

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: A36-07101
Date Received: 3/27/1990
Receipt No: 5011696
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: OKELBERRY FARMS INC. 208-829-5407
Address: 1935 E. 1200 S.
HAZELTON, ID 83335

2. Date of Priority: DEC 16, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	20E	16	SE	NE	NW		JEROME

5. Description of diverting works:
WELL WITH 75 H.P. TURBINE & 20 H.P. BOOSTER TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.120		

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

8. Total consumptive use is 720.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10S	20E	16	NE	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	20E	16	NW	SW		IRR	40.0
			SE	SW		IRR	40.0
Section Acres							240.0
Total Acres							240.0

11. Place of use in counties: JEROME

12. Do you own the property listed above as place of use? NO ~~Yes~~

13. Other Water Rights Used:
A36-02102

14. Remarks:

SUBJECT TO THE CONDITION THAT THE MAXIMUM VOLUME PER YEAR SHALL NOT EXCEED 4.0 ACRE-FEET PER ACRE WHEN COMBINED WITH LICENSE NO. 25851/36-2102.

A PORTION OF THE LAND IN NENW SEC. 16 IS OWNED BY ROBERT SELLERS. THIS LAND IS RENTED ANNUALLY AND WATERED BY THIS SYSTEM AS LICENSED.

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: 1 Mzp

For Organizations:

I do solemnly swear or affirm that I am President of Chellung Farms Inc., that I have signed the foregoing document in the space below as President of Chellung Farms Inc. and that the statements contained in the foregoing document are true and correct.

John H. Chellung
Signature of Authorized Agent
President Chellung Farms Inc.
Title and Organization
3-27-90
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of March 19 90

[Signature]
Notary Public

Seal

Residing at Kimberly Id.
My Commission Expires 6/30/98

A36-07101

4
N



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Log for claim 36-07101

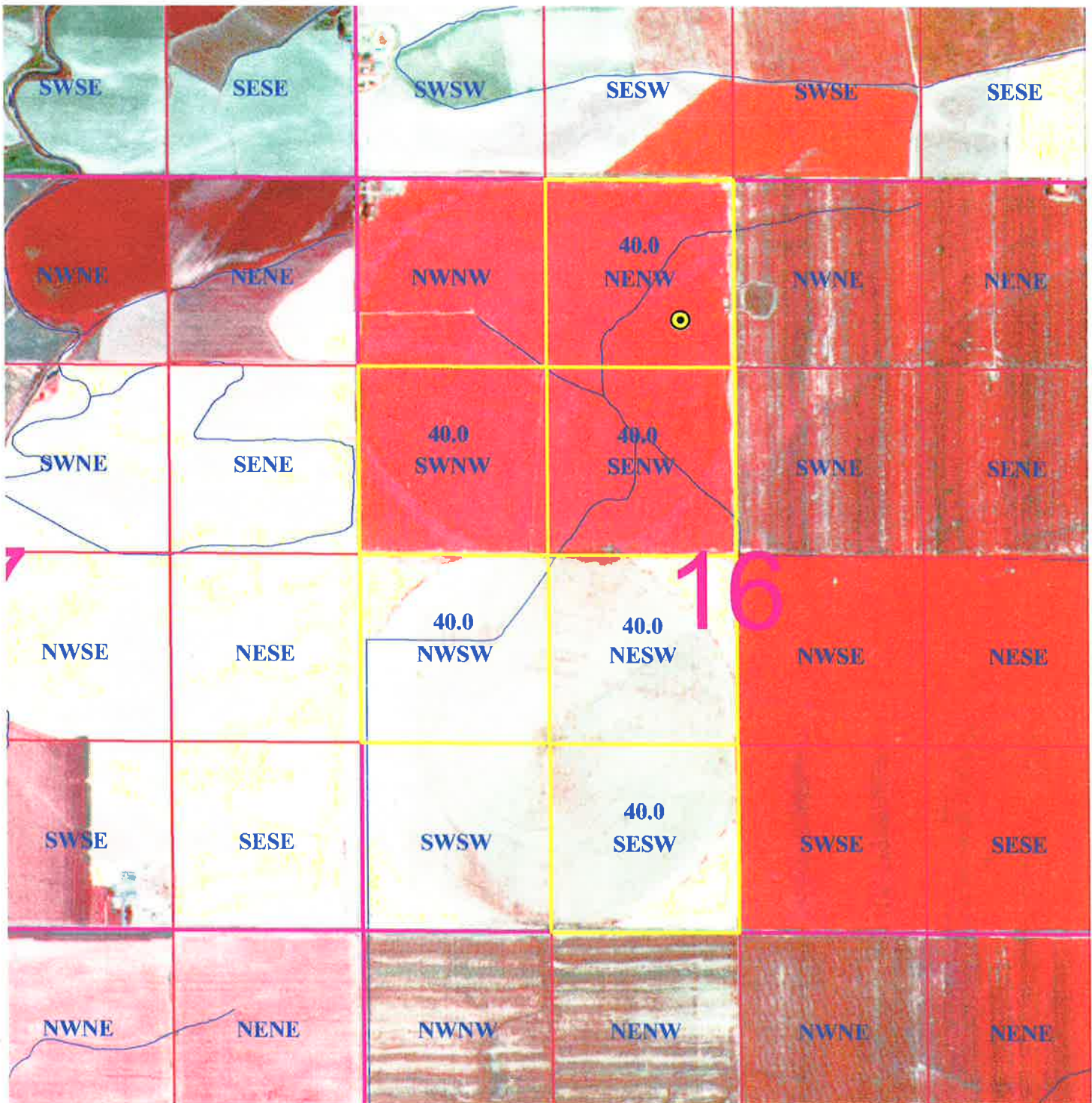
Spatial Dynamics BTD

9/12/01

TR	SEC	QQ	Acres	Acres	COMMENT
			Recommended	Shaped	
10s20e	16	NENW	40	40	Permissible place of use
10s20e	16	SWNW	40	40	Permissible place of use
10s20e	16	SENW	40	40	Permissible place of use
10s20e	16	NESW	40	40	Permissible place of use
10s20e	16	NWSW	40	40	Permissible place of use
10s20e	16	SESW	40	40	Permissible place of use
Totals:			240	240	

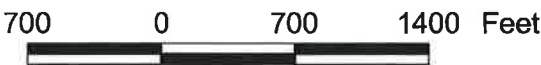
Water Right Number 36-07101
Township , 10S20E

09/12/2001

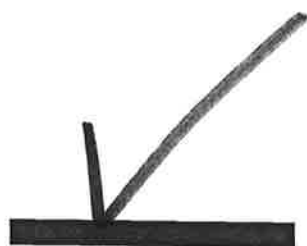


Legend

 Irrigated Area	 Section Line	 Roads
 Place of Diversion	 Quarter Section Line	 Streams and Canals



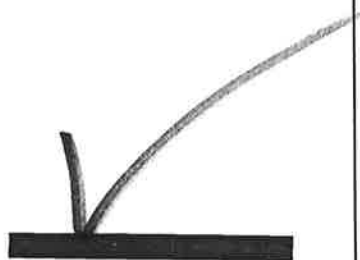
R PROOF



CVR



MAPS



PHOTOS



MISC



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VERIFIED ADM

Water Right Number R36-07101

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
OKELBERRY FARMS INC.

1 - 1935 E. 1200 S.

2 -

3 -

City- HAZELTON

State- ID Zip- 83335

Phone - 208-829-5407

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
12/16/1969 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
10S 20E 16 SE NE NW (53) JEROME+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.120+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.120 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10S 20E 16 NE NW 40.0 01 IRRIGATION (53) JEROME
10S 20E 16 SW NW 40.0 01 IRRIGATION (53) JEROME
10S 20E 16 SE NW 40.0 01 IRRIGATION (53) JEROME
10S 20E 16 NE SW 40.0 01 IRRIGATION (53) JEROME
10S 20E 16 NW SW 40.0 01 IRRIGATION (53) JEROME
10S 20E 16 SE SW 40.0 01 IRRIGATION (53) JEROME

Total Acres: 240.0

+ - - Diversion Means - WELL WITH 75 H.P. TURBINE & 20 H.P. BOOSTER TO SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-02102

+ - - - - Remarks - - - - - +
USE OF THIS RIGHT WITH RIGHT NO. 36-02102 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1260 AF, A TOTAL
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 945 AF, AND TO THE
IRRIGATION OF A COMBINED TOTAL OF 315 ACRES IN A SINGLE

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Water right number - R36-07101

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +
IRRIGATION SEASON.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +
M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED
- AS A PART OF THE DIVERTING WORKS.

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

+ - - - - - Comments - - - - - +

Date: 07/30/1991 User Id: MERRITT Subject: COPIED FROM REMARKS
SUBJECT TO THE CONDITION THAT THE MAXIMUM VOLUME PER YEAR SHALL NOT EXCEED 4.0 ACRE-FEET PER ACRE WHEN COMBINED WITH LICENSE
36-2102. *****
A PORTION OF THE LAND IN NEW SEC. 16 IS OWNED BY ROBERT SELLERS. THIS LAND IS RENTED ANNUALLY AND WATERED BY THIS SYSTEM AS
LICENSED.

+ - - Audit Fields - - +
07/30/91 MERRITT

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 07/30/1991	Old Judicial District	-
Claim Received Date	- 03/27/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S011696	Water District	-
		POU Ownership Flag	- N	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:46:11
09/15/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07101

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N			OB	
POINT OF DIV	Y			N				
SOURCE				X			N	
PLACE OF USE				N				
DIV. AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE	-			N				
PURPOSES	Y			N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM				N				
REMARKS	Y			Y				

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"VERIFIED BY" CODES

TOPO MAP/ORTHO-PG = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAFF PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:46:11
09/15/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07101

LAST: OKELBERRY FARMS INC.
ADDRESS: 1935 E. 1200 S.
CITY: HAZELTON
PHONE NUMBER: 208-829-5407

FIRST:
STATE: ID ZIP: 83335

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y

CLAIM REMARKS: SUBJECT TO THE CONDITION THAT THE MAXIMUM VOLUME PER YEAR SHALL
NOT EXCEED 4.0 ACRE-FEET PER ACRE WHEN COMBINED WITH LICENSE
36-2102.

A PORTION OF THE LAND IN NENW SEC. 16 IS OWNED BY ROBERT SELLERS.
THIS LAND IS RENTED ANNUALLY AND WATERED BY THIS SYSTEM AS
LICENSED.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) _____

DATE OF FIELD EXAM: 11 / 19 / 90

APPOINTMENT MADE: Y(____) N(✓)

TIME: ____ : ____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) _____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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A. AI CLAIM: # A36-07101 PRIORITY DATE: 12-16-1969 STAGE: L
B. WR RECORD: # 36-07101 PRIORITY DATE: 12-16-1969 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:
12-16-1969

REVIEWED BY

N. P. B.

DATE

11/19/90

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07101	10S	20E	16	SE	NE	NW		JEROME

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07101	10S	20E	16	SE	NE	NW		JEROME

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
N

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
10S	20E	16	SE	NE	NW		Jerome

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: *WAB*

DATE: 11/19/90

A. ROOT WATER RIGHT NUMBERS: A36-07101

B. POB LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AI #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECORD ACRES
10S	20E	16	SW	NW		OKELBERRY FARMS INC.	A36-07101 /40.0	36-07101 /40.0	40.0		40.0
						OKELBERRY FARMS INC.	A36-02102 /40.0	36-02102 /40.0			
10S	20E	16	SE	NW		OKELBERRY FARMS INC.	A36-07101 /40.0	36-07101 /40.0	39.0		40
						OKELBERRY FARMS INC.	A36-02102 /30.0	36-02102 /30.0			
10S	20E	16	NE	SW		OKELBERRY FARMS INC.	A36-07101 /40.0	36-07101 /40.0	39.0		40
						OKELBERRY FARMS INC.	A36-02102 /35.0	36-02102 /35.0			
10S	20E	16	NW	SW		OKELBERRY FARMS INC.	A36-07101 /40.0	36-07101 /40.0	40.0		40.0
						OKELBERRY FARMS INC.	A36-02102 /40.0	36-02102 /40.0			
10S	20E	16	SE	SW		OKELBERRY FARMS INC.	A36-07101 /40.0	36-07101 /40.0	39.0		40
						OKELBERRY FARMS INC.	A36-02102 /40.0	36-02102 /40.0			
10S	20E	16	NE	NW		OKELBERRY FARMS INC.	A36-07101 /40.0	36-07101 /40.0	40.0		40.0
						SELLERS, BOB	A36-13945 /13.0	- /			
						OKELBERRY FARMS INC.	A36-02102 /20.0	36-02102 /20.0			
TOTAL ACRES							A36-07101	240.00	240.00	237.00	240

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(✓)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POB DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

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PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 240

REVIEWED BY: N. B. [Signature]

DATE: 11/19/90

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-07101 IRRIGATION	FROM 04-01 TO 11-01	1.120 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.120 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-07101 IRRIGATION	FROM 04-01 TO 11-01	1.120 CFS
36-07101 STOCKWATER	FROM 01-01 TO 12-31	4.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.120 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	☒
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	☒
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	☒

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐) Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.120 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.120 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y

N

FLOW MEASUREMENT

MEASUREMENT METHOD: . SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A36-02102

LIST ALL RIGHTS WITH A SAME POB AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-07101	GROUNDWATER	OKELBERRY FARMS INC.	1.120	0.004		
A36-02102	GROUNDWATER	OKELBERRY FARMS INC.	3.740	0.013		

NO RIGHTS WITH SAME POB BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 240 x 0.02 CFS/ACRE = 4.8 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 720.0 AE/A

ACRES 240 x CONSUMPTIVE VOL. AE/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 720 AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

ACRES 240 x DIVERSION VOL. AE/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 960 AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

This right subject to condition that max. volume/ann shall not exceed 4.0 ac ft Diversion when combined w/ A36-02102. Rented lands in NE NW 16 are irrigated from this system (owned by Ralsh Sellers)

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
<u>irrigation</u>	<u>04/01 - 11/01</u>	<u>1.120</u>	<u>960</u>	<u>720</u>
TOTAL FOR THIS RIGHT		<u>1.120</u>	<u>960</u>	<u>720</u>
REVIEWED BY: <u>WDF</u>	DATE: <u>11/19/90</u>			

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED
AS CLAIMED

✓
NA
NA

NEEDS
REVIEW

()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07101

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.120

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

A36-07101

1.120

-

36-07101

1.120

TOTAL CFS

1.120

1.120

DIVERSION RATE REVIEW

DATABASE
Y

FIELD
EXAMINER

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

REMARKS:

AUTHENTICATION:

SIGNATURE:

N.D. Brown

DATE:

11/19/90

NAME OF FIELD EXAMINER:

N.D. BROWN

TITLE:

WRA

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INTER-DEPARTMENT MEMO

TO: Steve Clelland

SUBJECT: R36-2102 & R36-7101

FROM: Mel Schulte

DATE: 9-15-92

The attached aerial map and ortho photo quad map show the fields and acres irrigated under the above referenced claims. A permit has been filed for additional capacity for the well under R36-2102.

☒ For your information

☐ Response required

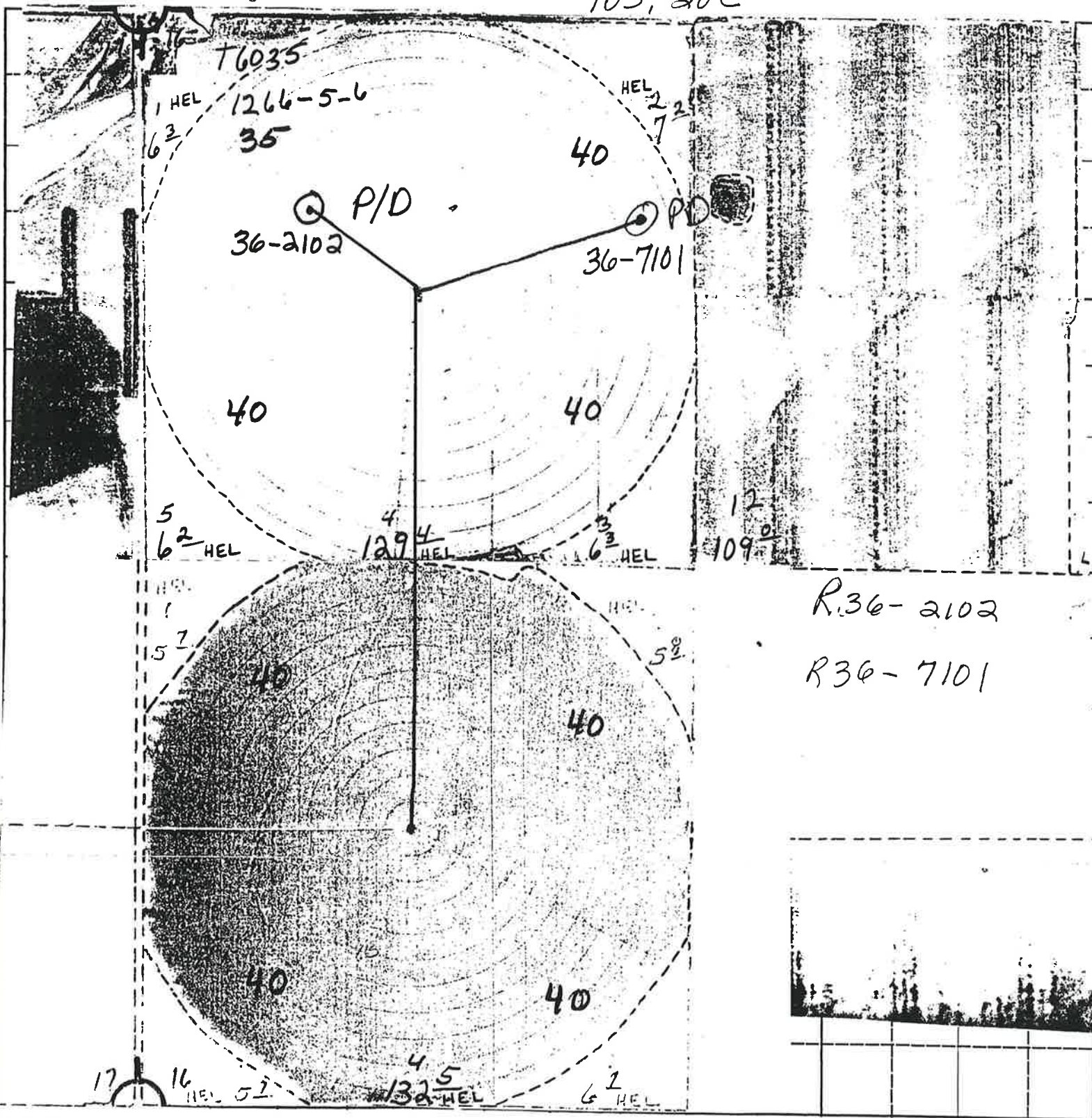
MS
signature

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

105, 20E



R.36-2102

R36-7101

Scale: 2 inches equal 1 mile.

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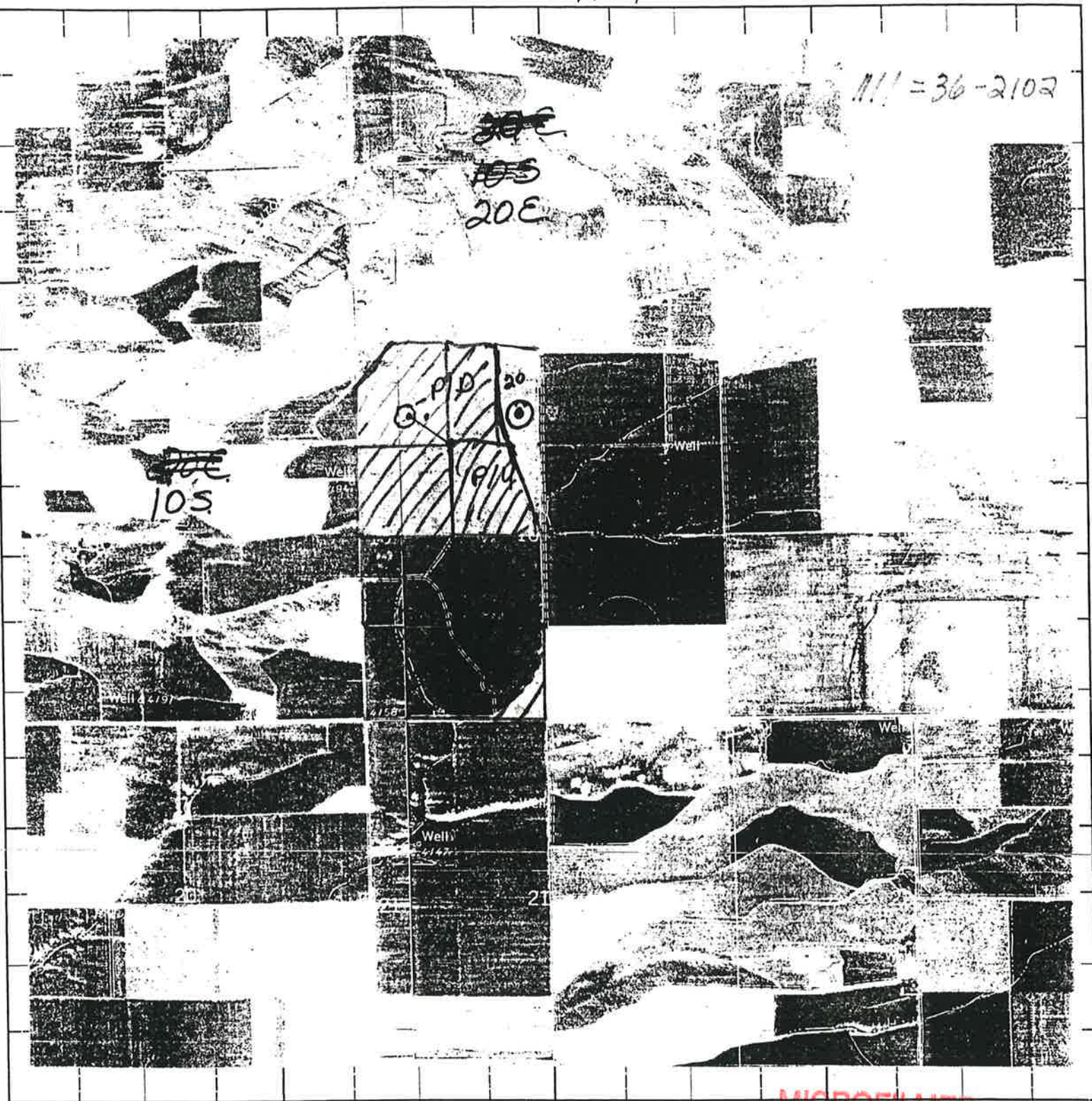
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Okelberry Farms, Inc. by Alan Okelberry, Pres.
(Applicant)

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

10S, 20E

111-36-2102



Scale: 2 inches equal 1 mile.

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BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Okelberry Farms, Inc. by Elmer Okelberry, Pres.
(Applicant)