

02/26/2003

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

RIGHT NUMBER: 29-13413

NAME AND ADDRESS: DONALD R PETERSEN
11751 S HENDERSON RD
MC CAMMON ID 83250

DONNA L PETERSEN
11751 S HENDERSON RD
MC CAMMON ID 83250

SOURCE: QUAKEN ASP CREEK TRIBUTARY: BIRCH CREEK

QUANTITY: 0.900 CFS

PRIORITY DATE: 05/01/1882

POINT OF DIVERSION:

T09S R36E S29 SENESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.900 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R36E S28	SESW	30.0	T09S R36E S32	NENE	39.0
T09S R36E S32	NWNE	30.0	T09S R36E S32	SENE	34.0
T09S R36E S32	NESE	33.0	T09S R36E S33	NENW	36.0
T09S R36E S33	NWNW	39.0	T09S R36E S33	SWNW	40.0
T09S R36E S33	SENW	28.0	T09S R36E S33	NESW	38.0
T09S R36E S33	NWSW	32.0	T09S R36E S33	SWSW	38.0
T09S R36E S33	SESW	39.0			

456 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 45 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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: Decreed

THE RIGHTS LISTED BELOW ARE ALL DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE: 29-333, 29-336, 29-337, 29-13412,
29-13413 & 29-13414.

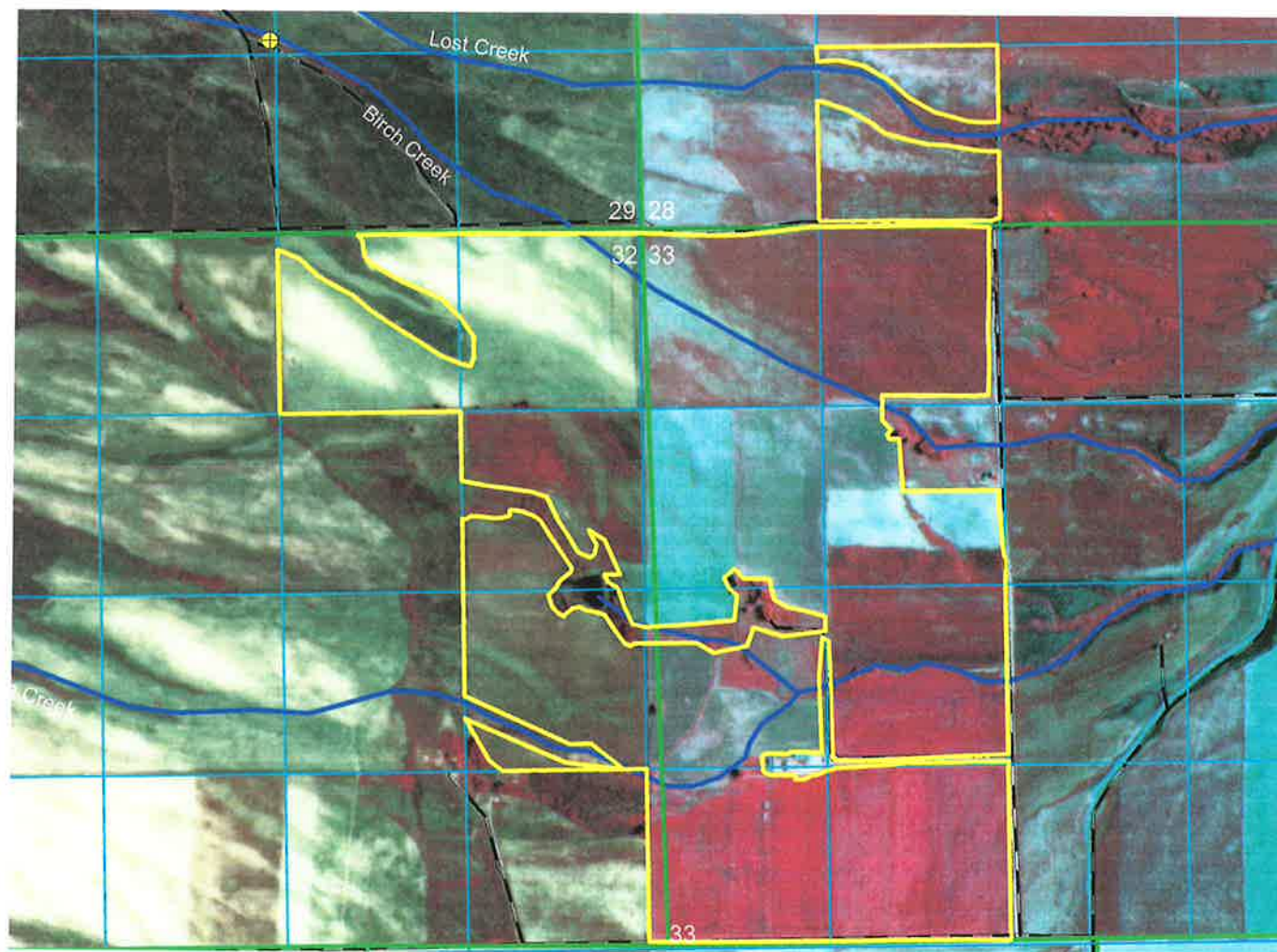
THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-343, 29-345 &
29-347



STATE OF IDAHO

Department of Water Resources
Eastern Region

**Water Rights: 29-333, 29-336, 29-337,
29-13412, 29-13413 & 29-13414**



0.3 0 0.3 0.6 Miles

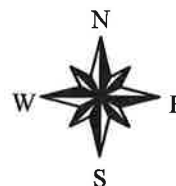
IRRIGATED ACRES 456

LEGEND

- Point of Diversion
- Place of Use
- STREETS
- SECTIONS
- QUATER-QUATERS
- STREAMS

Place of Use: T9S, R36E,
(part of) Sections 28, 32. and 33.

Points of Diversion: T9S, R36E,
Sec. 29 SENESW



GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by C. Bird
Date: FEBRUARY 2003

Cindy

02/27/2003

NOTICE OF ERROR
REPLY

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: 29-13413
DONALD R PETERSEN
11751 S HENDERSON RD
MC CAMMON ID 83250
Telephone Number: (208)254-3930

DONNA L PETERSEN
11751 S HENDERSON RD
MC CAMMON ID 83250
Telephone Number: (208) 254-3930

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: 4-15-03 SIGNATURE: Donald R Petersen
Please print your name: Donald R Petersen

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

RECEIVED

APR 23 2003

Deposited
Post

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

P15

29-343, 345 & 347

K06

Pou-Tr. Remark 45 acres

F06

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.:

Reviewer

CB

Date

2/24/03

Notes

2/24/03 set claim to active:

- POD has been linked.

finish Summary ~~when~~ after POA
is linked.

29-6

In the District Court of the Fifth Judicial District of the State of Idaho, in and for Bannock County.

George Gittins, Jr.
Plaintiff.

vs.

James Henderson, Sr.,
James Henderson Jr.,
Benjamin Henderson,
Henry Henderson,
Melvin Henderson,
Joseph T. Capell,
and George Glover.
Defendants.

D E C R E E.

-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-

This cause came regularly on for trial on the 26th day of September, 1907, in said District Court, Honorable Alfred Rudge presiding, upon the complaint of the plaintiff and upon the answer and amended cross complaint of the defendants, and upon the intervention of Mary Davis - Messrs. Stenroed & Terrell appearing as Attorney's for the Plaintiff and Messrs Gray & Boyd appearing as Attorneys for the defendants and for the intervenor, Mary Davis.

The attorneys for the respective parties agreed in open court that the cross complaint and amended cross complaint of the defendants and the complaint in intervention of the said Mary Davis might be deemed and considered to be denied for the purposes of the said trial with the said force and effect as if written answers thereto were filed specifically denying the allegations thereof:

Whereupon parcel and documentary evidence was offered and received by and on behalf of the respective parties to said action, and the attorneys for the respective parties, in open court having waived written findings of fact and conclusions of law, and the court being fully advised in the laws and the premises:

29 0342 It is therefore ordered, adjudged and decreed, that the plaintiff, George Gittins, is entitled to and shall receive two cubic feet per second of time, continuous flow, of the waters of Lower Birch Creek and all its tributaries, the said tributaries including Stinger Creek and its springs and tributaries, Marley Creek and its springs and tributaries, Quakonasap Creek and its springs and tributaries, Lookyour Springs, Twin Springs, Onion Springs and all other streams and springs supplying water by natural channels or otherwise into said Lower Birch Creek, except as hereinafter otherwise decreed, the said Lower Birch Creek being a tributary of Marsh Creek, and Marsh Creek a tributary of Portneuf River, all being situated in Bannock County, State of Idaho, such right to date from the first day of May, 1882, and to be used upon and to become appurtenant to the following described lands; to-wit: Lots two, four and five and the northwest quarter of the northwest quarter of section 27, in township 9. south, of range 36 east of Boise meridian, in Bannock County, State of Idaho, containing 159.25 acres.

29 0343 That the defendant, George Glover, is entitled to and shall receive one-fifth of one cubic foot per second of time, continuous flow, of the waters of said Quakonasap Creek arising above the dam and diverting works of the said defendant, and below the dam and diverting works of defendant and Melvin Henderson, as the same now exists, and by means of which the said defendant, George Glover, has heretofore diverted the waters of said stream, such right to date from the first day of May 1882, and to be used upon and to become appurtenant to the following described lands, to-wit:

RECORDED
MAY 16 1906

The southeast quarter of section 33, township 9, south of range 36, east of Boise Meridian, in Bannock County, State of Idaho, containing 160 acres:

29 0344 That the defendant, James T. Henderson, Jr., having succeeded to the rights of Benjamin W. Henderson and Henry W. Henderson since the commencement of this action, is entitled to and shall receive three tenths of one cubic foot per second of time, continuous flow, of the waters of said Spring Creek arising above and to be diverted at the point and by means of a dam now existing in said stream where the defendant has heretofore diverted and used the waters of said stream, such right to date from the first day of May, 1882, and to be used upon and to become appurtenant to the following described lands, to-wit:

The north half of the northeast quarter and the south half of the northeast quarter of section 33, in township 9, south of range 36, east of Boise meridian, in Bannock County, State of Idaho, containing 160 acres:

→ 29 0345 That the defendant, Melvin Henderson, is entitled to and shall receive one-half of one cubic foot per second of time, continuous flow, of the waters of Quakenasp Creek arising above the point where said defendants dam and diverting works are now located in said stream and by means of which he has heretofore diverted the waters of said stream, such right to date from the first day of May, 1882, and to be used upon and to become appurtenant to the following described lands, to-wit: The northeast quarter of the southeast quarter of section 32, and the west half of the southwest quarter and the southeast quarter of section 33, in township 9, south of range 36, east of Boise meridian, in Bannock County, State of Idaho, containing 160 acres.

29 0346 That the defendant, Benjamin W. Henderson, is entitled to and shall receive one twenty-fifth of one cubic foot per second of time, continuous flow, of the waters of that certain spring situated upon the north half of the northeast quarter of section 33, in township 9 south of range 36, east of Boise meridian, containing 80 acres, in Bannock County, State of Idaho, the said spring being the southerly one of the two certain springs situated near to each other upon the lands above described, said springs being known as "Lockyoor Springs" or "Twin Springs", such right to date from the first day of May, 1882, and to be used upon and to become appurtenant to the lands last above described:

→ 29 0347 That the intervenor, Mary Davis, is entitled to and shall receive one-fifth of one cubic foot per second of time, continuous flow, of the waters of two certain springs situated on the south half of the northeast quarter of section 32, in township 9, south of range 36, east of Boise meridian, in Bannock County, State of Idaho, containing eighty acres, said springs being ^{of} the flow of and tributary to said Quakenasp Creek, such right to date from the first day of May, 1882, and to be used upon and to become appurtenant to the lands last above described:

It is further ordered, adjudged and decreed, that the right of the plaintiff George Gittins, in and to the use of all the waters herein decreed to him, and the rights of the defendants, Benjamin W. Henderson and James T. Henderson, Jr., in and to the use of the waters herein decreed to them, and the right of the defendant, George Clover, in and to the use of the waters herein decreed to him, and the right of the defendant, Melvin Henderson, in and to the use of the waters herein decreed to him, and the right of the intervenor, Mary Davis, in and to the use of the waters herein decreed to her, shall each and every one of them be of equal dignity:

MAY 16 1896

It is further ordered, adjudged and decreed that the defendants, Henry W. Henderson, Benjamin T. Henderson, and James T. Henderson, Jr. have no right, title, interest or claim in or to the use of the waters of those two certain springs situated on the north half of the northeast quarter of section 23, in township 9, south of range 36, east of Boise meridian, commonly known as the Lockyear Springs or "Twin Springs", except the 1/25 of one cubic per second of time from the southerly of said two springs herein decreed to Benjamin W. Henderson.

It is further ordered, adjudged and decreed that the said defendant, Henry W. Henderson, Benjamin Henderson and James T. Henderson Jr., have no right, title, interest or claim in or to the use of the waters of Harley Creek or any of its tributaries, the Onion Spring being a tributary thereof.

It is further ordered, adjudged and decreed that Joseph E. Capell, has no right, title, interest or claim in or to the use of the waters of said Spring Creek or ^{any} other tributary of said Lower Birch Creek;

It is further ordered, adjudged and decreed that James Henderson, Sr., has no right, title interest or claim of any kind whatever, in or to the use of any of the waters of said Lower Birch Creek, or any of its springs or tributaries. It is further ordered, adjudged and decreed that each of the parties to this action, as said intervenor, to whom the rights to the use of the waters of said springs and streams are herein decreed, and their agents, servants, attorneys, counsellors, successors and assigns, be and each and every of them hereby forever and perpetually restrained and enjoined from in any manner using the waters of said springs and streams, except as herein decreed, and from in any manner molesting or interfering with the rights of each other, or of any other party or parties to whom water is hereby decreed, and from in any manner molesting or interfering with any of the dams, ditches, or other works for the diversion and conveyance of said waters, the rights to the use of which belongs to any other party or parties to whom the use of any of the said waters are herein decreed; That each of the parties to this action shall pay the costs incurred herein by him or them respectively:

Done in open District Court, this the 15th day of December, 1908:

Alfred Budge,

District Judge.

STATE OF IDAHO)
) ss.
County of Pannock)

I, E. G. Gallet, Clerk of the District Court, Ex-Officio Auditor and Recorder of Pannock County, Idaho, do hereby certify that the within and foregoing is a full, true and correct copy of the original decree as shown by the records of my office.

Witness my hand and official seal this 16th day of December, 1908.

E. G. Gallet.

Clerk District Court, Ex-officio Auditor
and Recorder.

By....., Deputy.

(SEAL)

Received and filed for record in the office of the State Engineer, at Boise, Idaho, at 9:00
December 17, 1908/

Jan. Stephenson, Jr.
State Engineer.

RECEIVED
DEC 16 1908

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-343

WATER RIGHT NUMBER: 29-343

Owner Type Name and Address
 Current Owner GEORGE GLOVER

, ZZ

Priority Date: 05/01/1882

Basis: Decreed

Status: Active

Source Tributary
 QUAKING ASP CREEK BIRCH CREEK

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION / to / 0.200 CFS

Total Diversion: 0.200 CFS

Location of Point(s) of Diversion
 QUAKING ASP CREEK

Place of Use
 IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09S	36E	33													X	X	X	X	

Conditions of Approval:Remarks:

1. General AC. IRR. = 160.
 P/D & P/U INCOMPLETE.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-343

Dates and Other Information:

Licensed Date:
Decreed Date: 12/15/1908
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: James Henderson, et al
Decree Plaintiff: George Gittins, Jr
Civil Case Number:
Judicial District: Fifth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

WATER RIGHT NUMBER: 29-345

Priority Date: 05/01/1882
Basis: Decreed
Status: Active

Location of Point(s) of Diversion
QUAKING ASP CREEK

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	36E	32										X	X		X	X	X		
9S	36E	33										X	X		X	X	X		

Conditions of Approval:

Remarks:

1. General P/D & P/U INCOMPLETE.
AC. IRR. = 160.

Comments:

Dates and Other Information:

decreased
PO4

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-345

Dates and Other Information:

Licensed Date:
Decreed Date: 12/15/1908
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: James Henderson, et al
Decree Plaintiff: George Gittins, Jr
Civil Case Number:
Judicial District: Fifth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-347

Dates and Other Information:

Licensed Date:
Decreed Date: 12/15/1908
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: James Henderson, et al
Decree Plaintiff: George Gittins, Jr
Civil Case Number:
Judicial District: Fifth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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 29-13413
Date Received: 10/24/2002
Receipt No:
Received By: *ED28260*
DAK 10/24/02

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

DONALD R PETERSEN Phone: (208)254-3930

11751 S HENDERSON RD
MC CAMMON ID USA 83250

DONNA L PETERSEN Phone: (208) 254-3930

11751 S HENDERSON RD
MC CAMMON ID USA 83250

2. Date of Priority: 05/01/1882

3. Source: QUAKEN ASP CREEK Trib. to: BIRCH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	36E	29	NE SW SE	BANNOCK	

5. Description of diverting works:

CONCRETE BOX TO PIPE GRAVITY 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	0.9	

7. Total Quantity Appropriated is:
0.9 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
09S	36E	32	NE	SE	IRRIGATION	38
Section Acres						38
09S	36E	33	NE	NW	IRRIGATION	38
			SE	NW	IRRIGATION	29
			NE	SW	IRRIGATION	38
			NW	SW	IRRIGATION	38
			SW	SW	IRRIGATION	38
			SE	SW	IRRIGATION	39
Section Acres						220
Total Acres						258

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:

USED WITH OTHER RIGHTS; 29-333, 29-336, 29-338.

14. Remarks:

THIS CLAIM COMBINES 29-00343, 29-00345, 29-00347.

15. Basis of Claim: Decreed

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

of _____ 20__

Notary Public

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 29-13413

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

10K
RECEIVED
OCT 24 2002
Department of Water Resources
Eastern Region

Please type or print clearly

1. Name of Claimant (s) Donald R Peterson & Donna Peterson Phone (208) 254-3930Mailing Address 11751S Henderson Rd McCall Zip 832502. Date of Priority (Only one (1) per claim) 5-1-18823. Source of water supply (a) Quaken ASP Creek (springs trib. Quaken asp crk)
which is tributary to (b) Birch Creek4. a. Location of existing point of diversion is: Township 9S Range 36E Section 29,NE 1/4 of SW 1/4 of SE 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 _____ 1/4,

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. concrete box, gravity flowpipe, sprinklers, dam; pond.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 09/11 to 10/31 amount 0.90 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.90 (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.) _____

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	
95	36E	32													38				38
		33					38			29	38	38	38	39					220

Total number of acres irrigated 258.

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.
29-333, 336, 338 or None ()

14. Remarks: (29-343, 29-345, 29-347.) Combines
these rights.

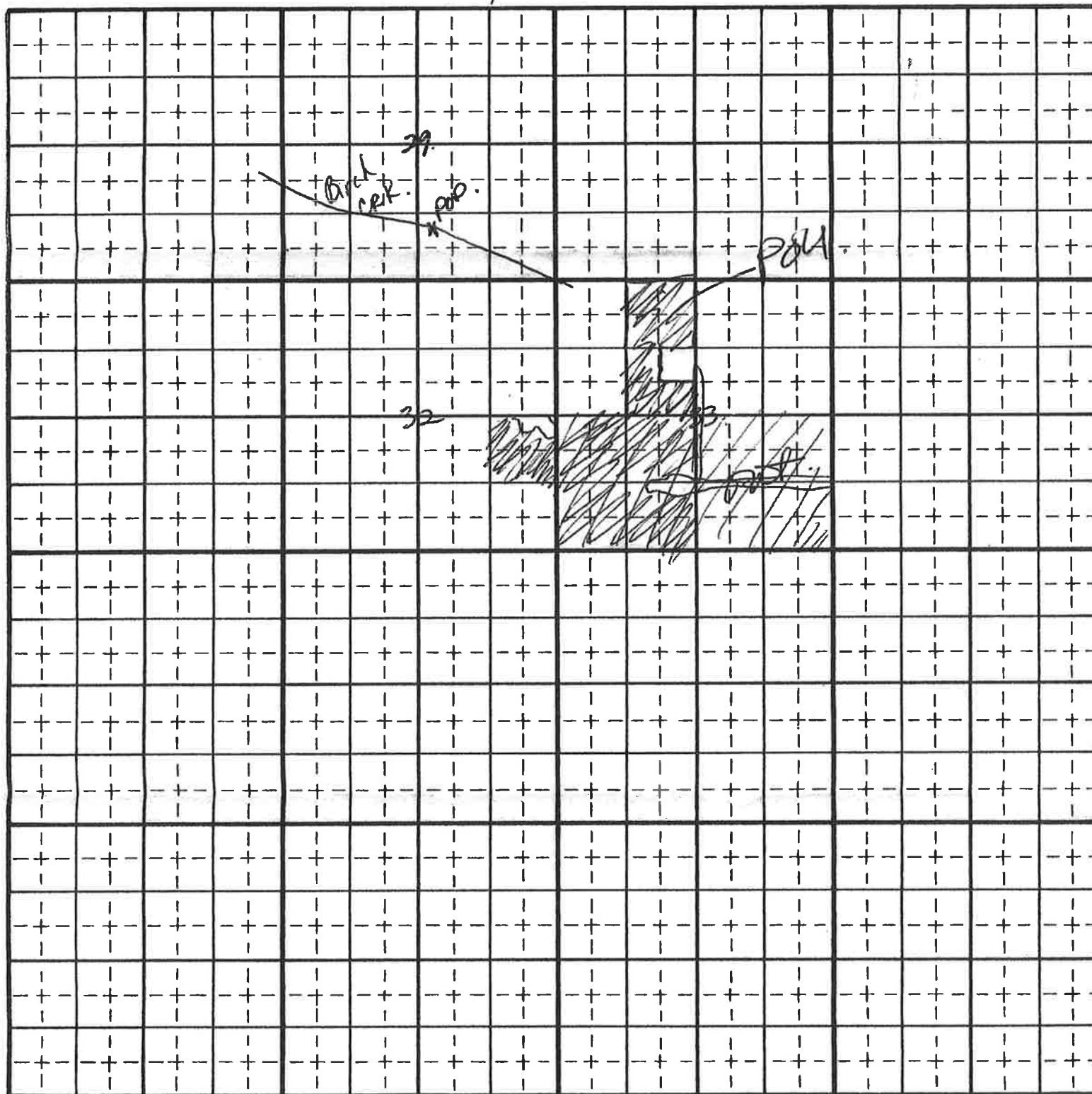
Last Name Petersen Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

9S 36E



Last Name Petersen 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 _____

Court _____ Case Number _____ Decree Date 12/15/1908

Plaintiff vs Defendant Gittins vs Hendersen

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) Donald R. Petersen Date 10-22-2002

Date _____

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

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

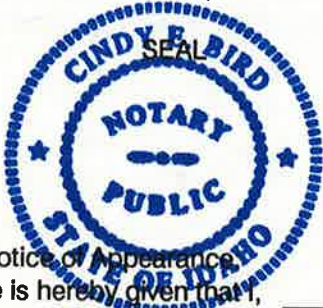
Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 22nd. day of October 19 2002



Notary Public Cindy E. Bird

Residing at Java Hot Springs

My Commission Expires 5-1-2007

Please Print Name

17. Notice of Appearance

Notice is hereby given that, _____ 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 _____

Last Name Petersen Ident. Number _____

Copies White-State, Yellow-Claimant