OFFICE OF THE
ATTORNEY GENERAL

W. ANTHONY PARK
ATTORNEY GENERAL

BIENNIAL REPORT
1 July, 1970 -- 30 June, 1972
Honorables Cecil D. Andrus  
Governor of the State of Idaho  
Statehouse  
Boise, Idaho 83707  

Dear Governor Andrus:

Pursuant to the requirements of the Idaho statutes, I submit herewith, for your examination and the examination of the Forty-Second Session of the Idaho Legislature, the Biennial Report of the Office of the Attorney General.

In the two years that I have served as Idaho's Attorney General, I have been privileged to witness a rather dramatic increase in the responsibilities and efforts of this office. For example, the Office of the Attorney General now has, pursuant to Title 48, Chapter 6, Idaho Code, the responsibility for all consumer protection activities for the State of Idaho. In addition to the Consumer Protection Division of the Office of the Attorney General here in Boise, we have opened branch offices for the benefit of the consuming public in Pocatello, Idaho and Moscow, Idaho. Both of these offices are staffed entirely by student personnel and, in the case of the office at the University of Idaho, such staff works voluntarily and without pay. The services of all of the consumer protection offices are available to the general public and have been well received. We are most pleased with the results which have obtained from this effort.

Another significant new responsibility for the Office of the Attorney General is in the area of drug abuse control. As you are aware, the Second Session of the Forty-First Idaho Legislature transferred responsibility for narcotics enforcement from the Board of Pharmacy to the Attorney General. Pursuant to that legislation and with the aid of certain federal grants, we have been able to establish a statewide network for narcotic enforcement. We have established regional offices in Coeur d'Alene, Boise and in Pocatello for servicing of the Northern, South Central and Southeastern Idaho areas. We feel that a great deal of progress has been made in taking hard narcotics out of circulation and arresting and convicting those who would deal in the misery of others. For the first time in the State of Idaho a unified and coordinated effort is being made on a statewide basis to reduce and, hopefully, eliminate traffic in controlled substances.
In addition to the new activities mentioned above, the Attorney General's office continues to provide services to the various agencies of State government. It is appropriate to note at this juncture that the demand for legal services among State agencies has substantially increased over the last several years. In the last two years alone, the staff personnel in the Attorney General's office has doubled as a direct result of this phenomenon. We have established within the Office of the Attorney General a Business Regulations Division (under which consumer protection activities are also coordinated), an Environment and Land Division, Criminal Division, Agricultural and Labor Division and the Education Division. We have full-time attorneys assigned permanently to other agencies as follows: Tax Commission, 3 attorneys; Department of Law Enforcement, 1\frac{1}{2} attorneys; Department of Agriculture, 1 attorney; Department of Water Administration and Water Resources Board, 1 attorney; Social and Rehabilitation Services, 5\frac{1}{2} attorneys; Department of Employment, 2 attorneys; and Public Utilities Commission, 1 attorney.

I would like to point out that the reason for the increased personnel assigned to Social and Rehabilitation Services is that with the aid of a federal grant and the cooperation of this office with SRS, we have established branch offices in several Idaho cities under the direction of the Attorney General for the purpose of prosecuting welfare fraud cases, recovering monies from ineligible recipients and assisting welfare mothers in collecting delinquent child support payments. This has been a most productive project and has resulted in the recovery of a substantial amount of money for the State of Idaho.

Space does not permit further elaboration on the activities of this office in detail. I and my staff continue to be available to you and all other elected officials or agencies of state government in whatever a capacity you or they deem appropriate.

Respectfully submitted,

W. ANTHONY PARK
Attorney General

WAP:bf
<table>
<thead>
<tr>
<th>POSITION</th>
<th>Name</th>
<th>Department/Division</th>
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<tbody>
<tr>
<td>Attorney General</td>
<td>W. ANTHONY PARK</td>
<td>December 1970</td>
</tr>
<tr>
<td>Attorney General</td>
<td>Robert M. Robson</td>
<td>December 1970</td>
</tr>
<tr>
<td>Chief Deputy Attorney General</td>
<td>Clarence D. Suiter</td>
<td>Mining &amp; Municipal law</td>
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<tr>
<td>Deputy Attorney General</td>
<td>Thomas C. Frost</td>
<td>Business Regulations &amp; Consumer Protection</td>
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<tr>
<td>Deputy Attorney General</td>
<td>Warren J. Felton</td>
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<tr>
<td>Deputy Attorney General</td>
<td>Richard H. Greener</td>
<td>Education, Personnel Com. &amp; Extraditions</td>
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<tr>
<td>Deputy Attorney General</td>
<td>James R. Hargis</td>
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<td>Deputy Attorney General</td>
<td>Fred Kennedy</td>
<td>December 1971</td>
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<td>Deputy Attorney General</td>
<td>John Magel</td>
<td>July 1972</td>
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<td>Deputy Attorney General</td>
<td>Robert Miller</td>
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<td>Martin R. Ward</td>
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<td>Assistant Attorney General</td>
<td>Phillip M. Barber</td>
<td>June 1972</td>
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<td>Assistant Attorney General</td>
<td>James W. Blaine</td>
<td>Dept. of Law Enforce.</td>
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<tr>
<td>Assistant Attorney General</td>
<td>Dwight V. Board</td>
<td>October 1971</td>
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<tr>
<td>Assistant Attorney General</td>
<td>Michael Brassey</td>
<td>June 1972</td>
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<tr>
<td>Assistant Attorney General</td>
<td>Charles P. Brumbach</td>
<td>March 1972</td>
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<td>Assistant Attorney General</td>
<td>John F. Croner</td>
<td>Election Laws</td>
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<td>Assistant Attorney General</td>
<td>Donald E. Knickrehm</td>
<td>Lands, Parks &amp; Human Rights Com.</td>
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<td>Assistant Attorney General</td>
<td>R. LaVar Marsh</td>
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<td>John Hancock</td>
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<td>Assistant Attorney General</td>
<td>Nathan Higer</td>
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<td>Wm. McDougall</td>
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<td>Assistant Attorney General</td>
<td>Charles Mooney</td>
<td>April 1972</td>
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<td>Assistant Attorney General</td>
<td>Gary Montgomery</td>
<td>Public Utilities Com.</td>
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<td>Assistant Attorney General</td>
<td>Michael Morfitt</td>
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<td>Assistant Attorney General</td>
<td>Stewart A. Morris</td>
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<td>Assistant Attorney General</td>
<td>James Reid</td>
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<td>Larry D. Ripley</td>
<td>December 1971</td>
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<td>Assistant Attorney General</td>
<td>Richard Russell</td>
<td>Social &amp; Rehabilitation Services</td>
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<td>G. Kent Taylor</td>
<td>Dept. of Health and Environmental Prot.</td>
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<td>Assistant Attorney General</td>
<td>J. Dennis Williams</td>
<td>Narcotics and Organized Crime</td>
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<td>Christopher Wyne</td>
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<td>Richard A. Shaw</td>
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<td>Secretary to Attorney General</td>
<td>Bonnie M. Frey</td>
<td>August 1971</td>
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<td>Administrative Secretary</td>
<td>Bernice Callsen</td>
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<td>Barbara Garland</td>
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DISTRICT COURT -- PENDING

4792 James Melton Knight vs. State of Idaho.
4794 Elmer Jackson Tramel vs. State of Idaho.
4796 Orvis Dilworth and Kenneth Dilworth vs. State of Idaho, ex rel., Marvin D. Gregorson, Director of Bureau of Occupational Licenses, the Hearing Examiner of the Department of Law Enforcement and Kent Taylor, Assistant Attorney General
4797 Board of Dentistry, State of Idaho vs. Lee Barnes d/b/a/ O.K. Dental Laboratory.
4798 L. Max Poulter vs. Tom D. McEldowney, as Acting Comm. of Finance of the State of Idaho, and Robert D. Barbour, as Conservator for Idaho Savings and Loan Association, a corporation vs. Parma Water Lifter Co., Inc.
4800 Idaho Wilderness School, Inc., and Mickey Smith vs. Outfitters and Guides Board of the State of Idaho, and Rex E. Lanham, Chairman of the Board, Jim Renshaw, James Baughman, R. J. Holmes and Lon Jarvis, Members of the Board.
4801 Donald A. Wozniak (#12805) P.O. Box 7309 Idaho State Pen. Boise, Idaho 83707 vs. State of Idaho.
4802 Robert Lane vs. State of Idaho.
4807 Donald A. Wozniak vs. Raymond W. May and Board of Correction.
4809 State Public Health District No. 2, Peter Gertonson, Chairman vs. State Board of Health: Fred C. Humphreys, Chairman, Merrill J. Sharp, John L. Van Orman & Lester J. Petersen.
4811 Paul Peterson and Alfred Mellinger vs. Raymond May, Director of Corrections, Idaho State Penitentiary.
4812 State of Idaho vs. Ivan L. Perrigo.
4823 Pete T. Cenarrusa, Secretary of State, State of Idaho vs. Harold E. Peterson, County Clerk County of Kootenai, State of Idaho.
4825 B. R. Brown, Commissioner of Labor, State of Idaho on behalf of Mrs. Jessie Meyer vs. Larry Gwen.
4826 Barbara L. Day vs. Sharp Electric and Refrigeration Company, and Idaho State Electrical Board and John Bender, State of Idaho.
4828 State of Idaho vs. City of Boise.
4830 Idaho Commission on Human Rights vs. Thomas Campbell, Principal, Bonneville High School, Willis Nelsen, Superintendent, School District No. 93, et al.
4831 E. Duane Grierson, Earl S. Carver, Patrick Kinner vs. Raymond W. May and the Idaho State Board of Correction.
4835 State of Idaho vs. Bobby L. Beason.
4840 Raymond Pierson vs. State of Idaho.
4842 Arthur McKenzie and Lurena McKenzie, H & W vs. John F. Christiansen, Director of Idaho State School and Hospital.
4843 Donald Dobson vs. State of Idaho.
4849 The County of Boundary, a political subdivision of the State of Idaho vs. Elizabeth T. Vandenbergh, a widow, Harold K. Wedell and Jane Wedell, husband and wife; City of Bonners Ferry; State of Idaho; Rogers-Youmans Lumber Co., a Minnesota Corp.
4852 State of Idaho vs. Abelardo Garza.
4854 State of Idaho vs. Harold D. McClellan.
4855 Eldon I. Hutchins and Reynold L. Allgood vs. Gordon C. Trombley, State Land Commissioner and Executive Officer of the State Board of Land Commissioners, and as Head of the Department of Public Lands, and the State Board of Land Commissioners of the State of Idaho.
4856 Hutchins and Allgood vs. Gordon C. Trombley and State Board of Land Commissioners.
4857 State of Idaho, ex rel, Lida C. Brown, Supt. of State Hospital South vs. John D. Somsen.
4859 State of Idaho vs. L. A. Westerberg.
4860 State of Idaho vs. R. A. Kellogg, N. D.
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<th>POSITION (Cont.)</th>
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<tr>
<td>Legal Secretary</td>
<td>Connie J. Coleman</td>
<td>December 1970</td>
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<tr>
<td>Legal Secretary</td>
<td>Reole A. Gearhard</td>
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<td>B. Bernadine Rigney</td>
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<td>Legal Secretary</td>
<td>Jayne A. McMillen</td>
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<td>Regina Craddock</td>
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<td>Pat Gerrity</td>
<td>June 1972</td>
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<td>Receptionist</td>
<td>Kathie Young</td>
<td>February 1972</td>
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<td>Legal Secretary</td>
<td>Clifta Bennett</td>
<td>May 1972</td>
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<td>Paul Buser</td>
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<td>Law Clerk</td>
<td>(Norman Jensen)</td>
<td>(summer only)</td>
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Appropriation
Attorney General's Office
July 1, 1970 - June 30, 1972

SALARIES AND WAGES.............................. 468,750.00
TRAVEL............................................ 27,500.00
OTHER CURRENT EXPENSE.......................... 77,000.00
CAPITAL OUTLAY................................... 17,500.00

TOTAL.............................................. $ 590,750.00
DISTRICT COURT -- CLOSED


4772 State of Idaho vs. Ricardo G. Florez.


4806 Ernest Duane Grierson vs. Raymond W. May, Glenn R. Jeffes, and Idaho State Board of Correction.

4808 State of Idaho vs. William Geisler and Anita Geisler.

4810 State of Idaho vs. John Brashier.

4829 E. Duane Grierson vs. State of Idaho.

4851 James David Rowe vs. State of Idaho.

4853 Richard Reed Bartron vs. State of Idaho.

4870 In the matter of the Estates of Nephi Aldrich and Elitha Minerva Aldrich, deceased.

4872 State of Idaho, ex rel State Board of Health and Robert M. Robson, Attorney General, vs. The Amalgamated Sugar Co.

4874 Ruth J. Loman vs. Bill Child.

4878 Louise Shaw vs. Bill Child.

4888 Alpine Associates, a limited partnership vs. the State of Idaho, Boise City, et al.

4891 David N. Bayless vs. State of Idaho.

4897 Earl S. Carver and Patrick Kinner, a/k/a Ernest Larry Ware, vs. State of Idaho.

4923 William Lloyd Burt vs. Raymond May, Mr. C. W. Crowl, Joseph Munch, Steve Ware, Mr. Griggs.
DISTRICT COURT -- PENDING

4746 John Bone vs. Wilfred J. Duclos.
4750 State of Idaho vs. Everett E. Heseman.
4752 Earl C. Manchester vs. Pete T. Cenarrusa, Secretary of State, Chief Election Officer, State of Idaho.
4758 State of Idaho vs. Dr. Gene A. DeMent.
4761 Norma Ahlstrom and William H. Westwood vs. Rudy Van Orden dba Moose Creek Ranch aka Teton Valley Retirement Center, an unincorporated association and State Hospital South at Blackfoot, Idaho, a civil Department of the State of Idaho.
4765 In the Matter of the Appeal from the Petition for Review of Stan H. Detweiler and Keith Sligar from an Order of denial by the State Board of Land Commissioner of a Lease for Purpose of mining from the bed of Snake River.
4768 State of Idaho vs. Lawrence L. Lang and Terry R. Hartley.
4773 E. D. Moon and Marilyn Moon, husband and wife, vs. Gleason Anderson, Magistrate of the Fifth Judicial District of the State of Idaho, in and for Cassia County.
4778 State of Idaho vs. Ramona R. Crossley
4779 State of Idaho, ex rel Tom D. McEldowney, Acting Commissioner of Finance, Plaintiff, vs. Richard Bishop, aka Bishop Credit Service.

State of Idaho, ex rel W. Anthony Park, Attorney General vs. Kuykendall's Unclaimed Freight and Kenneth Kuykendall, Owner, a/k/a Pfaff Sewing Center; Kuykendall's Unclaimed Freight.

Harry Koppel and Ethyl Koppel, husband and wife vs. State of Idaho.

State of Idaho vs. Michael Frank Lombard.

State of Idaho vs. Donald Ray Moore.

State of Idaho vs. Gerald D. Swain.

State of Idaho vs. Danny Denton (a/k/a Danny Mojica, true name), and John Ilett.

Karl R. Lewis vs. Gus Carr Anderson, Judge of the District Court of the Sixth Judicial District of the State of Idaho, in, and for the County of Bannock.

State of Idaho vs. Bluford Starr, Jr.. 

Steven Wayne Barnes vs. State of Idaho.

State of Idaho vs. Alva C. Caldwell.

State of Idaho vs. Patrick L. Turner.

State of Idaho vs. Gary Pappas (and Susan Pappas).

Gary L. Smith vs. State of Idaho.


State of Idaho vs. Frederick Thomas Metcalf.

State of Idaho vs. John C. Sorensen.
IDAHO SUPREME COURT -- PENDING

4740 State of Idaho vs. Steve Klink (Stephan Adair Klink - true name).
4743 State of Idaho vs. Edward Benjamin Pomme.
4748 State of Idaho vs. Patrick C. Colan.
4749 State of Idaho vs. Etha Marie Foley.
4755 State of Idaho vs. Virgil G. Oyler.
4760 John Roy Ilett vs. State of Idaho.
4769 State of Idaho vs. Allegra Thomas.
4770 State of Idaho vs. Wayne W. Sensenig.
4775 State of Idaho vs. Robert Allen Atwood.
4785 Melvin Luther Cox vs. The Honorable John H. Maynard, District Judge of the Second Judicial District of the State of Idaho.
4787 State of Idaho vs. William F. Rumsey.
4788 State of Idaho vs. Norman K. Jockumsen, Jr..
4789 State of Idaho vs. Danny Mojica, a/k/a Danny Denton.
4790 State of Idaho vs. Harley Lloyd Carringer, Alfred Floyd Mellinger, Paul Louis Peterson, Danny Ray Powers, and Melvin Allen Wood.
4791 Guy Junior Still vs. State of Idaho.
4793 State of Idaho vs. Leland Emmons.
4803 State of Idaho vs. John Lawrence Sadler and Ronald Glen Sever.
4804 State of Idaho vs. Harley Lloyd Carringer, Alfred Floyd Mellinger, Paul Louis Peterson and Danny Ray Powers.
4805 State of Idaho vs. Sam J. J. Pontier and David Gonzales.
4814 State of Idaho vs. Eugene Orr.
4815 State of Idaho vs. Robert Howard Wilbanks.
4816 Pamela Mahler vs. Milton Birnbaum, in his capacity as Magistrate, Magistrate's division of the District Court of the Third Judicial District for Canyon County Idaho.
4817 Homer Theodore Prappas vs. State of Idaho.
4819 State of Idaho vs. Fred Arlin Boyenger.
4820 State of Idaho vs. Glenn E. Bandelin and Stephen Bistline.
4821 Isabel Alcoser vs. Milton Birnbaum, in his capacity as Magistrate, Magistrate's Division of the District Court of the Third Judicial District for Canyon County, Idaho.
4822 State of Idaho vs. James Robert Liston.
4823 State of Idaho vs. William L. Ogata.
4824 State of Idaho vs. Sam J. J. Pontier (John J. Pontier) and David Gonzales.
4825 State of Idaho vs. Harold Glenn Chambers.
4826 State of Idaho vs. Albert E. Martinez.
4827 State of Idaho vs. Gary W. Hayes.
4828 State of Idaho vs. Robert Campbell.
4829 State of Idaho vs. Beverly Kerr.
4830 State of Idaho vs. Earl Gerdau.
4831 William D. Collins, Prosecuting Attorney for Boise County, State of Idaho vs. Ariel L. Crowley, Magistrate of the District Court of the Fourth Judicial District in and for the County of Boise, State of Idaho.
4832 State of Idaho vs. John H. Richardson.
4833 State of Idaho vs. (Ronald Philip Olson and) Jeff O'Mealey.
4834 State of Idaho vs. Sam J. J. Pontier (David Gonzales).
4835 State of Idaho vs. Raymond Ray Butler (Cr. 4840) and Clarence Ross Bender (Cr. 4871).
4837 Robert Whitley vs. District Court of Seventh Judicial District, Madison County, Rexburg, Idaho.
4838 State of Idaho vs. John Salazar.
4839 Vernon C. Phillips vs. District Court of Fifth Judicial District, Honorable Sherman J. Bellwood, Judge and August C. Bethke, Clerk of Court, in and for Minidoka County.
4840 State of Idaho vs. Ruben Garza Musquiz.
4842 State of Idaho vs. Daniel G. Goodrick.
4845 Citizens For Better Government, an Association of Valley Co., Idaho vs. County of Valley, a Political Subdivision of the State of Idaho.
State of Idaho, ex rel Cecil D. Andrus, Governor; Pete T. Cenarrusa, Secretary of State; W. Anthony Park, Attorney General; Delmer F. Engleking, Supt. of Public Instruction; Joe R. Williams, Auditor, as State Board of Land Commissioners; and Idaho State Board of Health vs. James Click, Sr., Eugene B. Weiss and Orral Lake, individually and as a mining partnership


State of Idaho, ex rel Gordon C. Trombley, Commissioner of Public Lands vs. Bill Smith and Jean M. Smith, husband and wife.

State of Idaho ex rel Gordon C. Trombley, Commissioner of Public Lands vs. Chicago, Milwaukee, St. Paul & Pacific Railroad Company, a corporation

State of Idaho vs. Elbert R. Horyna.


J. C. Beckdolt vs. Idaho State Penitentiary.

Idaho Power Co., a corporation, vs. Murrie C. Godfrey and Rhea Godfrey, husband and wife; W. Murland Godfrey and Cora Godfrey, husband and wife; Fay Burke Godfrey and Alene Godfrey, husband and wife; Darrel J. Godfrey and State of Idaho, Department of Public Lands.

State of Idaho, ex rel Cecil D. Andrus, Governor; W. Anthony Park, Attorney General; Delmer F. Engleking, Superintendent of Public Instruction; Joe R. Williams, Auditor and Pete T. Cenarrusa, Secretary of State, as the State Board of Land Commissioners, and Gordon C. Trombley, State Land Commission, vs. E. R. W. Fox, M. D., and Jane Doe Fox, husband and wife.

The State of Idaho, on the relation of W. Anthony Park, Attorney General of the State of Idaho; Robert L. Salter, Acting Director of the Idaho Fish & Game Department; and Terrell O. Carver, Administrator of Health of the Idaho State Board of Health vs. Chicago, Milwaukee, St. Paul & Pacific Railroad Company, a corporation.

United States of America vs. 29.17 acres of land, more or less, situate in Nez Perce County, State of Idaho, Dunclick, Inc. an Idaho Corporation, et al.

United States of America vs. 24.22 acres of land, more or less, Nez Perce County; State of Idaho, et al.
4902 United States of America vs. 7.52 Acres of land, more or less situate in Nez Perce County, State of Idaho; Jimmy R. Dorion and Darlene Dorion, et al.

4903 James David Rowe vs. Raymond W. May, Director of Corrections, Idaho State Penitentiary.

4904 Larry Trujillo vs. Raymond May, Director State of Idaho Penal Board, and Board of Correction.

4907 Benjamin R. Graham vs. Raymond W. May, Warden Virgil Carey, Lieutenant Curtis Williams, Guard.

4909 Eastern Idaho Production Credit Association, vs. Kent Gneiting, Lorraine Gneiting, Thayne Gneiting, Colleen Gneiting, d/b/a Tower Butte Ranch, a partnership, et al.


4914 State of Idaho vs. Suzanne Swearingen.

4915 State of Idaho vs. Edward W. Swearingen.

4916 State of Idaho vs. Terry Wayne Hustead.

4917 State of Idaho vs. George G. Hicks.

4918 State of Idaho vs. Clyde F. Mann.

4919 State of Idaho vs. Willard French.

4920 State of Idaho vs. Floyd Orrin Hazen.

4921 State of Idaho vs. Fred W. Hokenson.

4922 State of Idaho vs. Marion Keith Ritchie.

4924 Terry Hadlock vs. Raymond May, Warden, Idaho State Prison.

4925 State of Idaho, ex rel Keith Higginson, Director, Idaho Department of Water Administration; and State of Idaho, ex rel Cecil D. Andrus, Governor; Pete T. Cenarrusa, Secretary of State; W. Anthony Park, Attorney General, et al. vs. Lyle V. Hallberg.

4926 State of Idaho vs. Wesley L. Enyeart.

4927 State of Idaho vs. Orian Collingsworth.

4928 State of Idaho vs. John Salazar.

4929 State of Idaho vs. Jerry L. Hobson.

4930 Kermit Timothy Nielson vs. Raymond W. May, Director of Corrections.

Miller, Walter Dale (individually and on behalf of all other persons similarly situated) vs. Milton Birnbaum, individually and in his capacity as Magistrate of the Magistrate's Division of the District Court of the Third Judicial District for Canyon County, Idaho.

Earl Lylvester Carver #12651 Idaho State Penitentiary Box 7309, Boise, Idaho vs. Raymond W. May, Warden.
U. S. DISTRICT COURT -- PENDING

4745 United States of America vs. 190.59 Acres of Land, more or less situated in Clearwater County, State of Idaho; et al.

4757 Trevor R. Whitehead vs. Kathryn Van Leuven, now known as Kathryn Chase, Sharon Eileen McConnell and Boise State College.


4845 United States of America vs. 84.6 Acres of Land, more or less in the County of Nez Perce, State of Idaho, et al.

4846 United States of America vs. 460 acres of Land, more or less, in the Counties of Fremont and Madison, State of Idaho.

4858 Earl S. Carver and Patrick J. Kinner vs. State of Idaho.


4893 Larry J. Drapeau and Lawrence C. Thomas, vs. Raymond W. May, Warden.


4899 Donald A. Wozniak vs. State of Idaho, Department of Corrections and Paroles.

4783  State of Idaho vs. Eddie James, Jr.