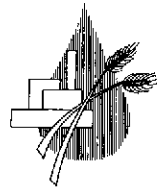


No Color
Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

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

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

Notice is hereby given that Herman or Wanelta Van Hull
(Name of Claimant)
RT 5, Box 61 Priest River, Id. 83864 Telephone No. 448-1289
(Mailing Address) (Zip Code)

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

(1) Date of priority: (When was the water first applied to a beneficial use) 1940

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

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

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

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.04</u>	Use	<u>Commercial</u>	Period of Use From	<u>1-1</u> To <u>12-31</u>
Quantity	_____	Use	_____	Period of Use From	_____ To _____
Quantity	_____	Use	_____	Period of Use From	_____ To _____
Quantity	_____	Use	_____	Period of Use From	_____ To _____
Quantity	_____	Use	_____	Period of Use From	_____ To _____

(4) 0.04 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 SE 1/4, Sec. 16 Twp. 57N Rge. 5W B.M., County of BOTTEN
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 24" X 15' well, pump & pipeline

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

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>57N</u>	<u>5W</u>	<u>16</u>																<u>X</u>	

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Commercial use for rest room facilities at Tavern

NOTE: Include here the type and number of stock watered: _____
If you are claiming water as a member of an organization, list name of organization: Falls Inn

UNRECORDED

Dec 16
T 59N, R 5W

x - P.D. 4 P/D

Received by
Preliminary check
\$200.00 re
Published in
Date _____

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

ss.

Pete Thompson

being duly sworn, says that he is the Publisher
of the PRIEST RIVER TIMES, a weekly newspaper printed and
published at Priest River, Bonner County, Idaho, and has been
continuously and uninterruptedly published in said County during
a period of 78 consecutive weeks prior to the first publication of
the annexed notice for publication, is a newspaper of general cir-
culation made up of at least eight pages of at least seven columns
each, printed from typematter or stereotyped forms of at least
nineteen and three-fourths inches depth, has at least 1250 bona fide
subscribers living within said Bonner County, and is published at
regular weekly intervals. That the annexed is a true copy of the
notice for publication in the case of

Idaho Dept. of Water Resources #97-4080

as it was published in the regular and entire issue of said paper
for a period of two consecutive weeks, commencing on
the 24th day of December, 1981,
and _____
_____ ending on the 31st day of December, 1981,
and that said notice was published in said newspaper proper, and
not in supplement form.

Pete Thompson

Subscribed and sworn to before me this

4 day of Jan, 1981

Idene M Thompson

Notary Public for Idaho,

Residing at Priest River, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS

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

97-4080

VAN HULL, HERMAN &/or
WANETTA

RT. 5 BOX 61, PRIEST
RIVER, ID 83856

Source: GROUNDWATER

Priority Date: 01/01/1940

Amount: 0.04 CFS

Diversion Point: SESE Sec
16 T 57N R 05W, BONNER
Co.

Use: COMMERCIAL (0.04
CFS) from 01/01 to 12/31

Place of Use: SESE Sec 16 T
57N R 05W

Any exception to any
claim of water right may be
filed with the Director of the
Idaho Department of Water
Resources, 4055 Gov't Way,
Coeur d'Alene, Id, 83814.

A. KENNETH DUNN

Director

Published PRT 12/24 &
12/31/81

Dept. of Water Resources.

RECEIVED

JAN 8 1982

Department of Water Resources
Northern District Office

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~C. Stephen Allred~~
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

March 18, 1982

RECEIVED
MAR - 3 1988

Department of Water Resources

Mr. David C. Ackley
Attorney at Law
P. O. Box 1300
Priest River, Id. 83856

Re: Herman Van Hull Claim 97-4080

Dear Mr. Ackley:

According to the sworn statement of Mr. Van Hull (Claim 97-4080) the groundwater source listed in that statement has been used at the Falls Inn for operation of a restaurant and tavern since 1940.

I have no records establishing a prior appropriation by the Falls Inn nor any record establishing the existence of the Falls Inn prior to that time. It seems, therefore, that any appropriation of water made by the Falls Inn prior to 1940 was not made under the permit system.

I hope I have answered your questions to your satisfaction. If not, please feel free to contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

MAKROFILMED

APR 06 1988

DAVID C. ACKLEY
ATTORNEY AT LAW

Post Office Box 1300
Suite 204, Rivertown Mall
Priest River, Idaho 83856

RECEIVED

MAR - 3 1988

RECEIVED
Telephone:
(208) 444-2661

MAR 10 1982

March 15, 1982

Department of Water Resources

Department of Water Resources
Northern District Office

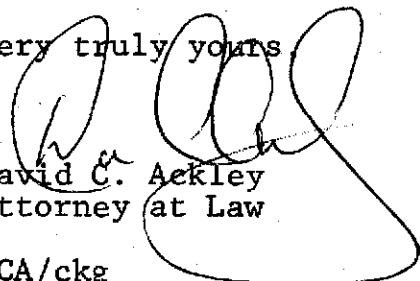
A. Kenneth Dunn
Director of the Idaho Department
of Water Resources
4055 Government Way
Coeur d'Alene, Idaho 83814

RE: Herman Van Hull Claim of Water Right
(see attached copy of legal notice)

Dear Mr. Dunn:

In a recent issue of the Priest River Times, I noticed the publication of the attached Notice of Claim for Water Rights. I am interested in knowing whether the commercial usage outlined is for the Falls Tavern. I am also interested in knowing what the previous source of water was for the Falls Tavern, and whether it had been legally appropriated via the permit system or the so-called constitutional method. Your answers to my questions will be greatly appreciated, and I will remain,

Very truly yours,


David C. Ackley
Attorney at Law

DCA/ckg

Enclosure

RECEIVED

APR 06 1988

**NOTICE OF CLAIMS
TO WATER RIGHTS**

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

97-4080

VAN HULL, HERMAN &/or
WANETTA

RT. 5 BOX 61, PRIEST
RIVER, ID 83856

Source: GROUNDWATER

Priority Date: 01/01/1940

Amount: 0.04 CFS

Diversion Point: SESE Sec
16 T 57N R 05W, BONNER
Co.

Use: COMMERCIAL (0.04
CFS) from 01/01 to 12/31

Place of Use: SESE Sec 16 T
57N R 05W

Any exception to any
claim of water right may be
filed with the Director of the
Idaho Department of Water
Resources, 4055 Gov't Way,
Coeur d'Alene, Id, 83814.

A. KENNETH DUNN
Director

Published PRT 12/24 &
12/31/81

Dept. of Water Resources.

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APR 06 1988

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: AB

Right Number

97-4080

Applicant

Van Hall

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

CHECK:

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

FINAL REGIONAL PROCESSING REVIEW:

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

By

pm

Date

1/11/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

kw

Date

1/19/82

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RECEIVED
JAN 19 1982

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

97-4080

VAN HULL, HERMAN &/or WANETTA

RT. 5 BOX 61, PRIEST RIVER, ID 83864

Source: GROUNDWATER

Priority Date: 01/01/1940

Amount: 0.04 CFS

Diversion Point: SESE Sec 16 T 57N R 05W, BONNER Co.

Use: COMMERCIAL (0.04 CFS) from 01/01 to 12/31

Place of Use: SESE Sec 16 T 57N R 05W

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

JANUARY 11, 1982

HERMAN VAN HULL
WANETTA VAN HULL
RT. 5 BOX 61
PRIEST RIVER ID 83864

RE: Claim No. 97-4080

Dear Claimant:

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

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

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

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

Yours truly,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

MICROFILMED