

№ 1348

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

J. Walter Ross

being duly sworn,

deposes and says:

That he is the *Co. Publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *2* consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

May 14, 19*81*, and ending
with the issue of *May 21*, 19*81*.

Fee \$ *14.99*

Subscribed and sworn to before me this *28th* day
of *May*, 19*81*.

Kevin D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires *June 7*, 19*82*

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

13-4143

KOFOED, JOHN A. &/or ELDA JO ANN

RT. 3 BOX 219, PRESTON, ID 83263

Source: SPRING tributary to BAT-TLE CREEK

Priority Date: 05/15/1968

Amount: 0.02 CFS

Diversion Point: NENE Sec 05 T 15S R 39E FRANKLIN Co.

Use: DOMESTIC (0.02 CFS) from 01/01 to 12/31

Place of Use: SWNW Sec 04 T 15S R 39E

Diversion Means: COLLECTOR & PIPELINE

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401.

A. KENNETH DUNN
Director

Published 5/14 & 5/21/81

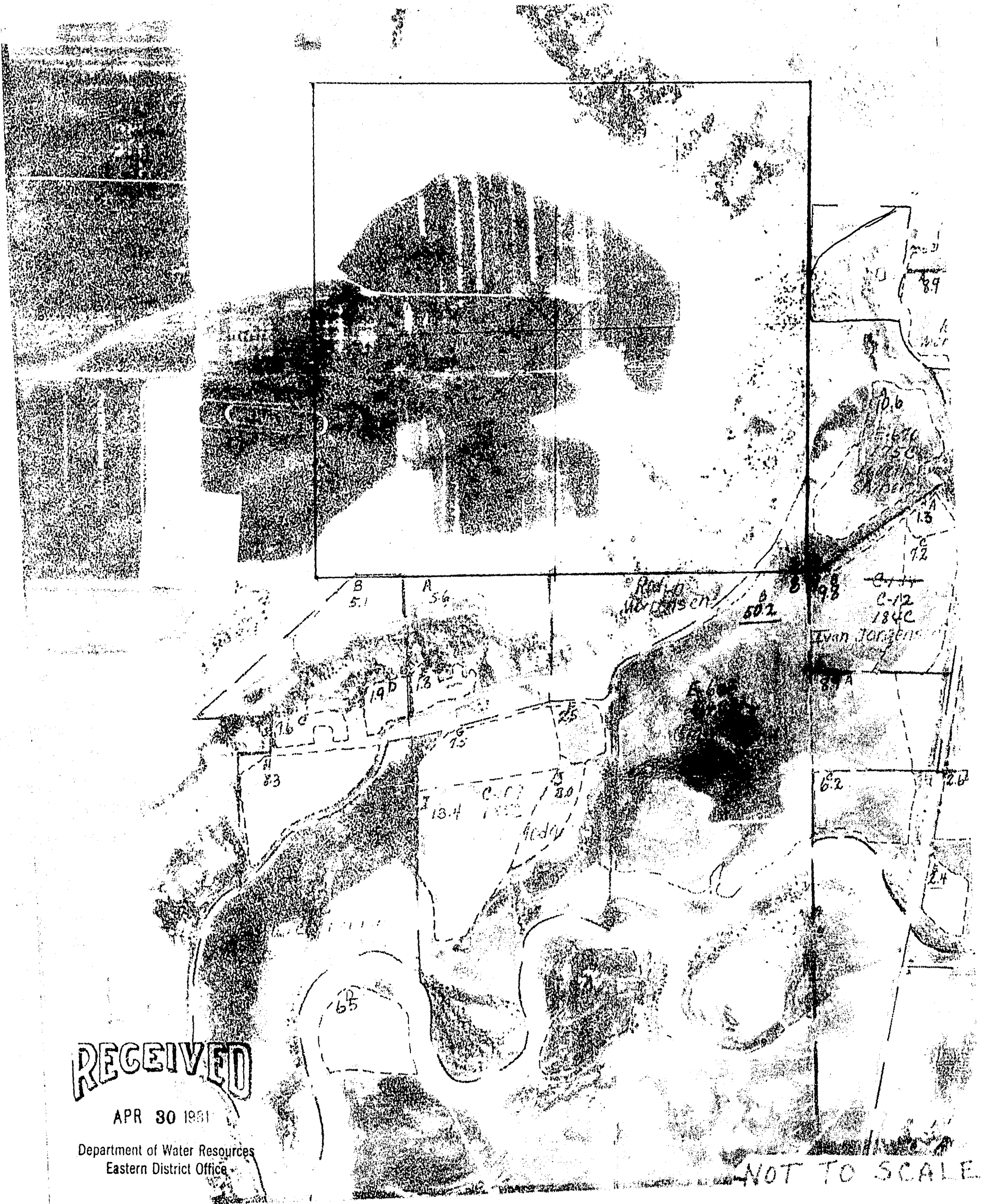
Legal No. 1348-30L Pub. May 14, 21, 1981

RECEIVED

JUN 8 1981

Department of Water Resources
Eastern District Office

ok kw 6/22/81



Spring and Collection Box

Home Site

line to Home Site

3/4 PVC Pipe

39E BM

5 4 5 4

15S

N

TWP 15S
R9 39E BM
Franklin County
Idaho

Received by EW Date 4/30/81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by EMC Date 5-1-81 claimant by: _____
\$20.00 fee received by EW Date 5/6/81 # 17617
Published in Preston Citizen _____
Dates 3/14 & 5/21/81 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that John A. &/or Elda JoAnn Kofoed
(Name of Claimant)
Rt. #3, Box 219, Preston, Idaho 83263 Telephone No. 852-2825
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) May 15 1968

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
unnamed spring tributary to Battle Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.02 cfs</u>	Use <u>domestic</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 0.02 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NE 1/4, Sec. 5, Twp. 15S Rge. 39E B.M., County of Franklin
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
collector and " pipeline
Pipeline is 2 inch, collection box is approx. 1200 gal. capacity.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	39E	4							X										

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Single family domestic

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

13-4143-

KOFOED, JOHN A. &/or ELDA JO ANN

RT. 3 BOX 219, PRESTON, ID 83263

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A. KENNETH DUNN
Director

Published 5/14 & 5/21/81.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

JUNE 2, 1981

JOHN A. KOFOED
ELDA JO ANN KOFOED
RT. 3 BOX 219
PRESTON ID 83263

RE: Claim No. 13-4143

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Ernest

Right Number 13 4143 Applicant Kylead.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

proved
5/12/81
kw
6/1

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date June 28, 1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By W. M. Murren Date 6/30/81