

AFFIDAVIT OF PUBLICATION

RECEIVED

APR 9 1975

STATE OF IDAHO,
County of Kootenai,

} ss.

Carol Hedger

Department of Water Resources
Northern District

being first duly sworn

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Notice

of which the annexed is a printed copy, was published in the regular *Issue* issue of said newspaper for *2* consecutive *Weeks* commencing on the *27* day of *March*, 19 *75*, and ending on the *3* day of *April*, 19 *75*, and such publication was made as often during said period as said *Daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Carol Hedger

Subscribed and sworn to before me this *8th* day of *April*, 19 *75*.

Roberta Manley

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that J. C. &/or Rosalea E. Moore, Box 609, Coeur d'Alene, Idaho have on March 20, 1975 submitted Application No. 95-7522 for a permit to appropriate for 0.02 cubic feet per second of water from Fernan Lake by means of pump and pipeline within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, T. 50N, R. 3W, B.M., Kootenai County to be used from March 15 to Nov. 15 for the irrigation of one acre within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, T. 50N, R. 3W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before April 14, 1975.

R. KEITH HIGGINSON
Director

Legal No. 844
March 27, April 3, 1975

LEADER

MICROFILMED

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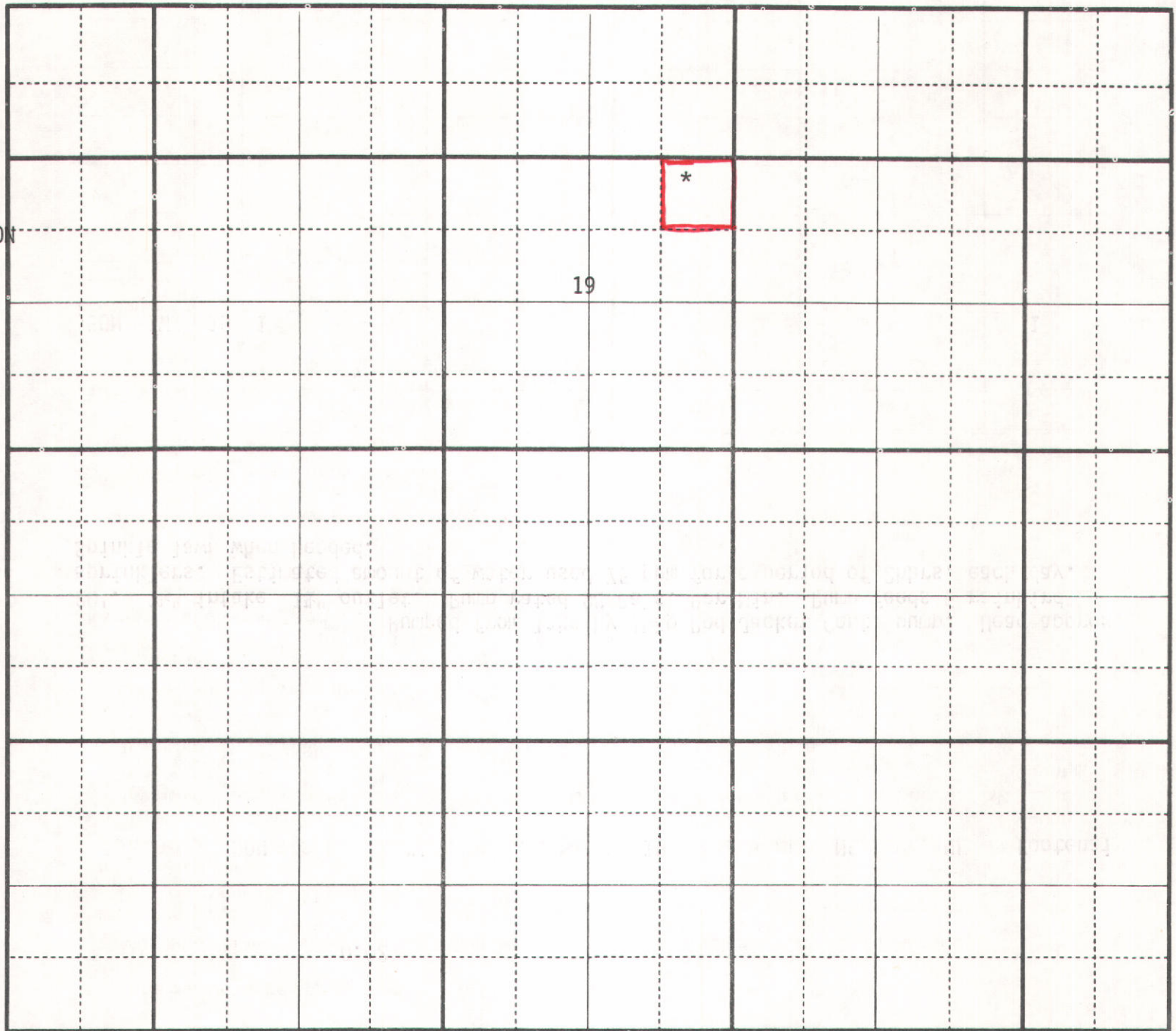


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7522 Priority March 20, 1975 Amount 0.02 cfs

THIS IS TO CERTIFY, that J. C. &/or ROSALEA E. MOORE
of Coeur d'Alene, Idaho, has complied with the terms and conditions of Permit
No. 95-7522 issued pursuant to Application for Permit dated March 20, 1975,
and has submitted proof to the Department of Water Resources on March 30, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.02 cfs of water from Fernan Lake,
tributary to Coeur d'Alene Lake, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>0.02</u> cfs and	<u>3.5 acre feet</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3.5 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 19,
Twp. 50 N, Rge. 3 W, B.M. in the County of Kootenai

Description and location of place of use: (Lots 5A & 5B, Block 6, Theis Subdivision)

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
50 N	3 W	19	1																One

Total number of acres irrigated One

NOTE: 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 right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 3 day of
July, 19 76.

Director

Identification No. 95-7522

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant J. C. AND/OR ROSALEA E. MOORE Phone: 664-6592
post office address BOX 609 COEUR D'ALENE, ID. 83814
2. Source of water supply FERRAN LAKE which is a tributary of LAKE COEUR D'ALENE
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19 Township 50N
Range 3W B.M. KOOTENAI County; ~~additional points of diversion if any.~~
ALSO KNOWN AS LOTS 5 AND 6 THEIS SUBDIVISION
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.02 for IRRIGATION purpose from MAR 15 to NOV 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.02 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. PUMP WITH PIPELINE
TO PLACE OF USE
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19 Township 50N
Range 3W B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

LICENSE ISSUED FOR 0.02 SEC. FT.

MICROFILMED

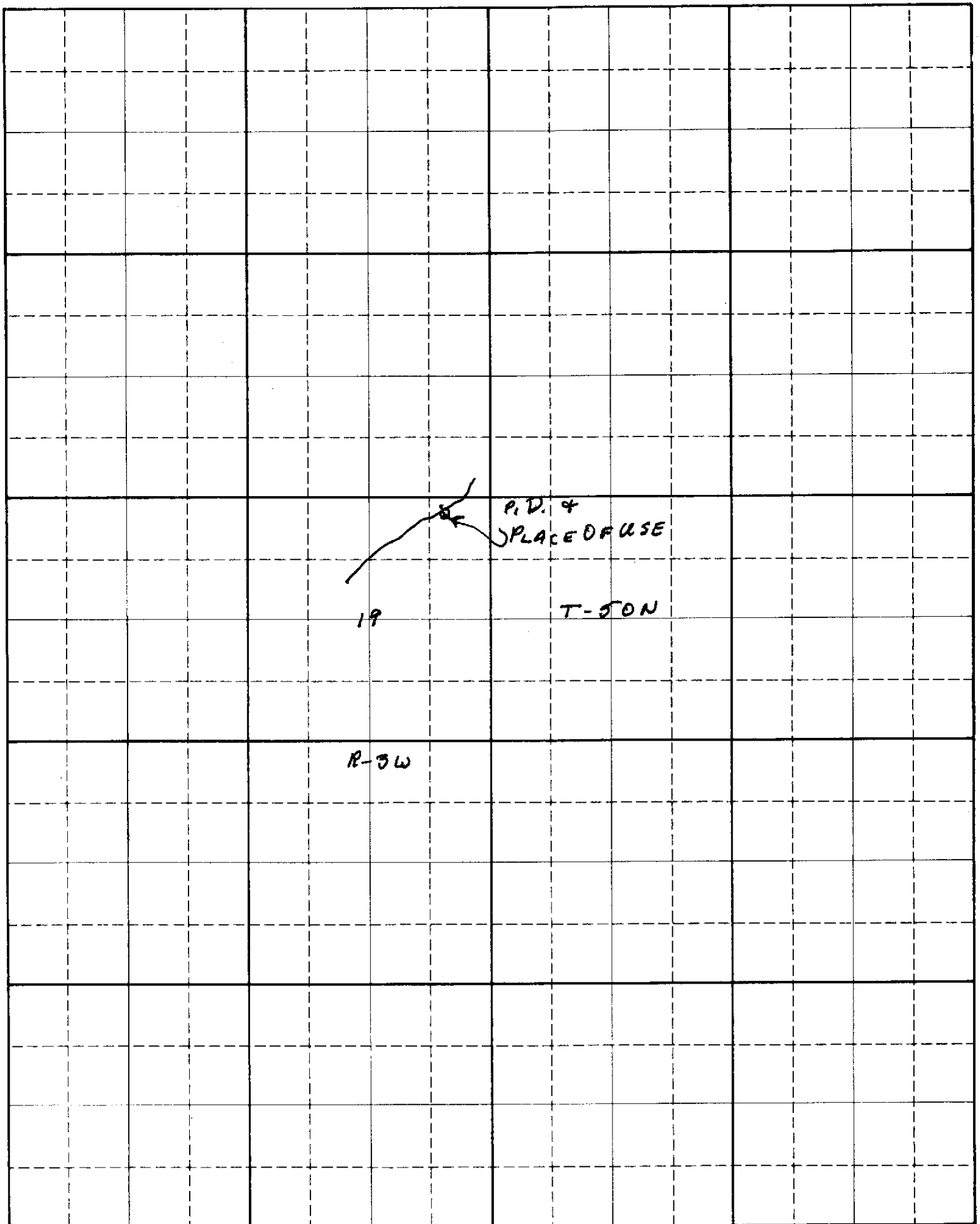
[illegible]

9. a. Who owns the property at the point of diversion
Applicant

b. Who owns the land to be irrigated or place of use
Applicant

10. Remarks

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



Scale: 2 inches equal 1 mile

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.

Rowen E. Moore
(Applicant)

Received by KK Date 3/20/75 Time 1:30P
Preliminary check by KK Fee \$ 10.00
Received by KK Date 3/20/75 # 830
Publication prepared by CP Date 3-21-75
Published in Coeur d'Alene Press
Publication dates 3-27 & 4-3-75
Publication approved CP Date 4-14-75
Priority reduced to _____ Reason _____
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by BOF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 95-7522, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____ May 19 76.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 19 day of _____ April 19 75.

Director

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 95-7522

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

- (1) SP 3/20/75 In form to receipt
- (2) _____ _____ Send Copies to:
_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management
- (3) _____ _____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
- (4) SP 3/20/75 In form for advertising
- (5) _____ _____ Platted on Map No. _____
- (6) _____ _____ Located within Water District No. _____
- (7) _____ _____ Critical groundwater area: yes _____ no _____
- (8) _____ _____ Groundwater levels:
_____ Declining, _____ Stable, _____ Increasing
(comment) _____
- (9) _____ _____ Other rights on the same place of use
- (10) _____ _____ Comments: _____
- (11) CP 4/14 Affidavit of Publication received(date) April 9, 1975
- (12) CP 3/21 Final date for protests April 14, 1975
Protests received: yes _____ no ☒
- (13) SP 4/14/75 All requested information received from agencies or
applicant: yes ☒ no _____
- (14) SP 4/14/75 Action recommended:
☒ Approve _____ Deny _____
3/20/75 Proposed Priority
_____ Reason for Reduction _____
_____ Measuring device required _____
_____ See attached sheet for other conditions of
approval _____
☒ No special conditions for approval
- (15) District Nathan By Fuller Date 4/14/75

MICROFILMED

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RECEIVED

STATE OF IDAHO,
County of Kootenai,

} ss.

Carol Hedge

being first duly sworn

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Notice

of which the annexed is a printed copy, was published in the regular *three* issue of said newspaper for *2* consecutive *weeks* commencing on the *27* day of *March*, 19 *75*, and ending on the *3* day of *April*, 19 *75* and such publication was made as often during said period as said *daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Carol Hedge

Subscribed and sworn to before me this *8th* day of *April*, 19 *75*.

Roberta Stanley

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

AFFIDAVIT OF PUBLICATION

Whereas it is given that
S. C. &/or Rosalea E. Moore,
Box 609, Coeur d'Alene, Idaho
have on March 20, 1975 sub-
mitted Application No. 95-7522
for a permit to appropriate
0.02 cubic feet per second of
water from Fernan Lake by
means of pump and pipeline
within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19,
T. 50N, R. 3W, B.M., Kootenai
County to be used from March
15 to Nov. 15 for the irrigation
of one acre within the
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, T. 50N, R.
3W, B.M.

If issued, this permit will be
subject to all prior water
rights. Protests against the
granting of the permit must
be filed with the Idaho
Department of Water
Resources, 401 Front Ave.,
Coeur d'Alene, Idaho, 83814 on
or before April 14, 1975.

R. KEITH HIGGINSON
Director

Legal No. 344

March 20, 1975

LEADER

MICROFILMED

July 8, 1976

Re: Permit No. 95-7522

J. C. &/or Rosalea E. Moore
Box 609
Coeur d'Alene, ID 83814

Dear Mr. and Mrs. Moore:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enclosure

RECEIVED

APR 14 1976

2. Source of water supply: Groundwater ☐ Surface water ☒ Fernan Lake
(name spring, stream, etc.)
Tributary to Lake Coeur d'Alene

- Other uses: _____

- Max Rate of Diversion 0.02 cubic feet per second and annual volume _____ AF/Annum.

- Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

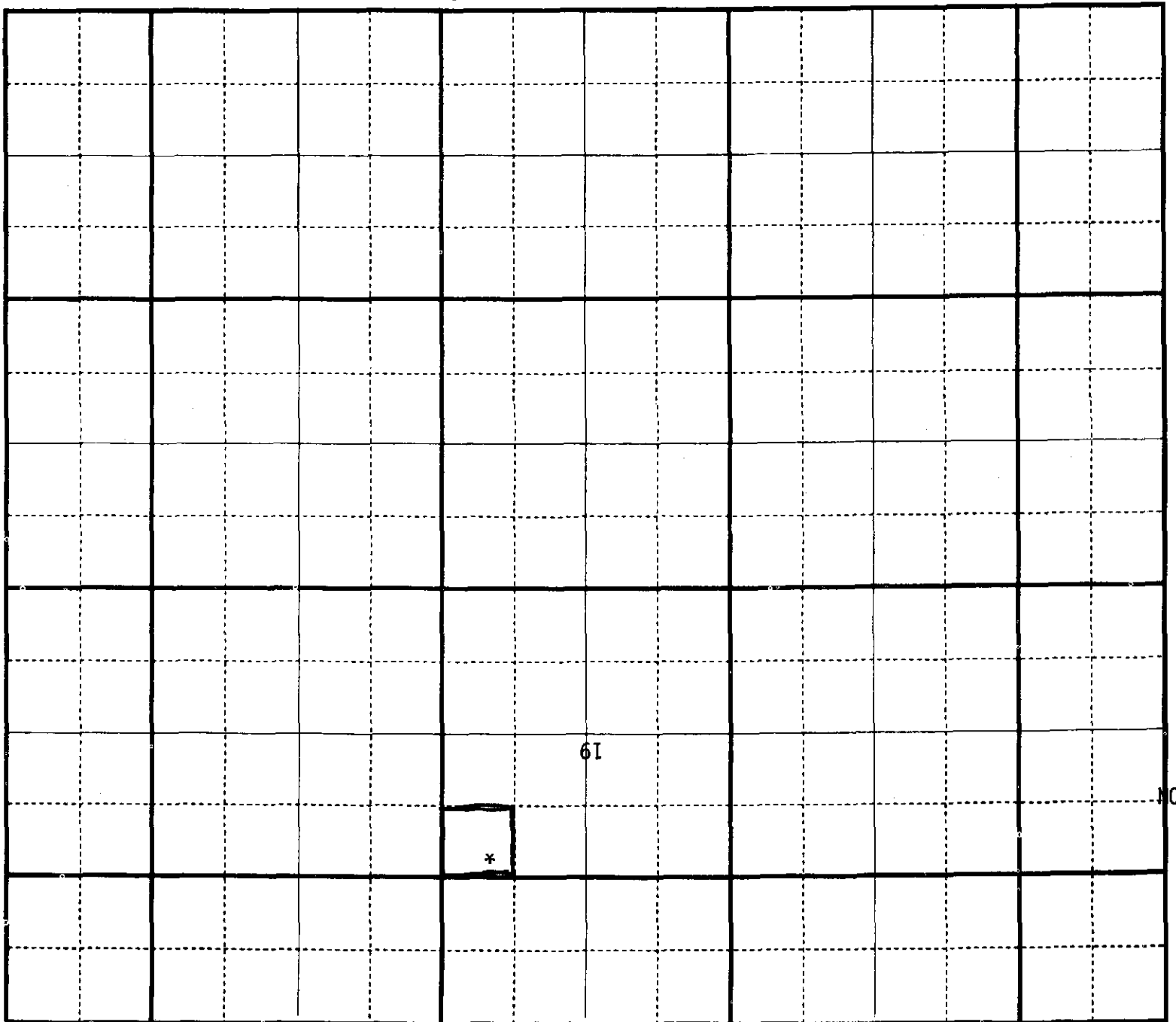
Other Points of Diversions: _____

Measuring device required: yes ☐ no ☒

[illegible]

TOTAL ACREAGE _____ **1** _____

Diagram of System



DATE OF EXAM 6-15-76

ACREAGE
Found 1/2 Acre ±
Recommended 1/2 Acre ±

*reluctant
1 acre*

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 0.02 c.f.s. V = 1.2 AF/Ann. from MAR 15 to Nov 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 0.02 Method of measurement galt

Total Q recommended 0.02 Meter No. _____ Type _____ Condition _____

Total V recommended 1.2 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

3.5
3.5
1.05
1.05
4.55

SYSTEM DESCRIPTION:

Pumped from Lake by 1 1/2 hp pump to 6 sp hds.

REMARKS:

Examiner's Signature Jan D. Keryb Date 6-15-76
Checked by Bob Harper Date 6-17-76
Approved by _____ Date _____

April 12, 1976

Re: Permit No. 95-7522

J. C. &/or Rosalea E. Moore
Box 609
Coeur d'Alene, ID 83814

Dear Mr. and Mrs. Moore:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our District Office in Coeur d'Alene.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder J. C. Moore &/or Rosalee E. Moore
b) Post Office Address Box 609 Coeur d'Alene, Idaho 83814
2. Permit Number 95-7522
3. Date of Priority that you are prepared to establish _____
4. a) Source from which water was appropriated Fernan Lake, Kootenai County, Idaho.
b) Location of the point of diversion: NE 1/4 NE 1/4, Section 19
Township 50 N, Range 3 W Kootenai Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 0.02 for IRRIGATION purposes from MAR 15 to NOV 15 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.02 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Pump purchased at Kellogg Plumbing and Heating, 115 McKinley Ave. Kellogg, Idaho. Measurement of necessary water determined by above Co.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Pumped from lake by 1 1/2" Red Jacket Cent. pump. Head approx 20'. 1 1/2" inch intake, 1 1/4" inch outlet. Pump rated 98 Gals. Per Min. Pump feeds 6 rainbird sprinklers. Est. amount of water used is 75 Gals Per Min. for a period of 2 hours each day. SPRINKLE LAWN WHEN NEEDED
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

4-13-75

mpb

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.							
1. The following service is requested (check one). ☐ Show to whom and date delivered..... 15¢ ☐ Show to whom, date, & address of delivery.. 35¢ ☐ RESTRICTED DELIVERY. Show to whom and date delivered..... 65¢ ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery 85¢							
2. ARTICLE ADDRESSED TO:							
3. ARTICLE DESCRIPTION: <table border="1"> <tr> <td>REGISTERED NO.</td> <td>CERTIFIED NO.</td> <td>INSURED NO.</td> </tr> <tr> <td></td> <td>138415</td> <td></td> </tr> </table>		REGISTERED NO.	CERTIFIED NO.	INSURED NO.		138415	
REGISTERED NO.	CERTIFIED NO.	INSURED NO.					
	138415						
(Always obtain signature of addressee or agent)							
I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent <i>R. D. [Signature]</i>							
4. DATE OF DELIVERY <i>MAR 2 1976</i>	POSTMARK						
5. ADDRESS (Complete only if requested)							
6. UNABLE TO DELIVER BECAUSE:	CLERK'S INITIALS						

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



March 1, 1976

CERTIFIED MAIL

138415

Re: Permit No. 95-7522

J. C. &/or Rosalea E. Moore
Box 609
Coeur d'Alene, Idaho 83814

Dear Mr. & Mrs. Moore:

One of the conditions of approval of your water Permit No. 95-7522 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before May 1, 1976. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higginson

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

April 21, 1975

Re: Permit No. 95-7522

Mr. & Mrs. J. C. Moore
Box 609
Coeur d'Alene, Idaho 83814

Dear Mr. & Mrs. Moore:

Enclosed is a copy of your approved Application for Permit No. 95-7522. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Room 209
401 Front Avenue
Coeur d'Alene, Idaho 83814
(208) 667-6484

March 21, 1975

Re: Application No. 94-7061 Claim No. 95-4326
 " " 95-7521 " " 95-4327
 " " 95-7522

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, ID 83814

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enc: Legal Notice(s)

RECEIVED
MARCH 22 1975
NORTHERN DISTRICT

Bill 4-14-75

NOTICE OF APPLICATION FOR WATER PERMIT

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of water from Fernan Lake
by means of pump and pipeline
within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, T. 50N, R. 3W, B.M., Kootenai County

to be used from March 15 to Nov. 15
for the irrigation of one acre

within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, T. 50N, R. 3W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before April 14, 1975.

R. KEITH HIGGINSON

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on March 27 and April 3, 1975

MICROFILMED

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FOR WATER PERMIT

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R. KEITH HIGGINSON
Director

Legal No. 844
March 27, April 3, 1975

RECEIVED

OK
3-27-75
d