

RECEIVED

JAN 2 1973

AFFIDAVIT of PUBLICATION

Department of Water Administration
Southern District Office

STATE OF IDAHO
County of Twin Falls

ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper Two consecutive weeks, the first publication having been made on the 14th day of December, 1972, and the last publication having been made on the 21st day of December, 1972; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Robert E. Bailey
Subscribed and sworn to before me this
22nd day of December, 1972

Lucy D. Matthews
Notary Public.

Buhl, Idaho

Residing at

January 1, 1973

My Commission Expires

Legal Department

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Howard Hudson, Route 2, Buhl, ID., has on Dec. 7, 1972, submitted Application No. 47-7166 for a permit to appropriate 0.03 cubic feet per second of water from a groundwater source by means of well and pump within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 10S, R. 14E, B.M., Twin Falls County to be used from Jan. 1 to Dec. 31 for stockwater purposes within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 10S, R. 14E, 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, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301 on or before Jan. 2, 1973.

R. KEITH HIGGINSON
Director

Published in the Buhl Herald,
Buhl, ID., on Dec. 14 and Dec. 21,
1972.
(49t2)

47 7166

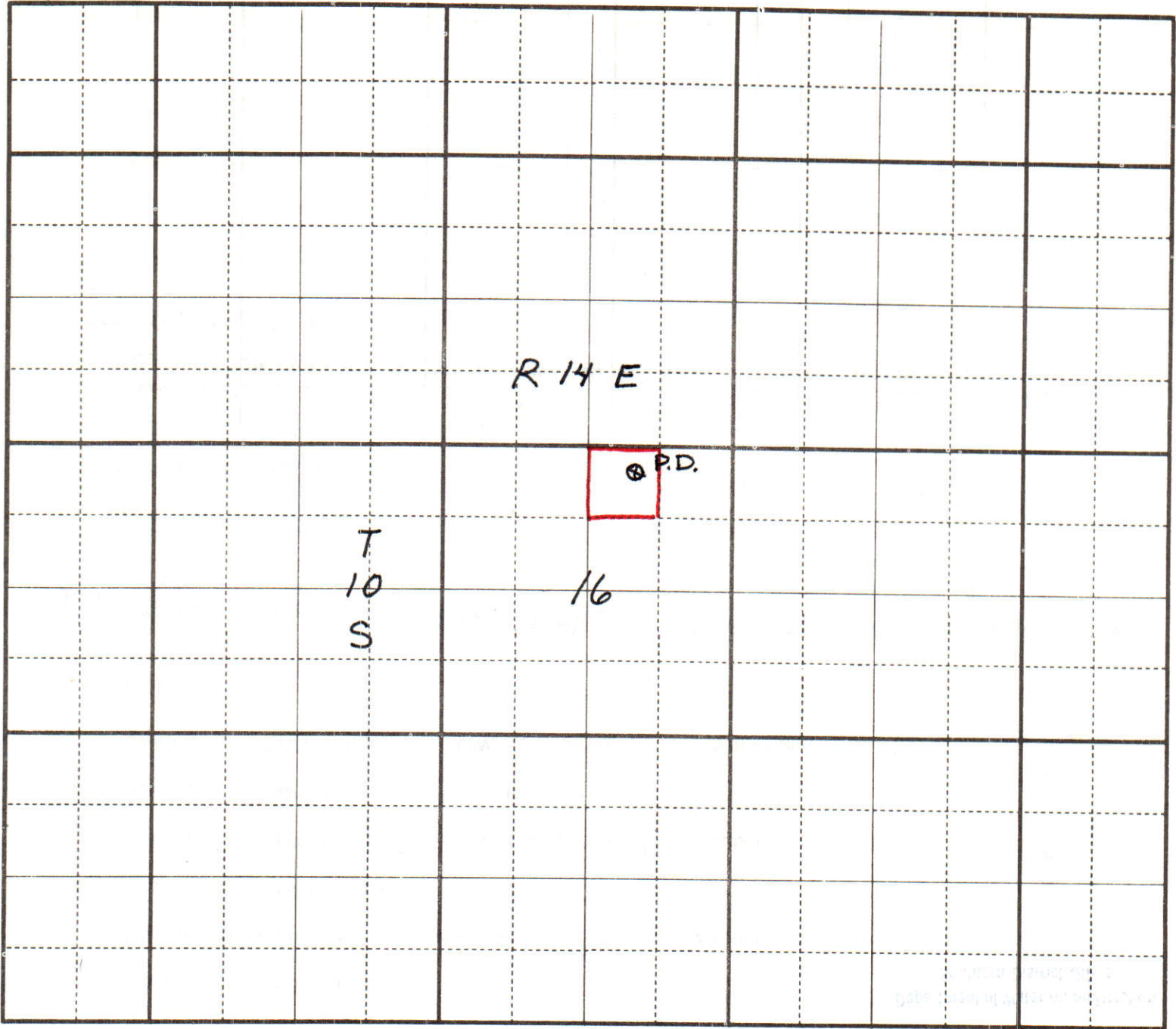
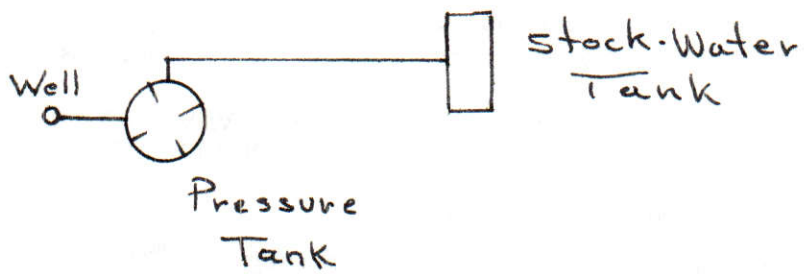


Diagram of System

RECEIVED



State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 47-7166 Priority Dec. 7, 1972 Amount 0.03 cfs

THIS IS TO CERTIFY, that HOWARD HUDSON
of Buhl, Idaho, has complied with the terms and conditions of Permit
No. 47-7166 issued pursuant to Application for Permit dated December 7, 1972,
and has submitted proof to the Department of Water Administration on December 18, 1973,
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 0.03 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Stockwater</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.03</u> cfs and <u>1.4 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 0.03 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
1.4 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16,
Twp. 10 S, Rge. 14 E, B. M. in the County of Twin Falls

Description and location of place of use:

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 $\frac{1}{4}$	
10 S	14 E	16		X															

Total number of acres irrigated _____

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 5 day of
February, 19 74.

47 7166

Director

Identification No. _____

Application No. 47-7166

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)

LICENSE ISSUED FOR .03 SEC. FT.
LICENSE # _____

1. Name of applicant Howard Hudson
post office address Route # 2, Buhl, ID 83316

2. Source of water supply Groundwater which is a tributary of _____

3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 16 Township 10S
Range 14E B.M. Twin Falls 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 0.03 for Stockwater 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. 0.03 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well and pump

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 8 inches; proposed depth of well is 75 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 \$ 600.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 16 Township 10S
Range 14E 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 120 cattle

(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: _____

--	--

Total number of acres to be irrigated

uses as described above. _____

1000

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

100

[illegible]

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

R. 14E

* P.L.D.

Sec. 16

T.
10
S.

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.

Harvard Hudson
(Applicant)

47 7106

Received by NOT Date 12/7/72 Time 3:15 PMPreliminary check by AN Fee \$ 10⁰⁰ # 9488Receipted by alw Date 12-7-72Publication prepared by alw Date 12-8-72Published in Buhl Herald, Buhl, IDPublication dates 12-14 & 12-21-72Publication approved alw Date 1-2-73Priority reduced to XXXXXX 12/7/72 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JD

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. 47-7166, 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 February 1, 19 74.
- c. Other: _____

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

Witness my hand this 10th day of January 19 73.

[Signature]
Director

AFFIDAVIT of PUBLICATION

STATE OF IDAHO
County of Twin Falls

} ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper Two consecutive weeks, the first publication having been made on the 11th day of December, 1972, and the last publication having been made on the 21st day of December, 1972; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Robert E. Bailey

Subscribed and sworn to before me this
22nd day of December 1972

James S. Patterson
Notary Public.

Buhl, Idaho
Residing at

January 1, 1973
My Commission Expires



DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)			Application No. <u>47-7166</u> Name <u>Howard Hudson</u>
(2)	<u>RA</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/W ☒ Place of Use ☒ Map ☒ Fee
(3)			Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)			☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>RA</u>	<u>12-8-72</u>	In form for advertising <u>0</u>
(6)	<u>aw</u>	<u>1-2-73</u>	Affidavit of Publication received
(7)			Final date for protests <u>1-2-73</u> Protests received: yes <u> </u> no <u>✓</u>
(8)			Date and Place of hearing <u> </u> Decision reached at hearing <u> </u>
(9)			Located within Water District No. <u> </u>
(10)	<u>RA</u>		Critical groundwater area: yes <u> </u> no <u>✓</u>
(11)			Groundwater levels: ☐ Decline (comment) <u> </u> ☒ Stable (comment) <u> </u> ☐ Increasing (comment) <u> </u>
(12)			Comments: <u> </u> <u> </u> <u> </u>
(13)	<u>RA</u>		Action recommended: ☒ Approve Priority <u>12-7-72</u> ☐ Deny Reason for Reduction <u> </u> See attached sheet for conditions of approval <u>RA</u> No conditions for approval
(14)			District <u>Southern</u> By <u>Bob Haynes</u> Date <u>1-3-73</u> Title <u>Dist Eng</u>

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: _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2215

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

February 7, 1974

Re: Permit No. 47-7166

Mr. Howard Hudson
Route 2
Buhl, Idaho 83316

Dear Mr. Hudson:

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosure

47 7166

ION $2\frac{1}{2}$ S
 $2\frac{1}{2}$ West

ION $2\frac{1}{2}$ S
 $2\frac{1}{2}$ West

- TOTAL ACREAGE**

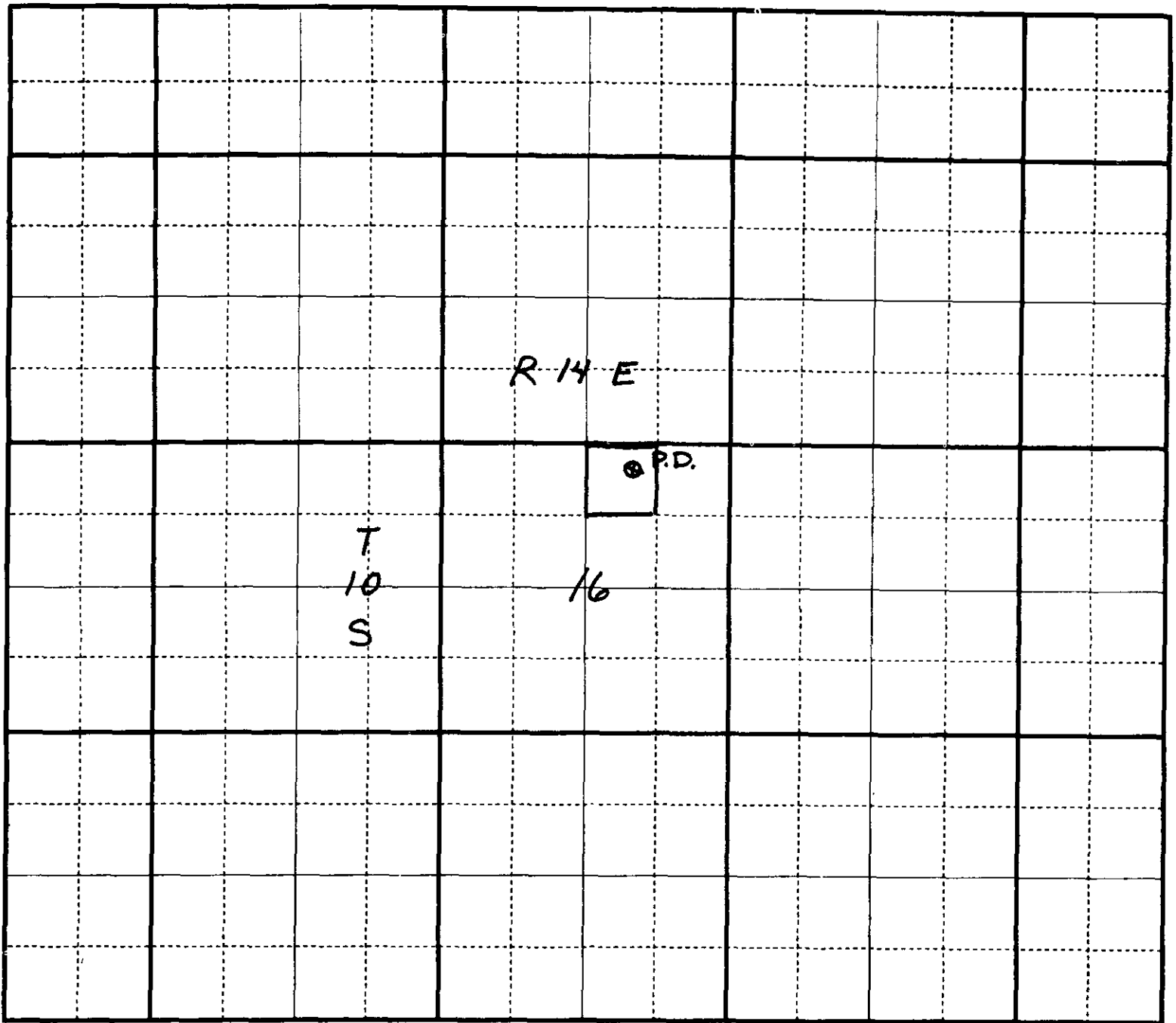
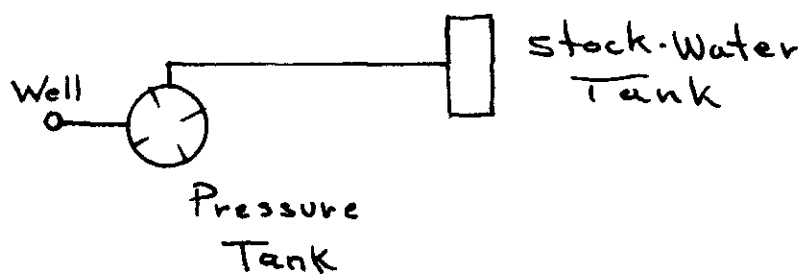


Diagram of System



DATE OF EXAM 1-15-74

ACREAGE

Found ✓
Recommended ✓

Irrigation Requirement ✓ Ac Ft/Ac

USE

Irrigation Q= ✓ c.f.s. V= ✓ AF/Ann. from ✓ to ✓
Domestic Q= ✓ c.f.s. V= ✓ AF/Ann. from ✓ to ✓
Livestock Q= .03 c.f.s. V= 1.4 AF/Ann. from Jan 1 to Dec 31

Is water co-mingled? yes _____ no ✓

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

Exchange? yes _____ no ✓

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 NONE Method of measurement ✓

Total Q recommended .03 c.f.s. Meter No. ✓ Type ✓ Condition ✓

Total V recommended 1.4 AF/ANN

Recommended Amendments:

P.D. No
Place of Use No
Other No
None No

MEASUREMENT CALCULATION:

Q = .03 c.f.s.
V = 1.4 Ac Ft/ANN.
100 Head of Cattle
Information obtained from Dept. of Water Adm. Memorandums.

SYSTEM DESCRIPTION:

Reda Motor & pump Submersible # 909 - 4 73 1/2 Hp.
25 gal/pressure Tank.
100 Head of Cattle.

REMARKS:

Examiner's Signature Harry Lundberg Date 1-16-74

Checked by Kenneth O. Flanagan Date 1-16-74

Approved by _____ Date _____

January 9, 1974

Re: Permit No. 47-7166

Howard Hudson
Route #2
Buhl, Idaho 83316

Dear Mr. Hudson:

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 just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions concerning the field exam, please contact our Southern District Office at 1041 Blue Lakes Blvd., North, Twin Falls, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

47 7166

Identification No. _____

Permit 47-7166

RECEIVED
DEC 18 1973
Department of Water Administration

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder HOWARD HUDSON
- b) Post Office Address Rt 2 Buhl 18440 83316
2. Permit Number 47-7166
3. Date of Priority that you are prepared to establish 12-7-72 - 3:15 PM
4. a) Source from which water was appropriated Underground
- b) Location of the point of diversion: NW 1/4 NE 1/4, Section 16
Township 10S, Range 14E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
amount 0.03 for Stock WATER purposes from Jan 1 to Dec 31 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 approx 0.03 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: It has not been measured as it is

sediment from the top of well casing description of pump is made below #7

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) 6" H. Pump 8" casing, for 18 ft

6" Well Balance (Stock water only) 77 ft Deep
water level of 38 ft

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

c) Give well drillers name and address and date the well was completed TWIN FALLS CANAL CO.
163 2nd Ave West Twin Falls, Idaho Started 12-7-72
finished 12-14-72.

Exam typed 1/8/74 by JK

7166

47 7166
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use well was drilled thickly for stock water it is pumped into tanks for cattle, horse's water, livestock

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres irrigated

10. Remarks:

The above information is a true statement of the extent to which the above numbered permit has been developed.

12-5-73 (Date) Howard Nelson (Signature)

State of Idaho
County of Twin Falls ss.

On this 17 day of Dec, 1973, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Shay J. Davis
Notary Public residing at Duff, Idaho

My commission expires 8-28-74

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐

Show address
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

1

Harold Nelson

INSURED NO.

2

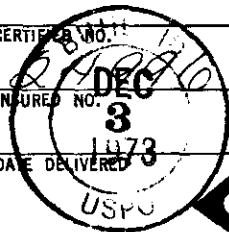
SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

3

17 7166



PS Form **3811** Sep. 1972 cbs-16-81277-2

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Postmark of Delivering Office

SENDER INSTRUCTIONS

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

- ↓
- If special services are desired, check block(s) on other side.
 - Moisten gummed ends and attach to back of article.

**RETURN
TO**

↓

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ALBANY
BO

47 7160

November 30, 1973

CERTIFIED MAIL

24996

Re: Permit No. 47-7166

Howard Hudson
Route #2
Buhl, Idaho 83316

Dear Mr. Hudson:

One of the conditions of approval of your water Permit No. 47-7166 (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 February 1, 1974. 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
Director

Enc: Proof affidavit

47 7166

January 11, 1973

Re. Permit No: **47-7166**

Howard Hudson
Route #2
Buhl, Idaho 83316

Dear Mr. Hudson:

Enclosed is a copy of your approved Application for Permit No. 47-7166 . 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

47 7166

December 8, 1972

Re: Application No. 47-7166 - Howard Hudson

Buhl Herald
P. O. Box 312
Buhl, ID 83316

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)

Very truly yours,

Bob Haynes
District Engineer
Southern District

Bill submitted 1-2-73 by alw

BH:alw

Enc: Legal Notice

47 7166

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Howard Hudson,
Route 2, Buhl, ID
has on Dec. 7, 1972 submitted Application No. 47-7166
for a permit to appropriate 0.03 cubic feet per second ~~acre feet per annum~~
of water from a groundwater source
by means of well and pump
within the NW 1/4, Sec. 16, T. 10S, R. 14E, B.M., Twin Falls County
to be used from Jan. 1 to Dec. 31 for stockwater purposes
~~for~~
within the NW 1/4, Sec. 16, T. 10S, R. 14E, 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, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301 on or before Jan. 2, 1973.

R. KEITH HIGGINSON

Director

Published in the Buhl Herald, Buhl, ID
on Dec. 14 and Dec. 21, 1972

47 7166

LEGAL

**NOTICE OF APPLICATION
FOR WATER PERMIT**

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R. KEITH HIGGINSON
Director

Published in the Buhl Herald,
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1972.

(49t2)

OK
dlw 1B-12-72

47 7166