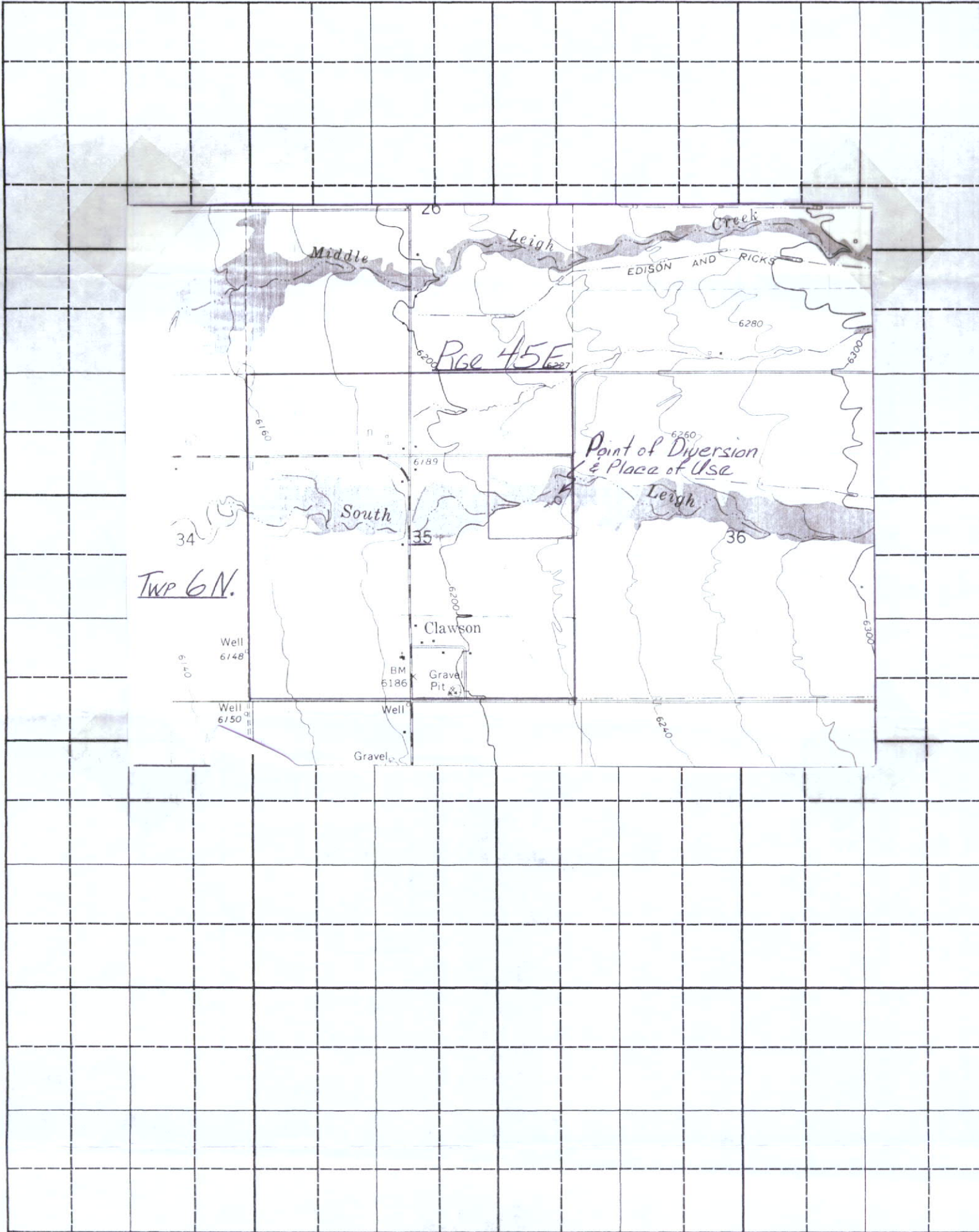


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

x L. B. Hofoed
(Applicant)

MICROFILMED

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
 County of Teton)

I, Anne Hatch
 being first duly sworn, depose and
 say that I am the Secretary
 of the Teton Valley News, a
 newspaper as defined by Idaho
 Codes Annotated, Section 58-106,
 as amended, and that said
 newspaper is a weekly newspaper
 printed and published at Driggs, in
 Teton County, Idaho, having a
 general circulation in said county,
 and that said newspaper has been
 printed in said county for more
 than 78 consecutive weeks prior to
 the first publication of the attached
 notice, advertisement or publica-
 tion of

Application for
water right

And affiant further says that said
 attached notice, advertisement or
 publication, as per clipping
 attached, was published in said
 newspaper, in the regular and
 entire issue thereof, and not in any
 supplement issue thereof, for 2
 consecutive issues thereof; first
 publication having been made on
 the 7 day of Feb, 1985
 and last publication on the 14
 day of Feb, 1985

And affiant further says that at
 the times herein mentioned said
 newspaper was made up of at least
 eight pages of at least five columns
 each, printed from type matter, of
 at least sixteen inches deep.

Anne Hatch

Subscribed in my presence and
 sworn to before me this 7th day of
Feb, 1985
 (SEAL) Notary Public for the state
 of Idaho, residence and postoffice
 address, Driggs, Idaho.

Ronda Hammer
 My Commission expires

9/29, 1986

**NOTICE OF APPLICATION
 FOR WATER RIGHT**

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

22-7486

Kofoed, L.B.
 Route 3 Box 167, Rigby, ID
 83442

Source: Spring trib. to Sinks
 Date filed: 12/31/1984

Diversion pt: SENE Sec 35 T 06N
 R 45E

Use: Stockwater (0.03 cfs)
 In: SENE Sec 35 T 06N R 45E

The permit(s) will be subject to
 all prior water rights. Protests
 must be filed with the Director,
 Dept. of Water Resources, 150
 Shoup Ave., Suite 15, Idaho
 Falls, Idaho 83402 on or before
 FEBRUARY 25, 1985.

Ken Dunn, Dir.

Published in the Teton Valley
 News February 7 and 14, 1985.

RECEIVED

FEB 25 1985

Department of Water Resources
 Eastern District Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant L. B. Kofoed Phone 745-7560

Post office address Route 3 Box 167, Rigby, ID 83442

2. Source of water supply Spring which is a tributary of Sinks

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 35 Township 6N

Range 45E B.M. Teton County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.03 for Stockwater purposes from 1-1 to 12-31 (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:

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. Excavated pond.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ 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: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 35 Township 6N

Range 45E 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 60 Range 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: _____

MICROFILMED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. None.

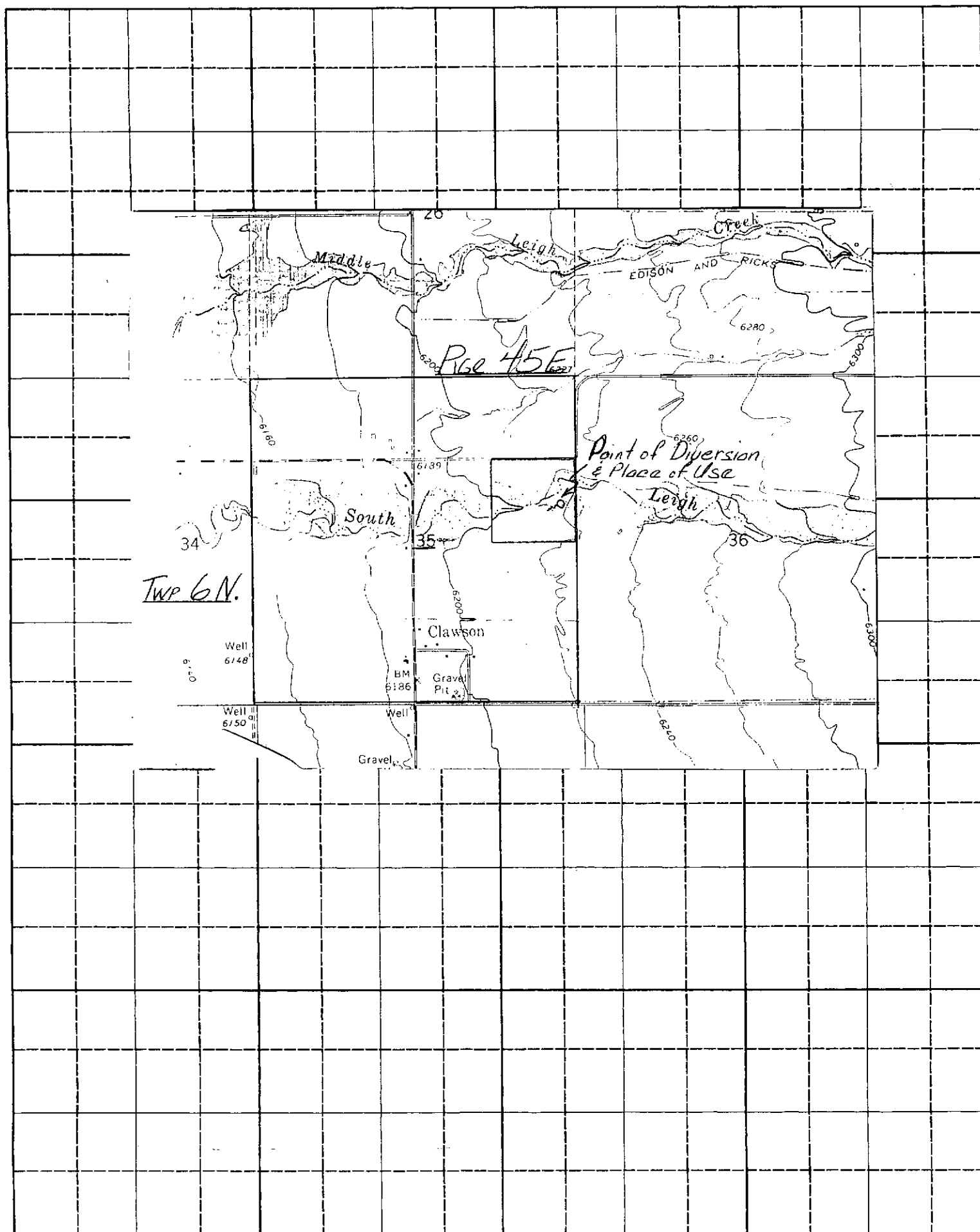
9. a. Who owns the property at the point of diversion Applicant

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 _____

10. Remarks Applicant hopes to develop a spring that will provide water for stock during those periods when South Leigh Creek is dry.

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.

x L. B. Asford
(Applicant)

MICROFILMED

Proposed by 1/25/85

MICROFILMED

Assisted by EMC 12-31-84

Received by CW Date 1-25-85 Time 1:15 P

Preliminary check by _____ Fee \$ 30⁰⁰

Receipted by 17 Date 1-31-85 # 34394

Publication prepared by CW Date 1-30-85

Published in Jeton Valley News

Publication dates 2-7 & 2-14-85

Publication approved CW Date 2-26-85

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC CW

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. 22-7486, 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 May 1, 19 90.
- 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: 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.
Use of water under this permit is subject to control by the watermaster of State Water District 01, Snake River.

Witness my hand this 15th day of May, 1985.

A. Glen Saxton
Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
 County of Teton)

1. Anne Hatch.....
 being first duly sworn, depose and
 say that I am the Secretary
 of the Teton Valley News, a
 newspaper as defined by Idaho
 Codes Annotated, Section 58-106,
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Application for
water right

And affiant further says that said
 attached notice, advertisement or
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 newspaper, in the regular and
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 publication having been made on
 the 7 day of Feb, 1985
 and last publication on the 14 day
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And affiant further says that at
 the times herein mentioned said
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 eight pages of at least five columns
 each, printed from type matter, of
 at least sixteen inches deep.

Anne Hatch

Subscribed in my presence and
 sworn to before me this 7 day of
Feb, 1985

(SEAL) Notary Public for the state
 of Idaho, residence and postoffice
 address, Driggs, Idaho.

Ronda Hammer
 My Commission expires

9/29 1986

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 have been filed to appropriate
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 Route 3 Box 167, Rigby, ID
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 all prior water rights. Protests
 must be filed with the Director,
 Dept. of Water Resources, 150
 Shoup Ave., Suite 15, Idaho
 Falls, Idaho 83402 on or before
 FEBRUARY 25, 1985.

Ken Dunn, Dir.

Published in the Teton Valley
 News February 7 and 14, 1985.

RECEIVED

FEB 25 1985

Department of Water Resources
 Eastern District Office

MICROFILMED

June 4, 1990

L. B. KOFOED
ROUTE 3 BOX 167
RIGBY, ID 83442

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07486

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

RECEIVED

JUN 1 8 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 22-7486

Date: 5-31-90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change _____ If yes, prepare a data entry
☒ Proof received timely _____
_____ Reinstated

Source of Water:

- ☒ Surface water
_____ Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- NO Is a measuring device or access port required?
_____ Has one been installed?
_____ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Priority Calculation:

Date proof received	<u>N/A</u>	_____
Date proof due		_____
No. of days late		= _____
Priority date		+ _____
NEW PRIORITY DATE		= _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Address Change

RECEIVED
MAR 26 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
APR 23 1990

Department of Water Resources

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. 22-07486 Telephone No. 745-7560

Name(s) of Permit Holder(s): L.B. & Ardis Koford

Post Office Address: 3854 East Menan Hwy Rigby Idaho

Source of Water: Seep Hole

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

Extent of Use:

Domestic 30 Head (No. of households)

Irrigation — (No. of acres)

Stockwater Beef (No. and type of stock)

Other —

Total rate and/or volume for which proof is submitted 0-.04 cfs 0-4 acre/feet

Show date water was first diverted and beneficially used under this permit: June 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: \$ 0 (See License Examination Fee Schedule)

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

L. B. Koford 745-7560
Name Telephone No.

3854 E. Menan Hwy Rigby Id. 83442
Address

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.

JUN 18 1990

Date

4-18-90 X L.B. Koford
Signature (and title if on behalf of a company or organization)

W.B. Koford
3854 E. Mormon Hwy
Albany, Id. 83442

Returned for
proper
signature
4-17-90

OFFICIAL USE

MILITARY MAIL



State of Idaho

Department of Water Resources
1301 North Orchard Street

Boise, Idaho

83706-2237

138191
February 28, 1990

L. B. KOFOED
ROUTE 3 BOX 167
RIGBY, ID 83442

PROOF DUE NOTICE
RE: PERMIT NO. 22-07486

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 May 1, 1990. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED

JUN 1 8 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. Glen Saxton

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

RECEIVED

JUN 18 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

KOFOED, L. B.
ROUTE 3 BOX 167
RIGBY, ID 83442

MAY 21, 1985

RE: PERMIT NO. 22-7486

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

THE 1982 IDAHO LEGISLATURE ADDED A 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 INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: G. F. RAMSEY

APPLICATION NUMBER: 22-7486

CHECK:

JAN 29 1985

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☐ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☒ No
☐ Yes ☒ No

Platted by: _____ Map No. _____

Other rights on same place of use. _____

- ☒ Yes ☐ No*

In form for advertising.

Final date for protests: 2-25-85

- ☐ Yes ☒ No

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 2-26-85
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.

- ☐ Yes ☒ No

Measuring device required.

- ☐ Yes ☒ No

Access port required.

- ☐ Yes ☒ No

Will water be delivered by watermaster? If yes, what district? 01

- ☐ Yes ☒ No

Date of priority recommended.

Special conditions of approval or cover letter. _____

Allow

1-25-85

12-31-84

for priority-

#26

app. not identified in S.F. suit.

By: Ernest Carlson

Date: March 5, 1985

STATE OFFICE REVIEW:

417

26 05 (01, Snake River)

- ☐ See attached sheet for more information.

By: EW

Date: 5/13/85

Department of Water Resources

MICROFILMED

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JANUARY 30, 1985

Teton Valley News
Driggs,
Idaho 83422

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 FEBRUARY 25, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before FEBRUARY 25, 1985.

KEN DUNN, Dir.

Published 2/7 & 2/14/85.

MICROFILMED

22-7486

KOFOED, L. B.

ROUTE 3 BOX 167, RIGBY, ID 83442

Source: SPRING trib. to SINKS

Date Filed: 12/31/1984

Diversion Pt: SENE Sec 35 T 06N R 45E

Use: STOCKWATER (0.03 CFS)

In: SENE Sec 35 T 06N R 45E

MICROFILMED