

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07879

Priority: August 31, 1989

Maximum Storage Volume:

0.3 AF

This is to certify, that US DEPT OF INTERIOR

BUREAU OF LAND MANAGEMENT

940 LINCOLN RD

IDAHO FALLS ID 83401

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 31, 1989; and has submitted Proof of Beneficial Use on March 9, 1990. An examination indicates that the works have a storage capacity of 0.300 af of water from:

SPRING

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	06/15 to 10/15		0.2 AF
WILDLIFE STORAGE	01/01 to 12/31		0.1 AF
	Totals		0.3 AF

LOCATION OF POINT(S) OF DIVERSION:

NENESE, Sec. 21, Township 08S, Range 34E
POWER County

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

08S 34E 21

NESE

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
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.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.

FEB 22 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07879

CONDITIONS OF APPROVAL AND REMARKS

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 13TH
day of FEBRUARY, 1996


Acting for KARL J. DREHER, Director




FEB 22 1996

RECEIVED

MAR 9 - 1990

Department of Water Resources
Eastern District Office

RECEIVED

MAR 15 1990

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ _____
Date _____
Receipt No. _____
Received by _____

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 29-07879 (Packtrail Pond) Telephone No. (208) 529-1020

Name(s) of Permit Holder(s): USDI Bureau of Land Management

Post Office Address: 940 Lincoln Road, Idaho Falls, Idaho 83401

Source of Water: Unnamed Stream

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic _____ (No. of households) Irrigation _____ (No. of acres)
Stockwater 50 Range (No. and type of stock) Other 20 Deer, chukar, and other wildlife
Cattle

Total rate and/or volume for which proof is submitted _____ cfs .7 acre/feet

Show date water was first diverted and beneficially used under this permit: 11/01/89

One of the following may be a condition of approval of your permit:

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

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☐ No

Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Dan Kotansky, Bureau of Land Management
Name

(208) 529-1020
Telephone No.

940 Lincoln Road, Idaho Falls, Idaho 83401
Address

MICROFILMED

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.

APR 19 1990

3/8/90
Date

Gary A. Bliss
Signature (and title if on behalf of a company or organization) Acting D.M.

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-07879

Proposed Priority: August 31, 1989

Maximum Storage Volume:

0.7 AF

This is to certify, that U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD.
IDAHO FALLS, ID 83401

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>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	06/15 to 10/15		0.7 AF
WILDLIFE STORAGE	01/01 to 12/31		0.1 AF
	Totals		0.7 AF

LOCATION OF POINT(S) OF DIVERSION:

NENESE

Sec. 21, Township 08S, Range 34E
POWER County

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

08S 34E 21

NESE

PLACE OF USE: WILDLIFE STORAGE, same as STOCKWATER STORAGE use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1995.
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.

MICROFILMED

MAR 05 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-07879

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

15th day of February, 1990.

J. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

MAR 05 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Snake River

To appropriate the public waters of the State of Idaho

1. Name of applicant USDI, Bureau of Land Management Phone 529-1020

Post office address 940 Lincoln Road Idaho Falls, ID 83401

2. Source of water supply Unnamed spring which is a tributary of sinks

3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 8 S

Range 34 E B.M. Power County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.7 af for livestock purposes from 6/15 to 10/15 (both dates inclusive)
(~~af~~ acre-feet per annum)

Amount 0.1 af for wildlife purposes from 1/1 to 12/31 (both dates inclusive)
(~~af~~ 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:

a. _____ cubic feet per second and/or b. 0.8-0.70 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. stockpond

b. Height of storage dam 10 feet, active reservoir capacity 0.8 acre-feet; total reservoir capacity 0.8 acre-feet, materials used in storage dam: native soil

Period of year when water will be diverted to storage 1/1 to 12/31 inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 8 S

Range 34 E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 50 range cows with calves

(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: Deer, elk, and other
wildlife as found in the area

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MAR 05 1990

*kw 1/31/90

TWP	RANGE	SEC.	NE¼						NW¼				SW¼				SE¼			
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%		
			TOTALS																	

Total number of acres to be irrigated

~~US Government~~

U.S. Government

applicant to make this filing

~~by blasting in the summer of 1988 by Forest Service personnel. Will supply~~

~~water to allotment #3801, JDR #3030.~~

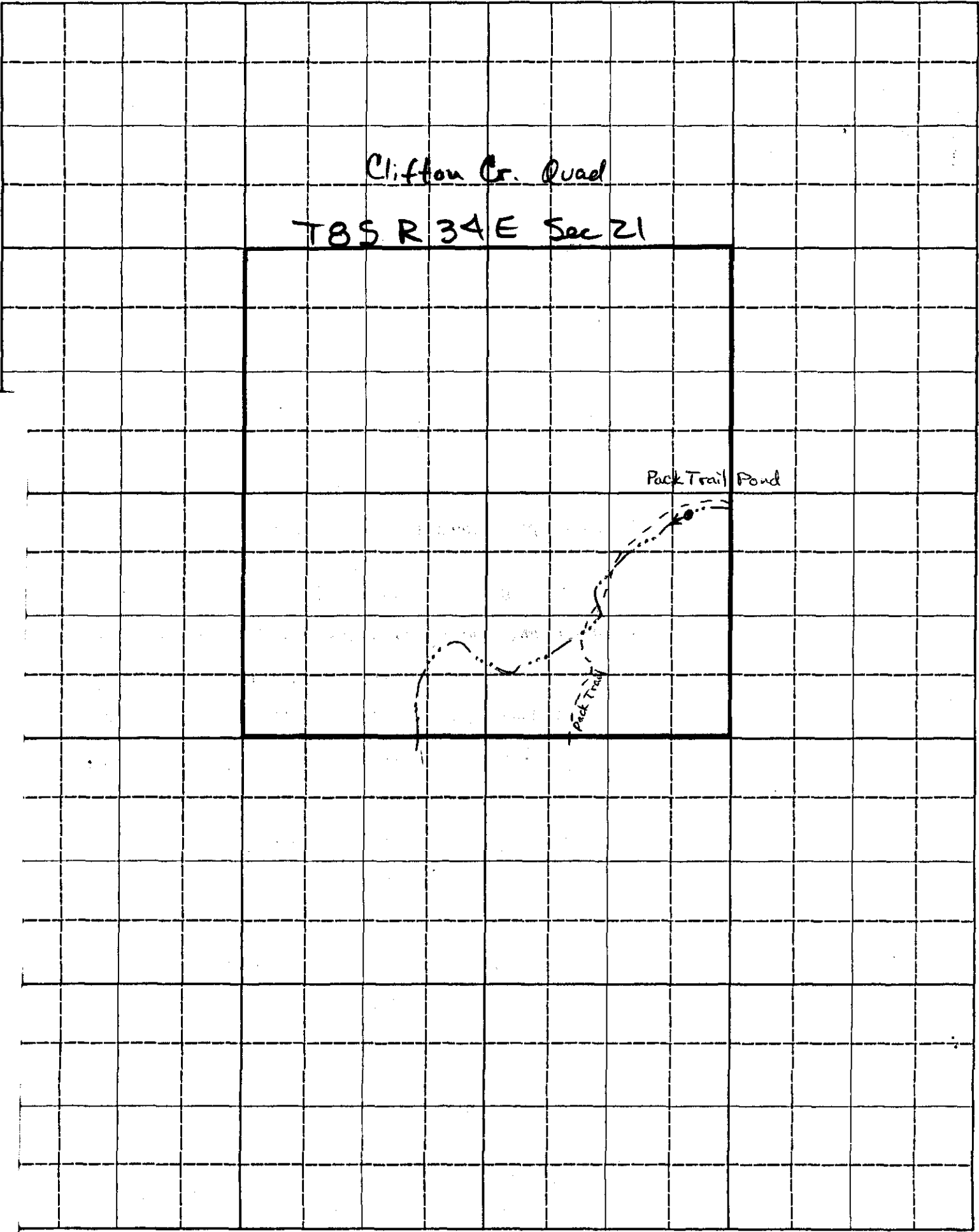
[illegible]

set forth.

MICROFILMED


(Applicant)

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

DISTRICT MANAGER
MAR 6 1990

[Signature]
(Applicant)

Received by HWJ Date 8-31-89 Time _____

Preliminary check by KW Fee \$ 30.00

Received by HWJ Date 8-31-89 * E010082

Publication prepared by RB Date _____

Published in Lower City Press

Publication dates 1-4 & 11-90

Publication approved OW Date 1-19-90

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by KW

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. Other:

RECEIVED

MAR 05 1990

Affidavit of Publication

State of Idaho

County of Power

Erma Crompton being first duly sworn on oath, states:

That she is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 3 day of January 1990 and the date of last publication being the 10 day of January 1990

(Signed)

Erma Crompton

State of Idaho

County of Power

On this 11 day of January in the year of 1990, before me, a Notary Public, personally appeared Erma Crompton, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Brett Crompton

Notary Public for Idaho

Residing at American Falls, Idaho
My commission expires: June 8, 1993

JAN 10 1990
Department of Water Resources
Eastern District Office

MICROFILMED

MAR 05 1990

Page Six
Jan. 10, 1990

Notice of correction

Published in The Power County Press,
Jan. 3, 18, 1990.

NOTICE OF CORRECTION
NO. 29-7848

Notice is hereby given that Application for Permit No. 29-7848 in the name of Michael Moss was advertised incorrectly on June 16 & 23, 1988. The point of diversion was advertised as being within the SESESW Sec 1 T 08S R 31E S01 SESW.

Whereas, the actual place of use is within the SWNW Sec. 1, T. 08S, R. 31E and the place of use is in T08S R 31E Sec. 1 SWNW.

Any protests against the granting of this permit as a result of this correction, must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before January 22, 1990.

R. Keith Higginson
Director

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

29-07879

USDI, BLM
940 LINCOLN RD.
IDAHO FALLS, ID 83401

Source: UNNAMED SPRING
Tributary: SINKS

Diversion Pt: NESE Sec 21 T 08S R 34E

Use: STOCKWATER (.70 AF)
WILDLIFE (.10 AF)
Total Diversion: (.70 AF)

Date Filed: 8/31/1989

In: T08S R34E S21 NESE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 15, 1996

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD
IDAHO FALLS ID 83401

RE: WATER RIGHT NO. 13-07466/29-07877/29-07878/29-07879/
29-08071/35-08644/35-08646/35-08650

Dear Water Right Holder(s):

Enclosed are copies of the Water Right Licenses issued on the above referenced permits. If you have any questions, please contact me within 10 days of receipt of these licenses.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

FEB 22 1996

MEMORANDUM

DATE: February 7, 1996
TO: File No. 29-07879
FROM: Cindy Zimmerman
SUBJECT: Telephone Conversation

=====

I talked today with Paul Meyer regarding several BLM stockwater field exams he did in September 1995 and sent to the state office in January 1996. These exams contained a short narrative of the system but no notes on the nature and date of the records used to verify beneficial use as required in Permit Processing Memo No. 8 dated 11/7/95.

Paul stated that he did not personally witness the diversion or any "as built" of the systems. Paul had contacted Deena Teal, an ecologist with BLM, and gave her a listing of the permits. Ms. Teal field verified each site for Paul and the SRBA claims.

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FEB 22 1996

Form 219
RECEIVED
JAN 13 1995
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Rocky Trawl Pond
JDR # 3030

A. GENERAL INFORMATION

Permit No. 29-07879

United States Department of Interior
Bureau of Land Management
940 Lincoln Road, Idaho Falls, ID 83401

Phone: (208) 524-7500

2. Accompanied by: DEENA TBAE EXAM DATE: 9-26-95

Address: _____ Phone No. _____

Relationship to Permit Holder: ECOLOGIST

3. Source: _____ tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: -

2. Other water rights with the same point of diversion: -

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NE	SE	21	8S	34E	Power	USGS, IN-OFFICE

2. Place(s) of Use:

Indicate Method of Determination Same

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	34E	21													S/W				

RECEIVED

FEB 22 1996

Form 219
RECEIVED
JAN 10 1995
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Rocky Mountain Pond
JDR# 3020

A. GENERAL INFORMATION

Permit No. 29-07879

United States Department of Interior
Bureau of Land Management
940 Lincoln Road, Idaho Falls, ID 83401

Phone: (208) 524-7500

2. Accompanied by: DEENA TEAL

EXAM DATE: 9-26-95

Address: _____

Phone No. _____

Relationship to Permit Holder: ECOLOGIST

3. Source: _____ tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: -

2. Other water rights with the same point of diversion: -

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NE	SE	21	8S	34E	Power	USGS, IN-OFFICE

2. Place(s) of Use:

Indicate Method of Determination SAME

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	34E	21													S/W				

FEB 22 1996

E. NARRATIVE/REMARKS/COMMENTS

MAN-MADE POND FOR STOCKWATER USE UP TO 50 RANGE CATTLE
AND NUMEROUS WILDLIFE SPECIES

Pack Trail Pond, JDR # 3030

Have conditions of permit approval been met? ☐ yes ☒ no

APPROVED

FEB 22 1996

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

IDWR STD FOR SO HD RANGE CATTLE = 0.7 AFA

 $0.7 \text{ AFA} \times 122 \text{ DAYS} / 365 = 0.23 \text{ AFA} = \underline{0.20 \text{ AFA}}$ DE MINIMUS WILDLIFE USE = 0.1 AFA**H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Stockwater</u>	<u>6-15</u>	<u>10-15</u>	_____	<u>0.20</u>
<u>WILDLIFE</u>	<u>1-1</u>	<u>12-31</u>	_____	<u>0.1</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:				<u>0.3</u>

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name SDM Date 12-15-95

Reviewer _____ Date _____

MICHAEL HEN
 SEAL
 FEB 22 1996

April 18, 1990

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD.
IDAHO FALLS, ID 83401

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07879

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. 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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

APR 19 1990

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
February 15, 1990

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
940 LINCOLN RD.
IDAHO FALLS, ID 83401

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

RE: PERMIT NO. P29-07879

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

MICROFILMED

MAR 05 1990

27-Dec-1989

USDI, BLM
940 Lincoln Rd.
Idaho Falls, ID 83401

RE: Applications for Permit No.'s 27-7487;
29-7877, -7878, -7879, -7880, -7881, -7882, -7883, & -7884

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permits. This office is currently in the process of advertising your applications in the Caribou County Sun, Idaho State Journal, & the Power County Press. The advertisements 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

MAR 05 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 22, 1989

THE POWER COUNTY PRESS
P.O. BOX 547
AMERICAN FALLS, ID 83211

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 22, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

MAR 05 1990

29-07879

USDI, BLM
940 LINCOLN RD.
IDAHO FALLS, ID 83401

Source: UNNAMED SPRING

Tributary: SINKS

Diversion Pt: NESE Sec 21 T 08S R 34E

Use: STOCKWATER	(.70 AF)
WILDLIFE	(.10 AF)
Total Diversion:	(.70 AF)

Date Filed: 8/31/1989

In: T08S R34E S21 NESE

MICROFILMED

MAR 05 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-7, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JANUARY 22, 1990.

R. Keith Higginson, Director

Published 1/03/1990 & 1/10/1990

MICROFILMED

MAR 05 1990