

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
 JUL 25 2006

Department of Water Resources
 Eastern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
PD 35-7010					
WR 35-8802A					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Larry E. Van Orden / Paulette T. Van Orden
1054 W. 125 S., Blackfoot, ID 83221
4. New Owner/Claimant(s) Daniel T. Polatis, JoAnn Polatis, Kirk Polatis, and Judy Polatis
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 131 S. 1075 W.
- City, State and ZIP Code Blackfoot, ID 83221
- New Telephone Number 208 684-4312
5. Date you acquired the property June 19th 2006

SUPPORT DATA

IN FILE # 35-7010

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

James Polatis
Kiri Polatis x *Judy Polatis*
Joann Polatis

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee ~~\$25~~ \$50
Received by <i>JC</i>	Date <i>7-25-06</i>	Receipt No. <i>E032096</i>
Processed by _____	AJ Date _____	WR _____ Date _____

RECORDING REQUESTED BY

First American Title Company

AND WHEN RECORDED MAIL TO:First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 163054-B (vb)

Date: May 31, 2006

For Value Received, **Larry E. Van Orden, as trustee of the Larry E. Van Orden Revocable Trust, dated October 8, 1996**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Daniel T. Polatis and JoAnn Polatis, husband and wife and Kirk Polatis and Judy Polatis, husband and wife**, hereinafter called the Grantee, whose current address is **131 South 1075 West, Blackfoot, ID 83221**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

PARCEL I:

Part of Lots 2, 3, 4, 8, 9, and 12, of Section 20, Township 3 South, Range 34 E.B.M., Bingham County, Idaho, described as:

Commencing at the NW corner of Section 20; thence S. 89°35'00" E. 1765.97 feet along the North line of Section 20 to the NE corner of deed instrument 554069, and the POINT OF BEGINNING; thence S. 89°35'00" E. 936.93 feet to the N¼ corner of Section 20; thence S. 89°35'00" E. 843.07 feet continuing along the North line of Section 20 to the NW corner of deed instrument 542874; thence S. 25°40'56" E. 266.18 feet to the Southerly most corner of said deed, said point being on the Northwesterly line of deed instrument 415571; thence S. 49°46'49" W. 147.06 feet along said deed; thence S. 31°59'29" W. 404.50 feet along said deed; thence S. 18°23'14" W. 12.00 feet to the SW corner of said deed; thence N. 69°04'55" W. 68.64 feet to a point on the Westerly bank of a slough; thence along said Westerly bank the following Twenty (20) Courses; thence (1) S. 21°28'46" W. 67.54 feet; thence (2) S. 38°54'11" W. 70.26 feet; thence (3) S. 18°30'19" W. 193.92 feet; thence (4) S. 07°18'54" E. 77.32 feet; thence (5) S. 18°34'44" E. 67.54 feet; thence (6) S. 34°18'07" W. 184.41 feet; thence (7) S. 50°41'56" W. 228.86 feet; thence (8) S. 16°19'20" W. 34.42 feet; thence (9) S. 03°30'17" E. 63.96 feet; thence (10) S. 27°55'02" E. 74.03 feet; thence (11) S. 38°05'03" E. 135.90 feet; thence (12) S. 70°35'49" E. 98.38 feet; thence (13) S. 32°51'46" E. 129.51 feet; thence (14) S. 21°35'47" E. 39.16 feet; thence (15) S. 00°37'51" W. 113.24 feet; thence (16) S. 01°01'36" E. 63.12 feet; thence (17) S. 14°01'17" W. 144.22 feet; thence (18) S. 08°04'59" W. 163.24 feet; thence (19) S. 02°35'30" E. 224.05 feet; thence (20) S. 08°21'57" W. 249.69 feet to a point on the East line of deed instrument 445165; thence along said deed the following Four (4) courses; thence (1) S. 00°10'35" E. 46.08 feet; thence (2) S. 27°36'24" E. 51.90 feet to the SE corner of said deed; thence (3) S. 89°17'28" W. 782.00 feet to the SW corner of said deed; thence (4) N. 56°36'54" W. 497.04 feet to the South line of Lot 3; thence N. 89°34'20" W 9.17 feet along the South line of said Lot 3 to a point that is S. 89°34'20" E. 578 feet from the SW corner of Lot 3; thence N. 32°33'25" W. 1062.15 feet along the East line of deed instrument 98382 to a point on the West line of Lot 3 said point also being the NE corner of deed instrument 230339; thence N. 00°24'42" E. 1131.71 feet along the West line of Lot 3; thence S. 90°00'00" E. 202.65 feet; thence N. 00°00'00" E. 212.00 feet; thence S. 88°18'00" E. 129.87 feet; thence N. 00°25'00" E. 156.73 feet; thence S. 89°35'00" E. 9.00 feet; thence N. 00°25'00" E. 73.00 feet; thence S. 89°35'00" E. 74.23 feet; thence N. 00°25'00" E. 177.00 feet to the POINT OF BEGINNING.

PARCEL II:

An easement for ingress/egress, operation, use, maintenance and repair of an Irrigation well, and buried mainline.

Commencing at the NW corner of Section 20; thence S. 89°35'00" E. 1486.74 feet along the Section line to the POINT OF BEGINNING; thence S. 89°35'00" E. 26.00 feet continuing along the Section line; thence S. 00°25'00" W. 402.92 feet; thence N. 88°18'00" W. 14.64 feet; thence S. 00°25'00" W. 213.63 feet; thence N. 90°00'00" W. 26.00 feet; thence N. 00°25'00" E. 201.85 feet; thence N. 89°38'53" W. 12.97 feet; thence N. 00°33'10" E. 28.03 feet; thence S. 89°22'32" E. 27.54 feet; thence N. 00°25'00" E. 386.65 feet to the POINT OF BEGINNING.

PARCEL III:

A 15 foot ingress/egress easement described as being 7.5 feet both sides of the following described centerline:

Commencing at the NW corner of Section 20; thence S. 89°35'00" E. 2702.90 feet to the N¼ corner of Section 20; thence S. 89°35'00" E. 568.77 feet continuing along the Section line; thence S. 00°25'00" W. 666.81 feet; thence S. 69°04'55" E. 68.64 feet; thence S. 30°18'27" E. 21.22 feet to the POINT OF BEGINNING of said Centerline; thence along the center of an existing roadway the following Twenty (20) courses; thence (1) S. 21°24'52" W. 19.97 feet; thence (2) S. 15°16'55" W. 89.58 feet; thence (3) S. 43°44'46" W. 67.09 feet; thence (4) S. 18°25'09" W. 119.25 feet; thence (5) S. 07°18'54" E. 49.14 feet; thence (6) S. 18°34'44" E. 86.55 feet; thence (7) S. 17°33'18" W. 45.01 feet; thence (8) S. 34°18'07" W. 147.74 feet; thence (9) S. 55°41'42" W. 137.78 feet; thence (10) S. 43°31'18" W. 58.13 feet; thence (11) S. 28°21'13" W. 81.00 feet; thence (12) S. 01°50'08" E. 51.21 feet; thence (13) S. 18°09'40" E. 62.01 feet; thence (14) S. 48°00'42" E. 64.12 feet; thence (15) S. 68°00'07" E. 116.35 feet; thence (16) S. 34°56'52" E. 197.35 feet; thence (17) S. 08°38'26" W. 22.29 feet; thence (18) S. 22°57'40" W. 37.52 feet; thence (19) S. 17°59'30" W. 94.08 feet; thence (20) S. 75°04'47" W. 39.28 feet to the point of Terminus of said centerline.

GRANTOR RESERVES ONE DIVISION RIGHT TO THE FOLLOWING: LOT 2, LOT 8, LOT 9.

THE REMAINING DIVISION RIGHTS ARE CONVEYED TO GRANTEE: THREE DIVISIONS TO LOT 3 AND THREE DIVISIONS TO LOT 9.

THE NUMBER OF DIVISIONS WERE CONFIRMED BY BINGHAM COUNTY PLANNING AND ZONING ON APRIL 12, 2004.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 05/31/2006

Warranty Deed
- continued

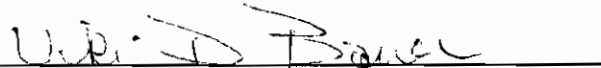
File No.: 163054-B (vb)

Larry E. Van Orden, as trustee of the Larry E.
Van Orden Revocable Trust

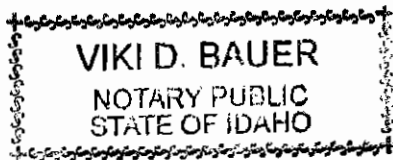

Larry E Van Orden, Trustee

STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this 19 day of June, 2006, before me, a Notary Public in and for said State, personally appeared **Larry E Van Orden**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of the **Larry E Van Orden Revocable Trust** Trust, and acknowledged to me that he executed the same as such Trustee.



Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 03/29/08





Farm 5174
T 816

Date: April 26, 2006

Bingham County

525 262.5 0

525 Feet



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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

07/25/2006

WATER RIGHT NO. 35-7010

Owner Type	Name and Address
Current Owner	LARRY E VAN ORDEN
Current Owner	PAUNIE T VAN ORDEN
	1054 W 125 S
	BLACKFOOT, ID 83221
	(208)684-3965
Original Owner	DANIEL D THOMAS
Original Owner	LAJUNE T THOMAS
	1071 W 300 S
	PINGREE, ID 83262
	(208)684-4048

Priority Date: 01/17/1968

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	5/01	10/15	1.8 CFS	360 AFA
Total Diversion			1.8 CFS	

Location of Point(s) of Diversion:

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GROUND WATER	NWNENW Lt 2	Sec. 20	Township 03S	Range 34E	BINGHAM County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03S	34E	20	2	NWNE	2	8	NWNE	14	9	SWNE	7			
			2	NENW	34	3	SENE	25	9	SENE	8			

Total Acres: 90

Conditions of Approval:

1.	C18	THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2.		THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3.	E10	USE OF THIS RIGHT IS COMBINED WITH WATER FROM PEOPLES CANAL & IRRIGATION CO.

Dates:

Licensed Date:

Decreed Date: 02/25/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 106

Combined Volume Limit: 424

Combined Rate Limit: 1.8

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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Water Right Report

07/25/2006

WATER RIGHT NO. 35-8802A

Owner Type	Name and Address
Current Owner	LARRY E VAN ORDEN
Current Owner	PAUNIE T VAN ORDEN
	1054 W 125 S
	BLACKFOOT, ID 83221
	(208)684-3965
Original Owner	DANIEL D THOMAS
Original Owner	LAJUNE T THOMAS
	1071 W 300 S
	PINGREE, ID 83262
	(208)684-4048

Priority Date: 06/20/1989

Basis: License

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	10/31	0.32 CFS	64 AFA
Total Diversion			0.32 CFS	

Location of Point(s) of Diversion:

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GROUND WATER	NENW Lt 2	Sec. 20	Township 03S	Range 34E	BINGHAM County
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Licensed Diversion Capacity: 1.8

IRRIGATION Use:

Acre Limit: 16

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03S	34E	20	2	NWNE	2	8	NWNE	16	9	SWNE	15			
			2	NENW	34	3	SENE	26	9	SENE	8			
			4	NESW	2									
			12	NWSE	3									

Total Acres: 106

Conditions of Approval:

1.		Rights 35-07010 and 35-08802A when combined shall not exceed a total diversion rate of 1.80 cfs, a total annual maximum diversion volume of 424.0 af at the field headgate, and the irrigation of 106 acres. This right is limited to the irrigation of 16 acres within the place of use described above in a single irrigation season. Right 35-07010 is also diverted through the point (s) of diversion described above.
2.	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.
3.	050	Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.
4.	R64	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.
5.	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.

Dates:

Licensed Date: 09/08/1998

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit: 106
Combined Volume Limit: 424
Combined Rate Limit: 1.8
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close