

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 29-07963)
IN THE NAME OF JEFFREY F & KATHLEEN M HARRIS) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before August 1, 1992; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

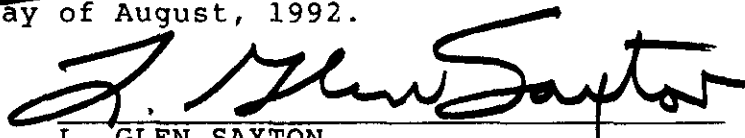
WHEREAS, on August 1, 1992, the permit lapsed for failure to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on August 3, 1992;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 29-07963 be REINSTATED with an advance in priority to March 25, 1990.

Dated this 6th day of August, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

AUG 12 1992

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-07963

Proposed Priority: March 23, 1990 Maximum Diversion Rate: 0.20 CFS
This is to certify, that **JEFFREY F. HARRIS**

KATHLEEN M. HARRIS
P.O. BOX 252
MC CAMMON, ID 83251

has applied for a permit to appropriate water from:

SPRING tributary of **SINKS**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
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IRRIGATION	03/15 to 11/15	0.20 CFS
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LOCATION OF POINT(S) OF DIVERSION: SESENE Sec. 10, Township 09S, Range 36E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S 36E 10	NENE 3	SENE 7		10

Total number of acres irrigated: 10

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1992**.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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AUG 14 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-07963

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

31st day of July, 1990.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

AUG 14 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Jeffrey F. or Kathleen M. Harris Phone 254-3454
Post office address P.O. Box 252 McCammon, ID. 83251
2. Source of water supply spring which is a tributary of snks
3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 10 Township 9S Range 36E B.M. Bonrock County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 2 for Irrigation purposes from 15 March to 15 Nov (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 15.2 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Ditches for flood irrigation
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? no
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	36E	10	3			7													10

Total number of acres to be irrigated 10

10. Describe any other water rights used for the same purposes as described above. none

11. a. Who owns the property at the point of diversion? applicant

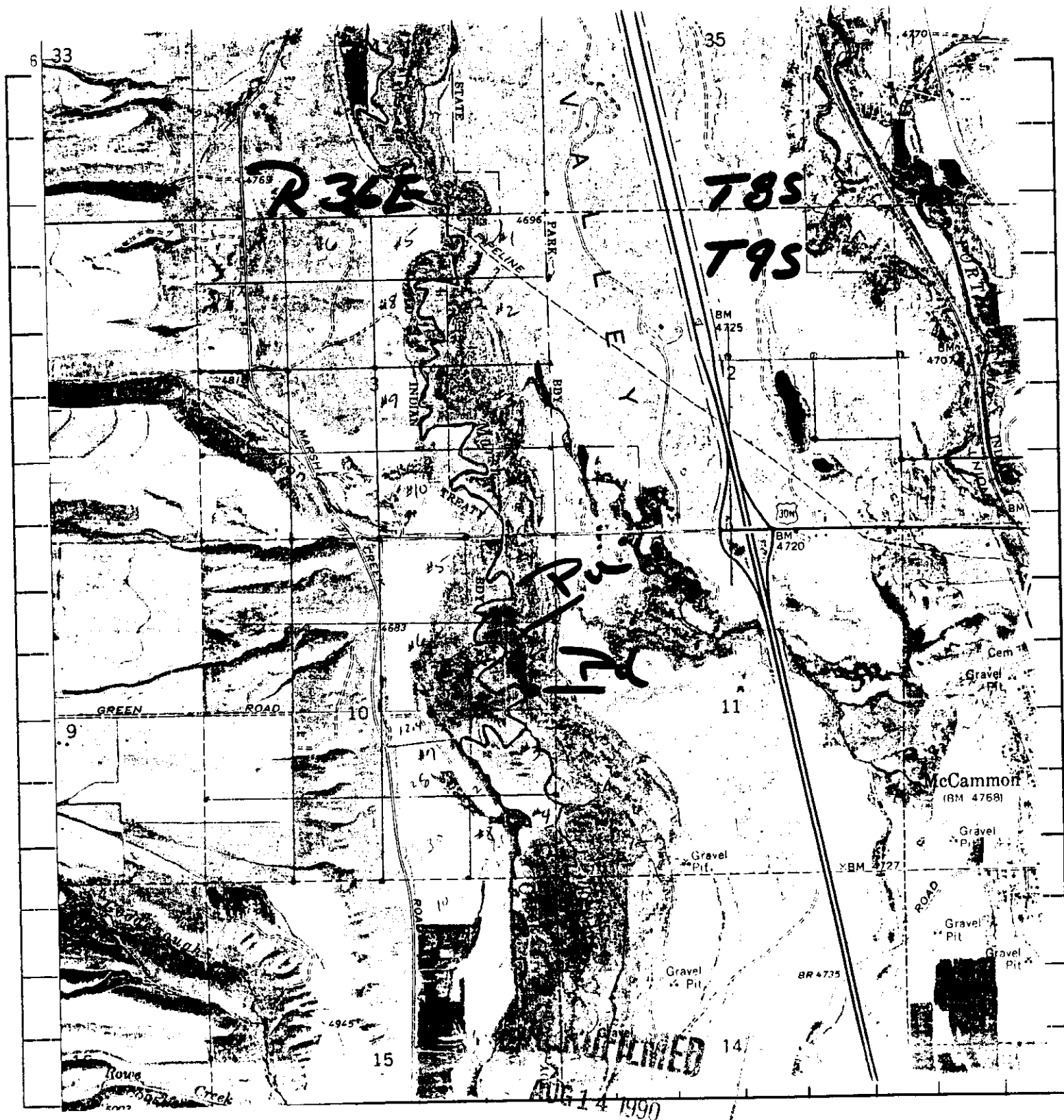
b. Who owns the land to be irrigated or place of use? applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: The water subs up in the field approximately 10 acres in the NE¼ NE¼ & SE¼ NE¼ will be irrigated. This ground is between the March Creek on the west and the town to the immediate east.

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AUG 14 1990



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.

Jeffrey Harris
(Applicant)

Received by DMD Date 23 March 1990 Time 12:05 Preliminary check by _____
Fee \$ 30.00 Receipted by DMD # FD12512 Date 3/23/1990
Publication prepared by RB Date 6-7-90 Published in ID State Journal
Publication approved (u) Date 6-26-90

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. _____, and said application is hereby _____.

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 _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

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STATE OF IDAHO

Ident. No. _____

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Jeffrey F. or Kathleen M. Harris Phone 254-3454

Post office address P.O. Box 252 McCall, ID.

2. Source of water supply spring which is a tributary of snks

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____

Sec. 10 Township 9S Range 36E B.M. Bowrock County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2 for Irrigation purposes from 15 March to 15 Nov (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 15 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Ditches for flood irrigation

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? no

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

2 years (minimum 1 year).

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8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	36E	10	3			7													10

Total number of acres to be irrigated 10

10. Describe any other water rights used for the same purposes as described above. none

- Who owns the property at the point of diversion? applicant
- Who owns the land to be irrigated or place of use? applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: The water subs up in the field approximately 10 acres in the NE¼ NE¼ & SE¼ NE¼ will be irrigated. This ground is between the March Creek on the west and the towers to the immediate east.

RECEIVED

AUG 1 1971

Received by DMD Date 23 March Time 12:05 Preliminary check by _____
Fee \$ 30⁰⁰ Receipted by DMD # E012512 Date 3/23/1990
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

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. _____, and said application is hereby _____.

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 _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

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AUG 14 1990

1773 R36E S23 N23W

3.0 ACRES TOTAL

29-07960

SKOOG, JANET M.
SKOOG, THOMAS J.
9589 N. POCATELLO CREEK RD.
POCATELLO, ID 83201
Source: GROUNDWATER
Diversión Pt:

SWSESW Sec 18 T 04S R 35E

Use: IRRIGATION (.060 CFS)
STOCKWATER (.020 CFS)
DOMESTIC (.020 CFS)
Total Diversión: (.060 CFS)

Date Filed: 3-20-1990

In: T04S R35E S18 SE5W

2.0 ACRES TOTAL

29-07961

MC CAMMON DITCH CO., LTD.
C/O LYNDON GREEN, PRES.
1791 E. 16TH ST.
MC CAMMON, ID 83251
Source: POND
Tributary: SINKS
Diversión Pt:

SWNENE Sec 24 T 09S R 36E

Use: IRRIGATION (10.000 CFS)
Total Diversión: (10.000 CFS)

Date Filed: 3-22-1990

In: T09S R36E S12 SWNW NESW
NWSW SWSW SESW NWSE SWSE
S13 NENE NWNE SWNE SENE
NENW NWNW SWNW SENW NESW

NWSW SWSW SESW NESE NWSL

SWSE SESE

S14 SENE SWSW NESE NWSE

SWSE SESE

S22 NENE SENE NESE SESE

S23 NENE NWNE SWNE SENE

NENW NWNW SWNW SENW

NWSW SESW NESE NWSE SWSE

SESE

S24 NENE NWNE SWNE SENE

NENW NWNW SWNW SENW NESW

NWSW SWSW SESW NESE NWSE

SWSE SESE

S25 NWNE NENW NWNW SWNW

SESW

S26 NENE NWNE SWNE SENE

NENW NWNW SWNW SENW NESW

NWSE SWSE SESE

S27 NENE NWNE SWNE SENE

NENW NWNW NESE

R37E S18 NWNW SWNW SENW

NESW NWSW SWSW SESW

S19 SENE NENW NWNW SWNW

SESW NESW NWSW SWSW SESW

NESE NWSE SWSE SESE

S30 NWNE NENW NWNW

2599.9 ACRES TOTAL

29-07962

HARRIS, JEFFREY F.
HARRIS, KATHLEEN M.
P.O. BOX 252
MC CAMMON, ID 83250
Source: SPRING
Tributary: SINKS
Diversión Pt:

SWSWNE Sec 10 T 09S R 36E

Use: STOCKWATER (.050 CFS)
Total Diversión: (.050 CFS)

Date Filed: 4-25-1990

In: T09S R36E S10 SWNE

29-07963

HARRIS, JEFFREY F.
HARRIS, KATHLEEN M.
P.O. BOX 252
MC CAMMON, ID 83250
Source: SPRING
Tributary: SINKS
Diversión Pt:

SESENE Sec 10 T 09S R 36E

Use: IRRIGATION (.200 CFS)
Total Diversión: (.200 CFS)

Date Filed: 3-23-1990

In: T09S R36E S10 NENE SENE

10.0 ACRES TOTAL

29-07964

ROST, ROBERT H.
ROST, LA RITA S.
P.O. BOX 516
POCATELLO, ID 83204
Source: GROUNDWATER
Diversión Pt:

NESW Sec 8 T 07S R 35E

Use: COMMERCIAL (.020 CFS)
Total Diversión: (.020 CFS)

Date Filed: 4-19-1990

In: T07S R35E S08 NESW

29-07965

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AUG 14 1990

August 7, 1992

JEFFREY F. HARRIS
KATHLEEN M. HARRIS
P.O. BOX 252
MC CAMMON ID 83251

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07963

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

MICROFILMED
AUG 12 1992

RECEIVED

AUG 03 1992

OFFICE USE ONLY

Amt. of Fee \$ 50.00

Date 8-4-92

Receipt No. C025123

Receipt by J. J.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 29-07963 Telephone No. 254-3454
2. Name(s) of Permit Holder(s): Jeffrey F. + Kathleen M. Harris
3. Mailing Address: Box 252 McCommen, Idaho 83250
4. Source of Water: Springs

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation ☒ (No. of acres) 10 Other _____

6. Total rate and/or volume for which proof is submitted 0.20 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes ☒ No Installed? _____ Yes _____ No

OR
Flow Measurement Port: Required? _____ Yes ☒ No Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Jeffrey Harris 254-3454
Name Telephone No.

1000 Flamingo (Box 252) McCommen, Idaho
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

8/30/92 Kathleen Harris
Date Signature (and title, if on behalf of a company or organization)

MAINTAINED
AUG 12 1992

May 31, 1992

JEFFREY F. HARRIS
KATHLEEN M. HARRIS
P.O. BOX 252
MC CAMMON ID 83251

PROOF DUE NOTICE

RE: PERMIT NO. 29-07963

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

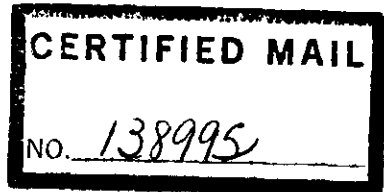
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



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AUG 12 1992

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
August 1, 1990

JEFFREY F. HARRIS
KATHLEEN M. HARRIS
P.O. BOX 252
MC CAMMON, ID 83251

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 29-07963

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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AUG 14 1990



State of I . o

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

23-May-1990

Jeffrey F. or Kathleen M. Harris
P.O. Box 252
McCammon, ID 83250

RE: Application for Permit No. 29-7962 & 29-7963

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Idaho State Journal on June 7 & 14, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

AUG 14 1990

29-07963

HARRIS, JEFFREY F.
HARRIS, KATHLEEN M.
P.O. BOX 252
MC CAMMON, ID 83250

Source: SPRING

Tributary: SINKS

Diversion Pt: SESENE Sec 10 T 09S R 36E

Use: IRRIGATION (.200 CFS)
 Total Diversion: (.200 CFS)

Date Filed: 3/23/ 1990

In: T09S R36E S10 NENE SENE

10.0 ACRES TOTAL

MICROFILMED

AUG 14 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

April 3, 1990

Jeffery and Kathleen Harris
P. O. Box 252
McCammon, Idaho 83250

RE: Applications for Permit

Dear Mr. and Mrs. Harris,

This letter is in reference to the two Applications for Permit that you filed with the Idaho Department of Water Resources on March 23, 1990.

Unfortunately, before we can process them, your signature is needed on both forms.

I have included photo-copies of both applications. Please sign each copy below the map on the third page and return them to this office.

Be sure to return both signed photo-copies of your Applications for Permit within thirty (30) days of the date of this letter to avoid return of your original applications and fees.

If you have any questions, please contact this office. The telephone number is 525-7161.

Sincerely,

Paul R. Meyer
WR Agent, Senior

enc.

RECEIVED

AUG 14 1990