

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7188 V1

WATER RIGHT NUMBER: 67-7188 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN W SCHWENKFELDER FAMILY TRUST 5500 W OLD SCHOOL LN MERIDIAN, ID 83646 (208)447-9395
Directors Report Owner	ROBERT F WILEY INDIAN VALLEY, ID 83632 (208)355-2364

Priority Date: 11/14/1973

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>
IRRIGATION	3/15 to 11/15	1.070 CFS	
	<u>Total Diversion:</u>	1.070 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 18, Twp 13N, Rge 01W, B.M.
WASHINGTON County		

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	
13N	01W	17							29.0		33.0	34.0		9.0					105.0
13N	01W	18													20.0	22.0	38.0	32.0	112.0

Total Acres: 217

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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

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Comments:

1. dsmith 4/2/2004 POD
Comment: changed to match license
2. dsmith 4/2/2004 POU
Comment: Standard season to 10/31, license and claim to 11/15
3. dfavreau 10/10/2006 POU
Comment: POU shape based on field exam notes and acreage as licensed

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

Combined Use Limits: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>
Priority Date	4/2/2004 10:20:06 AM	dsmith			Active
POD	4/2/2004 10:34:39 AM	dsmith			Active
Source	4/2/2004 10:34:54 AM	dsmith			Active
POU	4/2/2004 10:35:46 AM	dsmith			Active
Use	4/2/2004 10:36:15 AM	dsmith			Active
POU	4/2/2004 10:39:35 AM	dsmith			Active
Season	4/2/2004 10:40:20 AM	dsmith			Active
Quantity	4/2/2004 10:41:34 AM	dsmith			Active
Priority Date	10/10/2006 9:44:43 AM	dfavreau			Active
POD	10/10/2006 9:44:58 AM	dfavreau			Active
Source	10/10/2006 9:45:40 AM	dfavreau			Active
POU	10/10/2006 9:45:59 AM	dfavreau			Active
Use	10/10/2006 9:46:18 AM	dfavreau			Active
Season	10/10/2006 9:46:46 AM	dfavreau			Active
Quantity	10/10/2006 9:47:05 AM	dfavreau			Active
Summary			10/10/2006	dfavreau	Active

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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	2/19/2004 3:33:59 PM	awarntje	Edited shape boundary
POU	2/19/2004 3:46:16 PM	awarntje	Edited shape boundary
POU	2/20/2004 8:53:25 AM	awarntje	Edited shape boundary
POU	10/10/2006 9:45:59 AM	dfavreau	(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?
POU	10/10/2006 9:09:25 AM	dfavreau	Updated shape for Active POU
General	10/10/2006 9:44:44 AM	dfavreau	(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?
Season	10/10/2006 9:46:47 AM	dfavreau	(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? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?
POD	10/10/2006 9:44:58 AM	dfavreau	(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?
Source	10/10/2006 9:45:41 AM	dfavreau	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7188 V1

Use	10/10/2006 9:46:19 AM	dfavreau	(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?
Quantity	10/10/2006 9:47:06 AM	dfavreau	(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? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - As per license
Summary	10/10/2006 9:47:32 AM	dfavreau	(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? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	2/19/2004 3:31:46 PM	awarntje	Edited shape boundary
POU	2/19/2004 3:30:13 PM	awarntje	Edited shape boundary
POU	2/19/2004 3:34:40 PM	awarntje	Edited shape boundary
POU	2/19/2004 3:50:57 PM	awarntje	Edited shape boundary
POU	2/19/2004 3:37:26 PM	awarntje	Edited shape boundary
POU	2/19/2004 2:19:11 PM	awarntje	Edited shape boundary
Priority Date	4/2/2004 10:20:06 AM	dsmith	(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? (No) 6. Did the Claimant claim the decreed or licensed Priority Date ? (No) 15. Is the basis of claim coded correctly?
POD	4/2/2004 10:33:29 AM	dsmith	Edited point location

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POD	4/2/2004 10:34:40 AM	dsmith	(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?
POD	4/2/2004 10:34:12 AM	dsmith	Edited PLS
Source	4/2/2004 10:34:56 AM	dsmith	(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?
POU	4/2/2004 10:35:48 AM	dsmith	(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?
Use	4/2/2004 10:36:16 AM	dsmith	(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?
POU	4/2/2004 10:39:37 AM	dsmith	(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?
Season	4/2/2004 10:40:21 AM	dsmith	(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? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
Quantity	4/2/2004 10:41:36 AM	dsmith	(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? (Yes) 10. Is a irrigation a purpose of use? Description for Question 10 - Diversion volume from license at 520.0 AF

Water Supply Bank:



Idaho Department of Water Resources

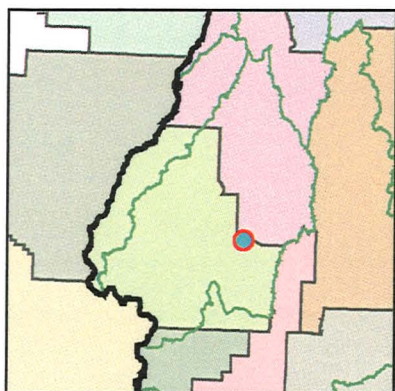
SRBA Recommendation:

67-7188

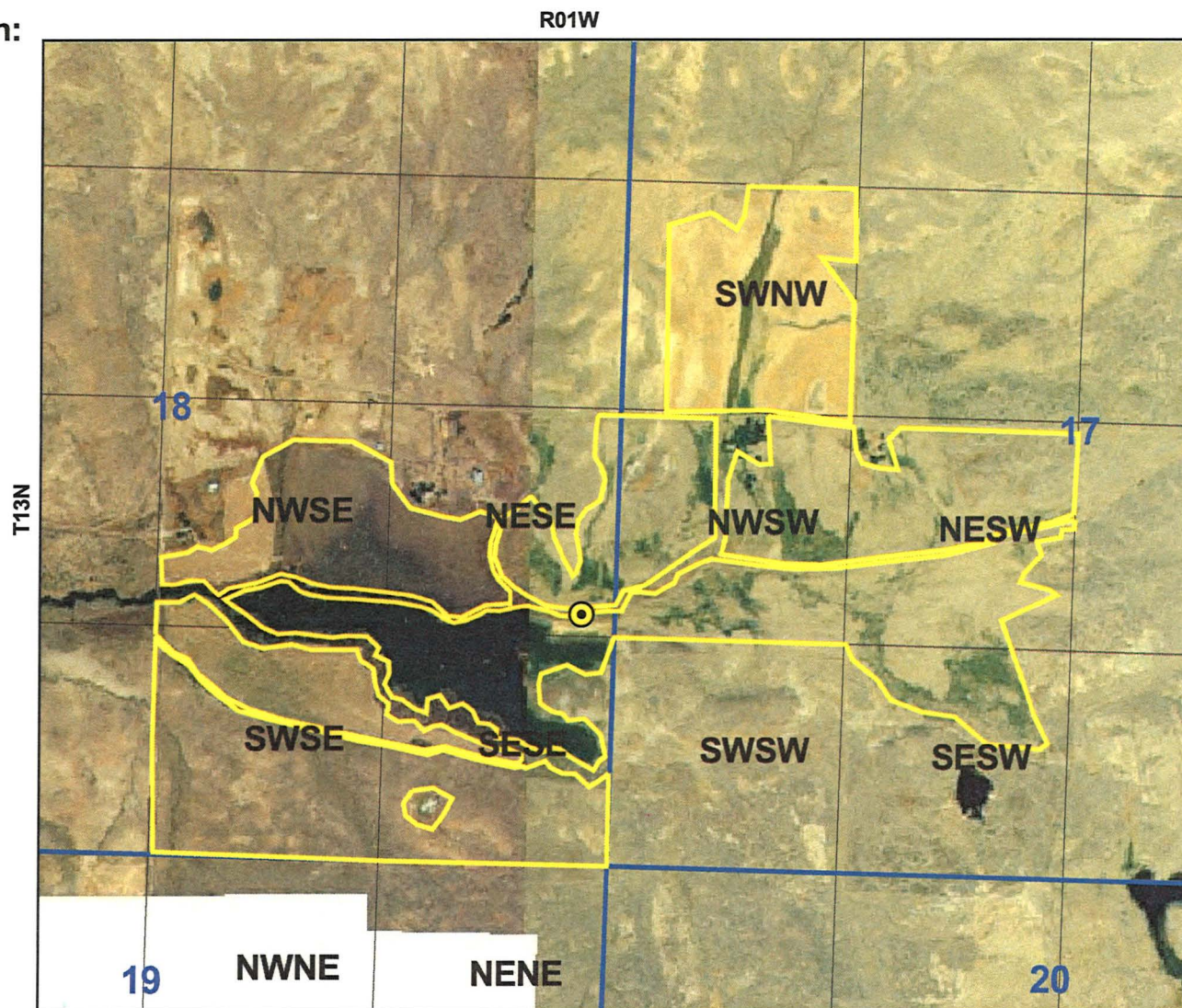
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



0 0.4 0.8 Miles



Prepared by D. Favreau
On Tuesday, October 10, 2006
1987/88 Aerial Photography

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07188

Priority: November 14, 1973

Maximum Diversion Rate:

1.07 CFS

Maximum Diversion Volume:¹

520.0 AF

This is to certify, that ROBERT F. WILEY

INDIAN VALLEY, ID 83632 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 13, 1973; and has submitted Proof of Beneficial Use on November 1, 1983. An examination indicates that the works have a diversion capacity of 1.070 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.07 CFS	520.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 18, Township 13N, Range 01W
WASHINGTON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13N	01W	17	SWNW 29	NESW 33	NWSW 34		105
			SESW 9				
		18	NESE 20	NWSE 22	SWSE 38		112
			SESE 32				

Total number of acres irrigated: 217

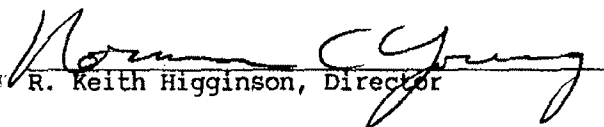
CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. 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 19TH day of SEPTEMBER, 1989.

MICROFILMED

SEP 22 1989

Acting for  R. Keith Higginson, Director

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 67-7188
Date Received: 9/15/1989
Receipt No: C011639
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT F WILEY Phone: (208)355-2364

INDIAN VALLEY ID USA 83632

2. Date of Priority: 11/13/1973

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13N	01W	18	NE SE	WASHINGTON	

5. Description of diverting works:

Well is 946 feet Deep 20 inch casing 150 HP pump to sprinklers

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.07	520

7. Total Quantity Appropriated is:

1.07 C.F.S. and/or 520 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	01W	17	SW	NW	IRRIGATION	29
			NE	SW	IRRIGATION	33
			NW	SW	IRRIGATION	34
			SE	SW	IRRIGATION	9
Section Acres						105
13N	01W	18	NE	SE	IRRIGATION	20
			NW	SE	IRRIGATION	22
			SW	SE	IRRIGATION	38
			SE	SE	IRRIGATION	32
Section Acres						112
Total Acres						217

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

The right holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department.

Claim amended as per approval of license # 67-7188

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.

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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: A67-07188
Date Received: 9/15/1989
Receipt No: C011639
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT F. WILEY 208-355-2364
Address: INDIAN VALLEY, ID 83632

2. Date of Priority: NOV 13, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	01W	18	SE	NE	SE		WASHINGTON

5. Description of diverting works:
WELL, 946' DEEP, 20" CASING, 150 HP PUMP, TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.070		

7. Total Quantity Appropriated is:
1.070 C.F.S. (and/or) 520 A.F.A.

8. Total consumptive use is 651.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13N	01W	17	SW	NW		IRR	29.0
			NE	SW		IRR	33.0
			NW	SW		IRR	34.0

A67-07188

Page 1

Date: 09/15/89

SCANNED
MAY 10 2004
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OCT 02 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	01W	17	SE	SW		IRR	9.0
						Section Acres	105.0
		18	NE	SE		IRR	20.0
			NW	SE		IRR	22.0
			SW	SE		IRR	38.0
			SE	SE		IRR	32.0
						Section Acres	112.0
						Total Acres	217.0

11. Place of use in counties: WASHINGTON

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: PERMIT

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

A67-07188

Date Received

9/15/89

Receipt Number

C011639

JP

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) ROBERT F. WILEY Phone () 355-2364

Mailing Address INDIAN VALLEY, ID Zip 83632

2. Date of Priority (Only one (1) per claim) 11/14/1973

3. Source of water supply (a) GROUNDWATER

which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 13 N Range 1 W Section 18,
SE 1/4 of NE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of WASHINGTON

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.

WELL, 946' DEEP, 20" CASING, 150 HP PUMP

TO SPRINKLERS

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OCT 02 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3/15 to 11/15 amount 1.07 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.07 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 651 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

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	
<u>13N</u>	<u>1W</u>	<u>17</u>							<u>29</u>		<u>33</u>	<u>34</u>	<u>9</u>						<u>105</u>
<u>13N</u>	<u>1W</u>	<u>18</u>													<u>20</u>	<u>22</u>	<u>38</u>	<u>32</u>	<u>112</u>

Total number of acres irrigated 217

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

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:

Last Name WILEY Ident No. A67-07188

MICROFILMED
Copies: White-State, Yellow-Claimant
OCT 02 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
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 1

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

Signature of Claimant (s) x Robert F. Wiley Date 9/15/89

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 ADA) SS.

Subscribed and sworn (or affirmed) before me this 15th day of SEPTEMBER, 19 89

SEAL

Notary Public Jeff Peppersack

Residing at _____

My Commission Expires _____

Please Print Name

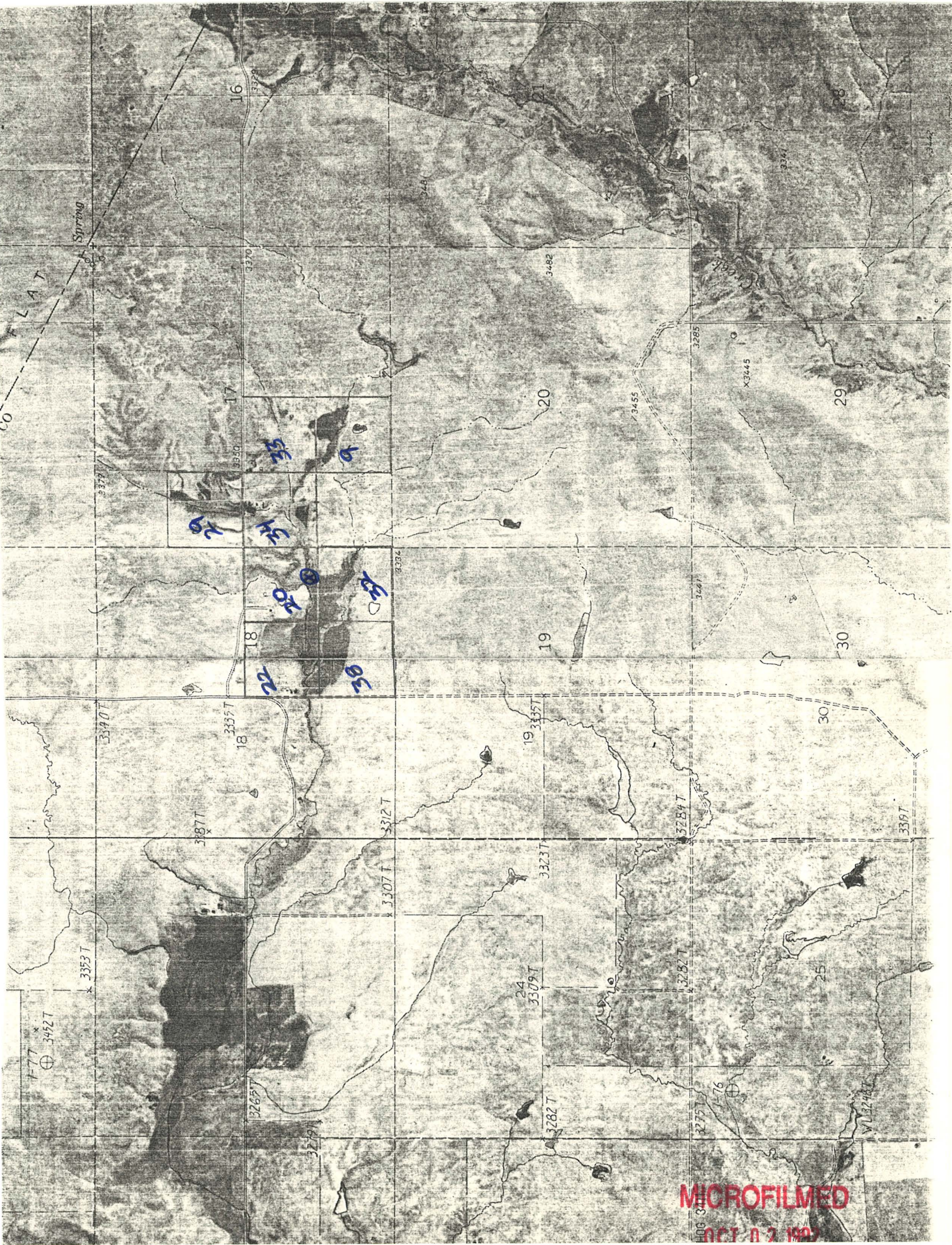
17. Notice of Appearance:

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 _____
Jeff Peppersack, Notary Public
Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994

Last Name WILEY Ident. Number A67-07108

MICROFILMED
Copies White-State, Yellow-Claimant
OCT 02 1992



MICROFILMED

OCT 12 1992