

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 35-08802C

Priority: June 20, 1989

Maximum Diversion Rate:

0.18 CFS

Maximum Diversion Volume:

36.0 AF

This is to certify, that DANIEL T POLATIS

131 S 1075 W

BLACKFOOT ID 83221

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 20, 1989; and has submitted Proof of Beneficial Use on June 3, 1992. An examination indicates that the works have a diversion capacity of 0.370 cfs of water from a GROUNDWATER 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>
IRRIGATION	04/01 to 10/31	0.18 CFS	36.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 8(NWNE), Sec. 20, Township 03S, Range 34E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S	34E	20	Lot 7(NENE) 3	Lot 8(NWNE) 6		9

Total number of acres irrigated: 9

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. 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.

MICROFILMED

SEP 21 1998

MICROFILMED

State of Idaho
Department of Water Resources

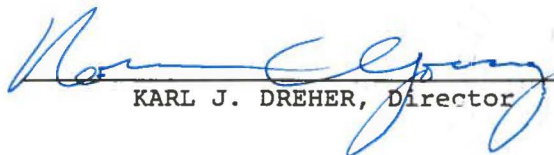
Water Right License

WATER RIGHT NO. 35-08802C

CONDITIONS OF APPROVAL AND REMARKS

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.

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 8TH day of SEPTEMBER, 1998.


KARL J. DREHER, Director

SEP 21 1998

RECEIVED

AUG 17 1998

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08802C

Date of Priority: June 20, 1989

Maximum Diversion Rate: 0.18 CFS
Maximum Diversion Volume: 36.0 AF

Comes now DANIEL T POLATIS
131 S 1075 W
BLACKFOOT ID 83221

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 35-08802C, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.18 CFS	36.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 8(NWNE), Sec. 20, Township 03S, Range 34E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S	34E	20	Lot 7(NENE) 3	Lot 8(NWNE) 6		9

Total number of acres irrigated: 9

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Blackfoot, Idaho, this 30 day of July, 19 98.

131 South 1075 West
Blackfoot ID 83221
10: AM

MICROFILMED

(Signature)

SEP 21 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08802C

FOR DEPARTMENT USE ONLY

Preliminary check by SUK Fee = 5000 Received by LS # C0413145 Date 8/17/98

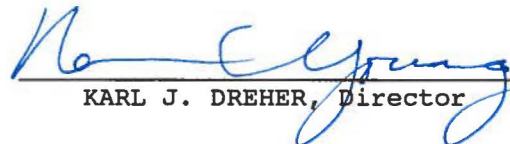
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 35-08802C with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. 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.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Witness my hand this 8TH day of SEPTEMBER, 1998.


KARL J. DREHER, Director

MICROFILMED
SEP 21 1998

RECEIVED
JUL 29 1993

Department of Water Resources

STATE OF IDAHO

APPROVED

Ident. No. 35-08802C

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Daniel T. Polafis Phone 684-4312

of (address) 131 S. 1075 W Blkft. AD. 83221, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 35-08802C, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 NW 1/4, Section 20, Township 3 S, Range 34 E, B.M.,
County of Bingham. Other points of diversion: gov't Lot 8.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.18 cfs for Irrigation purposes from 4-1 to 11-1 (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)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
3S	34E	20	178 9																9

Total number of acres to be irrigated = 9

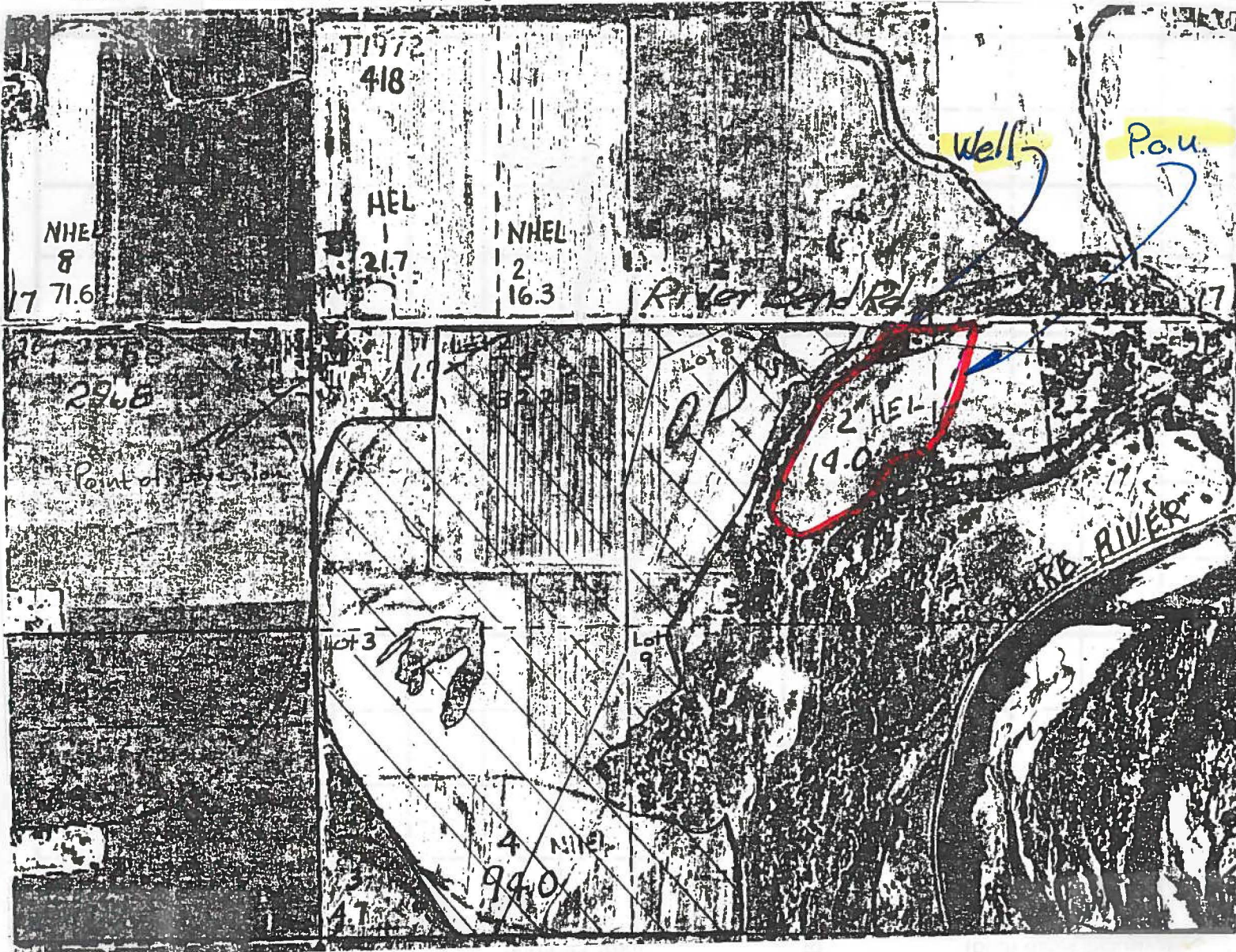
4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the place of use? Applicant.
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing:

APPROVED

AUG 30 1993

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Wahona Falls, this 3 day of June, 1993.

David T. Salter
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by HWS Fee = \$20.00 E 018677 Received by RB Date 6-7-93

Publication prepared by RB Date _____ Published in Morning News

Publication dates 7-1-8-93

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby approve the above referenced application for amendment. See the attached sheet for the conditions of approval.

Witness my hand this 23rd day of August, 19 93.

L. Glen Saxton

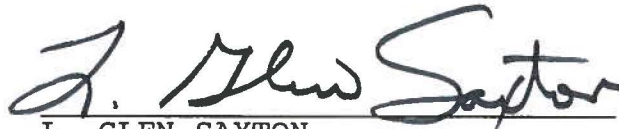
AUG 30 1993

CONDITIONS OF APPROVAL

Amendment of Permit No. 35-08802C

1. The previous conditions as set forth in Permit No. 35-08802 must be met.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
4. Construction of the well must comply with Idaho well construction standards.

Dated this 23rd day of August, 1993.



L. GLEN SAXTON
Chief, Water Allocation Bureau

RECORDED
AUG 30 1993

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED
JUN 18 1993
Department of Water Resources

I, Larry E. Van Orden, hereby assign to Daniel T. Polatis
of 131 S 1075 W Bluff RD 83221 684-4312.
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____
to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit
No. 35-08802 to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage).

9 AC in Lot 8 (NWNE) S20 T03S R34E for 0.18 cfs

Made this 3 day of June, 1993.

Larry E. Van Orden
Permit Holder

Daniel T. Van Orden
Spouse of Permit Holder

State of Idaho)
County of Bingham) ss.

On this 2nd day of June, 1993, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Jam D Jones
Notary Public residing at
Bingham Co, Idaho

My commission expires:
10/31/97

JUL 02 1993

database updated 6/25/93 cz

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~Original Application~~	~~35-08802~~	~~Daniel D Thomas~~	
		~~LaJune T Thomas~~	~~0.60~~
~~Full Assignment~~	~~35-08802~~	~~Larry E Van Orden~~	
		~~Paunie T Van Orden~~	~~0.60~~

SPLIT INTO PARTS A, B & C BY ASSIGNMENT

Partial Assignment	35-08802A	Larry E Van Orden Paunie T Van Orden	0.32
Partial Assignment	35-08802B	William R Marshall Cheryl A Whitaker	0.10
Partial Assignment	35-08802C	Daniel T Polatis	0.18

SCANNED

AUG 19 2005

RECORDED

JUL 02 1993

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED
JUN 18 1993
Department of Water Resources

I, Larry E. Van Orden, hereby assign to Daniel T. Polatis
of 131 S 1075 W Bldg AD 83221 6844312.
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____
to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit
No. 35-08802 to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage).

9 AC in Lot 8 (NWNE) 520 T03S R34E for 0.18 cfs

Made this 3 day of June, 1993.

Larry E. Van Orden
Permit Holder

Daniel T. Van Orden
Spouse of Permit Holder

State of Idaho)
County of Bingham) ss.

On this 21st day of June, 1993, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Sam Jones
Notary Public residing at
Bingham Co, Idaho

My commission expires:
10/31/97

JUL 02 1993

database updated 6/25/93 cz

11/91

RECEIVED
JUN 8 1992

RECEIVED
JUN 12 1992

OFFICE USE ONLY 00
Amt. of Fee \$ 100
Date 6-3-92
Receipt No. E017431
Receipt by RB

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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. 35-08802 Telephone No. 684-3965
2. Name(s) of Permit Holder(s): Larry E. & Laurie T. VanOrden
3. Mailing Address: 1054 W. 125 S. Blackfoot, Idaho 83221
4. Source of Water: Groundwater

If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: Late 1960's
(Prior to July 1, 1987) OR Early 1970's

OPTIONAL:
Pump horsepower: 50 Pressure (psi): 75 lbs Dynamic pumping level (ft.): _____

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

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)
Irrigation 30 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted .60 cfs OR _____ acre/feet

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

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

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

8. Fee Enclosed: \$ 100.00 (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.

Larry E. Van Orden 684-3965
Name Telephone No.
1054 W. 125 S. Blackfoot, Idaho 83221
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.

6-3-92 Larry E. Van Orden
Date Signature (and title, if on behalf of a company or organization)

RECEIVED
JUN 24 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

September 8, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DANIEL T. POLATIS
131 S 1075 W
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08802C

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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SEP 21 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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SEP 21 1998

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

If you have any questions, please call me at 208-327-7946.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

SEP 21 1998

CERTIFICATE OF MAILING

I hereby certify that on the 8th day of **September, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 35-08802C

DANIEL T POLATIS
131 S 1075 W
BLACKFOOT ID 83221


Kari Lynn Townsend
Secretary

MICROFILMED

SEP 21 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

August 17, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DANIEL T POLATIS
131 S 1075 W
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08802C

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed.

As of this date, I have not received this amendment. If I do not receive the amendment within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you has been misplaced, a new one is enclosed. Please note that the filing fee for this amendment is \$50.00.

If you have any questions, please call me at (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

SEP 21 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

July 27, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DANIEL T POLATIS
131 S 1075 W
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08802C

Dear Permit Holder(s):

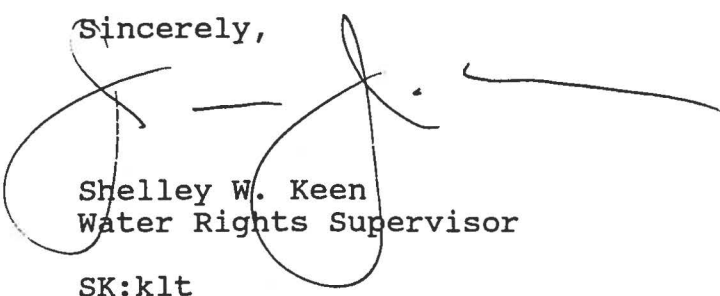
The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that your place(s) of use is in a location other than what was described on your permit. Therefore, before a license can be issued, the permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the place(s) of use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
SEP 21 1998

MEMORANDUM

TO: File 35-08802C

FROM: Sharla

DATE: May 27, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit No. 35-08802C are as follows:

C. DIVERSION AND DELIVERY SYSTEM

2. Place(s) of Use:

T3S, R34E, S20 - NENE (3 acres), NWNE (6 acres)

TOTAL = 9 acres

H. RECOMMENDATIONS

Irrigation	4/1 - 10/31	0.18 cfs	36.0 afa
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For rights with more than 5 acres, the number of acres per $\frac{1}{4}$ is rounded to the nearest whole number. The rate of diversion is based on this number of acres.

Examiner: Don Simpkins
Exam Date: June 24, 1996

MICROFILMED

SEP 21 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08802C DATE 5/26/98 REVIEWER: SHARLA

NAME Change/OK
Address OK
SOURCE OK Does change clarify orig. intended source? If no, Void permit

POINT OF DIV chg Change (P39 /P47) Add (P45/P42) Feds - P40

W32 (multiple in 1/4)
W36 (overlap)
W59 (subd. desc)
*Gov. Lot 8 used on amendment
change of 1/4 dose. won't require amendment*

Overlaps: Right(s):
File reviewed Profile reports printed

PLACE OF USE Chg Change (P41/P47) Add (P41/P42) Feds - P43

W60 (subd. desc)
W27 (ppu acre limit)

Overlaps: Right(s):
File reviewed Profile reports printed

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate .18 cfs
Fee limit 1.00 cfs \$100.00
Measured cfs .21 rainbirds
Theoretical .37 cfs

Recommended Total Div Rate .18 cfs

WATER USES	<u>OK</u>	Change (P46)		
<u>Irr</u>	<u>.18</u> cfs	<u>9x4.0</u> af	Irrig -	overlap (R58-R61, R62-R65, R66-R69)
	cfs	af		supp. gw (WB7/065/079)
	cfs	af		overlap spec. combined rts (W35)
	cfs	af		<1acre (W31)
	cfs	af	Domestic	(W01/WB5/070/071/075)
TOTALS	<u>.18</u> cfs	<u>36.0</u> af	Power	(W42 or W43/025/027/R22 or R23)
			Fish (042)	Fire (077) Wtr Quality (081/R07)

Flow rate .18 cfs X 214 days X 1.98 = 76.3 af

REMARKS

ADD'L CONDITIONS Watermaster Control WD#
 GW Measurement/Measuring Device
 Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority yes no

SRBA Claim NA

Adjust Memo rounded ac./rate
Amend letters P41 P38
P42

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 03 1998
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-08802C

1. Owner: DANIEL T. POLATIS Phone No. 684-4312

Current Address: 131 S. 1075 W, BLACKFOOT, IDAHO 83221

2. Accompanied by: ARLON HIBBERT EXAM DATE: 6/24/96

Address: _____ Phone No. (208) 684-5591 SHOP
684-4081 HOME

Relationship to Permit Holder: RANCH MANAGER

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

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

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

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
	L-8	SE	NW	NE	20	03S	34E	BIDHAM	U.S.G.S. TOPO MAP/NAPP PHOTO

2. Place(s) of Use:

Indicate Method of Determination ON SITE INSPECTION

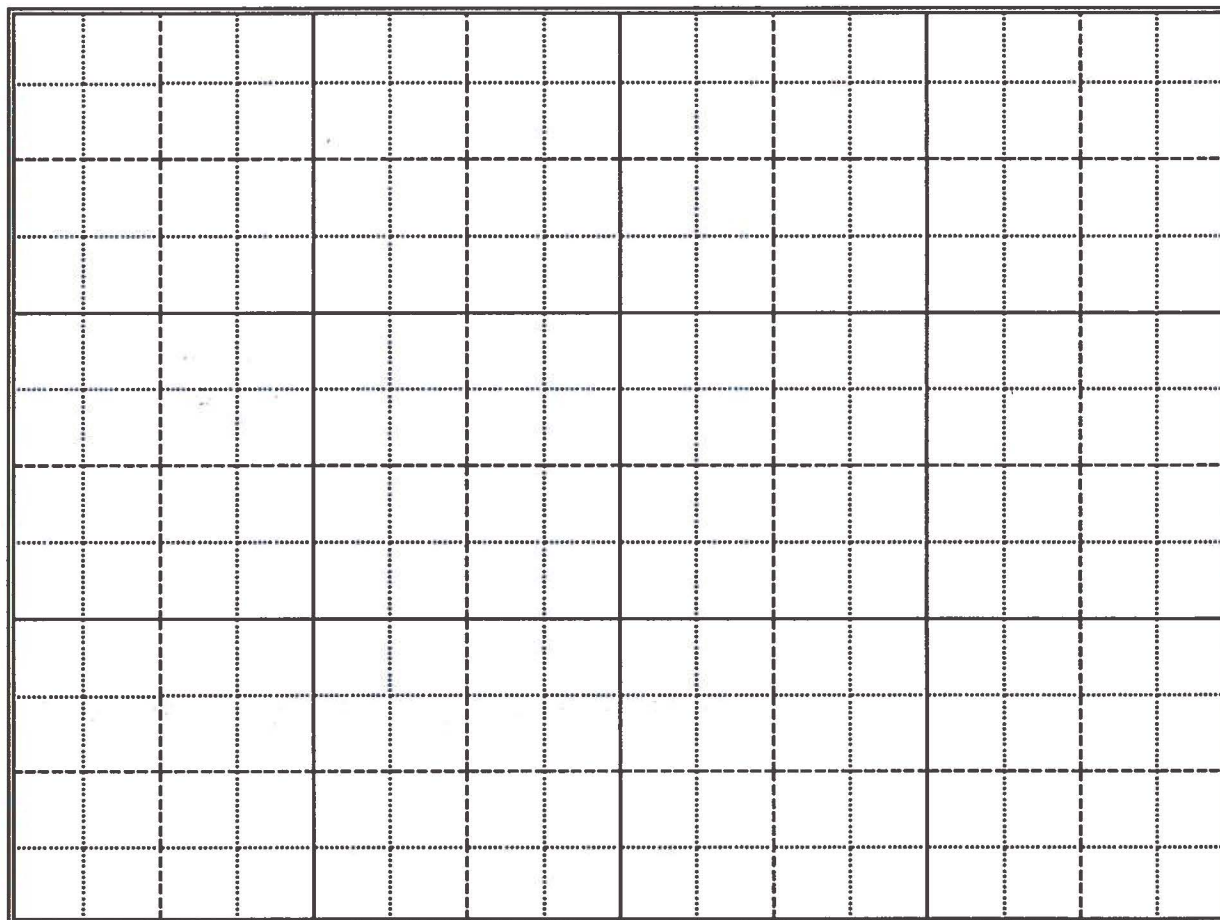
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	34E	20	2.5	4.8															8.5

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SEP 21 1998

TOTAL 8.5 ACRES

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. *SEE PHOTO*



Scale: 1" = _____.

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
IRRIGATION	PORTABLE DIESEL POWERING A GENERATOR.	5			2 1/2"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
POLYSONIC FLOW METER	TYME-FLYTE	TF-P		7H0263		1996
PITOT TUBE & PRESSURE GAGE	ASHCROFT				0-60	START 30 PSI END 28 PSI

2. Measurements: POLYSONIC FLOW METER READING NOT STABLE - NOT USED.

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E. NARRATIVE/REMARKS/COMMENTS

THE IRRIGATION WATER FOR THIS IS PROVIDED BY A TRACTOR (DIESEL) WHICH USES A PTO TO DRIVE AN ELECTRICAL GENERATOR WHICH PROVIDES POWER TO A SHP SUBMERSIBLE PUMP (8" WELL).

WATER FOR THIS CAN IN EMERGENCY BE SUPPLIED BY A BULLED PIPELINE FROM NCEDSE (POD) 35-07010. THIS POD IS NOT USED EXCEPT IN EMERGENCY (VALVED OFF).

TWO SMALL LATERAL HAND LINES DISTRIBUTE WATER VIA 23 RAJBIRDS USING 5/32 ORIFICES. THE PRESSURE AT PUMP DISCHARGE IS 30 PSI AND THE END OF THE LATERAL WAS 28 PSI.

1/2 ACRE OF REQUESTED 9 ACRES WAS REMOVED FOR A GRAVEL PIT/POD THAT IS NOT IRRIGATED.

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

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F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

THEORETICAL FLOW MEASUREMENTS = 0.3662 cfs

23 BIRDS WITH $\frac{5}{8}$ " ORIFICES AT 30 PSI = 4.016 GPM/NOZZLE X 23 BIRDS =

92.236 GPM / 448.8 = 0.205 cfs

8.5 ACRES X 0.02 = 0.17 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 8.5 \text{ AC} \times 4 = 34 \text{ AFA}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.17 \text{ cfs} \times 214 \times 1.9835 = 72.159 \text{ AFA}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 34 \text{ AFA}$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	10/31	0.17 cfs	34 AFA
Totals:			0.17 cfs	34 AFA

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. AUTHENTICATION

Field Examiner's Name SIMPKINS Date 1/28/98

Reviewer _____ Date _____

SEAL

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SEP 21 1998

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

Hp = Horsepower = 5
Eff = Efficiency = .7 (Usually 70%)

Lift: (Static Level + Assumed Draw down)

Static Water Level = 15 ft.

Assumed Draw down = + -8 ft. (NEXT TO CANAL/
SLOUGH)

Lift = 15

OR

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = 30 psi (ROUNDED)

$$Q_{cfs} = \left[\frac{5}{Hp} \times 8.814 \times \frac{.7}{Eff} \right] \div \left[\frac{15}{Lift} + \left(\frac{30}{psi} \times 2.308 \right) \right]$$

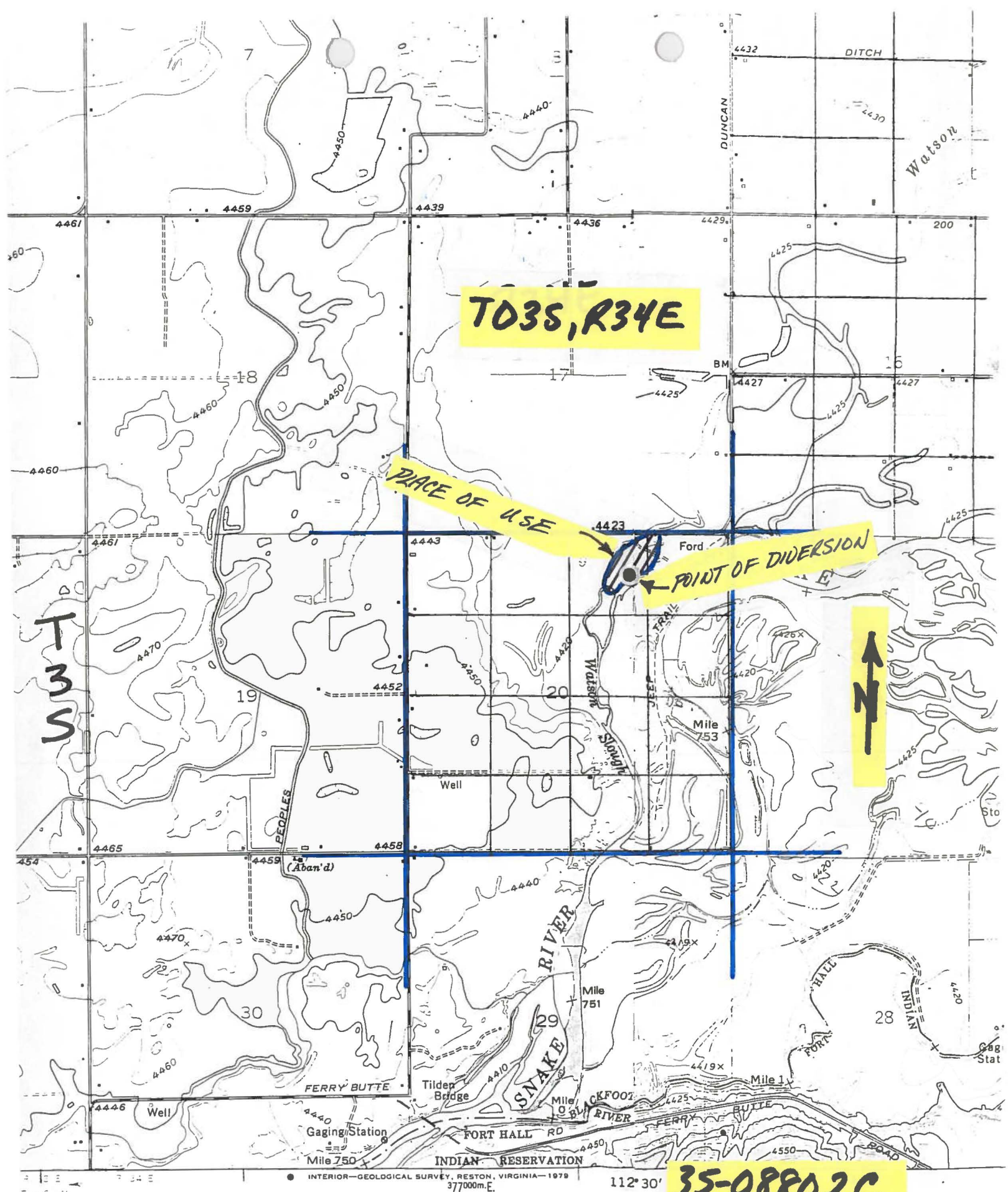
$$Q_{cfs} = \left[\frac{30.849}{} \right] \div \left[\frac{84.24}{} \right]$$

$$Q_{cfs} = \underline{0.3662} \text{ cfs}$$

PERMIT NO. 35-08802 C

MICROFILMED

SEP 21 1998



ROAD CLASSIFICATION

Heavy-duty

Light-duty

EP 2 1 1998

Map

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial

Geological S

NHEL
2
16.3

R. 16.3

17 16
20 21

TOSS, R34E

PLACE OF USE

POINT OF DIVERSION

NOT OFF MED
1998

4 + NHEL
940

20

35-08802C

20 21
29 28

T03S, R34E

R35'W.

81.00

0.97

2

3

Sec. 20

58.25

4

5

WEST

80.00

R34E

3

8

5

6

9

12

10

11

13

12

4

2

40.03

7

6

10

11

16

45.78

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SEP 21 1998

22.19

8-6.4

35-08802C

0.10

12.70

6.49

14.90

40.03

14
5.58

15
6.89

9.67

N5°32'E.

11.17

141 NORTH

17.35

18.76

N. 83°38' E.

43

1.00

S 75°13' E
7.4

W.C.M.C.

1040m barrel

Water is now taken from 35-08802A not legally and
is on this 9 acres -

There is a 8' well drilled but wildland cap - not in
use -

Irrigation system exist but water not from proper POD
becomund layer bent.

Arline Hibbert - Ranch

Randy Polatni - Blackfoot,

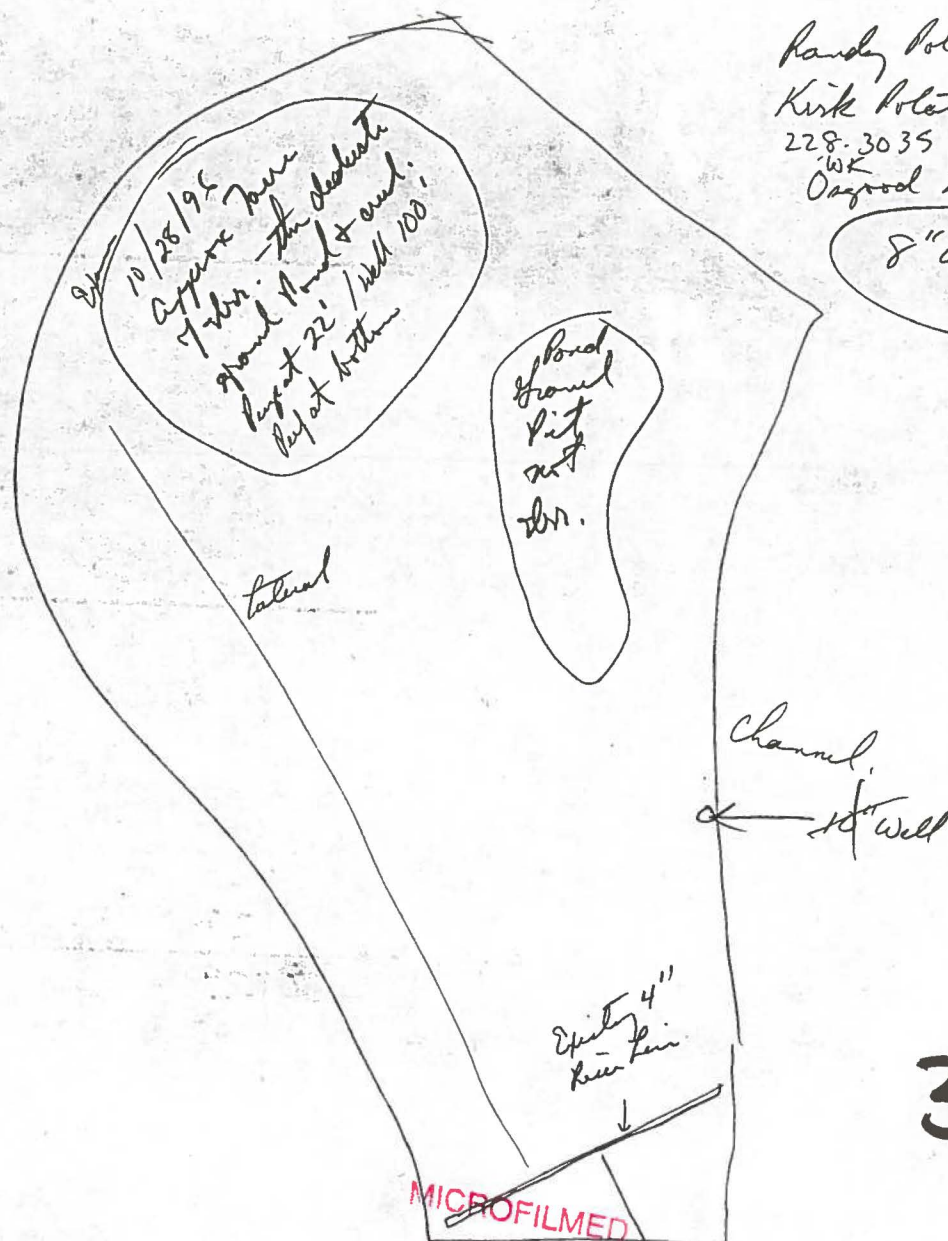
Kirk Polatni (son)

228-3035 ? 228-3055 16

OK
Osgood Ranch

8" Well ~~not 10"~~

Yes



35-08802C

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SEP 21 1998

Epist line from 35-08802A

DAN POLATIS

IRRIGATION

1 of 3

VIEW OF
POINT OF
DIVERSION



VIEW EAST
PLACE OF
USE



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SEP 21 1998

PERMIT
NUMBER

35-08802e

DAN POLATIS

IRRIGATION

25/3

VIEW
NORTHEAST

PLACE OF
USE



VIEW
SOUTHEAST

PLACE OF USE



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SEP 21 1998

PERMIT
NUMBER

35-08802C

DAN POLATIS

IRRIGATION

35/3

VIEW SOUTH
PLACE OF
USE



VIEW
SOUTH WEST
PLACE OF
USE



PERMIT
NUMBER

35-08802C

MICROFILMED

SEP 21 1998



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 23, 1993

DANIEL T POLATIS
131 S 1075 W
BLACKFOOT ID 83221

RE: Permit No. 35-08802C

Dear Water Right Holder:

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

AUG 30 1993

AMENDMENT OF PERMIT NO. 35-08802C REVIEW

TYPE OF CHANGE:

P/D P/U ADD P/D NATURE OF USE

8/10/93 cz.

AREA OF CONCERN:

E.S.R.P. Mor. & non Trust area

PROOF OF BENEFICIAL DUE DATE

Made 6/92

Under 6 months? _____

GROUNDWATER:

GT. 0.2 cfs

- 01G

LT. 0.2 cfs

- NMR <flow chart>

Drilling Permit No.

-

Not included

- 046, 46B, 46A(1RR) (new well)

SURFACE WATER: not in w/d

- 01C (=GT.2 w/pump), NMR <flow chart>

LOCATION:

Water Districts

- WD No. 01

Surface water

- 005, R04-01H (LT.2 w/pump)
R04-01J (GT.2)

Swan Falls Flag

- 1 (1, Blank or Other)

Trust

- 051-052-053 (Consumptive Uses)

Non Trust <1>

- 048-049

RIVER BASINS (Surface Water)

Boise (63)

- 05A & 11E

Payette (65)

- 047, 059

Snake (01, 02 & 03)

- 11A (01), 061 (02/03 No W.D.Cond.)

USE:

Fish Propagation

- 06A, 09E, or 010 (WQ/Choose One),
042 (req.), 002 (MD), 07A (Spec.),
044 (Policy 5G)

Power

- _____ Use Power Review

Mining

- 06A, 010, or 09E & 054(req.)

Storage

- 18A-for multiple m/devices(In WD),
18B (Size)

Rec/Wildlf/Aes

- 027 (Non-Consumptive)

Domestic

- 021 (restricted areas & Boise River
upstream from Lucky Peak)
27A (Payette River & main tributaries)

NON LAND OWNER

- 004

PROTEST AGREEMENT

- 020

Recommended conditions same as on the permit or subsequent amendment(s) to the permit? Yes ✓ No _____

Conditions of Approval

Standard, 046, 46A, 46B.

WR0749NP
No. B35-08802C

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 08/10/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DANIEL T POLATIS 131 S 1075 W BLACKFOOT ID 83221	06/20/1989	IRRIGATION	04-01 11-01	0.18 CFS	
TOTAL DIVERSION:					0.18 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T03S R34E S20 Lot 08(NW NW)

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
03S	34E	20	:			08-09														:	9.0
TOTAL ACRES																				9.0	

Pou County: BINGHAM

Other Rights: OVERLAPPING POINT OF DIVERSION WITH WR 35-07010

Other Water Rights Listing Overlapping Place(s) of use:
35-07010 35-08802A 35-08802B 35-08802C

Conditions of Approval:

- 048 - The use of water under this right shall not give rise to any
 - claim against the holder of a senior water right based upon the
 - theories of forfeiture, abandonment, adverse possession, waiver,
 - equitable estoppel, estoppel by laches or customary preference.
- 049 - 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.
- 046 - Right holder shall comply with the drilling permit
 - requirements of Section 42-235, Idaho Code.
- 026 - 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.
- 03A - The rate of diversion of water for irrigation under this right
 - and all other water rights on the same land shall not exceed 0.02
 - cubic feet per second for each acre of land.
- 46A - A well drilled pursuant to this permit must be located at least
 - 500 feet from any existing well. Well spacing closer than 500
 - feet must be approved by the Department of Water Resources.
- 46B - Construction of the well must comply with Idaho well
 - construction standards.

Dates:	App. Received:	06/20/1989	Priority Date:	06/20/1989
	Proof Due Date:	07/01/1992	Proof Made Date:	06/12/1992
	Exam Made Date:		Exam Sent to S.O.:	
	Licensed Date:			

WR0749NP
No. 835-08802C

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 08/10/93
PAGE: 2

=====

Misc: Water District Number: 01 Field Exam Fee: R (Received)

Comments: Date: 06/08/1992 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Date: 08/10/1993 User-ID: ZIMMERMA Subject: AMENDED PERMIT
This permit has been amended to change the point of diversion.

Audit: 08/10/93 ZIMMERMA

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: AWJ

Right Number 35-8802 Applicant Daniel T. Polatis

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☐ Other _____

CHECK:

☒ Description of amended point(s) of diversion.

☒ Amount, nature and period of use. If increased, delay date of priority.

☒ Description of amended places of use. If expanded, delay date of priority.

☒ Ownership of point of diversion and place of use. - Assignment

☒ Map.

☒ Signature (must be permit holder).

☒ Fee.

NA ☒ Existing water rights from the same source, amended place of use.

☒ Right number(s) _____

☒ Yes ☐ No Should amendment be advertised?

☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received.

☒ Amendment published correctly.

☐ Protests processed.

☒ Approve.

☐ Deny.

Conditions _____

RECEIVED
JUL 29 1993

Department of Water Resources

By AWJ Date 7-26-93

STATE OFFICE PROCESSING:

☒ Amendment correct and complete. By C3 Date 8/10/93

☒ Approved copy sent to applicant and to Region. By [Signature] Date 8/30/93

DEPT. OF WATER RESOURCES
900 N. Skyline Dr.
Idaho Falls, Idaho 83402
(208) 525-7177

NOTICE OF PROPOSED
AMENDING OF WATER RIGHT

NOTICE is hereby given that Permit No. 35-08802 in the name of Larry E. VanOrden, Blackfoot, Idaho, was issued for the diversion of .60 cfs of water from a groundwater source with the point of diversion within the LOT 2 (NWNENW), Sec. 20, T. 03S, R. 34E, Bingham County, to be used for the irrigation of 30 acres within Lot 8 (NWNE) LOT 9 (SWNE) Sec. 20, T. 03S, R. 34E, B.M.

a portion of The permit holder now proposes to amend Permit No. 35-08802, changing name to Daniel T. Polatis and the point of diversion to the NWNW, Sec. 20, T. 3S, R34E, Bingham County.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 900 N. Skyline, Idaho Falls, Idaho, 83402, on or before July 19, 1993.

R. KEITH HIGGINSON
Director

(1826)
Pub.: 7/1, 8

Legals

AFFIDAVIT OF
PUBLICATION

County of Bingham)
State of Idaho) ss
I, Jacqueline Graham do
solemnly Legal

swear that I am the Coordinator of
The Morning News, which is a daily news-
paper of general circulation, published
each day except Sunday at Blackfoot,
Bingham County, Idaho, said newspaper
having been so published at Blackfoot,
aforesaid for more than one year past;
that said newspaper heretofore complied
with all the provisions of Chapter 154 of
the Sessions Laws of Idaho of 1911, ap-
proved March 11, 1911, and duly desig-
nated, pursuant to law, a particular day
of the week as the day on which legal no-
tices required by law or by the order of
any Court of competent jurisdiction within
the State of Idaho shall be published to-
wit: of each week; that the notice at-
tached hereto and which is a part of this
affidavit and part of the proof of publi-
cation was published in said issue of said
newspaper 2 consecutive weeks
the first publication having been made on
the 1st day of July,
1993 and the last publication having
been made on the 8th day of
July, 1993; that said notice
was published in the regular and entire
issue of every number of the paper as
aforesaid during the period and time of
publication, and that notice was pub-
lished in the newspaper and not in a sup-
plement.

Jacqueline Graham
On this 19th day of July, in
the year 1993, before me a Notary
Public of said State, personally appeared
Jacqueline Graham

known or identified to me to be the per-
son whose name is subscribed to the with-
in instrument, and being by me first duly
sworn, declared that the statements
therein are true, and acknowledged to
me that She executed the same.

Leticia A. Johnson

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:
October 10, 1994

Affidavit Processing Fee. \$5.00

NOT RECORDED

AUG 30 1993

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 35-08802 in the name of Larry E. VanOrden, Blackfoot, ID, was issued for the diversion of .60 cfs of water from a groundwater source with the point of diversion within the LOT 2 (NWNENW), SEC 20, T 03S, R 34E, Bingham County to be used for the irrigation of 30 acres within LOT 8 (NWNE) LOT 9 (SWNE) SEC 20 T 03S R 34E, B.M.

The permit holder now proposes to amend ^{a portion of} Permit No. 35-08802, changing name to Daniel T. Polatis and the point of diversion to the NWNW SEC 20 T3S R34E, Bingham County.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 900 N. Skyline, Idaho Falls, ID 83402, on or before July 19, 1993.

R. Keith Higginson
Director

Published in the Morning News on July 1 & 8, 1993.

UNPROCESSED

AUG 30 1993



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JUNE 30, 1993

DANIEL T POLATIS
131 S 1075 W
BLACKFOOT ID 83221

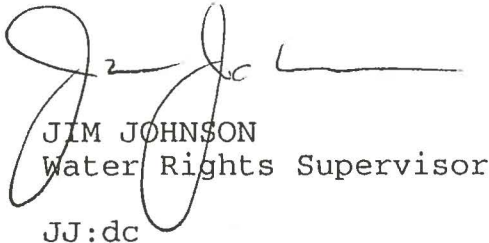
Re: Permit No. 35-08802C

Dear Permit Holder(s):

We acknowledge receipt of the correspondence assigning this portion of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,


JIM JOHNSON
Water Rights Supervisor
JJ:dc

MICROFILMED

JUL 02 1993