

RECEIVED

JAN 16 1976

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

)
ss.
)

I, David Mark Brown do solemnly

swear that I am the Publisher of
The Blackfoot News which is a daily newspaper 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
1933, approved March 11, 1933, and duly designated,
pursuant to law, a particular day of the week as the day on
which legal notices required by law or by the order of any
Court of competent jurisdiction within the State of Idaho
shall be published to-wit: Friday of each week; that the
notice attached hereto and which is a part of this affidavit
and part of the proof of publication was, published in said

Friday issue of said newspaper 2 consecutive

weeks, the first publication having been made on
the 8th day of January, 19 76

and the last publication having been made on the
..... 15th day of January, 19 76;

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 published in the
newspaper and not in a supplement.

David Mark Brown
Subscribed and sworn to before me this 15th

day of January, 19 76

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1976

me
**NOTICE OF
APPLICATION FOR
WATER PERMIT**

Notice is hereby given that
Lowell T. Polatis, Pingree,
Idaho, has on 12-30-75, sub-
mitted Application No. 35-7570,
for a permit to appropriate 1.60
cubic feet per second of water
from a ground-water source by
means of well and pump within
the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 3S, R.
33E, B.M., Bingham County; to
be used from Apr. 1 to Nov. 1 for
the irrigation of 80 acres within
the W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 18, T. 3S, R.
33E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with
the Idaho Department of Water
Resources, 1515 Lincoln Road,
Idaho Falls, Idaho, 83401, on or
before January 26, 1976.

R. KEITH HIGGINSON
Director

(4513)
Pub.: 1-8, 15

31

MICROFILMED

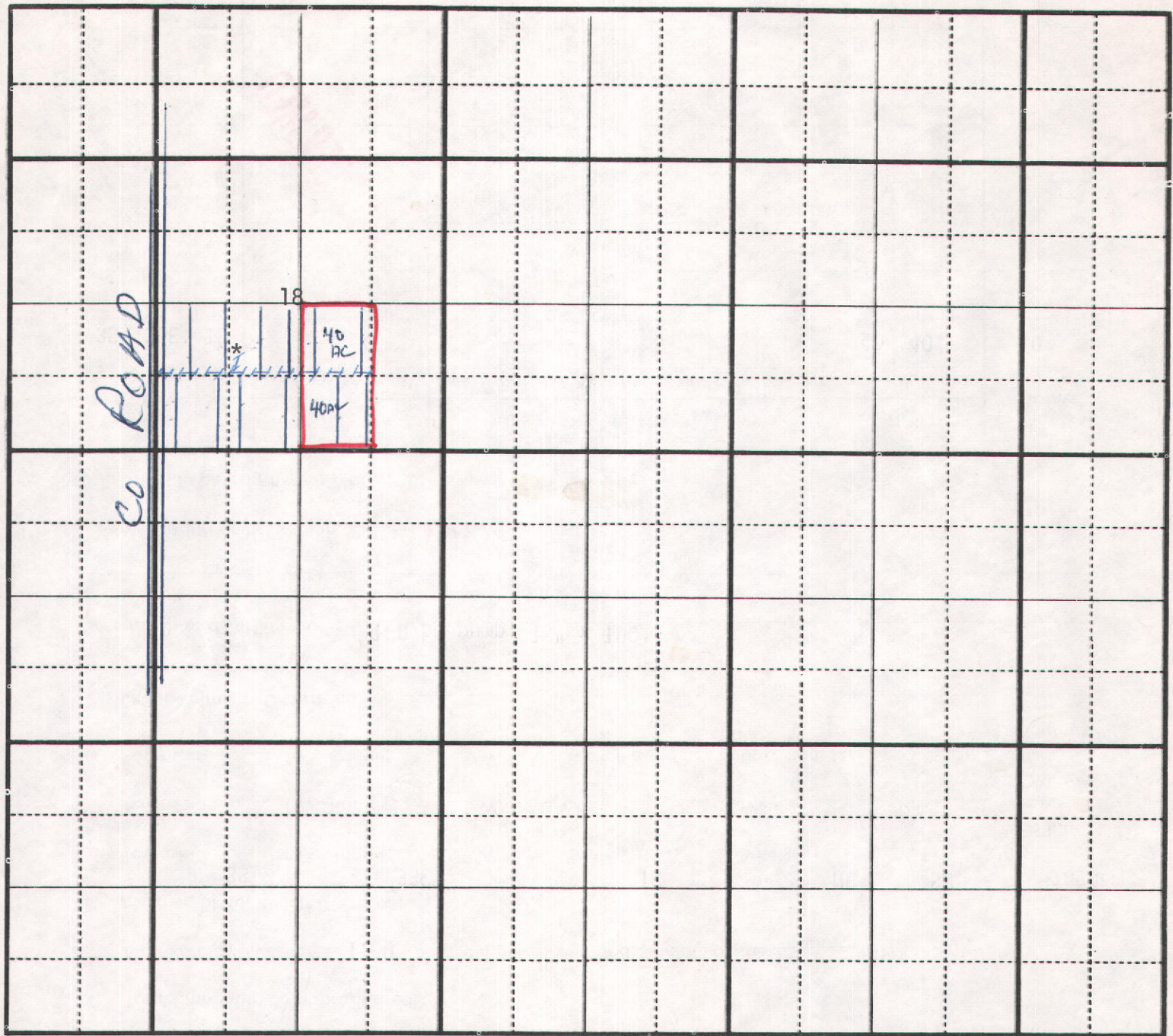
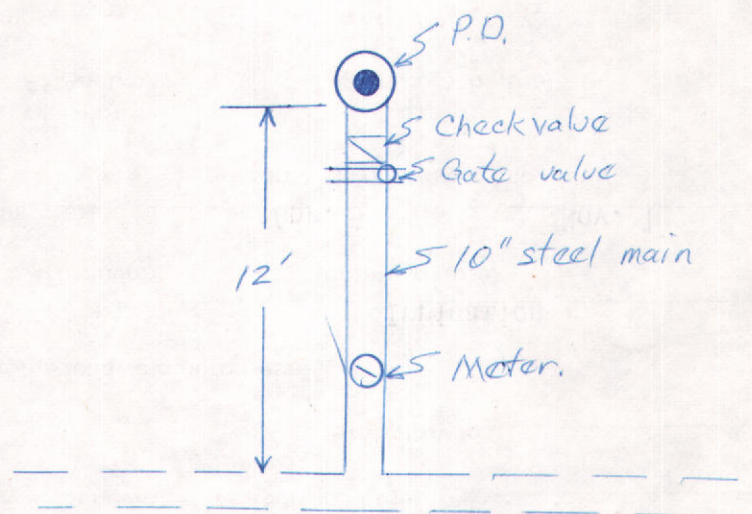


Diagram of System

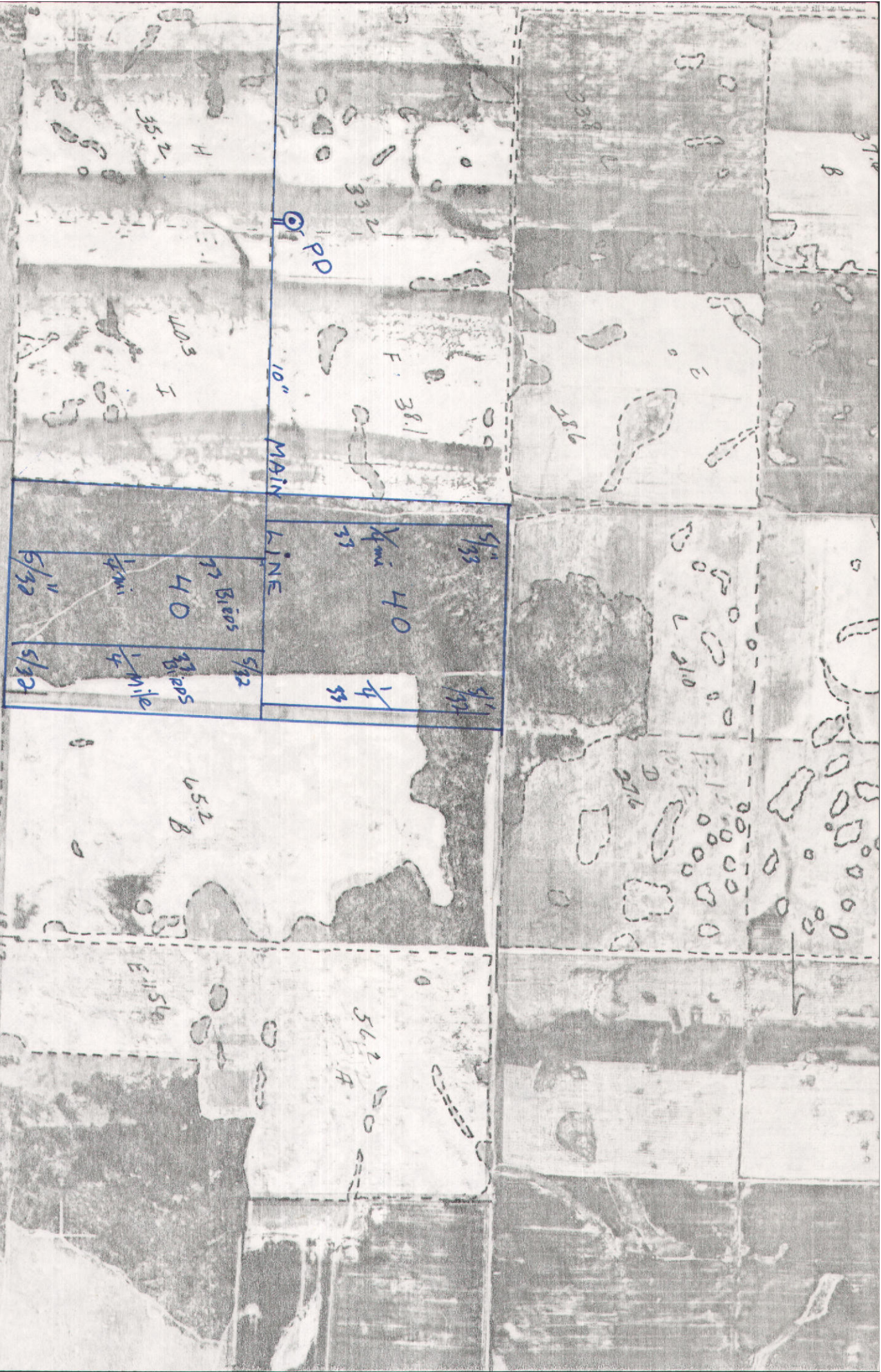


MICROFILMED

CONN. NATURAL (HOWELL POLARIS)

35-7570

391E



MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7570 Priority December 30, 1975 Amount 1.6 cfs

THIS IS TO CERTIFY, that Connecticut Mutual Life Insurance Co.
of Hartford, CT, has complied with the terms and conditions of Permit
No. 35-7570 issued pursuant to Application for Permit dated December 30, 1975,
and has submitted proof to the Department of Water Resources on January 17, 1977,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 4.57 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>Nov 1</u>	at <u>1.6</u> cfs and	<u>280.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.6 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
280.0 acre feet per year, said waters to be diverted within the NESW Section 18, Twp 3S,
Rge 33E in the County of Bingham

Description and location of place of use

Twp.	Range	Sec	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3S	33E	18													40	40			80

Total number of acres irrigated 80

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21 day of
September, 19 81.

Director

March 31, 1980

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Lowell T. Polatis, hereby assign to Connecticut Mutual Life Insurance Co.
of 140 Garden Street, Hartford, Connecticut 06115
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 35-7570
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. _____ 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)

Made this 25th day of May, 19 76.

Lowell T. Polatis
Permit Holder

Ruth H. Polatis
Spouse of Permit Holder

State of Idaho)
County of BINGHAM) ss.

On this 25th day of May, 19 76, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

James B. Benton
Notary Public residing at Blackfoot, Idaho

My commission expires:
11-22-78

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
POWER OF ATTORNEY

35-2594
35-7570
35-7571

The undersigned holder (s) of Permit (Application) Nos. 35-7571 of the Department of Water Administration of the State of Idaho hereby nominates Lowell T. Polatis whose address is Pingree, Idaho as attorney-in-fact, with full authority to act for and on behalf of the undersigned in all matters pertaining to the above numbered permit or application. Such acts shall include, but not be limited to, the filing of application, receiving of all notices, the signing and filing of applications for extension of time and for amendment of said Permit, and the submission of proofs of completion of works and beneficial use of water.

Dated this 18 day of May, 1976.

CONNECTICUT MUTUAL LIFE INSURANCE CO.

James B. McCandless,
Assistant Investment Officer

STATE OF ~~IDAHO~~ CONNECTICUT

County HARTFORD) ss

On this 18th day of May, 19 76, personally appeared before me the signer ~~for~~ he of the above instrument, who duly acknowledged to me that ~~he (she) (they)~~ executed the same, as Assistant Investment Officer of Connecticut Mutual Life Insurance Company, the corporation that executed the within and foregoing instrument.

Marie A. Kiefer
Notary Public

My Commission expires:

March 31, 1979

Identification No 35 7570
Application No _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

(See Power of Attorney)

APPLICATION FOR PERMIT

ASSIGNED TO: (6/16/76)

Connecticut Mutual Life
Insurance Co.

140 Garden St.

Harford, Connecticut 06115

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

- 1 Name of applicant Lowell T. Polatis Phone 684-4085
post office address Box 69 Pingree, Idaho
- 2 Source of water supply ground-water which is a tributary of _____
- 3 a Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 18 Township 3S
Range 33E B M Bingham County, additional points of diversion if any _____
- b If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B M _____
- 4 Water will be used for the following purposes
Amount 1.6 for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- 5 Total quantity to be appropriated
a 1.60 cubic feet per second and or
b _____ acre feet per annum
- 6 Proposed diverting works
a Description of ditches, flumes, pumps, headgates, etc. well, 150 HP pump, buried main with handlines
- b Height of storage dam _____ feet, active reservoir capacity _____ acre feet, total reservoir capacity _____ acre feet, materials used in storage dam _____
Period of year during which storage will occur _____ to _____ (Mo. Day) (Mo. Day) inclusive
- c Proposed well diameter is 18 inches, proposed depth of well is 100 feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years
b Estimated construction cost is \$ 25,000.00
- 8 Description of proposed uses
a If water is **not** for irrigation
(1) Give the place of use of water _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B M _____
(2) Amount of power to be generated _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered _____
(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 _____

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

TWP	RANGE	SEC	NE1/4				NW1/4				SW1/4				SE1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
3S	33E	18														40	40	
																		80
TOTALS																		

Total number of acres to be irrigated 80

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

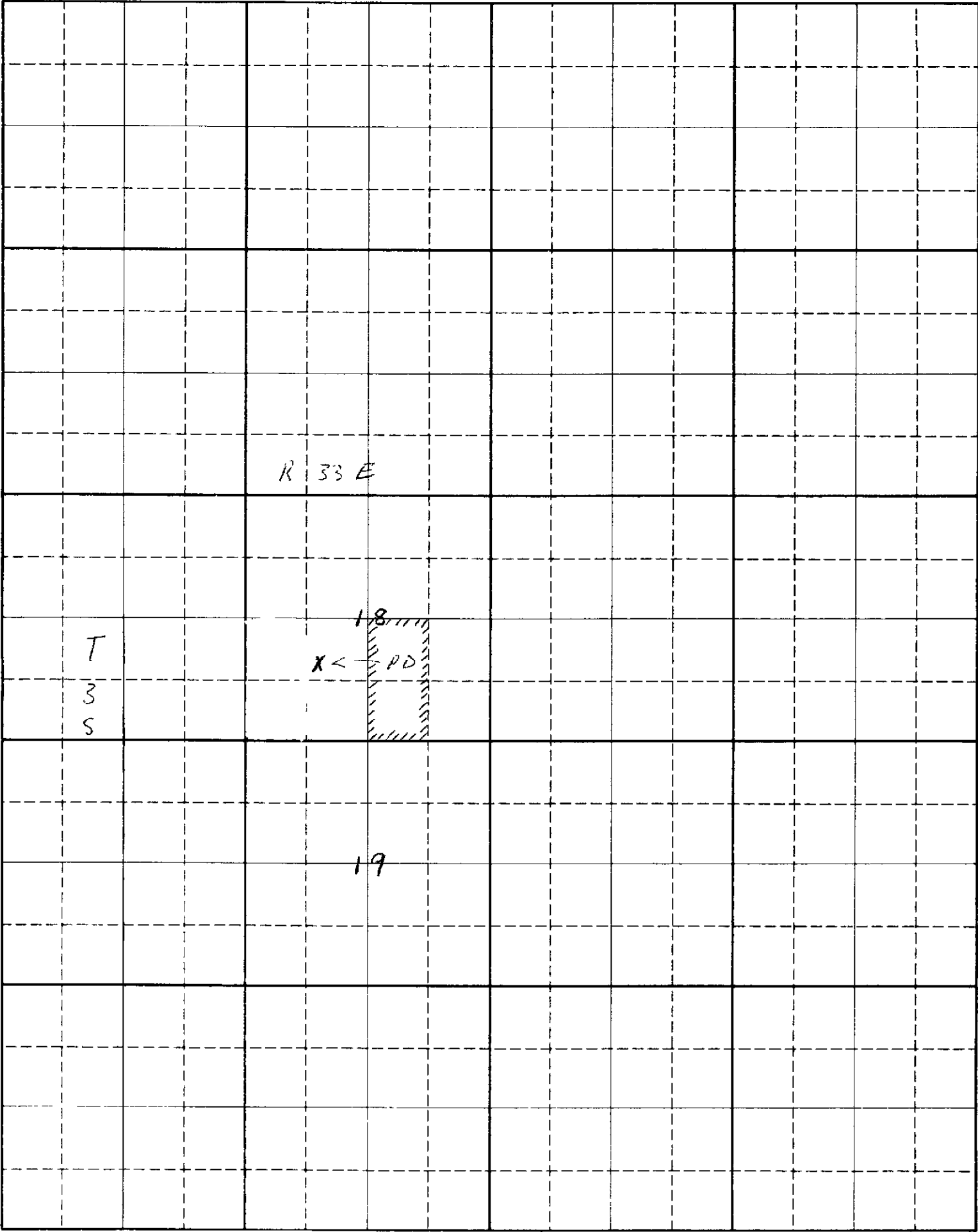
9 a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use B.L.M.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Entry from the B.L.M. has been allowed. I-7478

10 Remarks

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

Lewell T. Polaris
(Applicant)

Proposed Priority 12-30-1975

Received by TRC Date 12-30-75 Time 1:20 p

Preliminary check by RDC Fee \$ 35.00

Receipted by TRC Date 12-30-75 # 15548

Publication prepared by TRC Date 12-30-75

Published in The Blackfoot News

Publication dates Jan 8 + Jan 15, 1976

Publication approved TRC Date 1-14-76

Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by TRC DR

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

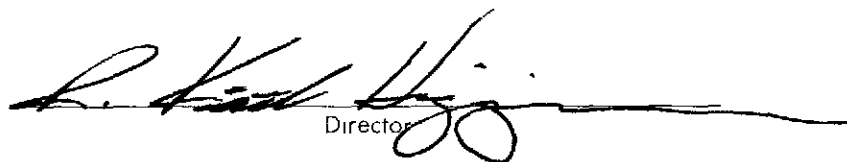
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No 35-7570, and said application is hereby APPROVED.

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 February 1, 19 81.
- c Other A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2 Denial of said application is for the following reasons _____

Witness my hand this 13 day of February 19 76.


Director

RECEIVED

JAN 16 1978

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham }
State of Idaho } ss

I, David Mark Brown do solemnly

swear that I am the Publisher of
The Blackfoot News which is a daily newspaper 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
1933, approved March 11, 1933, and duly designated,
pursuant to law, a particular day of the week as the day on
which legal notices required by law or by the order of any
Court of competent jurisdiction within the State of Idaho
shall be published to-wit: Friday of each week; that the
notice attached hereto and which is a part of this affidavit
and part of the proof of publication was, published in said

Friday issue of said newspaper 2 consecutive

weeks, the first publication having been made on
the 8th day of January, 1976,

and the last publication having been made on the
15th day of January, 1976, 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 published in the
newspaper and not in a supplement.

David Mark Brown
Subscribed and sworn to before me this 15th

day of January, 1976

Patricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct 20, 1976

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from a ground-water source by
means of well and pump within
the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 3S, R.
33E, B.M., Bingham County; to
be used from Apr. 1 to Nov. 1 for
the irrigation of 80 acres within
the W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 18, T. 3S, R.
33E, B.M.

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the Idaho Department of Water
Resources, 1515 Lincoln Road,
Idaho Falls, Idaho, 83401, on or
before January 26, 1976.

R. KEITH HIGGINSON
Director

(4513)
Pub.: 1-8, 15

31

Batterymarch: AgriVest

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NOV 04 1991

Department of Water Resources

October 31, 1991

Department of Water Resources
Statehouse
Boise, ID 83720

Re: Loan No. 96510-H, Polatis
Licenses No. 35-2594 and
23224/35-2277, Permits No.
35-7570 and 35-7571

Gentlemen:

This loan has been paid in full. Therefore, we wish to inform you that we are no longer interested in licenses no. 35-2594 and 23224/35-2277 and permits no. 35-7570 and 35-7571, as described in Mortgage Deed dated May 4, 1976, given by Lowell T. Polatis et ux.

Said mortgage was recorded in the Public Records of Bingham County in Book 19 as Instrument #212700.

Sincerely,

Jean Wright

Jean Wright
Assistant Secretary

jw
cc: Ag-Land Mortgage

There is nothing in the referenced files or the database that connects Batterymarch: AgriVest to the water rights.

500 WINDING BROOK DRIVE, GLASTONBURY, CONNECTICUT 06033 • (203) 659-3711 • FAX (203) 657-8461

This letter is placed in file for future reference only.



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 28, 1981

RE: Permit No. 35-7570

Connecticut Mutual Life Insurance Co.
140 Garden Street
Hartford, CT 06115

Gentlemen:

Enclosed is a copy of the Water Right License issued on the above referenced Permit.

Please be advised that one of the conditions of your permit was that a measuring device be installed as part of your diversion works. That requirement has been waived with issuance of the enclosed license. However, in the event that water supply shortages become a problem installation of measuring devices may be required.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

Enclosure

RECEIVED
SEP 29 1981
WATER RESOURCES

Letter sent

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Name of permit holder Connecticut Mutual Life

Post office address Contact Lowell T. Polatis at Box 69, Pingree, ID Phone 208-223-1111

Department of Water Resources _____ Phone _____

2. Source of water supply. Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 1.60 c.f.s for Irrigation
 AF/Annum (nature of use)

Period of Use. from Apr. 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c f s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

- 4 Total amount to be appropriated.

Max Rate of Diversion 1.60 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 3S N/S, Range 33E E/W, B.M., Section 18, Subdivision NE SW $\frac{1}{4}$ $\frac{1}{4}$, _____
 _____ County
 Township _____ N/S, Range _____ E/W, B M, Section _____, Subdivision _____ $\frac{1}{4}$ $\frac{1}{4}$, _____
 _____ County
 Township _____ N/S, Range _____ E/W, B M, Section _____, Subdivision _____ $\frac{1}{4}$ $\frac{1}{4}$, _____
 _____ County

Other Points of Diversions: _____

Description of diverting works: 150 hp pump, 18" x 100'

Measuring device required. yes ☒ no ☐

- 6 Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE _____ **80**

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DATE OF EXAM 9-14-77

ACREAGE
Found 240
Recommended 80

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 1.60 c.f.s. V = 280.0 AF/Ann. from Apr. 1 to Nov. 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub _____ 1/4 _____ 1/4 _____ County _____

Point of injection: N/A
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: N/A
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 4.57 cfs Method of measurement PITOT TUBE
Total Q recommended 1.6 cfs Meter No. 12054 Type ASHCROFT Condition BROKEN
Total V recommended 280.0 AF/YR

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:
Direct Reading x Pitot Tube Total gpm = 2050.28 = 4.57 cfs
1.6 x 1.9835 x 2.14 days = 679.15 > 3.5 AF/AC x 80 = 280.00 AF/YR ✓

Allow .02 cfs/ac 80 ac x .02 = 1.6 cfs

SYSTEM DESCRIPTION:
150 HP, GE, 3 phase motor, S/N 218140, w/ Lynde and Bowler turbine pump (no I.D. plate). 10 inch steel main extends 12 ft. south of pump connecting to east west buried main line. System operates 12, 4 mil. hard lines, w/ 23 nozzles per line; Nozzle diameter is 1/32 in.

REMARKS:
Mr. Polatis accompanied agent during exam.
No pre-existing g.w. rights

Examiner's Signature Rodney A. Parker Date 11-14-79
Checked by Anthony J. Kozlowski Date 3-8-80
Approved by [Signature] Date 8/28/81

No Overlapping rights

August 15, 1977

RE: Permit No. 35-7570

Connecticut Mutual Life
c/o Lowell T. Polatis
Box 69
Pingree, ID 83262

Dear Mr. Polatis:

It is the responsibility of the Department of Water Resources to provide for just distribution of water supplies. The Department has been given the authority to require water users to install and maintain approved measuring devices, Section 42-701, Idaho Code. Under this authority, the Department is requesting that you replace a broken measuring device on your irrigation well located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T 3S, R 33E. Bingham County.

Before your well can be licensed by the state, a functional meter must be installed and a field examination completed in order to accurately determine the rate of flow (c.f.s.) and annual volume (AF/yr) of water your well is capable of producing.

We request that this meter be repaired or replaced sometime before September 14, 1977, at which time another field examination will be conducted. If you have any questions concerning the acceptability of some other device, or on details of construction, please do not hesitate to contact our Eastern District Office, 1515 Lincoln Road, Idaho Falls, Idaho.

Sincerely yours,

ANTHONY R. KOZLOWSKI
Water Resource Agent

ARK:cd

RECEIVED

August 10, 1977

RE: Permit N . 35-7570

Connecticut Mutual Life
c/o Lowell T. Polatis
Box 69
Pingree, ID 83262

Dear Mr. Polatis:

Personnel from this office have attempted to complete the field examination necessary to finalize the water permit and collect data required for the licensing of your well.

A measuring device of a type approved by the Department has not been installed at the points of diversion, and because of this non-compliance the priority date that you have established for this ground-water source may be in jeopardy.

This office will hold the field reports until September 9, 1977. If at that time we have not received notification that the measuring device has been purchased and/or installed, we will forward our findings to the State Office for final action. If the measuring device has been installed, please contact me to set up an appointment to do a re-exam.

Compliance with the conditions on your permit is the only way a license can be issued pursuant to the Idaho Code for your water right development and the land included under the above referenced permit.

If you have any questions concerning this matter, please contact me.

Very truly yours,

ANTHONY R. KOZLWSKI
Water Resource Agent

ARK:CD

RECEIVED
AUG 14 1977



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

May 2, 1977

Re: Permit No. 35-7571 & 35-7570

Connecticut Mutual Life Insur. Co.
140 Garden St.
Hartford, Connecticut 06115

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Idaho Falls.

Sincerely,

JANICE RENK
Water Rights Bureau

/jr

cc: Lowell Polatis
Box 69
Pingree, ID 83262

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RECEIVED

JAN 17 1977

Department of Water Resources
Eastern District Office

RECEIVED

APR 18 1977

Department of Water Resources
Eastern District Office
STATE OF IDAHO

Identification No. _____

Permit No. 35-7570

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Lowell T. Polatis
b) Post Office Address Box 69, Pingree, ID 83262
2. Permit Number 35-7570
3. Date of Priority that you are prepared to establish 12-30-75
4. a) Source from which water was appropriated ground water
b) Location of the point of diversion: NE 1/4 SW 1/4, Section 18
Township 3S, Range 33E, Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 1.60 for Irrigation purposes from Apr. 1 to Nov. 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 1.60 cfs and ~~XXXXXX~~ acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Ag Service
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works:
Supplemental Water for Desert Land Entry 35-2277, I-7478
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 150 HP pump, 18" x 100'
b) Describe the type and size of measuring device which you have installed at your point of diversion: In-Line Meter 10"
c) Give well driller's name and address and the date the well was completed: Jack Cushman
Blackfoot, Idaho 83221
3-23-76
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

MICROFILMED

Heath

April 15, 1977

Lowell Polaris
Box 69
Pinegrove, Idaho
83262

RECEIVED

APR 18 1977

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Sir,

I refer you to a letter dated Jan. 17, 1977 in which you stated that my application for final proof of application of water to beneficial use were not acceptable because I had assigned my rights to Connecticut Mutual Life.

Enclosed is the power of attorney to act for them in securing the final proof on Water permit numbers 35-7570 and 7571 and I am returning the applications. All advertising has been done and so this should be my final step.

Sincerely,

Lowell Polaris

MICROFILMED

R. H. Moore

July 2, 1976

Re: License No. 35-2594
Permits No. 35-7570 & 35-7571
(Lowell T. Polatis)

Mr. Michael K. Ferrin
Bingham Title & Trust Company
156 West Judicial Street, Box 594
Blackfoot, Idaho 83221

Dear Mr. Ferrin:

This office has received the assignments and powers of attorney submitted in connection with the above referenced license and permits.

The assignments for Permits 35-7570 & 35-7571 have been recorded and our records show Connecticut Mutual Life Insurance Company as permit holder with power of attorney to Mr. Lowell T. Polatis. These permits are in good standing; proof of beneficial use being due on or before February 1, 1981, under both permits.

With regard to the assignment of License 35-2594, we wish to advise you that the Department has no procedure for changing the records of ownership once a permit has been licensed. When a license is issued, it becomes appurtenant to the land and ownership is automatically conveyed with the land unless specifically withheld in a sales transaction. We will, however, place the assignment in our file for future reference.

Notice of any action in connection with these rights will be directed to Connecticut Mutual at their Hartford address.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

cc: Connecticut Mutual Life Insurance Co.
Attn: James B. McCandless
140 Garden Street
Hartford, Connecticut 06115

*The Bingham
Title & Trust Co.*

Phone 785-0320

156 West Judicial Street

Box 591

Blackfoot, Idaho 83221

June 14, 1976

RECEIVED

JUN 16

Department of Water Resources

State of Idaho
Department of Water Administration
Statehouse
Annex 2
Boise, ID 83707

RE: Permit Nos. 35-2594, 7570, and 7571

Gentlemen:

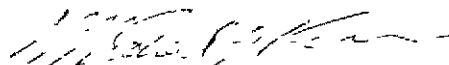
Enclosed are assignments of the above three permits to the Connecticut Mutual Life Insurance Company and a power of attorney from the Connecticut Mutual Life Insurance Company.

Would you please send us a letter evidencing the assignment and power of attorney back to the assignor and confirming that you will notify the Connecticut Mutual Life Insurance Company of any action in reference to these permits.

Also, would you please include in the letter a statement to the effect that these three permits are in good standing.

Would you please direct this letter to my office. If you have any questions, please let me know. Thank you.

Very truly yours,



Michael K. Ferrin
Escrow Department

MKF:vt

Enclosures

February 18, 1976

Re: Permit No. 35-7570

Lowell T. Polatis
Box 69
Péngree, ID 83262

Dear Mr. Polatis:

Enclosed is a copy of your approved Application for Permit No. 35-7570 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

January 27, 1976

RE: Application for Permit No. 35-7570

Mr. Lowell T. Polatis
Box 69
Pingree, Idaho 83262

Dear Mr. Polatis:

Please be advised that your application for permit has been processed. However, since your application is filed in connection with a desert land entry with the Bureau of Land Management, this office will take no further action until such time as evidence that your desert entry has been classified as suitable for entry is submitted to the Department of Water Resources in writing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:ME

cc: Bureau of Land Management

January 13, 1976

RE: Application for Permit No. 35-7570

The Bureau of Land Management
940 Lincoln Road
Idaho Falls, Idaho 83401

Dear Sirs:

Please be advised that the above referenced application for permit has been filed with this office in connection with a desert land entry. The legal description of the application is as follows:

POINT OF DIVERSION: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 3S, R. 33E, B.M., Bingham County:

PLACE OF USE: W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 18, T. 3S, R. 33E, B.M.

If you have any further questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:ME

January 9, 1976

RE: Legal Notice No. 4513

The Blackfoot News
P.O. Box 70
Blackfoot, Idaho 83221

Dear Sir:

This letter is to confirm the correction made by telephone yesterday, January 8, 1976. I requested that the next to the last line of the first paragraph be changed to read ". . . the W₂SE₄, Sec. 18, T. 3S, R. 33E, B.M."

Another change that will have to be made that was not mentioned on January 8 is the last line of the second paragraph will have to be changed to read ". . . on or Before February 2, 1976."

We ask that this corrected legal notice be advertised on January 15 and January 22, 1976. We understand that since the mistake was not yours we will be responsible for payment of three advertisements.

Thank you for your cooperation in this matter.

Very truly yours,

MARLENE EMPEY
Secretary

CONVERSATION MEMORANDUM

DATE 1-08-76

FILE 35-7570

NAME OF PARTY Lowell Polatis

EMPLOYEE Loren Holmes

RE: Talked with Lowell Polatis today. He says application 35-7570 should be
on the W₂SE₄, Sec. 18 instead of W₂SW₄. He will come in to check overlapping
permit on application 35-7571:

MICROFILMED

December 31, 1975

RE: Applications for Permit Nos. 35-7570, 35-7571, 35-7572

The Blackfoot News
P.O. Box 70
Blackfoot, Idaho 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 1-16-76 by me

RDC:ME

Legal Notices (3)

DEPT. OF AGRICULTURE

NOTICE OF
APPLICATION FOR
WATER PERMIT

Notice is hereby given that Lowell T. Polatis, Pingree, Idaho, has on 12-30-75, submitted Application No. 35-7570, for a permit to appropriate 1.60 cubic feet per second of water from a ground-water source by means of well and pump within the NE 1/4 SW 1/4, Sec. 18, T. 35, R. 33E, B.M., Bingham County, to be used from Apr. 1 to Nov. 1 for the irrigation of 80 acres within the NE 1/4 SW 1/4, Sec. 18, T. 35, R. 33E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before January 26, 1976. R. KEITH HIGGINSON, Director (4513) Pub. 1-8, 15

W 1/2 SE 1/4
correction made
+ added in 1-08-76

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Lowell T. Polatis,
Pingree, Idaho
has on 12-30-75 submitted Application No. 35-7570
for a permit to appropriate 1.60 cubic feet per second ~~acre feet per annum~~
of water from a ground-water source
by means of well and pump
within the NELSW, Sec. 18, T. 3S, R. 33E, B.M., Bingham County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 80 acres
within the W₂SW₄, Sec. 18, T. 3S, R. 33E, B.M. ^{10 1/2 SE 1/4 connection called in 1-08-76}

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before January 26, 1976.

February 2, 1976

R. KEITH HIGGINSON

Director

Published in the XXXX Blackfoot News, Blackfoot, Idaho
on January 8 and January 15, 1976. + January 22, 76

OW-
OW-
me-G.



United States Department of the Interior

IN REPLY REFER TO:

I-7478 (943)

BUREAU OF LAND MANAGEMENT
Idaho State Office
Boise, Idaho

FEB 8 1976

NOTICE OF ALLOWANCE

Department of Water Resources
Eastern District Office

Lowell T. Polatis
Pingree, Idaho 83262

Serial No. I-7478 80.00 Acres

T. 3 S., R. 33 E., Boise Meridian, Idaho
Sec. 18, W $\frac{1}{2}$ SE $\frac{1}{4}$.

Your desert land application for the above-described land has this day been approved and allowed, subject to any valid existing rights and your further compliance with laws and regulations applicable thereto. The acceptability of final proof is contingent upon substantial compliance with the requirements of the Desert Land Act and appropriate rules and regulations in addition to development and reclamation of the land basically in accordance with your plan of development which is on file in the Idaho State Office. Further, your final proof must show that you have in good faith, substantially reclaimed, irrigated and cultivated all of the land in your entry. Any substantial change in source of water or deviation in the construction of the irrigation facilities must have the prior approval of the Bureau of Land Management. The irrigable acreage of this entry has been determined to be approximately 80.00 acres. In correspondence relating to this entry, always refer to the serial number shown above.

Subject to the Act of July 17, 1914, which will require the reservation of all oil and gas deposits to the United States.

IN WITNESS WHEREOF, I have hereunto set
my hand and seal this 12th day of
August, 19 75.

Vincent S. Strobel

Chief, Branch of L&M Operations

ISO-2520-3

9/72

RECEIVED

FEB 3 1976

Department of Water Resources
Eastern District Office

Feb. 2, 1976

Attn: Ronald Carlson

Permit no: 35-7570

Dear Sir,

Your request for further evidence of desert entry by Bureau of Land Management is herewith enclosed in the form of a photostat copy of such. I hope this is the information you seek.

Sincerely yours

Lowell T. Tolatis

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 35-7570 Relates

- ☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

LH 12-31-75

(1) " "

In form to receipt yes

(2) " "

Send Copies to:

- ☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☒ Bureau of Land Management

(3) " "

- ☒ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(4) " "

In form for advertising yes

(5) " "

Platted on Map No. "

(6) " "

NA Located within Water District No. "

(7) " "

Critical groundwater area: yes " no ☒

(8) " "

Groundwater levels:

" Declining, ☒ Stable, " Increasing

(comment) Ref Obs well 35 33E 148BA1

(9) " "

Other rights on the same place of use yes

(10) " "

Comments: Li 35-2277 44.75 13.4 acres overlaps Not with
76 Acres 4 excessive GL - 535 CFS changed P.U.
DET.

(11) me 1-16-76

Affidavit of Publication received (date) 1-16-76

(12) me 1-26-76

Final date for protests January 26, 1976

Protests received: yes " no ☒

(13) KDC 1/26/76

All requested information received from agencies or applicant: yes " no "

(14) " "

Action recommended:

☒ Approve

" Deny

7/30/76 Proposed Priority

" Reason for Reduction

☒ Measuring device required

" See attached sheet for other conditions of approval

" No special conditions for approval

(15) District E By 9-17C Date 1/26/76

1-26-76
copy to
1-26-76
1-26-76
1-26-76
1-26-76