

(8) Remarks

(8) Remarks Please see attached description of land on which the well is situated together with the water rights to a spring. This water <sup>right</sup> will be amended upon new well drilled for second dwelling.

A grid of graph paper with three circled numbers: 11, 12, and 13. The grid is composed of solid lines forming a 10x10 grid of squares, with dashed lines forming a 20x20 grid of smaller squares. The numbers 11, 12, and 13 are circled in red ink and are located in the first, second, and third rows of the grid, respectively. The number 11 is in the first row, first column. The number 12 is in the second row, first column. The number 13 is in the third row, first column. The number 14 is not present in the image.

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

section, township and range of the public land survey system.

Section 13 Twn 35 North Range 4 W B.M.

State of Idaho

County of Nez Perce

}  
} ss.  
}

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 17th day of

December 19 82

(Claimant)

Lucile L. Wade

Notary Public

Residing at Lapwai, Idaho

My commission expires March 25, 1986

FOR DEPARTMENT USE ONLY

Received by JK  
Prelim. check by R  
\$30.00 fee received by \_\_\_\_\_  
Published in \_\_\_\_\_  
Dates \_\_\_\_\_

Date 1-20-83  
Date 3/2/83  
Date 3/2/83

Exception filed by:

Forwarded to  
claimant by:

Date \_\_\_\_\_

Date 4/7/14/83  
Barista Tibone

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 Johan van Houten  
(Name of Claimant)

Route 1, Box 133 Lapwai, Idaho 83540 Telephone No. 208-845-2176  
(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) not known but well was extended 8/29/63  
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 (well) 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

| Quantity                | (cfs, af) | Use                 | (Domestic, Irrigation, Stock, Etc) | (Both dates inclusive)        |                 |
|-------------------------|-----------|---------------------|------------------------------------|-------------------------------|-----------------|
|                         |           |                     |                                    | (Mo., Day)                    | (Mo., Day)      |
| Quantity <u>0.3 cfs</u> |           | Use <u>Domestic</u> |                                    | Period of Use From <u>1-1</u> | To <u>12-31</u> |
| Quantity <u>0.3 cfs</u> |           | Use <u>Domestic</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 _____        |

(4) 0.6 cfs TOTAL QUANTITY USED.  
(cfs, af)

(5) A) Point of diversion (Location of point where water is diverted from its source)  
SW 1/4 NW 1/4, Sec 13 Twp. 35N Rge 4W B M, County of Nez Perce  
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.  
1/4 Has power submersible pump

(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 |       |
| 35N | 4W | 13   |        |        |        |        |        |        | X      |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
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|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

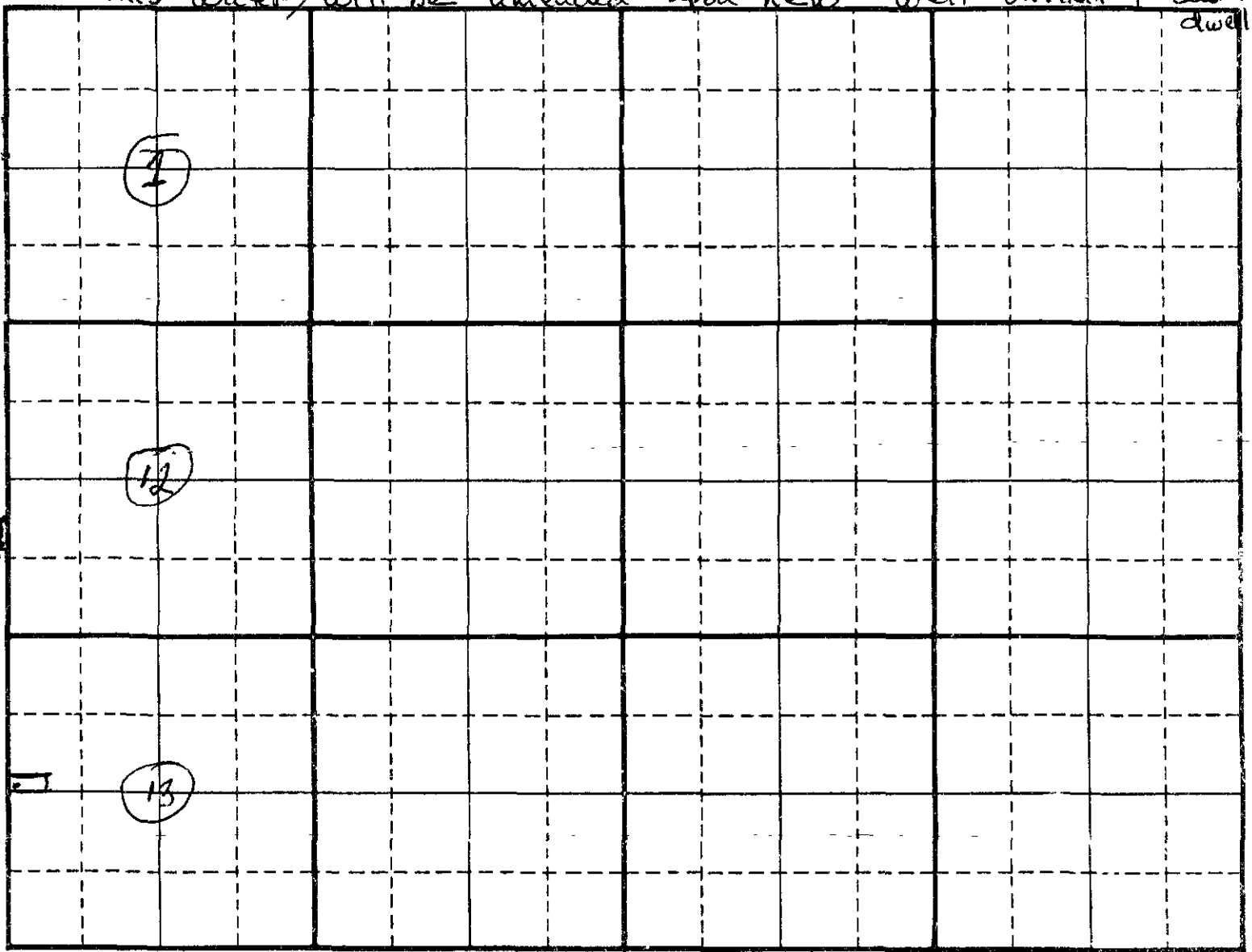
No. of acres \_\_\_\_\_

B) If water is used for other than irrigation, fully describe that use, being as specific as possible  
To provide domestic water to two dwellings was originally drilled for one.

NOTE. Include here the type and number of stock watered \_\_\_\_\_

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

(8) Remarks Please see attached description of land on which the well is situated together with the water rights to a spring. This water <sup>right</sup> will be amended upon new well drilled for second dwelling.



Scale 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system

Section 13 Twn 35 North Range 4W B.M.

State of Idaho )  
 ) ss.  
County of Nez Perce )

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 17th day of December, 19 82

[Signature]  
(Claimant)

Lucile L. Wade  
Notary Public  
Residing at Lapwai, Idaho

My commission expires March 25, 1986

FOR DEPARTMENT USE ONLY

Received by SR Date 3/2/83 Exception filed by \_\_\_\_\_ Date \_\_\_\_\_  
Prepaid check by RM Date 3/2/83  
\$30.00 fee received by RM Date 3/2/83 (24944)  
Published in Boise Tribune  
Dates 1/14/83

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

85-4327  
NANNINGA, JR., JOHN  
1901 FIRST ST., LEWISTON, ID 83501  
Source: GROUNDWATER  
Priority Date: 06/01/1953  
Diversion Pt: SWSE Sec 01 T 35N R 06W  
Use: IRRIGATION (0.06 CFS)  
In: SWSE Sec 01 T 35N R 06W FOR 3 ACRES

85-4328  
VAN HOUTEN, HERMAN JOHAN  
Rt. 1 BOX 133, LAPWAI, ID 83540  
Source: GROUNDWATER  
Priority Date: 08/29/1962  
Diversion Pt: SWNW Sec 13 T 35N R 04W  
Use: DOMESTIC (0.60 CFS)  
In: SWNW Sec 13 T 35N R 04W

85-4329  
SCHAUB, STEPHEN A.  
3745 LAPWAI RD., LEWISTON, ID 83501  
Source: SPRING trib. to SMALLS CANYON  
Priority Date: 01/01/1940  
Diversion Pt: SWSE Sec 36 T 36N R 05W  
Use: IRRIGATION (0.02 CFS)  
STOCKWATER (0.02 CFS)  
DOMESTIC (0.12 CFS)  
In: LOT 03 Sec 01 T 35N R 05W FOR 1 ACRES

85-4330  
SPRINGSTON, HAROLD  
RT. 1 BOX 42, PECK, ID 83545  
Source: SPRING trib. to JACK CREEK  
Priority Date: 01/01/1935  
Diversion Pt: NWSW Sec 17 T 36N R 01W  
Use: STOCKWATER (0.02 CFS)  
DOMESTIC (0.03 CFS)  
In: NWSW Sec 17 T 36N R 01W

85-4333  
OSBORN, M.L. &/or CONSTANCE  
1030 PROSPECT ST., LEWISTON, ID 83501  
Source: SPRINGS trib. to SINKS  
Priority Date: 01/01/1900  
Diversion Pt: SENW NESW Sec 02 T 36N R 02W  
Use: STOCKWATER (0.02 CFS)  
STOCKWATER STORAGE (3.0 AF)  
STOCKWATER FROM STORAGE (3.0 AF)  
DIVERSION TO STORAGE (0.10 CFS)  
In: SENW NESW Sec 02 T 36N R 02W

86-4172  
GROSECLOSE, VIRGIL A.  
9949 N & S HWY., LEWISTON, ID 83501  
Source: UNNAMED STREAM trib. to CLEARWATER RIVER  
Priority Date: 01/01/1939  
Diversion Pt: SWSW Sec 16 T 36N R 04W  
Use: IRRIGATION (0.02 CFS)  
DOMESTIC (0.04 CFS)  
In: SWSW Sec 16 T 36N R 04W FOR 3 ACRES

86-4174  
NELSON, RUDOLPH  
RT. 1 BOX 70, TROY, ID 83871  
Source: UNNAMED STREAM trib. to BIG BEAR CREEK  
Priority Date: 06/01/1951  
Diversion Pt: NESE Sec 22 T 39N R 03W  
Use: IRRIGATION (0.20 CFS)  
IRRIGATION STORAGE (65.0 AF)  
STOCKWATER STORAGE (1.0 AF)  
In: NESE Sec 22 T 39N R 03W FOR 10 ACRES

86-4176  
MESSINGER, JR., LEO  
Rt. 1 BOX 100, CULDESAC, ID 83526  
Source: SPRING trib. to MAGPIE CREEK  
Priority Date: 01/01/1952  
Diversion Pt: SWSW Sec 06 T 36N R 03W  
Use: STOCKWATER (0.02 CFS)  
DOMESTIC (0.08 CFS)  
In: NENE NWNE Sec 12 T 36N R 03W  
Exceptions to a claim may be filed with the Director, Dept. of Water Resources: 4055 Gov't. Way, Coeur d'Alene, Id. 83814.

KEN DUNN, Dir  
NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho.

85-7327  
OSBORN, M.L. &/or CONSTANCE  
1030 PROSPECT ST., LEWISTON, ID 83501  
Source: RATTLESNAKE CREEK trib. to CLEARWATER RIVER  
Date Filed: 03/24/1983  
Diversion Pt: SWNW Sec 03 T 36N R 02W  
Use: IRRIGATION (0.20 CFS)  
In: SWNW NWSW Sec 03 T 36N R 02W FOR 20 ACRES

The permit(s) will be subject to all prior water rights. Tests must be filed with the Dir. Dept. of Water Resources: 4055 Gov't. Way, Coeur d'Alene, Id. 83814 on or before APRIL 1983.

County of Nez Perce } ss.  
Gayle Schuher

being duly sworn  
Classified Bookkeeper  
deposes and says, I am the  
of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 20 consecutive years immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period; that the NOTICE OF CLAIMS TO WATER RIGHTS attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for 2 consecutive weeks, the first publication thereof being on the 7th day of April, A. D. 1983, and the last publication thereof being on the 14th day of April, A. D. 1983, and said NOTICE OF CLAIMS TO WATER RIGHTS was so published in the regular and entire issue of the said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE  
14th day of April, 1983

RECEIVED  
Notary Public in and for the State of Idaho,  
residing at Lewiston, therein.  
APR 21 1983

Department of Water Resources  
Northern District Office

EXHIBIT "A"

Commencing 133 feet East of the Southwest corner of Lot 9, Section 13, Township 35 North, in Range 4 West of the Boise Meridian; thence East along the South line of Lot 9 and 10 of said Section a distance of 45 rods to a point on the said South line of said Lots; thence due North a distance of 16 rods to a point; thence due West to the East line of the Fort Lapwai Military Reserve; thence Southerly along said East line of the said Reserve to the place of beginning.

Together with all waters, water rights, springs and rights of way for pipe lines, ditches and conduits for conducting water to said premises in any way appurtenant thereto, including but not limited to State of Idaho Water license and Certificate of Water Right No. 16003 (Water District 81-Y) recorded in Book 6 of Licenses page 3404 in the office of the Commissioner of Reclamation of the State of Idaho at Boise, Idaho.

5-2066 - new file #.

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**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
NORTHERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
C. Stephen Dunn  
Director

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

January 24, 1983

85-4328

Mr. Herman J. VanHouten  
Rt. 1 Box 133  
Larwai, Id. 83540

Dear Mr. VanHouten:

I am returning your Check No. 92-31 in the amount of \$30.00 and your Claim to a Water Right for completion of Item Nos. 3, 4, 6a and the map.

I have also forwarded your request for a copy of License No. 85-2066 to our Boise office.

If you have any questions, please contact me at this office.

Sincerely,

TOM P. KING  
Senior Water Resource Agent

TDK/pms  
cc: IDWR - State Office  
Enc. - Check  
Claim

1-25-83 1:15 PM

Ir H. J. van HOUTEN  
Ingeniero Agrónomo

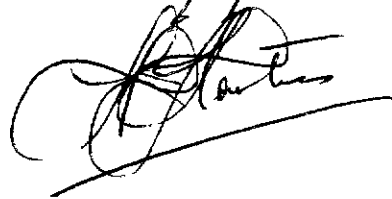
~~Marionette~~ Lapwai, 1.18.83

Dear Sirs,

In continuation to the conversation (by telephone) from my son Roger van Houten on Nov. 12, 1982 with Mr Jim Johnson in your Boise office, I am sending you herewith the filled out form for the registration of my water rights.

You would do me a great favour in sending me a copy of the already existing certificate of water right (since 1924). (See attached description.

Sincerely yours



MR. ~~HERMAN~~ HERMAN J VAN HOUTEN  
ROUTE 1, BX 133  
LAPWAI, ID 83540

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RYA

Right Number 85-4328 Applicant Jim Horton

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 RYA Date 4/27/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By tw Date 5/3/83

RECEIVED  
MAY 02 1983

Department of Water Resources

IDENT. NO. 85-4328

WATER RIGHT  
DATA ENTRY LOG

[illegible]

85-4328-

VAN HOUTEN, HERMAN JOHAN

RT. 1 BOX 133 LAPWAI, ID 83540

Source: GROUNDWATER

Priority Date: 08/29/1962

Diversion Pt. SHNM Sec 13 T 35N R 04W

Use: DOMESTIC (0.60 CFS)

In. SHNM Sec 13 T 35N R 04W

RECEIVED  
FBI  
JUL 1 1962

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Northern Region

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JOHN W. EVANS  
Governor  
R. KENNETH DUNN  
Director

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

APRIL 25, 1987

HERMAN JOHAN VAN HOUTEN  
PT. 1 BOX 133  
LAPWAI ID 83540

RE: Claim No. 85-4328

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



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NORTHERN REGION

John V. Evans  
Governor  
A. Kenneth Dunn  
~~C. Stephen Allen~~  
Director

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

January 24, 1983

Mr. Herman J. VanHouten  
Rt. 1 Box 133  
Lapwai, Id. 83540

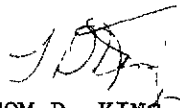
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Sincerely,

  
TOM D. KING  
Senior Water Resource Agent

TDK/pms  
cc: IDWR - State Office  
Enc. - Check  
Claim

*Received, thank you, \$1,- (check).*

*Directly mailed  
to Boise*

*off*

RECEIVED

MAR 2 1983

Department of Water Resources  
Northern District Office