

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Valley)

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-publisher of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for Two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began October 5, 1972, and ended October 12, 1972.

Donald E. McMahan
Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 13th day of Oct, 1972.
Donald L. Felling Notary Public.
My commission expires 6-2, 1974.

RECEIVED

Department of Water Administration

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Jo Marie Tyler &-or Harry Tyler, 311 Travertine Way, Boise, Idaho has on Sept. 27, 1972 submitted Application No. 65-7314 for a permit to appropriate 0.09 cubic feet per second of water from an unnamed stream, trib. to Cascade Reservoir by means of electric pump from small pond in stream within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, T. 15 N., R. 3 E., B.M., Valley County to be used from Jan. 1 to Dec. 31 for domestic purposes within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, T. 15 N., R. 3 E., B.M.

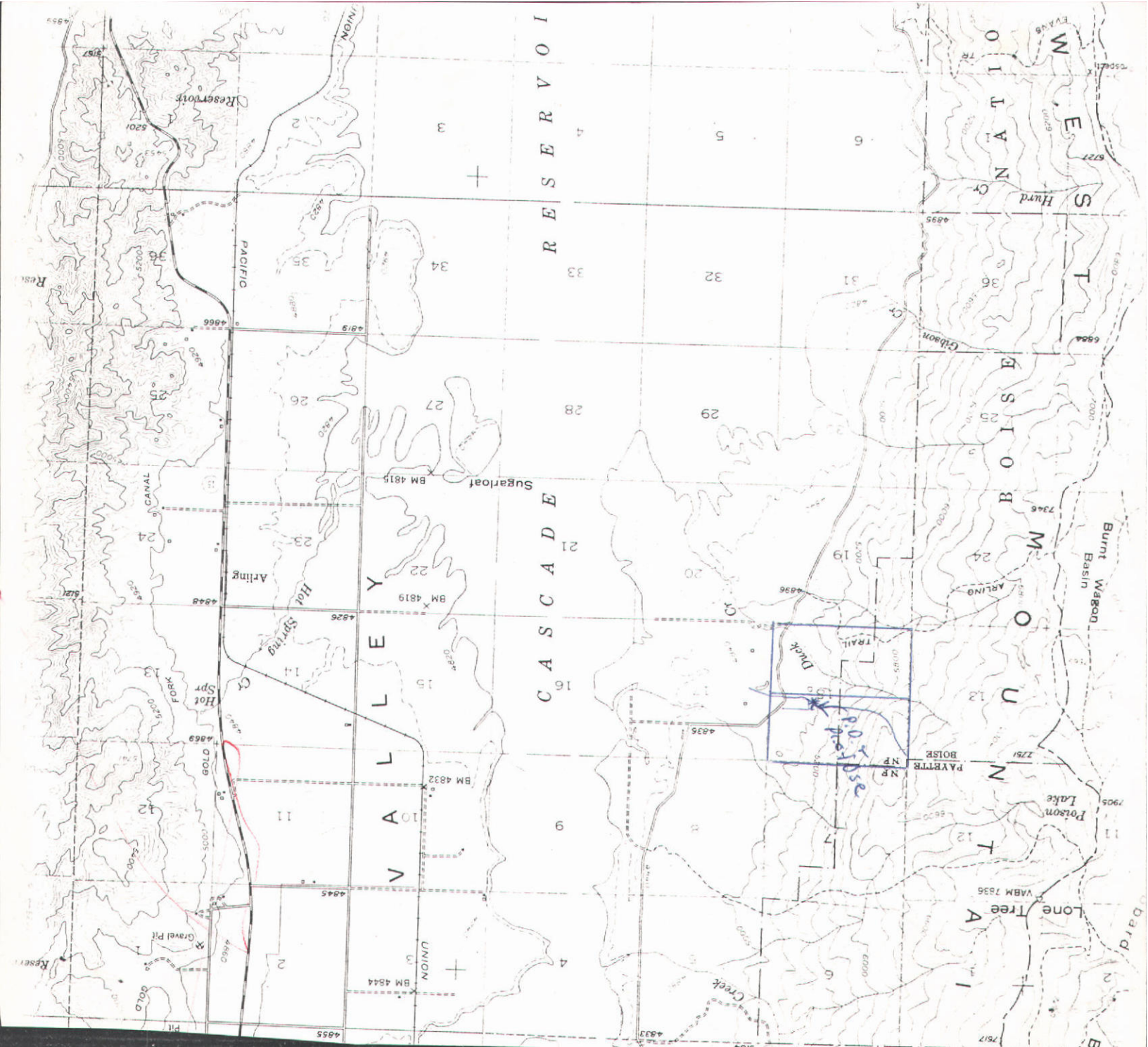
If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before Oct. 23, 1972.

R. KEITH HIGGINSON
Director

Published in the Star News,
McCall, Idaho on Oct. 5, 1972 and
Oct. 12, 1972.

OK
ms
10-16-72

65 7314



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-7314

Priority: September 27, 1972 Amount: .03 CFS 1.2 AFA

This is to certify, that HARRY TYLER
JO MARIE TYLER

2041 TRAVERTINE WAY
BOISE, ID 83702

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated September 27, 1972, and has submitted proof to the Department of Water Resources on September 9, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .03 cfs of water from;

UNNAMED STREAM

tributary to CASCADE RESERVOIR

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.03 cfs	1.2 afa

LOCATION OF POINT OF DIVERSION(S): SWNE , Sec. 18, Township 15N, Range 3E
Valley County

PLACE OF USE: Domestic

TWN RGE SEC

15N 3E 18 SWNE

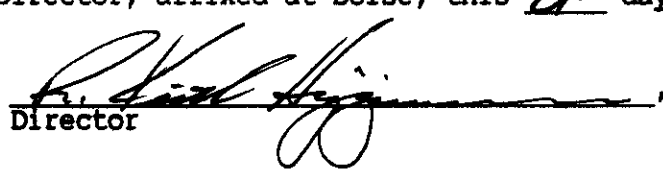
CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. 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 29th day of March, 1988.

MICROFILMED

APR 04 1988


Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 8 1977

APPLICATION FOR EXTENSION OF TIME

Department of Water Resources
Western Regional Office

State of Idaho)
County of Ada)

Permit No. 65-7314

To Marie Tyler &/or Harry Tyler of 2041 Travertine Way, Boise, Id.
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 65-7314.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before Nov. 1, 19 77.

That he has heretofore performed the following work described under said permit:

The diversion from the stream
has been completed and piped to
1 of the 3 proposed cabins

Costing \$

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: The remaining cabins

haven't been built yet, but the
site for the second cabin has
been built.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to Nov 1, 19 82.

Harry L. Tyler
(signature) *

Subscribed and sworn before me this 8th day of Sept, 19 77

seal

Tyle Glen Dapton
Notary Public residing at

Boise, Idaho

My commission expires 11-25-78

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED
and the time within which to submit proof of beneficial use be extended to
November 1, 1982.

Witness my hand this 28 day of September, 19 77.

Bobby D. Fleenor
BOBBY D. FLEENOR
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

Identification No. _____

Application No. 65-7314

APPROVED

**STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION**

APPLICATION FOR PERMIT

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

1. Name of applicant JO MARIE TYLER &/or HARRY TYLER
post office address 311 Travertine Way Boise, Idaho
2. Source of water supply Unnamed stream which is a tributary of Cascade Reservoir
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18 Township 15N
Range 3E B.M. Valley County; additional points of diversion if any: _____

- 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 0.09 for Domestic purpose from Jan. 1 to Dec. 31 (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. 0.09 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
Electric pump from small pond in stream

- 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 5 years
b. Estimated construction cost is \$ 200.00.
8. Description of proposed uses.
a. If water is **not** for irrigation.
(1) Give the place of use of water: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18 Township 15N
Range 3E 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 3.
(5) If water is to be used for other purposes describe. _____

65 7314

65 2314

TOTALS

c Describe any other water rights used for the same purposes as described above.

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

applicant to make this filing.

10. Remarks

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

R 3 E

T 15 N

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.

Harry J. Tyler.
(Applicant)
65 7314

Received by MP Date Sept 27, 72 Time 9:30am

Preliminary check by MP Fee \$ 10.00 Rec'd 8879

Receipted by MP Date 9-27-72

Publication prepared by MP Date 9-29-72

Published in Idaho Star News

Publication dates 10-5 & 12, 1972

Publication approved MP Date 10-16-72

Priority reduced to 9-27-72 Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by MP

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 65-7314, 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 November 1, 1977.

c. Other: _____

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

Witness my hand this 7th day of November 1972.

Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>SLP</u>	<u>9/29/72</u>	Application No. <u>65-7314</u> Name <u>Tyler</u>
(2)	<u>SLP</u>	<u>9/29/72</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)	<u>NA</u>		Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>NA</u>		☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>SLP</u>	<u>9/29/72</u>	In form for advertising _____
(6)	<u>MP</u>	<u>10/16</u>	Affidavit of Publication received <u>OK</u>
(7)	<u>SLP</u>	<u>10/23/72</u>	Final date for protests <u>10/23/72</u> Protests received: yes _____ no ☒
(8)	<u>NA</u>		Date and Place of hearing _____ Decision reached at hearing _____
(9)	<u>SLP</u>	<u>10/23/72</u>	Located within Water District No. <u>Basin 65</u>
(10)	<u>NA</u>		Critical groundwater area: yes _____ no ☒
(11)	<u>NA</u>		Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: _____
(13)	<u>SLP</u>	<u>10/23/72</u>	Action recommended: ☒ Approve Priority <u>9/27/72</u> ☐ Deny Reason for Reduction _____ See attached sheet for conditions of approval
(14)	<u>KMF</u>	<u>10/30/72</u>	No conditions for approval District <u>Western</u> By <u>Ker Fort</u> Date <u>10/30/72</u> Title <u>WDF</u>

65 7314

RECOMMENDED

CONDITIONS OF APPROVAL

☐ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____

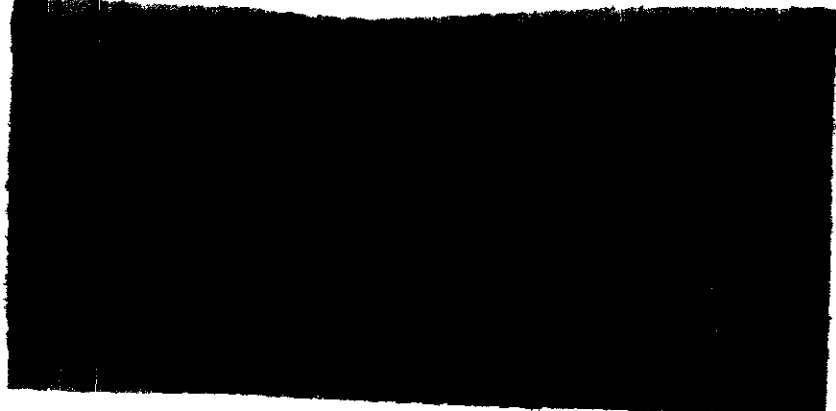
65 7314

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STATE OF IDAHO)
) ss.
County of Valley)

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Donald E. McMahan
Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this **13** day of **October**, 19 **72**.
Donald E. McMahan Notary Public.
My commission expires **Oct - 20**, 19 **74**



OK
MP
10.16.72

March 30, 1988

HARRY & JO MARIE TYLER
2041 TRAVERTINE WAY
BOISE, ID 83702

RE: Permit No. 65-7314

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

APR 04 1988

March 4, 1988

HARRY & JO MARIE TYLER
2041 TRAVERTINE WAY
BOISE, ID 83702

RE: Permit No. 65-7314

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

APR 04 1988

VED State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

65-7314

Permit No.

Department of Water Resources

DATE

INITIALS

REMARKS

- | | | | | |
|--------------------------|--|----------------------|----|---------------|
| ☐ | Appointment letter mailed: | 9/22/82 | jp | no appt. made |
| ☐ | Telephone call made:
(List Telephone No. used) | 10/14/83
343-1683 | JB | |
| ☐ | Appointment scheduled for:
(Date, time, location) | 7/14/83 | | |

6 mi. S of TAMARACK STORE - CR6 Sub. (CASCADERES AREA)

EXAMINATION

Date 7/14/83 Accompanied by N/A Total Q measured Est. -.03 cps

If source is surface water, estimate total flow of source

Methods of measurement ESTIMATED Meets Permit requirements?

Measurement calculations:

DOMESTIC - 1 HOME - 0.03 CFS x 1.2 AF/ANN.

See remarks

System Description PUMP W/ PIPELINE TO STORAGE TANK & GRAVITY FLOW TO HOME.

**Code with map on reverse side. Disregard code if only one.*

RECOMMENDED AMOUNTS

Irrigation requirement = _____ AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
DOMESTIC - / HOME	0.02 cfs	1.2 AF	1/1	12/31
IRRIG. OF LAWN				

MicroFILMED

~~APR 04 1988~~

Total 0.03 Cfs 1.2 AF

Remarks ONLY 1 HOME USING WATER FROM THIS SOURCE. Pump was not installed at time of exam since this is a summer home and the owners were not there. However, the pipeline in L.V. storage tank w/ pipeline to home were clearly visible. This source is one of the many unn. stream flowing down from W. Mtn. & directly into Cascade Res.

2/10/84
3/12/85

Date _____

Examiner's Signature

John Brown
643

☐ Add P.D. as reflected above

☒ None

Recommended Amendments:

[illegible]

Place(s) of Use

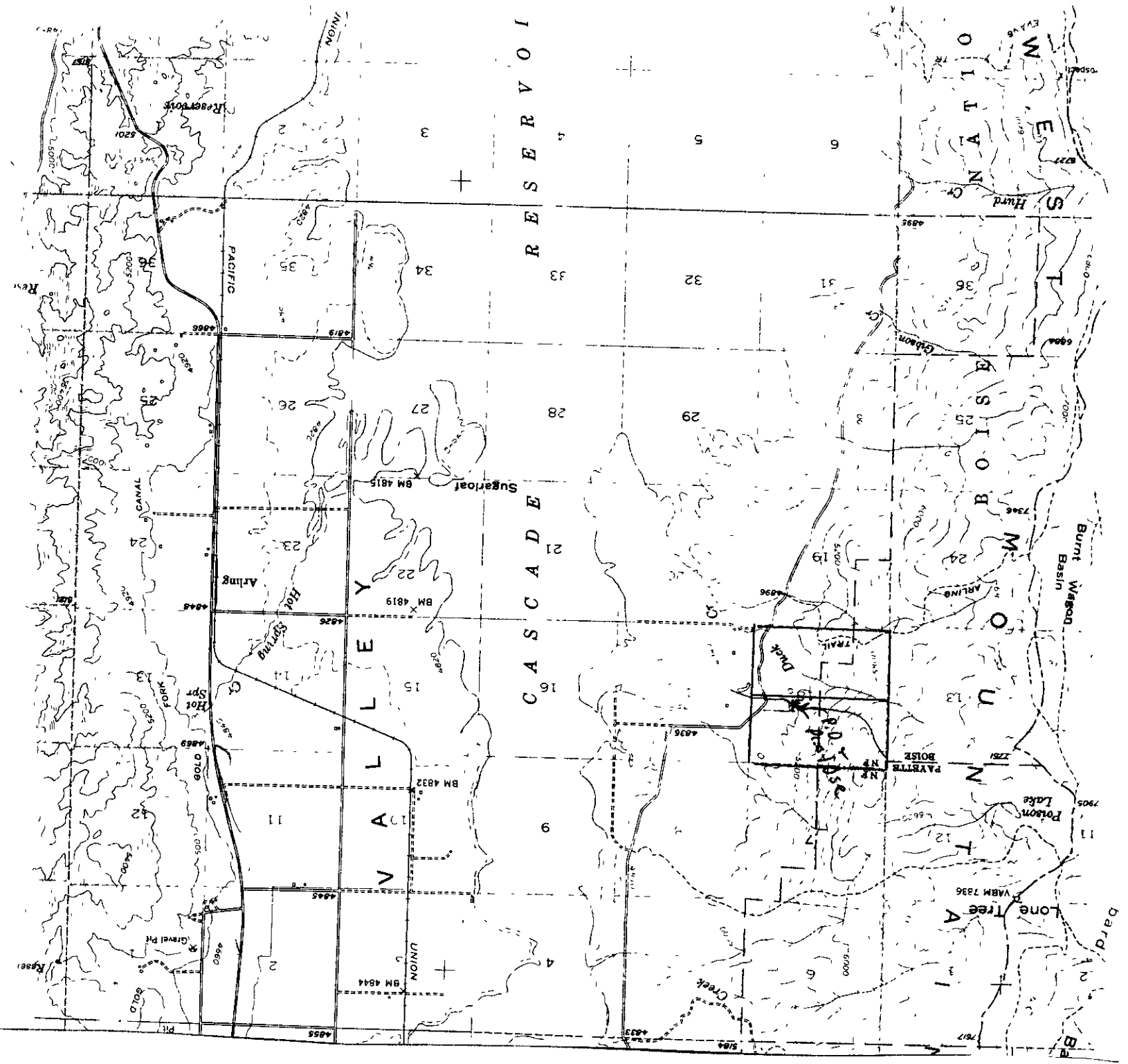
Point(s) of diversion: SWNE, S 18, T. 15N, R. 3E.

(Include distance from pump to measuring device, if applicable.)

SCHEMATIC DIAGRAM OF SYSTEM

[illegible]

MAP (Attach Aerial Photo)





State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

September 22, 1982

Jo Marie and/or Harry Tyler
2041 Travertine Way
Boise, ID 83702

Re: 69-7314

Dear Mr. and Mrs. Tyler:

We acknowledge receipt of your statement 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.

☐

A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

☒

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Judy Pense

Judy Pense
Secretary

MICROFILMED

PLACE
13 CENT
STAMP
HERE

SEP 6 1982



Idaho State Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 65-7314

Name(s) of Permit Holder: Harry & Jo Marie Tyler

Post Office Address: Boise, ID 83703

Source of Water: Unnamed Stream Tel. No. 343-1683

Extent of Use: ☒ Domestic (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☐ Other

Measuring Device Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
 Access Point Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
 The above information is a true statement of the extent to which the above numbered permit has been developed.

9-9-82 Date

Harry L. Tyler
 Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138601

TYLER, HARRY & JO MARIE
2041 TRAVERTINE WAY
BOISE, ID 83705

AUGUST 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-7314 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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 POST CARD 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

MICROFILMED

September 30, 1977

Re: Permit No. 65-7314

Jo Marie &/or Harry Tyler
2041 Travertine Way
Boise, Idaho 83706

Dear Mr. & Mrs. Tyler:

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to November 1, 1982.

Sincerely,

Jan Grover
Water Rights Supervisor



INTER-DEPARTMENT MEMO — 1

DATE 9-8-77

FROM L. Glen Sartor

TO State Off.

SUBJECT app for ext of time

I recommend the app for
ext of time be approved.



SIGNATURE

RECEIVED
SEP 11 1977
STATE OFFICE

✓

August 31, 1977

CERTIFIED MAIL

138891

Re: Permit No. 65-7314

Jo Marie Tyler &/or Harry Tyler
311 Travertine Way
Boise, Idaho 83706

Dear Mr. & Mrs. Tyler:

One of the conditions of approval of your water Permit No. 65-7314 (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 November 1, 1977. 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.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit



November 9, 1972

Re: 65-7314

To Marie Tyler &/or Harry Tyler
311 Travertine Way
Boise, Idaho

Dear Mr. and Mrs. Tyler:

Enclosed is a copy of your approved Application for Permit No. 65-7314. We
direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosures

65 7314

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

September 29, 1972

RE: APPLICATION FOR PERMIT NO. 65-7314 Jo Marie Tyler &/or Harry Tyler

The Star News
Box 985
McCall, Idaho 83638

Gentlemen:

Enclosed you will find 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 the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Sincerely,

65 7314

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that JO MARIE TYLER &/or HARRY TYLER,
311 Travertine Way, Boise, Idaho
has on Sept. 27, 1972 submitted Application No. 65-7314
for a permit to appropriate 0.09 cubic feet per second ~~XXXXXXXXXX~~
~~XXXXXXXXXX~~ of water from ~~XXXXXXXXXX~~ an unnamed stream, trib. to Cascade Reservoir
by means of electric pump from small pond in stream
within the SW¹/₄NE¹/₄, Sec. 18, T. 15 N., R. 3 E., B.M., Valley County

to be used from Jan. 1 to Dec. 31
for domestic purposes

within the SW¹/₄NE¹/₄, Sec. 18, T. 15 N., R. 3 E., 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 Administration, Statehouse, Boise, Idaho, 83707, on or before Oct. 23, 1972.

R. KEITH HIGGINSON

Director

65 7314

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on Oct. 5, 1972 and Oct. 12, 1972