

EXPENDITURE VOUCHER

STATE OF IDAHO
Office of State Auditor

AUDITOR USE

AGENCY USE

3115
Date 10/16/90
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.	

PAY

TO

SMITH RD. WATER USERS ASSOC.
% LAURA AFEATES
13272 N. SMITH RD.
POCATELLO, ID 83202

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 162	9337	8831		REFUNDS PER D. SHAFF WR #A29-07854 ✓ ARQ2 7/17/90 87.90	87.90	
TOTAL						87.90	

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

NOV 13 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900 .

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 15, 1990

Smith Road Water User's Ass'n.
c/o Laura Yeates
13272 N. Smith Road
Pocatello, ID 83702

RE: Snake River Basin Adjudication (SRBA)
Bannock County - Receipt #C016283, \$87.90

Dear Ms. Yeates:

Due to the fact you have withdrawn your claim, the refund process has been initiated with the State Auditor's Office. You should receive your check in the near future.

Sincerely,

John D. Carlson
Adjudication Supervisor

JDC:sf:ref:east

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NOV 13 1992

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MAY 11 2006

SD-169

ID 00 DEPARTMENT OF WATER RESOURCES
RECEIPT MAINTENANCE II - MAINT. SCREEN 1

DATE: 08/13/90
TIME: 10:43:48

RECEIPT NUMBER : C016283

RECEIPT AMT : 87.90

RECEIPT TYPE : CK
DATE & TIME : 04/13/90 16:17:18
FROM PAYER : SMITH ROAD WATER USERS
USER ID : KEATHLEY
ADJUST FLAG : W
TRANS NUMBER : 901187
AR NUMBER :
RECEIPT REMARKS :
UPDATE REMARKS :
AMOUNT REFUNDED :
REFUND REASON :
REFUND NAME :

CHECK NUMBER: 621
JULIAN DATE : -

REC. GROUP : F
TRANS YR-MO : 1990-04

REFUND DATE : _/_/_

REFUND CK NO: _____

RECEIPTED FEES : X

WATER RIGHT NUMBERS: X

(ENTER=CONTINUE)

(GOLD2=UPDATE)

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MAY 11 2005

SD-170

ID ☐ DEPARTMENT OF WATER RESOURCES
RECEIPT MAINTENANCE II - MAINT. SCREEN 2

DATE: 08/13/90
TIME: 10:43:59

RECEIPT NUMBER : C016283

RECEIPT AMT : .87.90

DESCRIPTION	PROGRAM	ACCT	CLASS	FEE
ADJUDICATION FEE	410162	9337	6490	87.90

(ENTER=CONTINUE)

(GOLD2=UPDATE)

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NOV 13 1992

SD-171

ID 0 DEPARTMENT OF WATER RESOURCES
RECEIPT MAINTENANCE II - MAINT. SCREEN 3

DATE: 08/13/90
TIME: 10:44:05

RECEIPT NUMBER : C016283

PAGE 1 OF 3

RECEIPT AMT :

,87.90

87.90

(ENTER=CONTINUE) (GOLD2=UPDATE) (GOLD4=PREV PG) (GOLD5=NEXT PG)

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NOV 13 1992

TO: Debbie Allen

THRU: D. Shaff *df* 10-12-90

FROM: J. CARLSON *gpc*

DATE: 7/17/90

RE: Receipt C016283 Refund

Please process a refund of \$ 87⁹⁰ to:

Smith Rd. Water Users Assoc.

% Laura Auster

13272 N. Smith Rd.

Poc. ID #3702

8/13/90

Not refunded as of 7/16/90
8-17-90 *df*.

W.R. Permit after 11/19/87. 29-07854. filed 10/11/88

Do we have a copy of the claim? yes, we have a copy

If not any correspondence returning it. yes, attached. 8-17-90

OK to refund if we have copy or correspondence. *gpc* 8/13/90
Eastern does not have claim. 8-24-90. *df*
we returned claim to Claimant 8-13-90 - They responded 6-15-9.
requesting refund.

Logged.

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MAY 11 2006

FROM Gary Spackman
TO John Carlson

DATE 7/17/90

SUBJECT This was recently routed to me for review. I don't see that this person is asking for any relief regarding permit no. 29-7854, but is requesting withdrawal of adjudication claim & a refund. It appears to be an adjudication matter.

MICROFILMED

NOV 13 1992

SCANNED

MAY 11 2006

Gary

SIGNATURE

RECEIVED
JUL 13 1990

Department of Water Resources

REQUEST FOR WITHDRAWAL OF CLAIM

Form 25a

Name of Claimant:
(Please Print)

SMITH RD. WATER USERS' ASSOCIATION

Mailing Address:

PO BOX 13272 N. SMITH RD. POCAHELLO, ID. 83202

Amount:

\$ 81.90 Receipt No.: C016283

County of Water Right:

BANNOCK

Claim No(s):

29-07854

I wish to withdraw the Notice(s) of Claim to a Water Right which number(s) appear above and for which I previously paid a filing fee to the Idaho Department of Water Resources. I do ☒ /do not request a refund of the filing fee. If a refund is requested I have attached an explanation of the justification for granting a refund.

[Signature]
(Signature of Claimant)

6-15-90
(Date)

(Signature of Claimant)

(Date)

(Signature of Claimant)

(Date)

Return to:

Idaho Department of Water Resources
Adjudication Section
1301 N. Orchard
Statehouse Mail
Boise, Idaho 83720

For IDWR Use

Approval Region
Approval State Office
Data Entry
Claim File

Initials

Date

[Signature]
[Signature]

10-12-90

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NOV 13 1992

Smith Rd. Water Users
% Yeater
13272 N. Smith Rd.
Pocatello, Id. 83202

State of Id. - Dept. of Water Resources

To Whom It May Concern:

I request a refund of fees paid
in behalf of Smith Rd. Water Users
Association. I was told specifically
by the Idaho Falls Office that we
were required to file the claim
even though we already had a
recent permit. I have recently
sent most of beneficiaries and
and the fees required for it.

Thank you very much.

Sincerely,
Anna Olyat
6-15-90

SCANNED
MAY 1 1 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 13, 1990

Smith Road Water User's Association
C/O Yeates
13272 N. Smith Rd.
Pocatello, ID 83202

237-7374

RE: Snake River Basin Adjudication - Bannock County

Dear Claimant:

We are returning your Notice of Claim to a Water Right filed for your property in Bannock County. We have noted some problems with your claim which we would like you to correct.

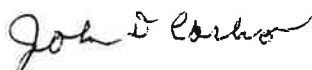
You are given the opportunity to withdraw this claim. Any water right developed from a groundwater source after March 25, 1963, for any use other than single family domestic use, is required to have an application for permit filed. Please see Permit #29-07854, a claim is not required on a permit.

Should you wish to pursue before the court the exact water right you have presented on this claim, simply return the claim form to this office. The claim form should be delivered to our office or postmarked by July 13, 1990, otherwise we will assume you wish to withdraw the claim. If you do not wish to file your Notice of Claim, please complete the enclosed Request For Withdrawal Of Claim and return it to the address shown. Your request for refund will be processed as quickly as possible.

Please provide the information for Item #11, Place of Use in Counties.

If you have any further questions or require further help, please do not hesitate to contact this office.

Yours Truly,


John D. Carlson
Adjudication Supervisor

JDC:CF/lk

Enclosures:

Notice of Claim

Request For Withdrawal Of Claim

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NOV 13 1992

SCANNED

MAY 11 2000

C016283

04/13/90
16:17:18

SMITH ROAD WATER USERS

ADJUDICATION FEE

0410162 9337 6490

\$87.90

\$87.90

CHECK 621

Idaho Department of Water Resources

Region: STATE

Signature: _____

SCANNED
MAY 11 2000

MICROFILMED
NOV 13 1992

Water Right Number - 29-07854

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

SMITH ROAD WATER USERS ASSOC.

1 - C/O LAURA YEATES
2 - 13272 N. SMITH RD.
3 -
City- POCA TELLO
Phone - 208-237-8571

State- ID Zip- 83202

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
10/11/1988 15 P - PERMIT+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)05S 34E 26 NE SW (5) BANNOCK
05S 34E 26 NW SE (5) BANNOCK+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.200
01 - IRRIGATION 03/15 11/15 0.320+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.520+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
05S 34E 26 NE SW 8.0 01 IRRIGATION (5) BANNOCK
05S 34E 26 NW SE 8.0 01 IRRIGATION (5) BANNOCK

Total Acres: 16.0

+ - - Diversion Means - WELLS & STORAGE TANK.

+ - - Non-Irrigation Use - D/19 HOMES.

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

DO NOT FILM

Water right number - 29-07854

Adj. flag translation: Standard Water Right Number

+ - - - - Conditions of Approval - - - - - +
046 - Permit holder shall comply with the drilling permit requirements
- of Section 42-235, Idaho Code.
048 - The right to the use of water acquired under this permit shall
- not give rise to any right or claim against the holder of a
- senior right based upon the theories of forfeiture, abandonment,
- adverse possession, waiver, equitable estoppel, estoppel by
- laches or customary preference.
049 - The Director retains jurisdiction of the permit and any license
- subsequently issued to incorporate the use into a water district,
- require streamflow augmentation or other action needed to protect
- prior surface water and groundwater rights.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 10/27/88 BODELL 11/08/88 BODELL 01/03/89 BODELL 03/14/89 CURTIS 04/19/89 CURTIS

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 04/01/1990	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 03/10/1989	Protested Date	- 00/00/0000	Swan Falls	- 1
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- E003292	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 10/11/1988	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-	Microfilm Roll Number	-

DO NOT FILM

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Smith and Water Users CLAIM IDENT. NO. A29DATE RECEIVED 4-13-90 CR # C016283 AMOUNT \$ 87²⁰

- | | YES | NO | Required Info? |
|--|-------------------------------------|--|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☐ | ☒ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☐ | ☒ N/A | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ N/A | |
| Is the consumptive use correct? | ☒ | ☐ N/A | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ N/A | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☐ | ☒ <u>Bannock</u> | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ N/A | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ N/A | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☐ | ☒ Exempt | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ N/A | |
| 22. Should this claim be data entered? | ☒ | ☐ | |

Claim checked by: CT Date: 5-25-90Claim must be returned to claimant: (Yes) (No)Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: _____

Claim data entered by: _____

Sent to claimant by: CT

Date: _____

Date: _____

Date: _____

Checked by: _____

Date: _____

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NOV 13 1990

Comments: Correct Fee is 88⁰⁰, 87²⁰ paid not worth trying to collect difference. See permit 29-07854

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 A29-07854Date Received 4-13-90Receipt Number C016283

C016283

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
APR 13 1990

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) SMITH RD. WATER USER'S ASSOCIATION Phone (208) 237-7374Mailing Address C/O YEATES
13272 N. SMITH RD. POCA TELLO, ID. Zip 832022. Date of Priority (Only one (1) per claim) JULY 17, 19753. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 5S Range 34E Section 26,
_____ 1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of BANNOCKAdditional points of diversion if any: NE SW SEC 26, T. 5S, R. 34 E

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

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

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. 2 WELLS (175 FEET & 220 FEET)TO STORAGE TANK (2,000 GALLON) TO 19 HOMES ON LOTS
OF 1 ACRE MAXIMUM (17.9 ACRES TOTAL). BOTH
COMPLETED 1975.

A2907854



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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 .20 or _____
For IRRIGATION purposes from 3/15 to 11/15 amount .32 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.52 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 53.7 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 - 19 HOMES STOCKWATER - MAXIMUM OF 3 LARGE

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.
ANIMALS PER HOUSEHOLD (COWS, HORSES)

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	
5S	34E	26									8.95				8.95				17.9
											D/9				D/10				

Total number of acres irrigated 17.9

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

12. Do you own the property listed above as place of use? Yes _____ No X
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:
PROPERTY LISTED ABOVE IS OWNED BY THE MEMBERS
OF THE WATER ASSOCIATION (19 LOTS OF NOT MORE
THAN AN ACRE +/- EACH). WE ARE A WATER USER'S
ASSOCIATION.

PRESIDENT - ROD FISHER (237-5045), V.P. - WALKER YEATES
(237-7374), SEC/TREAS - LAURA YEATES (237-7374)

NON-PROFIT

Last Name SMITH RD. WATER Ident No. CORP. # 768596

USER'S ASSOC.

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NOV 13 1992

Copies: White - State, Yellow - Claimant

MAY 11 2006

Scale: 2 inches equals 1 mile

A hand-drawn map on a grid showing the location of two wells, #1 and #2, and the place of use. The map is oriented with North at the top. The grid is labeled with Township (T) and Range (R) coordinates. Township 5 South (T5S) is labeled on the left, and Range 34 East (R34E) is labeled on the top. Well #1 is located at the intersection of T5S and R34E, and Well #2 is located at the intersection of T5S and R34E. The place of use is located at the intersection of T5S and R34E. The map also shows the point of diversion for each well.

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NON-PROFIT

MAY 11 2005

NOV 13 1992

Last Name SMITH RD. WATER
USER'S ASSOCIATION

Ident No. CORP. # 768596

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 29-07854 (PLEASE NOTE THIS WAS ACQUIRED JUST LAST YEAR) WHILE BENEFICIAL USE OCCURRED 1975.)
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 SECRETARY / TREASURER Title _____

of SMITH RD. WATER USER'S ASSOCIATION Organization _____, that I have signed the foregoing

document in the space below as SECRETARY / TREASURER Title _____ of SMITH RD. WATER USER'S ASSOC. Organization _____

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

Signature of Authorized Agent Laura A. Yea

Title and Organization Secretary/Treas Smith Rd

Date 4-11-90

Water Users Assoc.

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

Subscribed and sworn (or affirmed) before me this 11th day of April 19 90

SEAL

Notary Public Shirlene L Dayton

Residing at Pocatello

My Commission Expires 10-21-94

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 _____

SCANNED

MAY 11 2006

NON-PROFIT

MICROFILMED

Last Name SMITH RD. WATER Ident. Number CORP. # 768596

USER'S ASSOCIATION

NOV 13 1994
Copies White-State, Yellow-Claimant