

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-08457A
Date Received: 2/15/1990
Receipt No: CO14751
Received By: QSR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A.LAWRENCE & B.M.KOLLENBORN TRUSTS
Address: C/O HAROLD LAWRENCE
2068 CRYSTAL WAY
BOISE, ID 83706
208-345-0387

2. Date of Priority: FEB 16, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	03W	5	SW	SW	SE		CANYON

5. Description of diverting works:
WELL, PUMP & GRAVITY FLOW.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	10/31	0.620		

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

A.F.A.

8. Total consumptive use is 266.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	5	NE	SE		IRR	37.0
			NW	SE		IRR	39.0

Section Acres 76.0

A63-08457A

Page 1

Date: 02/15/90

MICROFILMED

AUG 24 1992

10. Place of Use: Continued

Total Acres 76.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
WILDER IRR. DIST.

14. Remarks:

THIS RIGHT IS SPLIT FROM THE PARENT RIGHT, LICENSE 63-8457. IT IS CLAIMED FOR A 50-50 SPLIT OF THE ACREAGE AND THE FLOW RATE ORIGINALLY LICENSED. THE LANDS INVOLVED ARE NOW HELD BY TRUSTS WITH THIS RIGHT BEING CLAIMED BY TWO TRUSTS AND THE REMAINDER OF THE RIGHT YET TO BE CLAIMED BY A THIRD TRUST.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: 2

For Organizations:

I do solemnly swear or affirm that I am Trustee of

A. Lawrence & B.M. Kollenborn Trusts that I have signed the foregoing
Organization

document in the space below as Trustee of
Title

A. Lawrence & B.M. Kollenborn Trusts and that the statements contained in the
Organization
foregoing document are true and correct.

Harold Lawrence
Signature of Authorized Agent
Trustee of A. Lawrence
& B.M. Kollenborn Trusts
Title and Organization

2/15/90
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of Feb. 19 90

James C. Sully
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 11/08/1994



MICROFILMED
NOV 24 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8457 Priority February 16, 1977 Amount 1.24 cfs

THIS IS TO CERTIFY, that KLINGINSMITH FARMS
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 63-8457 issued pursuant to Application for Permit dated February 16, 1977,
and has submitted proof to the Department of Water Resources on August 6, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.24 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 1</u> to <u>October 31</u> at <u>1.24 cfs</u> and <u>602.6 acre feet</u>		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 1.24 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
602.6 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, Twp. 2N,
Rge. 3W, 8E in the County of Canyon

Description and location of place of use:

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 $\frac{1}{4}$	
2N	3W	5																	152

Total number of acres irrigated 152

This right when combined with all other rights shall provide no more than .02 cfs
per acre nor more than 4.5 afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of
July, 19 81.

Director

MICROFILMED
AUG 24 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

April 11, 2007

LYONS FARMS INC
16535 W LOCUST LN
CALDWELL ID 83605

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-8457A

Dear Sir or Madam:

We have been advised you may be the new owner of the property with the water right referenced above (see enclosed report).

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions included with this form and return to our office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region

LH:1
Enclosures

L PROPERTY INQUIRY

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+++++
01 6R30008-000- -0 181-00 SCH139+ 01 69,100 78.50
+++++
19 1.50
LYONS FARMS INC
+
+
+
+
+
16535 W LOCUST LN
CALDWELL ID 83605
+++++
05-2N-3W SE + TOTAL 69,100 80.00
N 1/2 SE 1/4 +++++
+ SURVEY INST 9906205
+ DRAIN DR VALUE APPR RET
+ CLASS REAP 04 MAN UNIT 0
11451 PERCH RD, CA + PARCEL 6R02N03W057200 H/O N C/B N
+ PRIOR ACCOUNT 5R30008-000- -0
+ 02 MH on Property NO
MODE:F ACTION: COMPANION SHEET INQUIRY TRQK361

01 ACCOUNT: 6R30008-000- -0 AREA 181-00 DRAIN VALUE CLASS H/O N
SEC 05 TWN 2N RNG 3W QTR SE CITY/SUB 0 BLK LOT 7200
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
LYONS FARMS INC LAWRENCE, HAROLD TRUSTEE OF
KOLLENBORN, BERNICE M ID TRUST
% LYONS FARMS INC

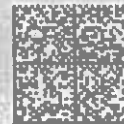
MAILING ADDRESS LEGALS
16535 W LOCUST LN 05-2N-3W SE
CALDWELL ID 83605 N 1/2 SE 1/4
SITE ADDRESS
11451 PERCH RD CA
COMMENTS REMARKS
9906204,9906205,9102361
PRIOR ACCOUNT 5R30008000 0
PARCEL 02N03W057200 SRVY
INSTR 9906205 ACRES 80.00
SPLIT YR DOCUMENT WD

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2785 AIRPORT WAY
BOISE, IDAHO 83705

REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 1A
0004389393
MAILED FROM ZIP CODE 8

\$ 00.1

RECEIVED

FEB 05 2007

WATER RESOURCES
WESTERN REGION



NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

A LAWRENCE TRUST
C/O HAROLD LAWRENCE
2068 CRYSTAL WAY
BOISE ID 83706

U.F.A.
6027

63-8457A

Lyons Farms Inc
16535 W Locust Ln
Caldwell 83605

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



603 UAA

RECEIVED
OCT 12 1986
WATER RESOURCES
WESTERN REGION

WATER RESOURCES
DEPARTMENT
2735 AIRPORT WAY
BOISE, IDAHO 83705

63-8457A



03/01/2006

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

RIGHT NUMBER: 63-8457A

NAME AND ADDRESS: B M KOLLENBORN TRUST
C/O HAROLD LAWRENCE
2068 CRYSTAL WY
BOISE ID 83706

A LAWRENCE TRUST
C/O HAROLD LAWRENCE
2068 CRYSTAL WAY
BOISE ID 83706

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.620 CFS
301.300 AFY

PRIORITY DATE: 02/16/1977

POINT OF DIVERSION:

T02N R03W S5 SWSWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 10/31

0.620 CFS
301.30 AFY

The use of water for irrigation under this right may continue to as late as November 15 provided other elements of the right are not exceeded. The use of water after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CANYON County

T02N R03W S05

NESE 37.00

T02N R03W S05

NWSE 39.00

76 ACRES TOTAL

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

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

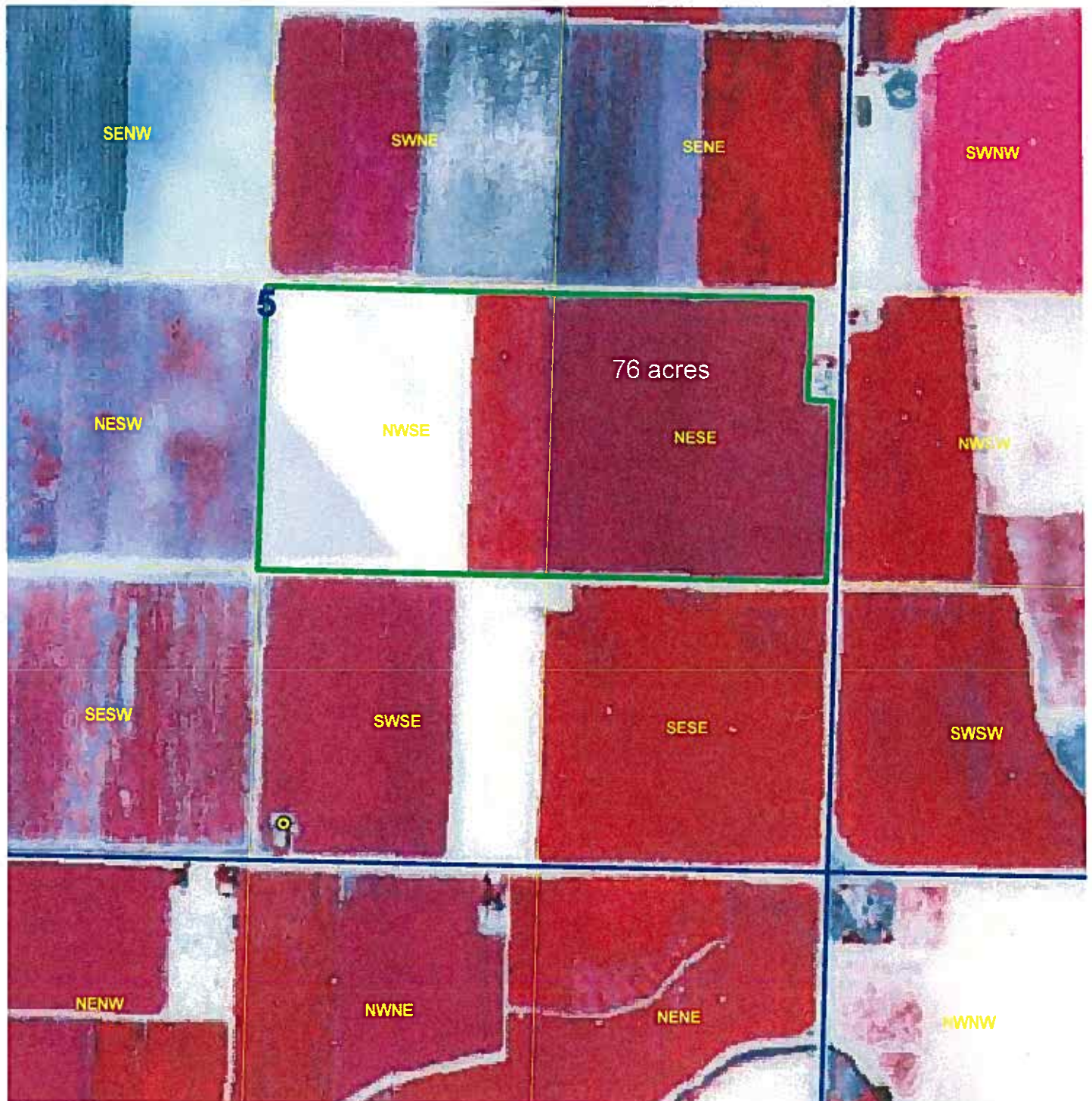
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from Wilder Irrigation District.

Idaho Department of Water Resources

63-8457A

T02N R03W S5



- ⊙ Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter



IDWR

Prepared by: Sandy Egbert

Date: March 1, 2006

1987 NAAP Photography

400 0 400 800 1200 1600 Feet

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8457

WATER RIGHT NUMBER: 63-8457

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KLINGINSMITH FARMS C/O ALICE LAWRENCE RT 4 CALDWELL, ID 83605

Priority Date: 02/16/1977

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/01 to 10/31	1.240 CFS	602.60 AF
	<u>Total Diversion:</u>	1.240 CFS	602.60 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 5, Twp 02N, Rge 03W, B.M.
CANYON 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	
02N	03W	5													37.0	39.0	38.0	38.0	152.0

Total Acres: 152

Conditions of Approval:

1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8457A

02/21/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~1457A~~	Claim	02N	03W	5	NE	SE		IRRIGATION	37/76	B M KOLLENBORN TRUST
~~8457~~	Water Right	02N	03W	5	NE	SE		IRRIGATION	37/152	KLINGINSMITH FARMS
~~14027~~	Water Right	02N	03W	5	NE	SE		STOCKWATER		B M KOLLENBORN TRUST
~~14027~~	Water Right	02N	03W	5	NE	SE		DOMESTIC		B M KOLLENBORN TRUST
~~1457A~~	Claim	02N	03W	5	NW	SE		IRRIGATION	39/76	B M KOLLENBORN TRUST
~~8457~~	Water Right	02N	03W	5	NW	SE		IRRIGATION	39/152	KLINGINSMITH FARMS

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that KLINGINSMITH FARMS

of Caldwell, Idaho, has complied with the terms and conditions of Permit No. 63-8457 issued pursuant to Application for Permit dated February 16, 1977, and has submitted proof to the Department of Water Resources on August 6, 1980, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 1.24 cfs of water from a groundwater source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Subject, however, to the condition that no more than 1.24 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 602.6 acre feet per year, said waters to be diverted within the SW 1/4 Sec. 5, Twp. 2N, Rgd. 3W, B1M. in the County of Canyon

Twp.	Range	Section																Totals			
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16				
2N	3W	5																29	38	38	152

Total number of acres irrigated 152

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of July, 19 81.

Director

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

152 ACRES

63-8457

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 29 July 1980 Accompanied by EAR Lyons Total Q measured 1.24 CFS
If source is surface water, estimate total flow of source _____
Methods of measurement PIEZOMETER LOGGING Meets Permit requirements? YES

Measurement calculations: $1 \text{ } 12'' \text{ } \text{Hose} \text{ } 6'' \text{ } \text{offset} \text{ } 8'' \text{ } \text{pipe} = 556 \text{ Gpm} \text{ } \approx 1.24 \text{ CFS} \text{ } \text{CAPACITY}$
 $1.24 \text{ } \times \text{ } 2.95 \text{ days} \text{ } \times 1.98 = 602 \text{ } \text{AF/Ann}$
 $V = 152 \text{ ac} \times 4.5 = 684 \text{ } \text{or } 1.24 \times 1.9835 \times 245 = 602.6$

[illegible]

System Description Pump into n.tall w/ siphon tubes. mixed w/ other water, well

**Code with map on reverse side. Disregard code if only one.*

RECOMMENDED AMOUNTS

Irrigation requirement = 4.5 AFA/Acre

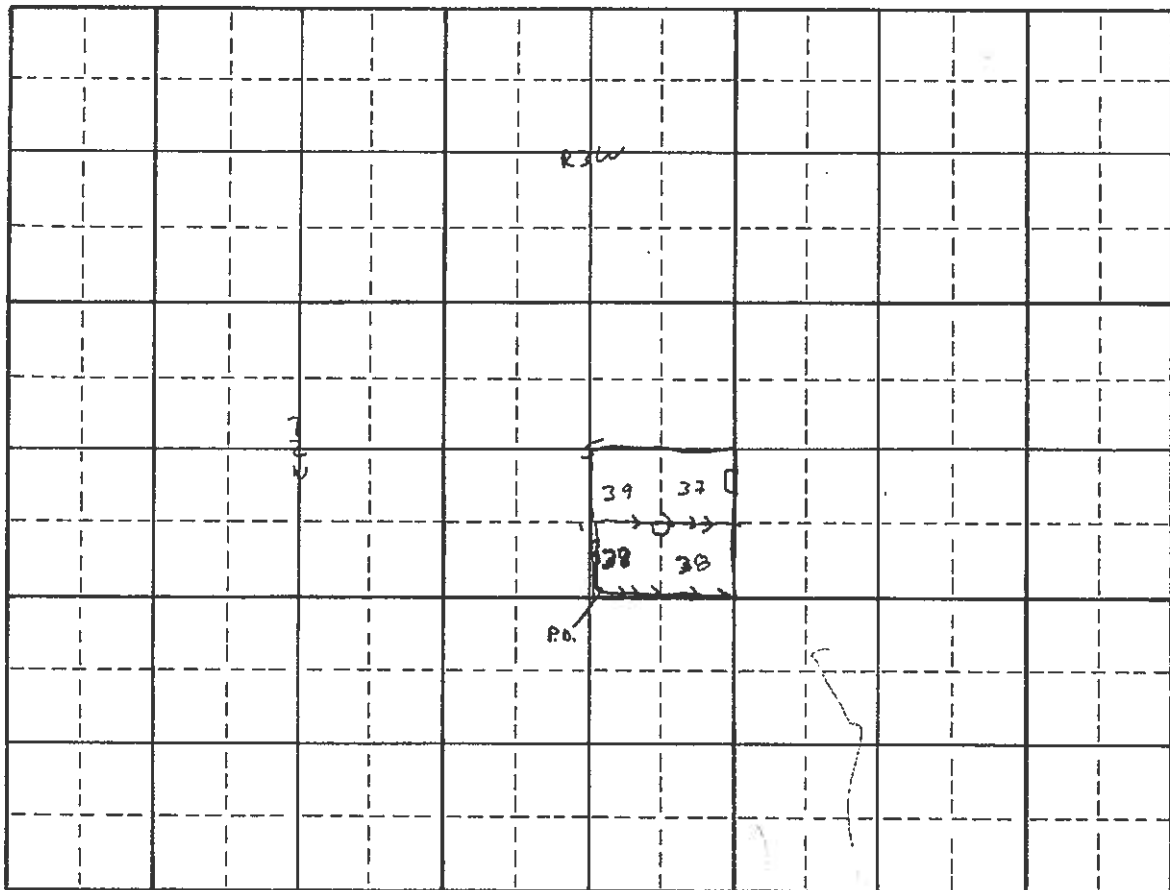
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Remarks uses water from mora office spring yard
Recommend beneficial use for irrigation only

SECRET

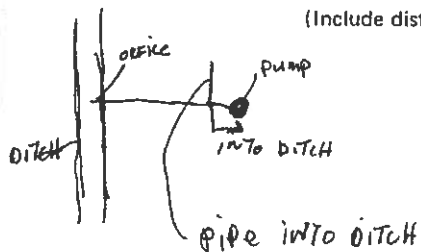
APR 16 1993

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SW SE S.S. 2N 3W

Place(s) of Use

TWP.	RGE.	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
2N	3W	5													37	39	38	38	152

Recommended Amendments:

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

APR 16 1993

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

Examiner's Signature Carl E. Morris

Checked by Di

Approved by Reyn

Date 29 July 1986

Date 8/26/80

Date 6/23/81

Identification No. _____

Application No. 63-8457

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Klinginsmith Farms Phone: 459-3787
post office address Route 4 Caldwell, ID. c/o Alice Lawrence
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 5 Township 2N
Range 3W B.M. Canyon County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 3.2 for irrigation purpose from 3-1 to 10-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for domestic purpose from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 3.24 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
well, pump and gravity system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 16 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 20,000.00.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 5 Township 2N
Range 3W B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 1.
(5) If water is to be used for other purposes describe: _____

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
2N	3W	5													40	40	40	40	160

Total number of acres to be irrigated 160

c. Describe any other water rights used for the same purposes as described above.
Wilder Irrigation District

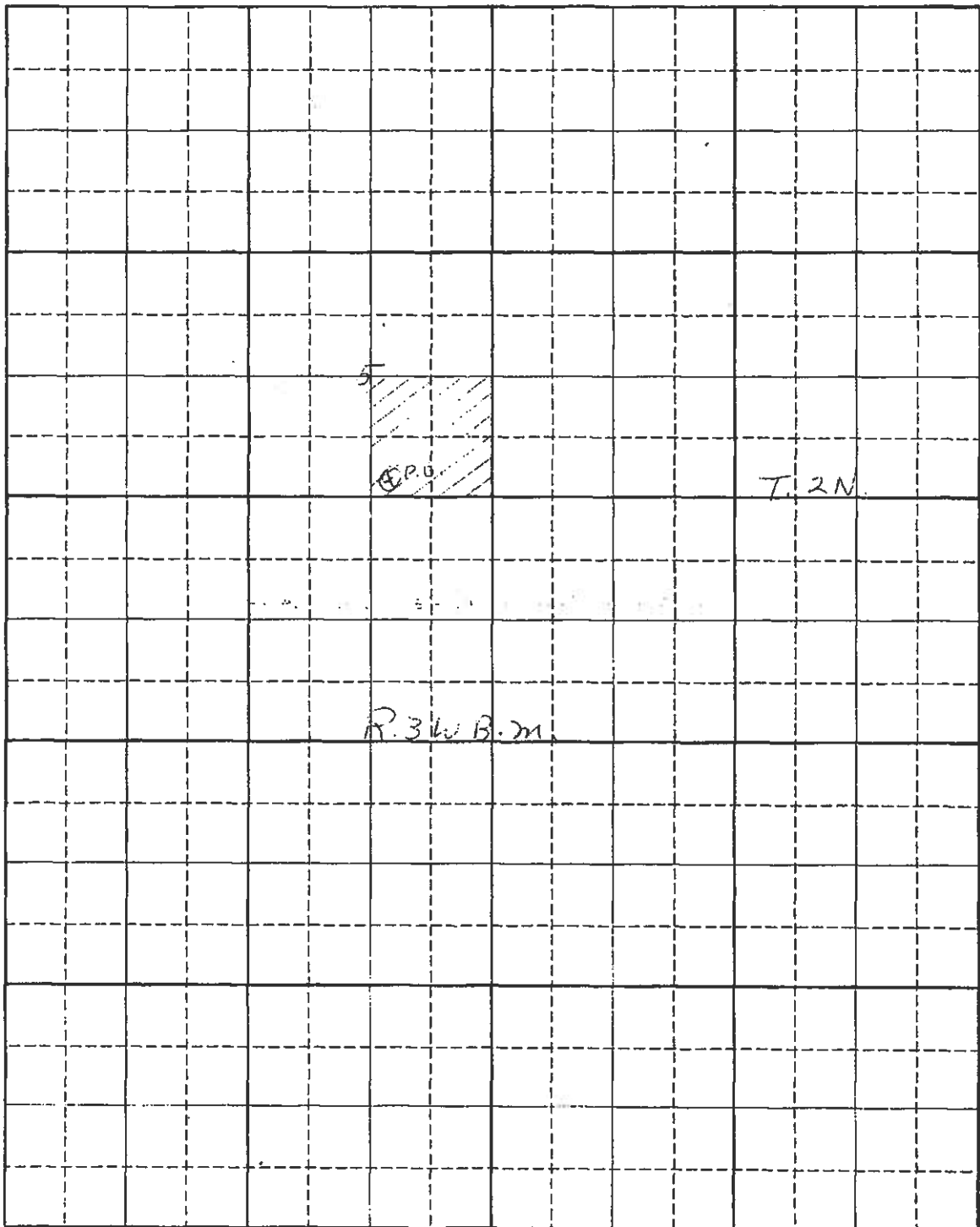
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

10. Remarks This water will be supplemental to irrigation district water

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



Scale: 2 inches equal 1 mile

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.

Klingensmith Farms
By: Alvin M. Lawrence
(Applicant)
Partner

Proposed Priority: 2-16-1977

Received by g Date 2/16/77 Time 1:30 pm
Preliminary check by Wjm Fee \$ 55.00 6671
Received by g Date 2/16/77
Publication prepared by CS Date Feb 17, 1977
Published in Idaho Free Press
Publication dates February 24, 1977 - March 3, 1977
Publication approved rf Date 3-23-77
Priority reduced to _____ Reason _____

Protests filed by: Don J. McClenahan on
behalf of Anna Mary Miller

Copies of protests forwarded by rf 3-23-1977
Hearing held by protest withdrawn Date 3-25-77
Recommended for approval denial by 148 jg

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

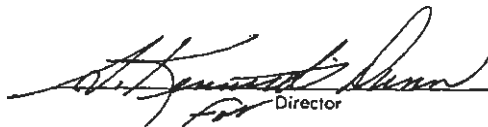
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8457, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 82.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 15 day of April, 19 77.


Director

Proposed Priority: 2-16-1977

Received by \$ Date 2/16/77 Time 1:30 pm
Preliminary check by Wm Fee \$ 55.00 6671
Receipted by \$ Date 2/16/77
Publication prepared by CS Date Feb 17, 1977
Published in Idaho Free Press
Publication dates February 24, 1977 - March 3, 1977
Publication approved by Date 3-23-77
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Hearing held by Protest withdrawn Date 3-25-77
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Director