

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7668 V1

WATER RIGHT NUMBER: 29-7668 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VILLABROS ENTERPRISES PO BOX 429 POCATELLO, ID 83204 (208)237-4711

Priority Date: 11/03/1982

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>
DOMESTIC	01/01 to 12/31	0.020 CFS	2.80 AF
	<u>Total Diversion:</u>	0.020 CFS	2.80 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4	Sec. 22, Twp 06S, Rge 34E, B.M.
BANNOCK County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	34E	22							X										

Conditions of Approval:

1. c18 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.
2. n06 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 2,500 GALLONS PER DAY.
3. x01 Domestic use is for business.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7668 V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	10/8/2002 8:33:50 AM	rwarner			Active
Priority Date	10/8/2002 9:44:00 AM	rwarner			Active
POD	10/8/2002 9:45:16 AM	rwarner			Active
Source	10/8/2002 10:37:20 AM	rwarner			Active
POU	10/8/2002 10:41:59 AM	rwarner			Active
Use	10/8/2002 10:43:33 AM	rwarner			Active
Season	10/8/2002 10:48:24 AM	rwarner			Active
Quantity	10/8/2002 10:52:46 AM	rwarner			Active
Summary			10/08/2002	rwarner	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Quantity	10/8/2002 10:52:48 AM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (No) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - water right calculation unavailable. Claimed volume was 2500 gpd. Therefore recommend 2.80 AF/year.

IDAHO DEPARTMENT OF WATER RESOURCES

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Summary	10/8/2002 10:57:04 AM	rwarner	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right?
Contacts	10/8/2002 8:33:50 AM	rwarner	(No) 1. Do you want to schedule an appointment? Comment for 1: desktop review
POD	10/8/2002 10:36:23 AM	rwarner	Edited point location
Source	10/8/2002 10:37:21 AM	rwarner	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	10/8/2002 10:37:54 AM	rwarner	Edited shape boundary
POU	10/8/2002 10:42:00 AM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	10/8/2002 10:43:34 AM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Priority Date	10/8/2002 9:44:02 AM	rwarner	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7668 V1

POD	10/8/2002 9:45:17 AM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Season	10/8/2002 10:48:25 AM	rwarner	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (No) 14. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	10/23/2002 1:53:01 PM	rwarner	Edited point location



State of Idaho
Department of Water Resources
Eastern Region
Claim No.: 29-7668



0.1 0 0.1 0.2 Miles

Irrigated Acres = 0

-  Well.shp
-  Place of use.shp
-  Sections
-  QQ

PROFILED

SCANNED
MAY 16 2005



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
29-7668					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Villa Bros Enterprises, INC.
3034 Garrett Way, P.O. Box 429
Pocatello, ID 83204

4. New Owner/Claimant(s)

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

PaulMark, INC. - Same address
Pocatello, ID 83204

City, State and ZIP Code

New Telephone Number

208 237-4711

5. Date you acquired the property

January, 1999

FILED

SCANNED

MAY 16 2006

RECEIVED
 APR 16 2003
 Department of Water Resources
 Eastern Region
 OK per Roger 4-30-03
 RECEIVED
 APR 21 2003
 Department of Water Resources
 Eastern Region

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. **Signature of New Owner(s) or Claimant(s)**
(include title if applicable)

Mark P. Villano
President

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
MAY 16 2006

FILED

ARTICLES OF MERGER

93 OCT -9 AM 8:46

OF

SECRETARY OF STATE
STATE OF IDAHO

VILLABROS ENTERPRISES, INC.

INTO

PAULMARK, INC.

The undersigned corporation, pursuant to Idaho Code §§ 30-1-1105 and 30-1-1107, does hereby certify the following:

1. That the names and states of incorporation of the constituent corporations which are parties to the merger are as follows:

NAME

STATE OF INCORPORATION

Villabros Enterprises, Inc.

Colorado

PaulMark, Inc.

Idaho

2. That the above named constituent corporations have entered into an Agreement and Plan of Merger, an executed copy of which is attached hereto and incorporated by reference herein.

3. That the Agreement and Plan of Merger among the parties to the merger has been approved by their respective shareholders of each of the constituent corporations in accordance with Idaho Code §§ 30-1-1101 and 30-1-1103, as follows:

A. Villabros Enterprises, Inc. has 5,800 voting common shares issued, outstanding, and entitled to vote on the Agreement and Plan of Merger. That all votes were cast in favor of the adoption of the Agreement and Plan of Merger, and that such votes were sufficient for approval of said Agreement and Plan of Merger; and

B. PaulMark, Inc. has 100 voting common shares issued, outstanding, and entitled to vote on the Agreement and Plan of Merger. That all votes were cast in favor of the adoption of the Agreement and Plan of Merger, and that such votes were sufficient for approval of said Agreement and Plan of Merger; 1 @ 30.00 = 30.00 MERGER # 3

IDAHO SECRETARY OF STATE
10-689-1-888-888-888
EX: 7813 OFF: 1188 BH: 152278

SCANNED

79763

MAY 16 2006

RESTATED ARTICLES OF INCORPORATION

OF

PAULMARK, INC.

FILED

98 OCT -9 AM 8:46

SECRETARY OF STATE
STATE OF IDAHO

The undersigned, being the officers and all the shareholders PaulMark, Inc., an Idaho Business Corporation, hereby unanimously adopt the following Restated Articles of Incorporation for such corporation pursuant to Idaho Code §30-1-1007:

1. **NAME:** The name of the corporation is PaulMark, Inc.
2. **DURATION:** The period of its duration is perpetual.
3. **PROFIT:** This is a for profit corporation.
4. **PURPOSES:** The purpose or purposes for which the corporation is organized is to engage in the business of purchasing, marketing, selling, and distributing bear, wine and other alcoholic and non-alcoholic beverages and do all things incidental thereto and for the transaction of any and all lawful business for which corporations may be incorporated under the Idaho Business Corporation Act, as the same from time to time shall be amended.
5. **SHARES AUTHORIZED:** The corporation shall have two classes of shares--voting and nonvoting. The number of shares for each class of stock which the corporation shall have authority to issue is 25,000 shares of no par value stock.
6. **PRE-EMPTIVE RIGHTS:** Shareholders shall have pre-emptive rights to acquire unissued or treasury stock or securities convertible into or carrying a right to subscribe to or acquire shares.
7. **BUSINESS AFFAIRS:** Provisions for the regulation of the internal affairs of the corporation are such as may be provided by the corporation's By Laws, including restrictions on the transfer of shares.
8. **REGISTERED AGENT AND OFFICE:** The registered agent is Mark P. Villano and the registered office is located at 3034 Garrett Way, Pocatello, Idaho 83204.
9. **BOARD OF DIRECTORS:** There shall be no Board of Directors. Pursuant to Idaho Code § 30-1-732 the powers and duties conferred or imposed upon the Board of Directors by

IDAHO SECRETARY OF STATE
CK: 7813 CT: 1188 BH: 152278

1 @ 38.00 = 38.00 AMEND PROF # 4

SCANNED

MAY 15 2006

C 79763

4. That the name of the surviving corporation of the merger is PaulMark, Inc., a corporation organized and existing under the laws of the State of Idaho.

5. That the effective date of these Articles of Merger shall be November 30, 1998.

DATED this 1st day of October, 1998.

PAULMARK, INC.

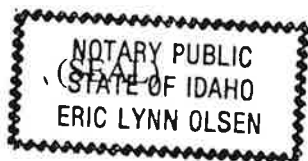
By: Mark P. Villano
MARK P. VILLANO, President

STATE OF IDAHO)
 : ss
County of Bannock)

On this 1st day of October, 1998, before me, the undersigned, a Notary Public in and for said States, personally appeared MARK P. VILLANO known to me to be the president of PAULMARK, INC., the entity whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Eric Lynn Olsen
NOTARY PUBLIC FOR IDAHO
Residing at: Bozateles, ID
My Commission Expires: 9/12/2000



the Idaho Business Corporation Act shall be exercised or performed by the officers of the corporation elected by the shareholders as provided in the corporation's By Laws.

10. **INCORPORATORS:** The name and address of each incorporator is:

Paul J. Villano
400 Pebble Ln.
Pocatello, Idaho 83204

Mark P. Villano
1910 Arlington Dr.
Pocatello, Idaho 83204

DATED this 1st day of October, 1998.

PAULMARK, INC.

By: Mark P. Villano
Mark P. Villano, President

SHAREHOLDERS:

Paul J. Villano
Paul J. Villano
Mark P. Villano
Mark P. Villano

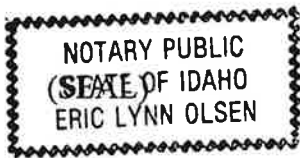
STATE OF IDAHO)
 : SS
County of Bannock)

On this 1st day of October 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Paul J. Villano and Mark P. Villano, known to me to be the persons whose names are subscribed to the foregoing and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



NOTARY PUBLIC FOR IDAHO,
Residing at: Pocatello, ID
My Commission Expires: 9/12/2000



DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

BASIC PERMIT

(Under Federal Alcohol Administration Act)

1. PERMIT NUMBER

ID-P-3073

2. DATE OF PERMIT

APRIL 20, 1995

3. REGISTRY NO. (If applicable)

4. DATE OF Amended Application

JANUARY 7, 1999

5. NAME AND ADDRESS OF PERMITTEE (Number and street, city or town, State and zip code)

PAULMARK, INC.
3034 Garrett Way
Pocatello, Idaho 83204



6. TRADE NAMES AUTHORIZED BY THIS PERMIT (Trade name approval does not constitute approval as a brand name for labeling purposes. If needed, list on reverse or use continuation sheet.)

Intermountain Distributing Company; Gate City Distributing Company

7. PERMIT GRANTED FOR (ONE TYPE OF OPERATION ONLY)

Pursuant to the application of the date indicated in item 4, you are authorized and permitted to engage at the above address, in the business of:

- a. ☐ Distilled Spirits - ☐ distiller ☐ rectifier (processor) ☐ warehouseman and/or ☐ warehouseman and bottler
and while so engaged, to sell, offer or deliver for sale, contract to sell or ship, in interstate or foreign commerce, the distilled spirits so distilled or rectified, or warehoused and bottled, or the wines so rectified.
- b. ☐ Wine - ☐ producer and blender ☐ blender
and while so engaged, to sell, offer or deliver for sale, contract to sell or ship, in interstate or foreign commerce, the wine so produced or blended.
- c. ☐ Importer - Importing into the United States the following alcoholic beverages:
and while so engaged, to sell, offer to deliver for sale, contract to sell or ship, in interstate or foreign commerce, the alcoholic beverages so imported.
- d. ☒ Wholesaler - Purchasing for resale at wholesale the following alcoholic beverages: **WINE & MALT BEVERAGES**
and while so engaged, to receive or to sell, offer to deliver for sale, contract to sell or ship, in interstate or foreign commerce, the alcoholic beverages so purchased.

This permit is conditioned upon your compliance with the Federal Alcohol Administration Act; the Twenty-first Amendment and laws relating to its enforcement; all other Federal laws relating to distilled spirits, wine and malt beverages, including taxes with respect to them; the Federal Water Pollution Control Act; and all applicable regulations made pursuant to law which are now, or may hereafter be, in force.

This basic permit is effective from the date shown above and will remain in force until suspended, revoked, annulled, voluntarily surrendered or automatically terminated.

THIS PERMIT WILL AUTOMATICALLY TERMINATE THIRTY DAYS AFTER ANY CHANGE IN PROPRIETORSHIP OR CONTROL OF THE BUSINESS, unless an application for a new basic permit is made by the transferee or permittee within the thirty day period. If an application for a new basic permit is timely filed, the outstanding basic permit will continue in effect until the application is acted on by the District Director, Bureau of Alcohol, Tobacco and Firearms.

THIS PERMIT IS NOT TRANSFERABLE. ANY CHANGE IN THE TRADE NAME, CORPORATE NAME, MANAGEMENT OR ADDRESS OF THE BUSINESS COVERED BY THIS PERMIT, OR ANY CHANGE IN STOCK OWNERSHIP (MORE THAN 10%) MUST BE REPORTED TO THE DISTRICT DIRECTOR WITHOUT DELAY.

THIS IS AN

ORIGINAL PERMIT

☒ AMENDED PERMIT

REASON FOR AMENDMENT

ADDITION OF A TRADE NAME

DATE OF AMENDMENT

FEBRUARY 19, 1999

SIGNATURE OF DISTRICT DIRECTOR, BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

BY AUTHORITY OF DD

DEPARTMENT OF THE TREASURY - BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
 APPLICATION FOR AMENDED BASIC PERMIT UNDER FEDERAL ALCOHOL ADMINISTRATION ACT

(Prepare in duplicate except for permittee in Puerto Rico who shall prepare in triplicate.)

(See Paperwork Reduction Act Notice on Reverse)

TO: Regional Director (Compliance)
 Bureau of Alcohol, Tobacco and Firearms

(City and State)

NAME AND ADDRESS (Number and Street, City or Town, County, State, ZIP Code) OF PERMITTEE

GATE CITY DIST. CO.
 3034 GARRETT WY
 POCATELLO, ID. 83204
 P.O. BOX 429

NUMBER OF BASIC PERMIT

ID-P-3073

DATE OF BASIC PERMIT

~~MAY 10, 1995~~
 MAY 24, 1989

REASON FOR CHANGE

1.
 Change in
 Place of
 Business
 Address

FROM (Number and Street or Route, City or Town, County, State, ZIP Code)

3034 GARRETT WY
 POCATELLO, ID 83204

TO (Number and Street or Route, City or Town, County, State, ZIP Code)¹

3034 GARRETT WY
 POCATELLO, ID 83204

PREMISES OF NEW PLACE OF BUSINESS ARE
☒ OWNED BY PERMITTEE

☐ LEASED BY PERMITTEE

DATE OF CHANGE

NO CHANGE

If new
 place

DATE OF LEASE

NA

NO. YEARS LEASED

NA

NO. MONTHS LEASED

NA

NAME AND ADDRESS (Number and Street, City or Town, County, State, ZIP Code) OF OWNER OF NEW PREMISES (lessor)

SAME as ABOVE

is
 leased

AMOUNT OF RENTAL

\$ PER ☐ MO. ☐ YEAR

HAS SPECIAL TAX STAMP BEEN FORWARDED WITH FORM 5630.5 FOR AMENDMENT? ☐ YES ☒ NO

2.
 Addition
 of
 Trade
 Name

TRADE NAME OR TRADE NAMES TO BE ADDED AND THE REASONS THE APPLICANT DESIRES TO USE SUCH NAME OR NAMES²

ADD: GATE CITY DIST. CO TO PAUL MARK, INC.
 VILLABROS, INC. HAS BEEN DISSOLVED IT WILL
 NOW BE PAUL MARK INC. dba INTERMOUNTAIN BEVERAGE CO

3.
 Change in
 Name of
 Permittee

FROM

VILLABROS, INC. dba Gate City Dist. Co.

TO³

PAUL MARK, INC. dba: INTERMOUNTAIN BEVERAGE
 dba: Gate City Dist. Co.

4.
 Other
 (Specify)

Permit to be amended must be attached to this application

The permittee agrees, by accepting the amended basic permit applied for in this application, that its issuance shall not relieve him or any liability previously incurred.

All data, written statements, affidavits, evidence, or other documents previously filed, and those submitted in support of this application, or upon any hearing, shall be deemed to be a part of this application.

Under penalties of perjury, I declare that I have examined this application, including accompanying statements, and to the best of my knowledge and belief, it is true, correct and complete.

DATE

1/7/99

PERMITTEE (Trade or corporate name if any)

PAUL MARK INC.

SIGNED BY (Signature and Title)

Mark P. Villano, PRES.

¹ If the new address does not reflect the location of the premises, show additional information sufficient to identify its physical location.

² A permittee must submit this special tax stamp with an amended special tax return on Form 5630.5 to ATF at the address shown on the tax return within 30 days of the date of a change in address.

³ If State law requires registration of trade name, appropriate proof of compliance with such law must accompany application. If state law does not require registration of trade name, a statement to that effect must be submitted in duplicate. If corporate name is changed, certified copy of amended Articles of Incorporation must be furnished.

04/30/2003

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

RIGHT NUMBER: 29-7668
NAME AND ADDRESS: PAULMARK INC
3034 GARRETT WAY
PO BOX 429
POCATELLO ID 83204

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
2.80 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
2,500 GALLONS PER DAY.

PRIORITY DATE: 11/03/1982

POINT OF DIVERSION:
T06S R34E S22 NWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS 2.80 AFY
Domestic use is for business.		

PLACE OF USE: DOMESTIC Within BANNOCK County
T06S R34E S22 NWNW

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

SCANNED

MAY 16 2006

March 20, 2003

MARK P. VILLANO
PAULMARK INC
PO BOX 429
POCATELLO ID 83204

RE: CHANGE IN OWNERSHIP FOR WATER RIGHT CLAIM NO. 29-7668

Dear Mr. Villano:

Thank you for taking the opportunity of returning the "notice of error" reply. Upon it you indicate that the name of your company has changed from Villabros Enterprises to Paulmark, Inc. In order to make the changes on your water right, it is necessary for you to file a "*Change of Ownership*" form with the department.

Enclosed is a *Change in Ownership* form. Please fill out the form completely, sign and date it and return it to my attention along with a copy of the legal document used to effect the change.

If you have any questions regarding this matter, please feel free to call me at 525-7161.

Respectfully submitted,

W. Roger Warner
Adjudication Specialist

Enclosure(s) Change of Ownership form

PROFILED

SCANNED
MAY 16 2006

02/18/2003

NOTICE OF ERROR
REPLY

Roger

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-7668

~~VILLABROS ENTERPRISES~~ Paulmark, INC.

PO BOX 429

POCATELLO ID 83204

Telephone Number: (208)237-4711 208-233-1063 evenings

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

change of corporate name!

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 2/26/03 SIGNATURE: Mark P. Villano

Please print your name: MARK P. VILLANO

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

our corporate name changed from VILLABROS, ENT.
TO PAULMARK, INC.

SCANNED
MAY 16 2006

RECEIVED
APR 16 2003
Department of Water Resources
Eastern Region
PROFILED

02/18/2003

NOTICE OF ERROR
REPLY

Roger

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-7668

~~VILLABROS ENTERPRISES~~ *Paulmark, INC.*

PO BOX 429

POCATELLO ID 83204

Telephone Number: (208)237-4711 *208-233-1063 evenings*

RECEIVED
JAN 16 2003
IDWR

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 2/26/03 SIGNATURE: Mark P. Villano
Please print your name: MARK P. VILLANO

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

*our corporate name changed from VILLABROS, ENT.
TO PAULMARK, INC.*

SCANNED

MAY 16 2006

PROFILED

EXPENDITURE VOUCHER

JUN 13 2001
STATE OF IDAHO

Office of State Auditor

AUDITOR USE

AGENCY USE

8968
Date
05/01/90
Code
193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

CHECK ONE:

PAY

VILLABROS ENTERPRISES, INC.
PO BOX 429
POCATELLO, ID 83204

TO

(1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

() PURCHASE ORDER

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

() MISCELLANEOUS ENCUMBRANCE REQUISITION

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 162	9337	B831		REFUNDS PER ERNEST CARLSEN RECEIPT #E013492 4/24/90 5.00	5.00	
A29-07668							
TOTAL						5.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

E013492
Jared

MICROFILMED

NOV 13 1992

From: DWR70::THOMPSON 26-APR-1990 08:36:00.45
To: .DWR03::SHAFF
CC:
Subj: RE: A29-07668

DON,

ITEM #6

FOR: DOMESTIC.....PURPOSES FROM: 01/01 TO 12/31; AMOUNT 0.02CFS

ITEM #9

DOMESTIC CLASSIFICATION FOR BUSINESS USING LESS THAN 2500 GPD.

SORRY, I DID NOT GIVE YOU THE INFO YOU WANTED. HOPE THIS HELPS.

JO

MICROFILMED
NOV 13 1992

From: DWR03::SHAFF 25-APR-1990 14:46:26.36
To: DWR70::CARLSEN, DWR70::THOMPSON
CC: SHAFF
Subj: A29-07668

On the refund request (Rec't E013492) to Villabros Enterprises,
does the claim actually say domestic or will it be filed with
commercial as the use? What the claim actually states will
dictate the amount of the fee.

A29-07668

MICROFILMED
NOV 13 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

April 24, 1990

Gate City Distributing, Co.
Villabros Enterprises, Inc.
Attn: Paul Villabros
P.O. Box 429
Pocatello, ID 83204

RE: Overpayment

Dear Mr. Villabros:

The Notice of Claim for your domestic/commercial well and Check #001231 for \$30.00 have been received by the Department. The Notice has been assigned A29-07668 and Receipt E013492 issued to record payment of the filing.

A review of the Notice revealed the use as Domestic (use less than 2500 gallons per day). Consequently, reducing the filing fee from \$30.00 to \$25.00. A \$5.00 overpayment is, therefore, shown on the receipt.

Steps to refund this money have already been initiated. You should receive it shortly after the first of May.

Respectfully submitted,

Ernest Carlsen
Adjudications Supervisor

EC:bb

MICROFILMED
NOV 13 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

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EC:bb

MICROFILMED
NOV 13 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

INTERDEPARTMENT MEMORANDUM

TO: Debbie Allen, Manager Fiscal Department
through Don Shaff, Manager Technical Support

FROM: Ernest Carlsen, Adjudications Supervisor

DATE: April 24, 1990

REFUND TYPE: Overpayment

Claimant's Name: Villabros Enterprises, Inc.

Address: P.O. Box 429
Pocatello, ID 83204

Receipt Number: E013492

Water Right Number: A29-07668

Uses Claimed: Domestic/Commercial

Fees Submitted: \$30.00

Uses as described on Notice of Claim A29-07668 indicate the use to be for commercial building - use is less than 2500 gallons per day. Appropriate use should be indicated as Domestic rather than Commercial. Claimant, therefore, is due a refund of \$5.00, and claim A29-07668 will be filed as Domestic at \$25.00.

Ernest Carlsen/Brenda Bloom

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NOV 13 1990

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: E013492

Date: 04/23/90
Time: 13:03:06

Received

From: GATE CITY DISTRIBUTING CO

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$25.00
OVERPAYMENT	0410162 9337 6490	\$5.00

Total

\$30.00

CHECK 001221

WR/NO: A29-07668

Idaho Department of Water Resources

Region: EASTERN

Signature: *Sloan*

GATE CITY DISTRIBUTING, CO.

3034 GARRETT WAY
P.O. BOX 429
POCATELLO, ID 83204
PH. (208) 237-4711

KEY BANK OF IDAHO
POCATELLO, IDAHO 83204

92-155/1241

CHECK NO. 001231

CHECK DATE	AMOUNT
4/6/90	30.00

REGISTERED 30 DOLS 00 CTS
R 8N116000

PAY
TO THE
ORDER
OF

Idaho Department of
Water Resources

GATE CITY DISTRIBUTING, CO.

Paul J. Villano
AUTHORIZED SIGNATURE

⑈001231⑈ ⑆124101555⑆00 116087 8⑈

NOV 13 1990

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

March 26, 1990

Gate City Distributing Co.
P.O. Box 429
Pocatello, ID 83204

RE: Notice of Claim

Dear Mr. Villaro:

The Idaho Department of Water Resources (IDWR) is returning your Notice of Claim to a Water Right, along with your check. (#001205 in the amount of \$25.00), because of insufficient information and fees. All items on the form must be completed before the IDWR can process the notice.

Please correct the items identified below on the new form (enclosed), and return the notice and filing fee to the IDWR by May 1, 1990. If the corrected notice is not returned by then, it will be subject to an additional late fee.

The date of priority must be entered in Item #2. This is the month, day, and year water was first put to beneficial use. If you do not know the precise date, you must estimate the month, day, and year.

A description of the diversion works must be entered in Item #5, for example, well/pump, springbox, or headgate/ditch. Include the dimensions such as depth, casing size, pump horsepower, etc., if known.

As a suggestion for Item #6, IDWR has traditionally described the culinary use of water in conjunction with a business as commercial use. Though the diversion rate likely can not be measured, if the use consists of lavatory facilities and/or a break area then a flow rate of 0.04 cfs is probably sufficient.

The total amount claimed (cfs) must be entered in Item #7. This total amount is usually the sum of the amounts listed in Item #6. If only one purpose is claimed in Item #6, the amount would be the same in Item #7.

The location of the place of use must be described in Item #10. The description must include a Township, Range, Section, and 1/4 of 1/4 Section (40-acre tract). Base on the description for the point of diversion, the corresponding 1/4

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NOV 13 1992

1/4 has been highlighted.

Claims by corporations, municipalities, and other organizations must be signed by an officer of the corporation, an elected official of the municipality, or an individual authorized by the organization to sign the form. The "For Organizations" block in Item #16 must be completed with the signator's title and must be notarized.

Under the present statute water used for culinary purposes in a business does not qualify for the \$25.00 filing fee. The fee for this notice is \$50.00 plus \$100.00/cfs claimed. The total would \$54.00 provided you claimed 0.04 cfs.

It may be important for you to know that water uses developed from a groundwater source after March 25, 1963, for any use other than residential domestic or stock water use, must be filed on with an application for permit rather than a notice of claim. In the event the well was first used after the above date, an application for permit with instructions is enclosed for your convenience.

If you wish to make an appointment to discuss this matter, please call the IDWR at (208) 525-7161.

Respectfully submitted,



Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

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NOV 13 1992

GATE CITY DISTRIBUTING, CO.

3034 GARRETT WAY

P.O. BOX 429

POCATELLO, ID 83204

PH. (208) 237-4711

KEY BANK OF IDAHO
POCATELLO, IDAHO 83204

92-155/1241

CHECK NO. 001205

CHECK DATE	AMOUNT
3/21/90	\$ 25.00

REGISTERED 25 DOLS 00 CTS
R 8N116000

PAY
TO THE
ORDER
OF

Idaho Department of
water resources

GATE CITY DISTRIBUTING, CO.

Paul J. Villars
AUTHORIZED SIGNATURE

⑈001205⑈ ⑆124101555⑈00 116087 8⑈

State of Idaho
Department of Water Resources

JAN 11 1988

WATER RIGHT LICENSE

Department of Water Resources
Eastern District Office

WATER RIGHT NO. 29-7668

Priority: November 3, 1982 Amount: .02 CFS 10.1 AFA

This is to certify, that PAUL J. VILLANO
P.O. BOX 128

POCATELLO, ID 83201 has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated November 3, 1982, and
has submitted proof to the Department of Water Resources on February 1, 1985, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .02 cfs of water from a GROUNDWATER
source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Commercial	01/01 to 12/31	.02 cfs	10.1 afa

LOCATION OF POINT OF DIVERSION(S): NWNW , Sec. 22, Township 6S, Range 34E
Bannock County

PLACE OF USE: Commercial

TWN RGE SEC

6S 34E 22 NWNW

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. 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 license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 3rd day
of December, 1987.

Director

JUN 13 2001

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: 39 76

Ident. Number: A29-07668
Date Received: 5/17/1990
Receipt No: E01349
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VILLABROS ENTERPRISES 208-237-4711
Address: P.O. BOX 429
POCATELLO, ID 83204

2. Date of Priority: NOV 03, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	34E	22	NW	NW			BANNOCK

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.020		10.10

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 10.10 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/ BUSINESS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	34E	22	NW	NW		COMMER	

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:
NONE

14. Remarks:

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: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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- 07668

Date Received

4-17-90

Receipt Number

E013492

AK# 001231

25⁰⁰ of 30⁰⁰
5⁰⁰ Overpayment

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

APR 17 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Villa Bros Enterprises, Inc Phone (208) 237-4711Mailing Address P.O. Box 429 Pocatello, ID Zip 832042. Date of Priority (Only one (1) per claim) Nov. 3, 19823. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 6S Range 34E Section 22,
_____ 1/4 of NW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Bannock

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.Well + Pump to a commercial
building - use is less than 2500 gallons per day.

A2907668



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NOV 13 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1-1 to 12-31 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic classification for business using less than 2500 gpd.

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	34E	22					D												

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes X No _____

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

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks:

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NOV 13 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 29-7668
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President _____

_____ Title
of Villabros Enterprises, Inc. _____, that I have signed the foregoing
_____ Organization

document in the space below as President _____ of Villabros Enterprises, Inc.
_____ Title _____ Organization

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

Signature of Authorized Agent _____

Title and Organization President, Villabros Enterprises, Inc. **Date** 16 April 1990

State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 16th day of April 19 90

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on 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 _____

Address _____

Date _____

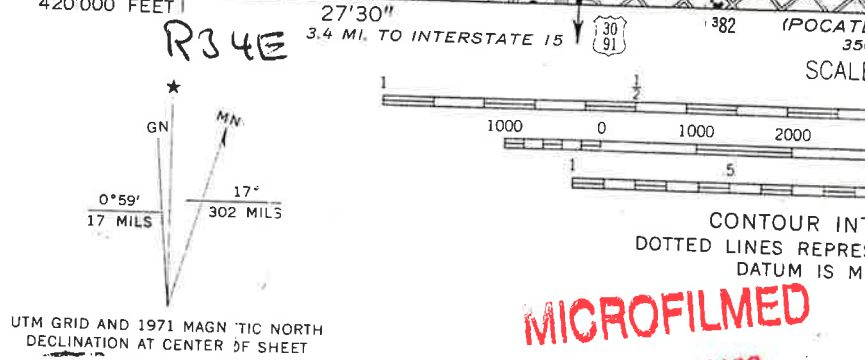
MICROFILMED
NOV 13 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



Mapped, edited, and published by the Geological Survey
 Control by USGS and USC&GS
 Topography by photogrammetric methods from aerial
 photographs taken 1969. Field checked 1971
 Projection and 10,000-foot grid ticks: Idaho coordinate
 system, east zone (transverse Mercator)
 1000-meter Universal Transverse Mercator grid ticks,
 zone 12, shown in blue. 1927 North American datum
 Red tint indicates areas in which only landmark buildings are shown
 Fine red dashed lines indicate selected fence lines



MICROFILMED
 NOV 13 1992
 THIS MAP COMPLIES WITH NATIONAL
 FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER
 A FOLDER DESCRIBING TOPOGRAPHIC MAP