

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: A43-04002F

Date Received: 4/ 5/1989

Receipt No: X777777

Received By: *split transfer*

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: THAYNE L BUCK 208-645-2288
Address: HC 66 BOX 27
DECLO ID 83323

AND/OR

Name: MARILYN W BUCK 208-645-2288
Address: HC 66 BOX 27
DECLO ID 83323

2. Date of Priority: JUL 1, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	26E	35	SW	SE			CASSIA

5. Description of diverting works:
WELL & PUMP IN PIVOT SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.220		68.40

7. Total Quantity Appropriated is:
0.220 C.F.S. (and/or) 68.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	26E	36	NE		NW		IRR	31.6
			NW		NW		IRR	31.6
			SW		NW		IRR	31.6
			SE		NW		IRR	31.6

Section Acres 126.4

Total Acres 126.4

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

A43-02317F, -02320B, -02339F, -02423F, -02467F, -02510F

14. Remarks:

TRANS. 3403.

P/U IDENTIFIES LANDS OF THIS RT. & 5 OTHER RTS. COMBINED UNDER TRANS. 3403.

THIS IS A PORTION OF ORIGINAL RIGHT WHICH WAS SPLIT WHEN STOKER'S
SOLD 317 AC IN SECTION 35 TO CHILD INVESTMENT. (SEE "B" PORTION)
THE "A" PORTION WAS LATER SOLD TO HUNSAKER FAMILY PARTNERSHIP (C)
WHO THEN SOLD 643 AC TO THAYNE BUCK (D). 1/27/97 jr

CLAIM AMENDED PER APPROVED TRANSFER #5124:

A43-04002F IS LIMITED TO THE IRRIGATION OF 17.1 AC IN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

A43-02317F, A43-02320B, A43-02339F, A43-02423F, A43-02467F,
A43-02510F AND A43-04002F WHEN COMBINED SHALL NOT EXCEED A TOTAL
ANNUAL DIVERSION VOLUME OF 505.6 AF AT THE FIELD HEADGATE AND THE
IRRIGATION OF 126.4 AC.

APPROVED OF TRANSFER 5124 DOES NOT CONFIRM CLAIMED RIGHT

A43-04002F. 3/16/00 jr

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 27675

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5124
WATER RIGHT NO(S). 43-02317B/43-02320B/43-02339B/43-02423B
43-02467B/43-02510B/43-04002B

This is to certify that: **THAYNE BUCK**
MARILYN BUCK
HC 66 BOX 27
DECLO ID 83323

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 43-02317B :			
IRRIGATION	04/01 to 10/31	0.13 CFS	34.4 AF
Priority: 08/14/1948			
Right No. 43-02320B :			
IRRIGATION	04/01 to 10/31	0.58 CFS	163.6 AF
Priority: 09/10/1948			
Right No. 43-02339B :			
IRRIGATION	04/01 to 10/31	0.32 CFS	* 135.2 AF
Priority: 02/27/1950			
Right No. 43-02423B :			
IRRIGATION	04/01 to 10/31	0.22 CFS	* 92.9 AF
Priority: 03/01/1955			
Right No. 43-02467B :			
IRRIGATION	04/01 to 10/31	0.24 CFS	67.6 AF
Priority: 12/23/1958			
Right No. 43-02510B :			
IRRIGATION	04/01 to 10/31	0.17 CFS	34.8 AF
Priority: 06/18/1961			
** Right No. 43-04002B :			
IRRIGATION	04/01 to 10/31	0.22 CFS	68.4 AF
Priority: 07/01/1963			

TOTAL:

1.88 CFS *** 505.6 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 35, Township 11S, Range 26E
CASSIA County

PLACE OF USE: IRRIGATION

TWN RGE SEC
11S 26E 36

ACRES
NENW 31.6
SENW 31.6

ACRES
NWNW 31.6

ACRES
SWNW 31.6

TOTAL
*** 126.4
**** 126.4

Total number of acres irrigated:

TRANSFER NO. 5124
 WATER RIGHT NO(S). 43-02317B/43-02320B/43-02339B/43-02423B
 43-02467B/43-02510B/43-04002B

CONDITIONS OF APPROVAL AND REMARKS

1. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing
- **** 7. Right 43-02317B is limited to the irrigation of 8.6 acres in the place of use described above in a single irrigation season.
- **** 8. Right 43-02320B is limited to the irrigation of 40.9 acres in the place of use described above in a single irrigation season.
- **** 9. Right 43-02339B is limited to the irrigation of 34.2 acres in the place of use described above in a single irrigation season.
- **** 10. Right 43-02423B is limited to the irrigation of 34.2 acres in the place of use described above in a single irrigation season.
- **** 11. Right 43-02467B is limited to the irrigation of 16.9 acres in the place of use described above in a single irrigation season.
- **** 12. Right 43-02510B is limited to the irrigation of 8.7 acres in the place of use described above in a single irrigation season.
- **** 13. Right 43-04002B is limited to the irrigation of 17.1 acres in the place of use described above in a single irrigation season.
- * 14. Rights 43-02339B and 43-02423B when combined shall not exceed a total annual diversion volume of 136.8 af at the field headgate and the irrigation of 34.2 acres. EDS, E11
- *** 15. Rights 43-02317B, 43-02320B, 43-02339B, 43-02423B, 43-02467B, 43-02510B and 43-04002B when combined shall not exceed a total annual diversion volume of 505.6 af at the field headgate and the irrigation of 126.4 acres.
- ** 16. Approval of Transfer 5124 does not confirm Claimed Right 43-04002B.

Dated this 3rd day of March, 1998

J. Glen Saylor
 Chief, Water Allocation Bureau

MEMORANDUM

TO: FILES 43-02317/02320/02339/02423/02467/02510 & 04002

FROM: PAM SKAGGS^{PS}/STATE OFFICE

SUBJECT: TRANSFER 5124

DATE: February 13, 1998

=====

Transfer 5124 changes the point of diversion and place of use under portions of the above referenced rights, splitting each right into Parts A and B. ✓

Right 43-02320 is from the system adjacent to the proposed new pivot and also supplied from the same well proposed under the transfer. Corners are being dried up to provide 40.9 acres to the new pivot. The remaining rights were already combined and used on a 1600 acre parcel of land. 85.5 acres will be removed from this system around the pivots providing a proportionate share of each right as identified on the approval. ✓

Clarification of ownership under Right 43-02320 has been requested prior to forwarding the transfer for approval. The Cassia County assessor's office identifies J H & T Investment Limited as the current land owner of the transferred acres in the E1/2, S35, T11S, R26E. Region staff has identified family members as belonging to this organization, but no authorization of evidence that the applicant's have the authority to transfer a portion of the right has been documented in the file. The applicant will provide supporting documents prior to final approval. (Received 3-3-98.) ✓

Recommended conditions include measuring device, future annual reporting, irrigation overlap, permissible place of use, combined limits, non-confirmation of claimed right and standard transfer conditions.

OK

01/18/2001

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

RIGHT NUMBER: 43-4002F

NAME AND ADDRESS: MARILYN W BUCK
THAYNE L BUCK
HC 66 BOX 27
DECLO, ID 83323

SOURCE: GROUND WATER

QUANTITY: 0.22 CFS
68.4 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.88 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 505.6 AF. COMBINED RIGHT NOS.: 43-02317F, 43-02320B, 43-02339F, 43-02423F, 43-02467F, 43-02510F, AND 43-04002F.

PRIORITY DATE: 07/01/1963

POINT OF DIVERSION: T11S R26E S35 SWSWSE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	0.22 CFS 68.40 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND 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:

<u>IRRIGATION Within CASSIA County</u>					
T11S R26E S36	NENW	31.6	T11S R26E S36	NWNW	31.6
T11S R26E S36	SWNW	31.6	T11S R26E S36	SENE	31.6

126.4 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 17.1 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 126.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02317F, 43-02320B, 43-02339F, 43-02423F, 43-02467F, 43-02510F, AND 43-04002F.

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

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

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

VERIFIED BY *[Signature]* 3/20/00

AJ0749NP
No. R43-04002F

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/20/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THAYNE L BUCK	07/01/1963	IRRIGATION	04-01 10-31	0.220 CFS	68.40 AFA
C	MARILYN W BUCK					
TOTAL DIVERSION:						0.220 CFS 68.40 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T11S R26E S35 SWSSE CASSIA County

Place of use Legal Description for: IRRIGATION															
NE				NW				SW				SE			
NAME				NAME				NAME				NAME			
Lt				Lt				Lt				Lt			
Ac				Ac				Ac				Ac			
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AJ0749NP
No. R43-04002F

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/20/00
PAGE: 2

Dates: Exam Made Date: Verified Date: 03/20/2000 Objection Filed Date:

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

Comments: Date: 03/17/2000 User-ID: JROBERTS Subject: COPIED FROM REMARKS

TRANS. 3403.

P/U IDENTIFIES LANDS OF THIS RT. & 5 OTHER RTS. COMBINED UNDER

TRANS. 3403.

***** THIS IS A PORTION OF ORIGINAL RIGHT WHICH WAS SPLIT WHEN STOKER'S

SOLD 317 AC IN SECTION 35 TO CHLD INVESTMENT. (SEE "B" PORTION)

THE "A" PORTION WAS LATER SOLD TO HUNSAKER FAMILY PARTNERSHIP (C)

WHO THEN SOLD 643 AC TO THAYNE BUCK (D). 1/27/97 jr

***** CLAIM AMENDED PER APPROVED TRANSFER #5124:

A43-04002F IS LIMITED TO THE IRRIGATION OF 17.1 AC IN THE PLACE

OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

A43-02317F, A43-02320B, A43-02339F, A43-02423F, A43-02467F,

A43-02510F AND A43-04002F WHEN COMBINED SHALL NOT EXCEED A TOTAL

ANNUAL DIVERSION VOLUME OF 505.6 AF AT THE FIELD HEADGATE AND THE

IRRIGATION OF 126.4 AC.

APPROVED OF TRANSFER 5124 DOES NOT CONFIRM CLAIMED RIGHT

A43-04002F. 3/16/00 jr

Date: 03/20/2000 User-ID: JROBERTS Subject: RECOMMENDATION OF RIGHT/PRIORITY DATE

PRIORITY DATE OF 7/1/63 WAS CLAIMED BY STATUTORY CLAIM. THIS WAS

AFTER MANDATORY PERMIT STATUES OF 3/25/63 & RIGHT BEFORE CRITICAL

GROUNDWATER DESIGNATION OF AREA ON 7/23/63. EVIDENCE SUBMITTED

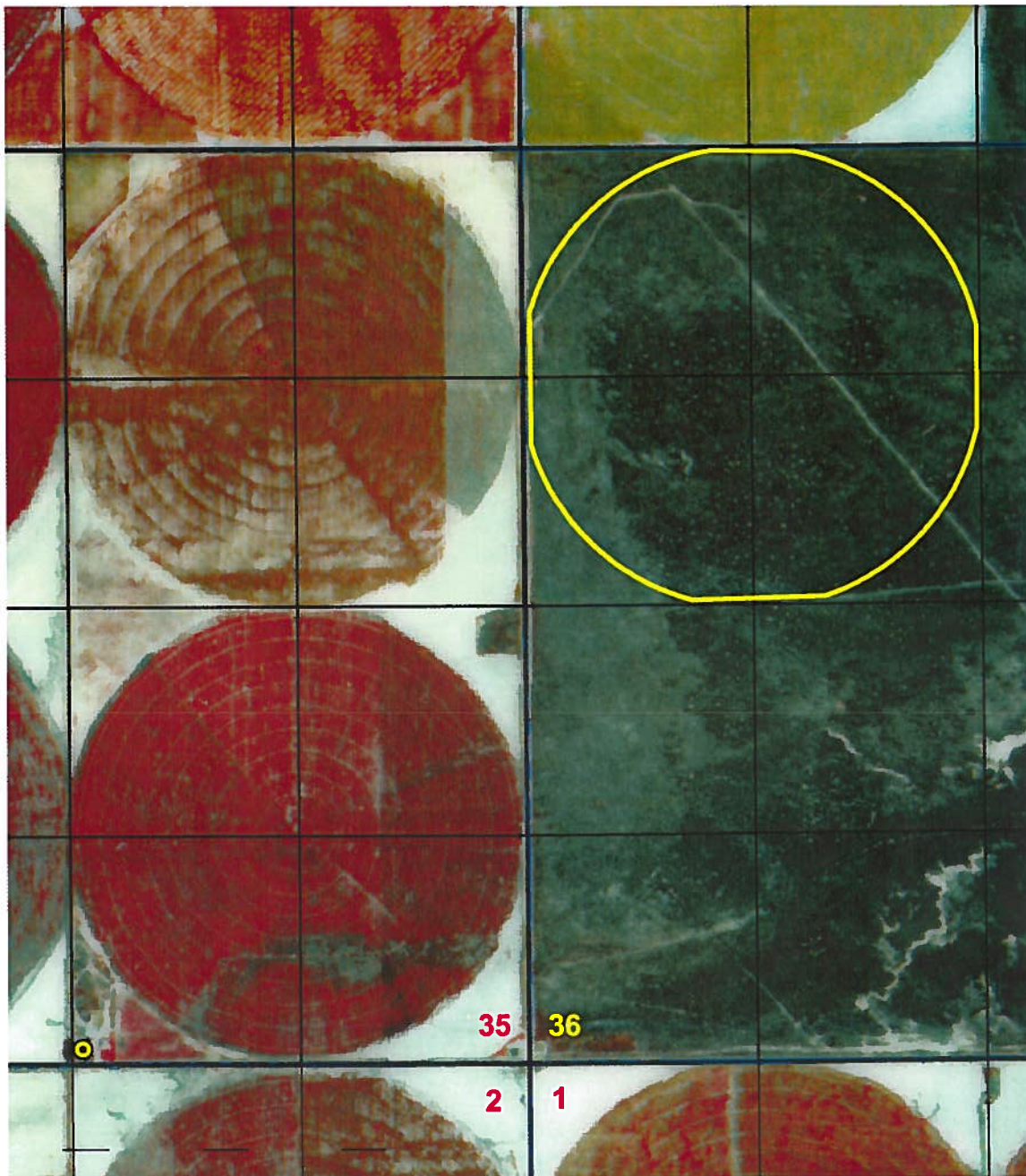
SHOWS WELL WAS "STARTED" IN MARCH OF 1962, THEREBY ALLOWING THE

PRIORITY DATE AND EXEMPTING IT FROM 42-229. 3/20/00 jr

Audit: 03/20/00 JROBERTS

Idaho Department of Water Resources

43-02317F, 43-02320B, 43-02339F, 43-02423F,
43-02467F, 43-02510F and 43-04002F



0 1320 2640 3960 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON MAR. 16, 2000
TWP 11S, RNG 26E, SECTION 36



- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

LAIM NUMBER 43-02317F, 43-02320B, DATE 3-16-00
43-02339F, 43-02423F, 43-02467F, AGENT [Signature]
43-02510F, 43-04002F

TRANSFER NUMBER 5124
CLAIMED ACRE TOTAL 126.4
GIS ACRE TOTAL 126.4

				NE				NW				SW				SE				
	TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
LAIM	11S	26E	36					31.6	31.6	31.6	31.6									126.4
GIS	11S	26E	36					31.6	31.6	31.6	31.6									126.4
ECOM	11S	26E	36					31.6	31.6	31.6	31.6									126.4
LAIM																				
GIS																				
ECOM																				
LAIM																				
GIS																				
ECOM																				

43-POU.SHP _____
HAPE NOS. _____
181 _____

43-POD.SHP _____
IOS. DESCRIPTION _____
124 11S, 26E, 35 SWSWSE

BF TABLES UPDATED _____
43-DBPOU.DBF ☒ _____
43-DBPOD.DBF ☒ _____
LEG LAYOUT ☒ _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:45:43
03/17/00
23

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-04002F

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THAYNE L BUCK	07/01/1963	IRRIGATION	04-01 10-31	0.220 CFS	68.40 AFA
C	MARILYN W BUCK					
TOTAL DIVERSION:					0.220 CFS	68.40 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T11S R26E S35 SW SWSE

CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
11S	26E	36						31	31	31	31					126.4
TOTAL ACRES																126.4

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: A43-02317F, -02320B, -02339F, -02423F, -02467F, -02510F

Conditions of Approval:

- M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
- MAINTAINED AS A PART OF THE DIVERTING WORKS.

Remarks: GEN TRANS. 3403.

P/U IDENTIFIES LANDS OF THIS RT. & 5 OTHER RTS. COMBINED UNDER TRANS. 3403.

THIS IS A PORTION OF ORIGINAL RIGHT WHICH WAS SPLIT WHEN STOKER'S SOLD 317 AC IN SECTION 35 TO CHILD INVESTMENT. (SEE "B" PORTION) THE "A" PORTION WAS LATER SOLD TO HUNSAKER FAMILY PARTNERSHIP (C) WHO THEN SOLD 643 AC TO THAYNE BUCK (D). 1/27/97 jr

CLAIM AMENDED PER APPROVED TRANSFER #5124:

A43-04002F IS LIMITED TO THE IRRIGATION OF 17.1 AC IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

A43-02317F, A43-02320B, A43-02339F, A43-02423F, A43-02467F, A43-02510F AND A43-04002F WHEN COMBINED SHALL NOT EXCEED A TOTAL ANNUAL DIVERSION VOLUME OF 505.6 AF AT THE FIELD HEADGATE AND THE IRRIGATION OF 126.4 AC.

APPROVED OF TRANSFER 5124 DOES NOT CONFIRM CLAIMED RIGHT
A43-04002F.

3/16/00 jr

Remarks:
"Use" SP3
"POU" E17, K06 (17.1)
"QNT" E27

Copy to
Comments
add comment about
"priority date"

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:44:49
03/17/00

PAGE: 2
QUICKLOOK INFORMATION

22
CLAIM NUMBER: A43-04002F

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	-							
POINT OF DIV	-							
SOURCE	-							
PLACE OF USE	-							
DIV. AMOUNT CFS/VOLUME	-							
CONSUMPTIVE USE	-							
PURPOSES OF USE	-							
PERIOD OF USE	-							
BASIS OF CLAIM	-							
REMARKS	-							

BARCODE UPDATED
WHOM/DATE

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____