

RECEIVED

FEB 4 - 2003

Department of Water Resources

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

In Re SRBA

Case No. 39576

A. Subcase 63-31317
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

Daytime Phone: (208) 378-5306 E.Gail McGarry

Name & Address of Attorney, if any:

David W. Gehlert (303 312-7352)

Trial Attorney, General Litigation Section

Environment and Natural Resource Division

U.S. Department of Justice

999 18th Street, Suite N 945

Denver, CO 80202

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Rex E Lanham

Address: 2630 Highway 21
Boise, ID 83716

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☒ **Period of Year**
Should be: April 1 to November 1
9. ☐ **Place of Use**
Should be:
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

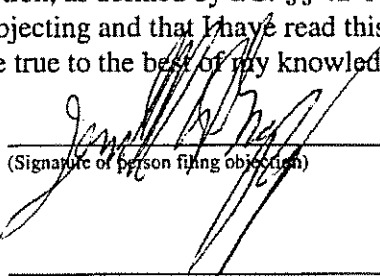
The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow (a) injury to the United States' water rights, (b) impairment of historic river conditions conducive to regular United States Bureau of Reclamation diversions to storage reservoirs and the New York Canal, and (c) diminution of contract water reliability.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

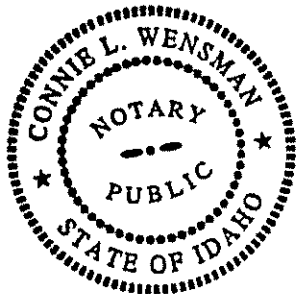
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 29, 2003





Connie L. Wensman

Notary Public for: Idaho

Residing at: Meridian

My Commission Expires: 10-06-2004

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 31, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Rex E Lanham

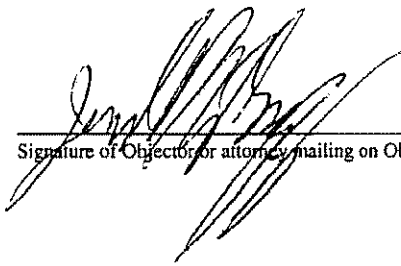
Address: 2630 Highway 21
Boise, ID 83716

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

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

In Re SRBA)
)
)
Case No. 39576)
)
)
)
)
)
_____)

A. Subcase Number: See Attachment A
(Insert water right number)

STANDARD FORM 1
OBJECTION RECEIVED

JAN 31 2003

Department of Water Resources

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Boise Project Board of Control acting on its own behalf and on behalf of
and for the following individual entities:
New York Irrigation District, Nampa & Meridian Irrigation District, Wilder
Irrigation District, Boise-Kuna Irrigation District, Big Bend Irrigation
District
Address: 2465 Overland Road
Boise, Idaho 83705
Phone: (208) 344-1141

Name & Address of Attorney, if any:

Albert P. Barker, ISB # 2867
Amy D. Chestnut, ISB # 5904
Barker Rosholt & Simpson, LLP
205 North 10th Street, Suite 520
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: 208-336-0700
Facsimile: 208-344-6034

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: See Attachment B
Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
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5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
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Should be: April 1 to November 1
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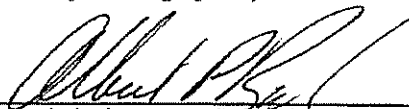
F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

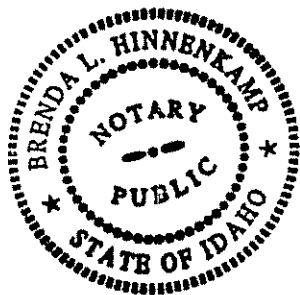
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 30, 2003



Brenda L. Hinnenkamp
Brenda L. Hinnenkamp
Notary Public for: Idaho
Residing at: Boise
My Commission Expires: 9/11/2004

INSTRUCTIONS FOR MAILING

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253 Third Avenue North
P.O. Box 2707
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: See Attachment B
Address:

3. Copies to:

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Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

Attachment A

63-3540	63-7984A	63-7984B
63-8624	63-10279	63-31335
63-31336	63-7119	63-7115
63-148B	63-15395	63-2472
63-7529	63-7037	63-2026
63-7207	63-31077	63-5102
63-5192	63-318A	63-318C
63-4629A	63-4797	63-4810
63-5101	63-31074	63-31289
63-31328	63-19A	63-19B
63-378	63-4636	63-5057
63-31124	63-31173	63-31174
63-31319	63-31320	63-31397
63-4548	63-3125	63-15093
63-15677	63-31317	63-5332
63-5334	63-4071	63-31380
63-5235	63-4629C	63-31454
63-5408	63-2171	63-5167
63-317B	63-320A	63-7613D
63-30310	63-97	63-15409
63-3447D	63-3447B	63-3447C
63-5161B	63-15101	63-4731
63-3422B	63-5161C	63-3422A
63-5251	63-5250	63-15684
63-5108	63-15427	63-15094
63-15206	63-15373	63-2252

ATTACHMENT D

63-3540
Rex E Lanham
2630 Highway 21
Boise ID 83716

63-8624
Randall A Ambuehl
HC 33 Box 1610
Boise ID 83706

63-31336
Wilderness Ranch Owners Assn Inc
46 Wilderness Ranch Rd
Boise ID 83716

63-148B
South Boise Water Co
PO Box 6005
Boise ID 83707

63-7529
Walter M Nichols
Thelma E Nichols
14 Cougar Lane
Boise ID 83716

63-2026
James E Bryant
1915 N 11th
Boise ID 83712

63-5102
Laura LA May Holmes
2391 Sheri Dr
Emmett ID 83617

63-318C
Paula E Lewis
Stephen E Lewis
PO Box 4002
Boise ID 83711-4002

63-4810
Walter S Nichols
Sara A Nichols
12 Cougar Ln
Boise ID 83716

63-31289
Walter M Nichols
Thelma E Nichols
14 Cougar Lane
Boise ID 83716

63-7984A
Teresa L Raschke
Steven L Raschke
2095 Panama St
Boise ID 83705

63-10279
Cumer L Green
PO Box 2597
Boise ID 83701

63-7119
Michael Robich
Lynette Robich
87 Beaver Creek Rd
Boise ID 83716

63-15395
Marilyn Priest
Jay R Priest
PO Box 122
Idaho City ID 83631

63-7037
Blue Jay Creek Water & Road Users Inc
C/O Robert O Walker
129 Blue Jay Creek Rd
Boise ID 83706

63-7207
Barbara W Little
1980 Myers Rd
Boise ID 83706

63-5192
David Steadman
Lynae Steadman
8873 Ottawa Ct
Boise ID 83709

63-4629A
Wilderness Ranch Owners Assn Inc
46 Wilderness Ranch Rd
Boise ID 83716

63-5101
Marilyn Priest
Jay R Priest
PO Box 122
Idaho City ID 83631

63-31328
Michael C Perry
Tami J Perry
10 Cougar Ln
Boise ID 83716

63-7984B
Lawrence Poisson
Sheila Poisson
3193 Highway 21
Idaho City ID 83716

63-31335
Val Dean Schroeder
13 Blacksmith Road
Boise ID 83716

63-7115
Michael Robich
Lynette Robich
87 Beaver Creek Rd
Boise ID 83716

63-2472
Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-2026
Hilda Larson
3015 Silver St
Boise ID 83703

63-31077
State of Idaho
Dept of Parks & Recreation
PO Box 83720
Boise ID 83720-0065

63-318A
Ranch Subdivision Property Owners
Assn
26 Burnett Dr
Boise ID 83716

63-4797
Connie Jo Cooper
Douglas S Cooper
2268 Highway 21
Boise ID 83716

63-31074
Barry Marcus
737 N 7th St
Boise ID 83702

63-19A
Larry R Smith
Alda L Smith
8442 W Beachside Ct
Boise ID 83703

63-19B
Rosemary Swanstrum
Philip Swanstrum
2708 Columbus
Boise ID 83705

63-5057
Francis Mangum
Shirley Mangum
17 Old Mill Rd
Boise ID 83716

63-31174
Michal Sweeney
28 N Fork Clear Creek Rd
Boise ID 83716

63-31397
Michael E Claus
Connie M Claus
105 Johnson Creek Rd
Boise ID 83716

63-15093
Gail G Allen
Robert P Allen
14 Allen Ln
Boise ID 83716

63-5332
Osprey Land Co
737 N 7th St
Boise ID 83702

63-5235
Rex E Lanham
2630 Highway 21
Boise ID 83716

63-5408
Scott R. Nicholson, Thomas Emil Nicholson,
Christine Nicholson et al
C & T Ranches Inc
PO Box 690
Meridian ID 83680-0690

63-317B
Richard A Stull
K Gail Richardson
13 Robie Creek Ln
Boise ID 83716

63-97
L G Davison & Sons Inc
1969 Prairie Rd
Prairie ID 83647-9803

63-378
Dirk L Marcum
14364 E Highway 21
Boise ID 83716

63-31124
Allen Cupit
Diana Cupit
25 Old Mill Rd
Boise ID 83716

63-31319
Sandra Miner
1512 Apache Dr Unit D
Chula Vista CA 91910-8160

63-4548
James R Stringfellow
787 David Way
North Salt Lake UT 84054

63-15677
Barry Marcus
737 N 7th St
Boise ID 83702

63-4071
Robert P. Perez
Laurie A. Perez
20 Colleen Lane
Boise, ID 83716

63-4629C
Sherry Smith
James C Smith
7 Mores Creek Cir
Boise ID 83716

63-2171
Rex B Lanham
2630 Highway 21
Boise ID 83716

63-320A
Wade C Woolery
1902 Thompson Street
Richland WA 99352

63-15409
Wilda Bradley
33 Wild Rose Ln
Boise ID 83716

63-4636
Connie M Claus
105 Johnson Creek Rd
Boise ID 83716

63-31173
Hide Associates Partnership
Boise Holcomb Inc
737 N 7th St
Boise ID 83702

63-31320
David Peterson
Toni Peterson
14 Homestead Ct
Boise ID 83716

63-3125
State of Idaho
Dept of Fish & Game
PO Box 25
Boise ID 83707

63-31317
Rex E Lanham
2630 Highway 21
Boise ID 83716

63-31380
Rex E Lanham
2630 Highway 21
Boise ID 83716

63-31454
Jay D Hollinger
Carol L Hollinger
51 Daggett Creek Rd
Boise ID 83716

63-5167
Rex B Lanham
2630 Highway 21
Boise ID 83716

63-7613D
Marvenna S Hodgins
Marilyn E Dawson
PO Box 6466
Boise ID 83707

63-30310
Steven D Cummings
545 Robie Creek
Boise ID 83716

63-3447B
Biff Eshelman
31 Sonshine Lane
Boise ID 83716

63-15101
Steven D Cummings
545 Robie Creek
Boise ID 83716

63-5161C
Sterling Turner
Debbie Turner
328 Robie Creek Rd.
Boise ID 83716

63-5250
Jan Blum
27 Idaho City Stage Rd
Boise ID 83716

63-15684
Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-15094
Gail G Allen
Robert P Allen
14 Allen Ln
Boise ID 83716

63-2252
Twin Springs Resort LLC
PO Box 3994
Ketchum ID 83340

63-3447C
Alan K Johnson
3929 Overland Rd #840
Boise ID 83715

63-4731
Wilda Bradley
33 Wild Rose Ln
Boise ID 83716

63-3422A
Mary Lou Pote
William W H Pote
27 Idaho City Stage Rd
Boise ID 83716

63-5251
Mary Lou Pote
William W H Pote Jr
27 Idaho City Stage Rd
Boise ID 83716

63-5108
Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-15206
Val Dean Schroeder
13 Blacksmith Rd
Boise ID 83716

63-3447D
Joan Stephens
James R Stephens
3939 S Transport
Boise ID 83705

63-5161B
Dwaine Wright
Lizabeth Wright
4 Larkspur Lane
Boise, ID 83716

63-3422B
Virginia M Cafferty
Allan E Cafferty
2121 S Eagleson
Boise ID 83705

63-15427
Maurice Brown
11 Hoover Dr
Boise ID 83716

63-5334
Osprey Land Co
737 N 7th Street
Boise, ID 83702

63-15373
Rex E. Lanham
2630 Highway 21
Boise ID 83716

02/26/2002

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

RIGHT NUMBER: 63-31317
NAME AND ADDRESS: REX E LANHAM
2630 HWY 21
BOISE ID 83716

SOURCE: SPRING TRIBUTARY: MORES CREEK

QUANTITY: 0.20 CFS

PRIORITY DATE: 04/01/1938

POINT OF DIVERSION:

T04N R04E S10 SWSWNE Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.200 CFS

PLACE OF USE: IRRIGATION Within BOISE County

T04N R04E S10	SWNE	3.5	T04N R04E S10	SENE	0.5
T04N R04E S10	NWSE	7.0			

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: Beneficial Use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 403-3/317

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: 4-1-1938
(If the priority date, based on your exam, seems questionable, explain below.)

Claimants affidavit

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:
Source found: _____
4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES

☐ Different uses, (list uses found):

Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☐ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

This claim was filed late after the field exam on 10-2-2001 and the claimant realized he did not claim irrigation from the spring.

C18 Photos of the POB did not develop.

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: *10-3-2001*

FIELD EXAMINER: _____

Print Name

Mel Schutte
Signature

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))

A 63-5167)
A 63-31317)

State of Idaho)
County of _____)

AFFIDAVIT

I Rex Lanham being first duly sworn,
deposes and says: Jackson Creek have been supply
irrigation south of the field - when water
was available thru the year - since 1964
and my knowledge previous owner Nelson
Phillips & Jackson since 1938 - The
spring west of field was develop by
the Home stead in field for domestic - pond
& irrigation

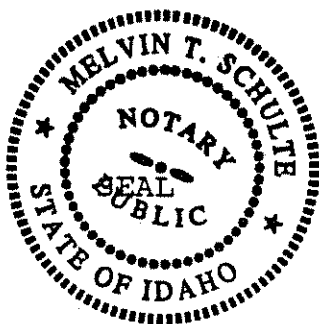
Rex Lanham
(Signature)

Subscribed and sworn to before me this
day 20th of December, 192001.

Melvin T. Schulte
(Notary Public)

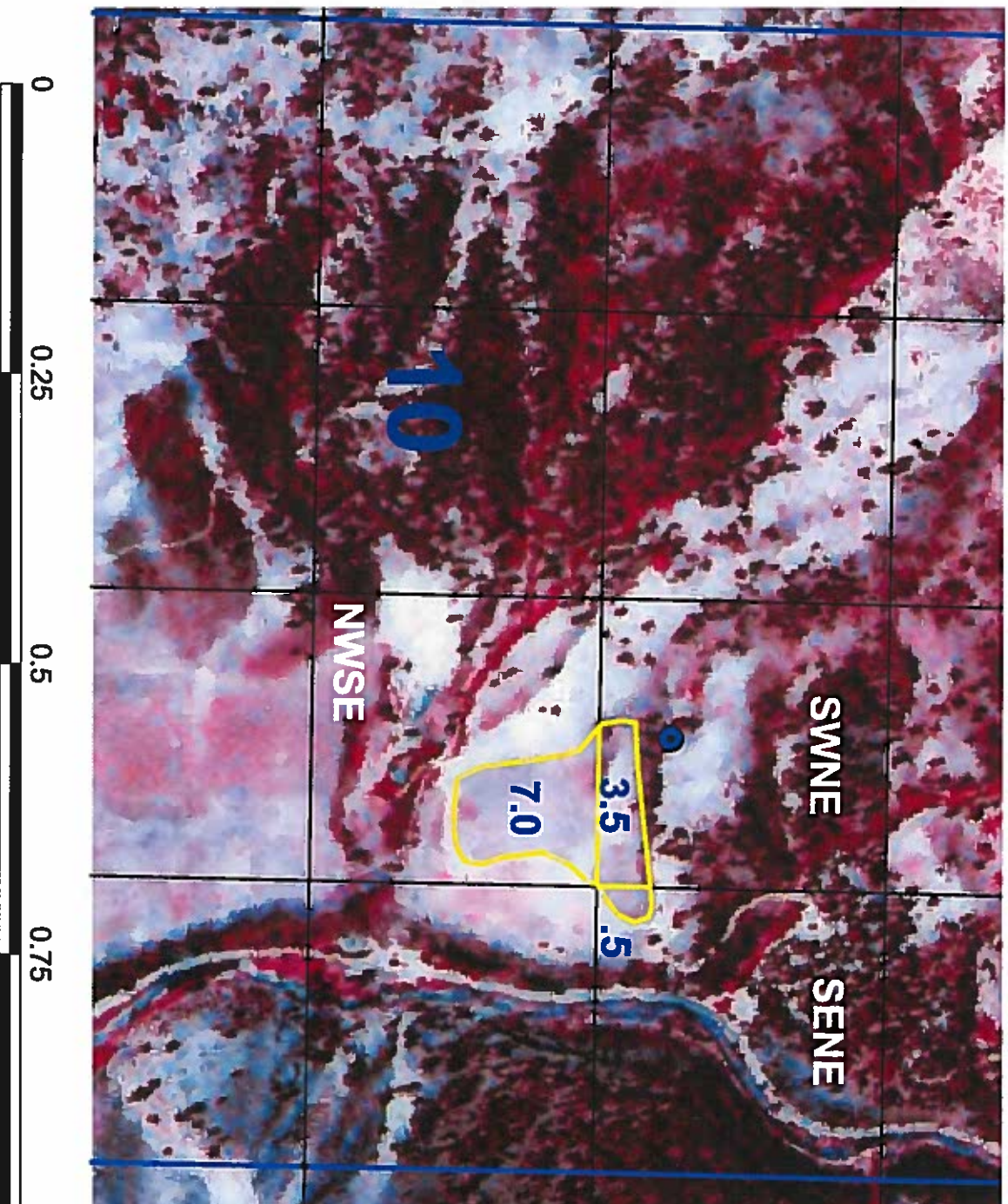
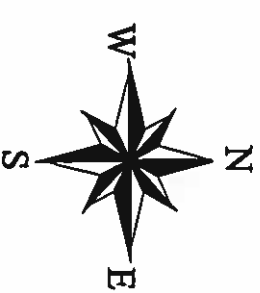
Residing at Boise, Idaho.

My Commission Expires 7-24-2007.



IDAHO DEPARTMENT OF WATER RESOURCES

T04N, R04E, S10



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-31317

OWNER(S) : LANHAM, REX

DATE: DECEMBER 27, 2001

by: Mel Schulte



POINT OF DIVERSION

☐ 1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-31317

OWNER(S) : LANHAM, REX

DATE: DECEMBER 27, 2001

by: **Mel Schulte**

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 63-31317
Date Received: 10/11/2001
Receipt No: 4028419.
Received By: MTS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

REX E LANHAM Phone: (208)344-1971
2630 HWY 21
BOISE ID USA 83716

2. Date of Priority: 04/01/1938

3. Source: SPRING Trib. to: MORES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	04E	10	SW NE	BOISE	

5. Description of diverting works:

SPRING COLLECTS IN A SPRING BOX AND FLOWS INTO A SMALL POND AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.2	

7. Total Quantity Appropriated is:
0.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	04E	10	SW	NE	IRRIGATION	3.5
			SE	NE	IRRIGATION	0.5
			NW	SE	IRRIGATION	7
					Section Acres	11
					Total Acres	11

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
63-15373, 63-5167 & 63-3540

14. Remarks:

15. Basis of Claim:

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: 1

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): *[Signature]* Date: Oct 17, 2001
_____ Date: _____

State of Idaho)
County of *Ada*) SS.

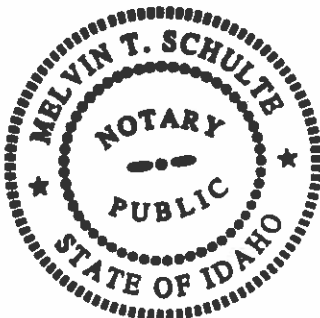
Subscribed and sworn (or affirmed) before me this
of October 2001

17th
Melvin T. Schulte

Notary Public

Residing at *Bose, Idaho*

My commission Expires *7-24-2006*



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