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Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69880

This is to certify that: DOUBLE SPRINGS RANCH LLC

C/O FRANK R TUNNEY JR
PO BOX 3873
KETCHUM ID 83340
(714) 246-4658

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
73-175	AJC/Decreed	04/27/1897	3.2 cfs	N/A af	159.0		DOUBLESRING CREEK
73-176	AJC/Decreed	11/14/1903	3.2 cfs	N/A af	154.0		DOUBLESRING CREEK
73-7044	AJC/Permit	12/20/1979	3 cfs	N/A af	165.8		DOUBLESRING CREEK
73-7076	AJC/License	03/10/1983	0.93 cfs	139.5 af	46.5	46.5	DOUBLESRING CREEK
73-7093	AJC/License	07/18/1984	0.8 cfs	120 af	40.0	40.0	DOUBLESRING CREEK
73-2002	AJC/License	03/03/1904	1.49 cfs	N/A af	74.0		DOUBLESRING CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
73-175	NO	NO	YES	NO	NO	NO
73-176	NO	NO	YES	NO	NO	NO
73-7044	NO	NO	YES	NO	NO	NO
73-7076	NO	NO	YES	NO	NO	NO
73-7093	NO	NO	YES	NO	YES	YES
73-2002	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
73-175	73-175	3.2 cfs	556.5 af	159.0	557.0		N/A	N/A		N/A
73-176	73-176	3.2 cfs	539 af	154.0	557.0		N/A	N/A		N/A
73-7044	73-7044	3 cfs	497.4 af	165.8	557.0		N/A	N/A		N/A
73-7076	73-7076	0.93 cfs	162.8 af	46.5	557.0		N/A	N/A		N/A
73-7093	73-7093	0.8 cfs	170.1 af	32.5	557.0		N/A	N/A		N/A
73-2002	73-2002	1.49 cfs	261.1 af	74.6	557.0		N/A	N/A		N/A
TOTALS		12.62cfs	2002 af	557	557		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19th day of August, 2002

MICROFILMED

SEP 4 2002

J. Glen Saxton
Chief, Water Allocation Bureau

WATER RIGHT NO. 73-175
As Modified by Transfer No. 69880

In accordance with the approval of Transfer No. 69880, Water Right No. 73-175 is now described as follows.

Right Holder: DOUBLE SPRINGS RANCH LLC
 C/O FRANK R TUNNEY JR
 PO BOX 3873
 KETCHUM ID 83340

Priority Date: 04/27/1897

Source: DOUBLESRING CREEK **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.20 CFS	556.5 AF
			3.20 CFS	556.5 AF

LOCATION OF POINT(S) OF DIVERSION:

DOUBLESRING CREEK SWSESW Sec. 31 Twp 12N Rge 23E CUSTER 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	
12N 23E 29									36.0	36.0			35.0	13.0			120.0
12N 23E 32	34.0	38.0	38.0	36.0	38.0	36.0	36.0	38.0	36.0	35.0			36.0	36.0			437.0

Total Acres: 557

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right is limited to the irrigation of 159 acres within the place of use described above in a single irrigation season.
6. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The first year that water is diverted to initially fill the recreation and aesthetic ponds under Right 73-7093, the irrigation use under Transfer No. 69880 shall be limited to 547 acres, 10.94 cfs, and 1914.5 afa.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of August, 2002

MICROFILMED

NOV 04 2002

[Signature]
 Chief, Water Allocation Bureau

WATER RIGHT NO. 73-176
As Modified by Transfer No. 69880

In accordance with the approval of Transfer No. 69880, Water Right No. 73-176 is now described as follows.

Right Holder: DOUBLE SPRINGS RANCH LLC
 C/O FRANK R TUNNEY JR
 PO BOX 3873
 KETCHUM ID 83340

Priority Date: 11/14/1903

Source: DOUBLESRING CREEK **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.20 CFS	539.0 AF
			3.20 CFS	539.0 AF

LOCATION OF POINT(S) OF DIVERSION:

DOUBLESRING CREEK SWSESW Sec. 31 Twp 12N Rge 23E CUSTER 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	
12N 23E 29									36.0	36.0					35.0	13.0	120.0
12N 23E 32	34.0	38.0	38.0	36.0	38.0	36.0	36.0	38.0	36.0	35.0			36.0	36.0			437.0

Total Acres: 557

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right is limited to the irrigation of 154 acres within the place of use described above in a single irrigation season.
6. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The first year that water is diverted to initially fill the recreation and aesthetic ponds under Right 73-7093, the irrigation use under Transfer No. 69880 shall be limited to 547 acres, 10.94 cfs, and 1914.5 afa.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of August, 2002

MICROFILMED

OCT 9 2002

[Signature]
 Chief, Water Allocation Bureau

WATER RIGHT NO. 73-2002
As Modified by Transfer No. 69880

In accordance with the approval of Transfer No. 69880, Water Right No. 73-2002 is now described as follows.

Right Holder: DOUBLE SPRINGS RANCH LLC
 C/O FRANK R TUNNEY JR
 PO BOX 3873
 KETCHUM ID 83340

Priority Date: 03/03/1904

Source: DOUBLESRING CREEK **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.49 CFS	261.1 AF
			1.49 CFS	261.1 AF

LOCATION OF POINT(S) OF DIVERSION:

DOUBLESRING CREEK SWSESW Sec. 31 Twp 12N Rge 23E CUSTER 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	
12N	23E	29									36.0	36.0					35.0	13.0	120.0
12N	23E	32	34.0	38.0	38.0	36.0	38.0	36.0	36.0	38.0	36.0	35.0			36.0	36.0			437.0

Total Acres: 557

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right is limited to the irrigation of 74.6 acres within the place of use described above in a single irrigation season.
6. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The first year that water is diverted to initially fill the recreation and aesthetic ponds under Right 73-7093, the irrigation use under Transfer No. 69880 shall be limited to 547 acres, 10.94 cfs, and 1914.5 afa.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of August, 2002

MICROFILMED

NOV 04 2002

[Signature]
 Chief, Water Allocation Bureau

WATER RIGHT NO. 73-7044
As Modified by Transfer No. 69880

In accordance with the approval of Transfer No. 69880, Water Right No. 73-7044 is now described as follows.

Right Holder: DOUBLE SPRINGS RANCH LLC
 C/O FRANK R TUNNEY JR
 PO BOX 3873
 KETCHUM ID 83340

Priority Date: 12/20/1979

Source: DOUBLESRING CREEK **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.00 CFS	497.4 AF
			3.00 CFS	497.4 AF

LOCATION OF POINT(S) OF DIVERSION:

DOUBLESRING CREEK SWSESW Sec. 31 Twp 12N Rge 23E CUSTER 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	
12N 23E 29											36.0	36.0			35.0	13.0	120.0
12N 23E 32	34.0	38.0	38.0	36.0	38.0	36.0	36.0	38.0	36.0	35.0			36.0	36.0			437.0

Total Acres: 557

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right is limited to the irrigation of 165.8 acres within the place of use described above in a single irrigation season.
6. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The first year that water is diverted to initially fill the recreation and aesthetic ponds under Right 73-7093, the irrigation use under Transfer No. 69880 shall be limited to 547 acres, 10.94 cfs, and 1914.5 afa.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of August, 2002

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OCT 04 2002

[Signature]
 Chief, Water Allocation Bureau

WATER RIGHT NO. 73-7076
As Modified by Transfer No. 69880

In accordance with the approval of Transfer No. 69880, Water Right No. 73-7076 is now described as follows.

Right Holder: DOUBLE SPRINGS RANCH LLC
 C/O FRANK R TUNNEY JR
 PO BOX 3873
 KETCHUM ID 83340

Priority Date: 03/10/1983

Source: DOUBLESRING CREEK **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.93 CFS	162.8 AF
			0.93 CFS	162.8 AF

LOCATION OF POINT(S) OF DIVERSION:

DOUBLESRING CREEK SWSESW Sec. 31 Twp 12N Rge 23E CUSTER 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	
12N	23E	29											36.0	36.0			35.0	13.0	120.0
12N	23E	32	34.0	38.0	38.0	36.0	38.0	36.0	36.0	38.0	36.0	35.0			36.0	36.0			437.0

Total Acres: 557

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right is limited to the irrigation of 46.5 acres within the place of use described above in a single irrigation season.
6. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The first year that water is diverted to initially fill the recreation and aesthetic ponds under Right 73-7093, the irrigation use under Transfer No. 69880 shall be limited to 547 acres, 10.94 cfs, and 1914.5 afa.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of August, 2002

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SEP 3 4 2002

[Signature]
 Chief, Water Allocation Bureau

WATER RIGHT NO. 73-7093
As Modified by Transfer No. 69880

In accordance with the approval of Transfer No. 69880, Water Right No. 73-7093 is now described as follows.

Right Holder: DOUBLE SPRINGS RANCH LLC
 C/O FRANK R TUNNEY JR
 PO BOX 3873
 KETCHUM ID 83340

Priority Date: 07/18/1984

Source: DOUBLESRING CREEK **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	01/01	to 12/31	0.15 CFS	
IRRIGATION	04/01	to 10/31	0.65 CFS	113.8 AF
RECREATION	01/01	to 12/31	0.15 CFS	26.3 AF
RECREATION STORAGE	01/01	to 12/31		30.0 AF
			0.80 CFS	170.1 AF

LOCATION OF POINT(S) OF DIVERSION:

DOUBLESRING CREEK SWSESW Sec. 31 Twp 12N Rge 23E CUSTER 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	
12N 23E 29																	120.0
12N 23E 32	34.0	38.0	38.0	36.0	38.0	36.0	36.0	38.0	36.0	35.0			36.0	36.0			437.0

Total Acres: 557

PLACE OF USE: RECREATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 23E 29																	
12N 23E 32	X																

PLACE OF USE: RECREATION STORAGE, same as Recreation

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
 2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
 4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
- ~~1608~~ This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

7/15 11 4 2002

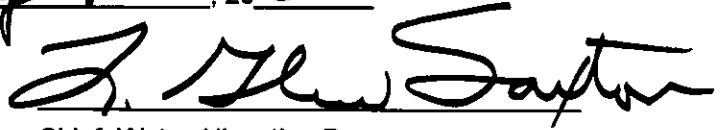
WATER RIGHT NO. 73-7093
As Modified by Transfer No. 69880

CONDITIONS OF APPROVAL

6. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The first year that water is diverted to recreation and aesthetic storage uses, the irrigation use under Transfer No. 69880 shall be limited to 547 acres, 10.94 cfs, and 1914.5 afa.
9. The reduction of irrigation during the first year will provide the additional storage volume to fill the ponds when combined with the 26.3 af associated with the 7.5 acres no longer irrigated.
10. Recreation and aesthetic storage is for swimming and fishing ponds.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of August, 2002


Chief, Water Allocation Bureau

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OCT 14 2002

SECOND DIVISION

JAMES McMILLAN, Commissioner

Twin Falls, Idaho

1910.

DECREED WATER RIGHTS

Pahsimeroi River, Custer County

JUDGMENT BY THE COURT, APRIL 1, 1910

DECREE

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL
DISTRICT OF THE STATE OF IDAHO, IN
AND FOR CUSTER COUNTY.

Lorenzo Falls and Edward O'Neil, Partners,)
et al.,)
Plaintiffs,)
vs.)
Uriah Wells, et al.,)
Defendants.).

AMENDED ON
DECEMBER 28, 1910

This cause came on regularly for trial before Hon. G. F. Hansbrough, sitting as special Judge, who by consent of all the parties to this action, and by order of the Court was appointed special Judge to try the same, and the same coming on regularly for trial before the said special Judge sitting without a jury, on the 18th day of June, 1909, at May, Idaho, Clark & Budge and John W. Jones, Esq., appearing as counsel for the plaintiffs, and W. H. Holden, F. J. Cowen, W. J. Lame, George E. Keyes, L. E. Glennon, and each of them appearing for certain defendants;

JUL 30 1996

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73 0175 ✓

William A. Kirkwood from Double Springs Creek 160 inches or 3 2/10 cubic feet per second of time from APRIL 27, 1897, appurtenant to the northeast quarter of Section 32 in Township 12 North, Range 23 East Boise Meridian in the State of Idaho.

73 0176 ✓

C. E. Wells from Double Springs Creek 160 inches or 3 2/10 cubic feet per second of time from NOVEMBER 14, 1903, appurtenant to the south half of the northwest quarter, and the north half of the southwest quarter of Section 32 in Township 12 North, Range 23 East Boise Meridian, in the State of Idaho.

73 0177 ✓

T-777

Edward Popejoy from Pahsimeroi River 320 inches or 6 4/10 cubic feet per second of time from NOVEMBER 19, 1903, appurtenant to the southeast quarter of the northwest quarter, and the southwest quarter of the northeast quarter, and the west half of the southeast quarter, and the east half of the southwest quarter of Section 29, and the northeast quarter of the northwest quarter, and the northwest quarter of the northwest quarter of Section 32, Township 11 North, Range 24 East Boise Meridian, in the State of Idaho.

73 0178 ✓

Cora Jones from or the entire flow of Donkey or Jackass Creek.

73 0179 ✓

Cora Jones from Pahsimeroi River 240 inches or 4 8/10 cubic feet per second of time less the flow of Donkey or Jackass Creek from OCTOBER 21, 1908, putenant to the north half of the southwest quarter of Section 21; the north half of the southeast quarter, and the southwest quarter of the southeast quarter of Section 28 in Township 12 North, Range 24 East Boise Meridian, in the State of Idaho.

73 0180 ✓

A. S. Cotter from Big Creek 50 inches or 1 cubic foot per second of time from OCTOBER 19, 1903, appurtenant to the southwest quarter of the northwest quarter, and the north half of the southwest quarter of Section 18, Township 14 North, Range 23 East Boise Meridian in the State of Idaho.

JUL 3 0 1996

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OCT 10 4 2002

finely fixed by this decree, the points of diversion and measurement of the several parties to this action shall be the point where the water was diverted by the said several parties on the 18th day of JUNE, 1909, the time of trial of this action.

IX.

It is further adjudged and decreed that each of the parties to this action shall pay his or her proportionate share of all the costs of this action.

X.

That each and every of the parties to this suit plaintiff and defendant, their agents, servants, attorneys and employees and each and every and all persons acting in and for any of the parties to this suit are hereby, forever restrained from in any manner interfering with or diverting or using the waters of Pahsimeroi River or its tributaries or creeks, and springs herein mentioned, except in accordance with the terms and provisions of this decree.

Done dated and signed this 1st day of April, 1910.

G. F. HANSEBROUGH
Special Judge.

(Endorsed) Filed April 6, 1910. Entered April 6, 1910.

C. M. HENDERSON, Clerk

JUL 3 0 1906
MICROFILMED
OCT 3 1982

MEMORANDUM

TO: FILE 73-00176

FROM: VAULT

RE: TRANSFER # 69880

DATE: 6-18-2002

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 73-00175

MICROFILMED

OCT 8 4 2002