING trib. to KID
ISLAND CREEK
Priority Date: 01/01/1980
Diversion Pt: SWNW Sec 08 T 49N
R 04W
Use: IRRIGATION (0.10 CFS);
STOCKWATER (0.10 CFS);
DOMESTIC (0.04 CFS)
In: SWNW Sec 08 T 49N R 04W
SWNW Sec 08 T 49N R 04W
FOR 1 ACRES

04-4113
STAR RT., COEUR D ALENE,
ID 83814
Source: SPRING trib. to KID
ISLAND CREEK
Priority Date: 01/01/1980
Diversion Pt: SWNW Sec 08 T 49N
R 04W
Use: IRRIGATION (0.10 CFS);
STOCKWATER (0.10 CFS);
DOMESTIC (0.04 CFS)
In: SWNW Sec 08 T 49N R 04W
SWNW Sec 08 T 49N R 04W
FOR 1 ACRES

04-4113
THOMPSON, ALBERT I.
P. O. BOX 100, SILVERTON, ID
83428
Source: COEUR D ALENE
LAKE trib. to SPOKANE RIVER
Priority Date: 01/01/1980
Diversion Pt: LOT 04 Sec 05 T 50N
R 04W
Use: DOMESTIC (0.04 CFS)
In: LOT 04 Sec 05 T 50N R 04W

04-4113
POINTNER, JOHN C. &/or
CALLIE S.
601 LAKESIDE AVE., COEUR D
ALENE, ID 83814
Source: COEUR D ALENE
LAKE trib. to SPOKANE RIVER
Priority Date: 01/01/1980
Diversion Pt: SWNW Sec 12 T 50N
R 04W
Use: FIRE PROTECTION (2.00
CFS)
In: SWNW Sec 12 T 50N R 04W

04-4113
KYLE, ALLAN D.
RT. 1 BOX 13, ATHOL, ID 83801
Source: UNNAMED STREAM
trib. to SAGE CREEK
Priority Date: 01/01/1980
Diversion Pt: NESE Sec 14 T 49N
R 04W
Use: IRRIGATION (0.06 CFS);
STOCKWATER (0.06 CFS);
DOMESTIC (0.04 CFS)
In: NWNE SWNE Sec 08 T 51N
R 03W SWNE Sec 08 T 51N
R 03W FOR 1 ACRES

04-4113
SWARTZ, DON E.
P. O. DRAWER AM, MOSER
LAKE, WA 98822
Source: COEUR D ALENE
LAKE trib. to SPOKANE RIVER
Priority Date: 01/01/1980
Diversion Pt: NWNW Sec 10 T
50N R 04W
Use: IRRIGATION (0.40 CFS);
DOMESTIC (0.04 CFS)
In: NESE Sec 08 T 49N R 04W
NWNE Sec 10 T 50N R 04W
FOR 4 ACRES

04-4113
HUGHES, ELORED E.
S. 280 SPOKANE ST., POST
FALLS, ID 83854
Source: SPRING trib. to SINKS
Priority Date: 01/01/1980
Diversion Pt: SWNE Sec 03 T 52N
R 05W
Use: IRRIGATION (0.06 CFS);
STOCKWATER (0.06 CFS);
DOMESTIC (0.04 CFS)
In: SWNE Sec 03 T 52N R 05W
FOR 2 ACRES

04-4113
HUGHES, ELORED E.
S. 280 SPOKANE ST., POST
FALLS, ID 83854
Source: SPRING trib. to SINKS
Priority Date: 01/01/1980
Diversion Pt: SWNE Sec 03 T 52N
R 05W
Use: IRRIGATION (0.06 CFS);
STOCKWATER (0.06 CFS);
DOMESTIC (0.04 CFS)
In: SWNE Sec 03 T 52N R 05W
FOR 2 ACRES

04-4113
FALLS, ID 83854
Source: GROUNDWATER
Priority Date: 01/01/1980
Diversion Pt: NESE Sec 13 T 50N
R 04W
Use: IRRIGATION (0.20 CFS);
DOMESTIC (0.06 CFS)
In: NWNE Sec 10 T 50N R 05W
FOR 1 ACRES

04-4113
BROOKE, MARCELLA
1301 WEBSTER AVE., PALO
ALTO, CA 94301
Source: SPIRIT LAKE trib. to
SPIRIT CREEK
Priority Date: 01/01/1980
Diversion Pt: LOT 08 Sec 07 T 51N
R 04W
Use: IRRIGATION (0.03 CFS);
DOMESTIC (0.04 CFS)
In: LOT 08 Sec 07 T 51N R 04W
FOR 1 ACRES

04-4113
KYLE, ALLAN D.
RT. 1 BOX 13, ATHOL, ID 83801
Source: SAGE CREEK trib. to
SINKS
Priority Date: 01/01/1980
Diversion Pt: SWNE Sec 03 T 52N
R 05W
Use: IRRIGATION (1.00 CFS);
STOCKWATER (0.06 CFS)
In: NESE SWNE NESE NWSE
Sec 08 T 51N R 03W SWNE
Sec 08 T 51N R 03W FOR 40
ACRES

04-4113
OSTBYSE, MONTE
RT. 1 BOX 102A, ATHOL, ID
83801
Source: SPRING trib. to SINKS
Priority Date: 01/01/1980
Diversion Pt: SWNE Sec 03 T 52N
R 05W
Use: IRRIGATION (0.06 CFS);
STOCKWATER (0.06 CFS);
DOMESTIC (0.04 CFS)
In: SWNE Sec 03 T 52N R 05W
FOR 2 ACRES

04-4113
OSTBYSE, MONTE
RT. 1 BOX 102A, ATHOL, ID
83801
Source: SPRING trib. to SINKS
Priority Date: 01/01/1980
Diversion Pt: SWNE Sec 03 T 52N
R 05W
Use: IRRIGATION (0.06 CFS);
STOCKWATER (0.06 CFS);
DOMESTIC (0.04 CFS)
In: SWNE Sec 03 T 52N R 05W
FOR 2 ACRES

04-4113
OSTBYSE, MONTE
RT. 1 BOX 102A, ATHOL, ID
83801
Source: SPRING trib. to SINKS
Priority Date: 01/01/1980
Diversion Pt: SWNE Sec 03 T 52N
R 05W
Use: IRRIGATION (0.06 CFS);
STOCKWATER (0.06 CFS);
DOMESTIC (0.04 CFS)
In: SWNE Sec 03 T 52N R 05W
FOR 2 ACRES

95-12005

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JUL 13 2009

Claim # 95-9791

attachment (4)

Valerie Brooke Wilke

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

JUNE 20, 1983

MARCELLA BROOKE
1321 WEBSTER AVE.
PALO ALTO

CA 94301

RE: Claim No. 96-4412

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Sincerely,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

95-12005

SCANNED
JUL 13 2009

Parcel

Parcel Number	AIN	Situs Address
53N04W077910	108540	31036 N LAKE HAVEN RD, SPIRIT LAKE

Owner Information

Owner Name	WILKE VALERIE BROOKE
Owner Address	1040 CREEK DR
	MENLO PARK CA 94025
Transfer Date	

Location / Description

Tax Authority Group	034000	Legal Desc.	TAX#'S IN SEC 7-53-4W (CHAUTAUQU A BEACH) TX#20168 07 53N 04W
Situs Address	31036 N LAKE HAVEN RD, SPIRIT LAKE		
Acreage	.9890		

Parcel Type

Property Class Code	534- Imp res rural tract
Neighborhood Code	1411 SECONDARY LAKESIDE

Assessment Information

Appraisal Date	01-01-2009	Current Year - 2009	0	Prior Year - 2008	0
Market Value Land	\$60,000	Homeowners Eligible Amt Land	\$0	Homeowners Eligible Amt Land	\$0
Market Value Improvement	\$33,050	Homeowners Eligible Amt Imp	\$0	Homeowners Eligible Amt Imp	\$0
Total Market Value	\$93,050	Sum Homeowners Eligible Amt	\$0	Sum Homeowners Eligible Amt	\$0
		Homeowners Exemption Allowed	\$0	Homeowners Exemption Allowed	\$0
Acreage	0.9890	Total Market Value	\$93,050	Total Market Value	\$96,202
		Homeowners Exemption Allowed	\$0	Homeowners Exemption	\$0
		Ag/Timber Exemption	\$0	Ag/Timber Exemption	\$0
		Net Taxable Value	\$93,050	Net Taxable Value	\$96,202

95-12005

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