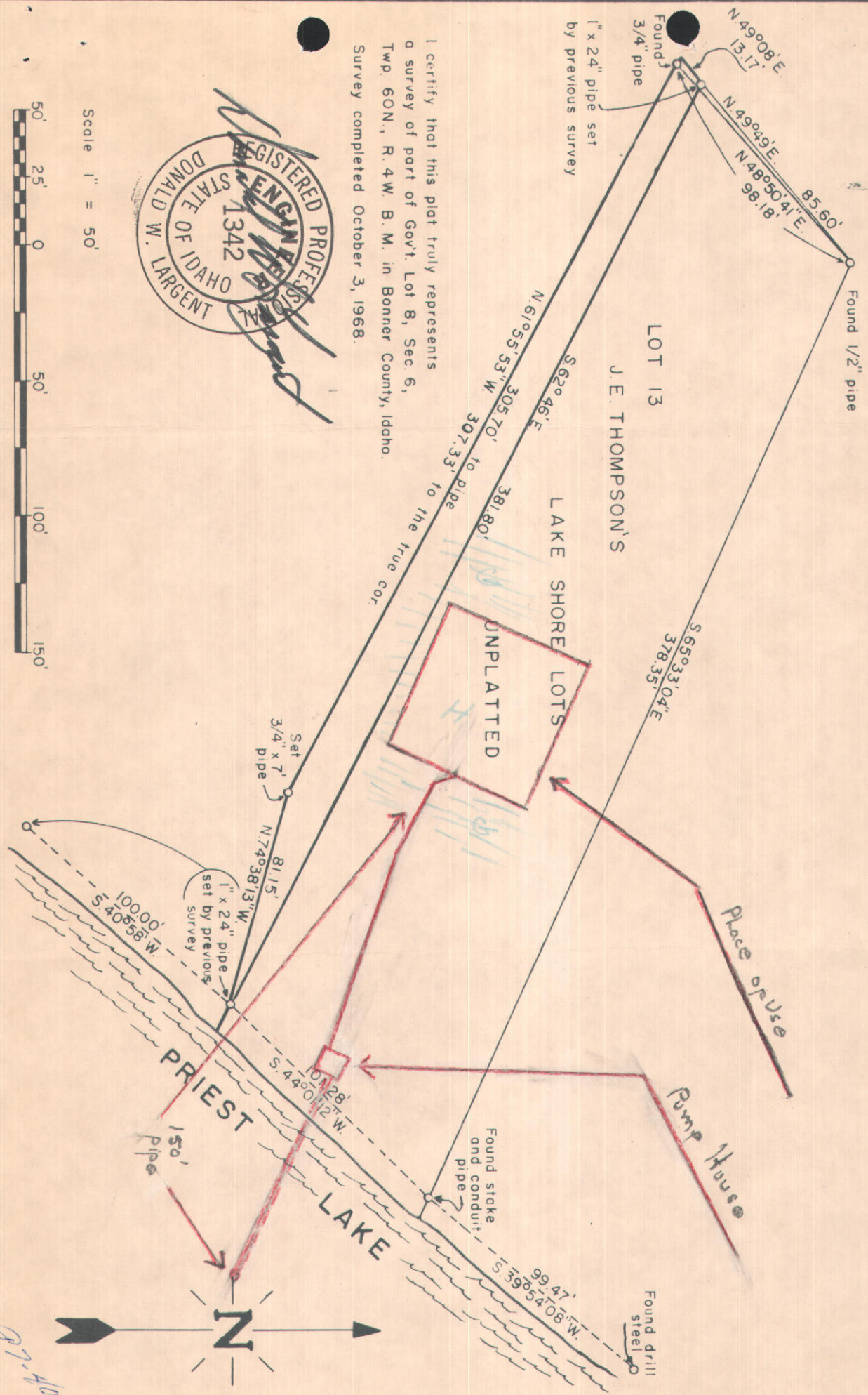


Part of Gov't. Lot 8, Sec. 6, Twp. 60N., R. 4W. B.M. in Bonner County, Idaho

I certify that this plat truly represents
a survey of part of Gov't. Lot 8, Sec. 6,
Twp. 60N., R. 4W. B.M. in Bonner County, Idaho.
Survey completed October 3, 1968.



Scale 1" = 50'



97-4025

Township N^o 60 North, Range N^o 4 West

G f F e E d D



Identification No. _____
Claim No. 97-4003
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT
Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Everett Bierman
post office address RED #5 Priest River, Idaho 83856
2. The point of diversion is in Lot 8 ~~1/4~~ ^{60N} ~~1/4~~ Section 6 Township 60N
Range 11 W B.M. located on Priest Lake, Idaho
(name of source)
tributary to _____ in Bonner County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
 - a. Date of priority claimed:

<u>13 September 1967</u>	amount: <u>.02</u>	c.f.s. or	acre feet
_____	amount: _____	c.f.s. or	acre feet
_____	amount: _____	c.f.s. or	acre feet
Total claimed _____ c.f.s. or _____ acre feet.			
 - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use <u>Domestic</u>	period of use from <u>1 January</u>	to <u>31 December</u>	(both dates inclusive)
use _____	period of use from _____	to _____	(both dates inclusive)
use _____	period of use from _____	to _____	(both dates inclusive)
use _____	period of use from _____	to _____	(both dates inclusive)
4. Description of diverting works: N/A
 - a. Surface water diversion dam and/or headgate: material is composed of _____
_____; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

 - b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____
_____;

97-4003

_____, if so, give dates and explain

width of bottom of ditch is _____feet; depth of water is _____feet; grade of ditch per 1000

feet is _____ feet; material through which ditch passes is _____;

maximum length of pipe line to first place of use is 150 feet; diameter of pipe line is 1 $\frac{3}{4}$ inches;

_____ type of pipe galvanized steel _____; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving-

ing date and dimensions if possible none

d. If water is stored: name of reservoir Priest Lake, Idaho

total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;

_____ year construction commenced _____; year completed _____; date first used _____

period of storage is from _____ to _____; is reservoir drained each year _____;

is reservoir on or off stream _____ explain _____

Time	PLP	STABLE	PLP/STABLE
0	0.00	0.00	0.00
1	0.00	0.00	0.00
2	0.00	0.00	0.00
3	0.00	0.00	0.00
4	0.00	0.00	0.00
5	0.00	0.00	0.00
6	0.00	0.00	0.00
7	0.00	0.00	0.00
8	0.00	0.00	0.00
9	0.00	0.00	0.00
10	0.00	0.00	0.00
11	0.00	0.00	0.00
12	0.00	0.00	0.00
13	0.00	0.00	0.00
14	0.00	0.00	0.00
15	0.00	0.00	0.00
16	0.00	0.00	0.00
17	0.00	0.00	0.00
18	0.00	0.00	0.00
19	0.00	0.00	0.00
20	0.00	0.00	0.00
21	0.00	0.00	0.00
22	0.00	0.00	0.00
23	0.00	0.00	0.00
24	0.00	0.00	0.00
25	0.00	0.00	0.00
26	0.00	0.00	0.00
27	0.00	0.00	0.00
28	0.00	0.00	0.00
29	0.00	0.00	0.00
30	0.00	0.00	0.00
31	0.00	0.00	0.00
32	0.00	0.00	0.00
33	0.00	0.00	0.00
34	0.00	0.00	0.00
35	0.00	0.00	0.00
36	0.00	0.00	0.00
37	0.00	0.00	0.00
38	0.00	0.00	0.00
39	0.00	0.00	0.00
40	0.00	0.00	0.00
41	0.00	0.00	0.00
42	0.00	0.00	0.00
43	0.00	0.00	0.00
44	0.00	0.00	0.00
45	0.00	0.00	0.00
46	0.00	0.00	0.00
47	0.00	0.00	0.00
48	0.00	0.00	0.00
49	0.00	0.00	0.00
50	0.00	0.00	0.00
51	0.00	0.00	0.00
52	0.00	0.00	0.00
53	0.00	0.00	0.00
54	0.00	0.00	0.00
55	0.00	0.00	0.00
56	0.00	0.00	0.00
57	0.00	0.00	0.00
58	0.00	0.00	0.00
59	0.00	0.00	0.00
60	0.00	0.00	0.00
61	0.00	0.00	0.00
62	0.00	0.00	0.00
63	0.00	0.00	0.00
64	0.00	0.00	0.00
65	0.00	0.00	0.00
66	0.00	0.00	0.00
67	0.00	0.00	0.00
68	0.00	0.00	0.00
69	0.00	0.00	0.00
70	0.00	0.00	0.00
71	0.00	0.00	0.00
72	0.00	0.00	0.00
73	0.00	0.00	0.00
74	0.00	0.00	0.00
75	0.00	0.00	0.00
76	0.00	0.00	0.00
77	0.00	0.00	0.00
78	0.00	0.00	0.00
79	0.00	0.00	0.00
80	0.00	0.00	0.00
81	0.00	0.00	0.00
82	0.00	0.00	0.00
83	0.00	0.00	0.00
84	0.00	0.00	0.00
85	0.00	0.00	0.00
86	0.00	0.00	0.00
87	0.00	0.00	0.00
88	0.00	0.00	0.00
89	0.00	0.00	0.00

if feeder canal is used give maximum carrying capacity——c.f.s.; if reservoir is off stream, describe

location of reservoir by 40-acre subdivisions

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and

describe

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
				</														

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served one family name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
The water system in question was installed on 13 September 1961 by the prior owner (Mr. Bud Thompson) at the time my home was constructed. I bought the property on 5 July 1968 and have used the system continuously since that date. The system consists of a 1½" line from the pump into the lake and a 1" line from the pump to the house. Pump capacity is approximately 630 gallons per hour at the existing head. Use will be limited to domestic use plus lawn irrigation for approximately .6 acre. A map of the area is enclosed.

State of Idaho

County of Bonner } 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 affiants knowledge.

Ernest Bierman
Claimant

Sworn to before me this 23rd day of August, 1970.

Notary Public
Residing at Cornish, Idaho

My commission expires August 10 - 73

For Department Use Only

Received by	Date	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>DL</u>	Date <u>8-28-70</u>	<u>#5099</u>		
Fee received by <u>DL</u>	Date <u>8-31-70</u>	Fee <u>\$10.00</u>		
Approved for publication by <u>DL</u>				
Published in <u>Priest River Times</u>	Dates <u>9-17 & 9-24, 1970</u>			

97-4003

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:		May 18, 1871	amount:	0.8 c.f.s. or	acre feet
		June 1, 1901	amount:	0.4 c.f.s. or	acre feet
Total claimed:		1.2 c.f.s. or	acre feet		

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

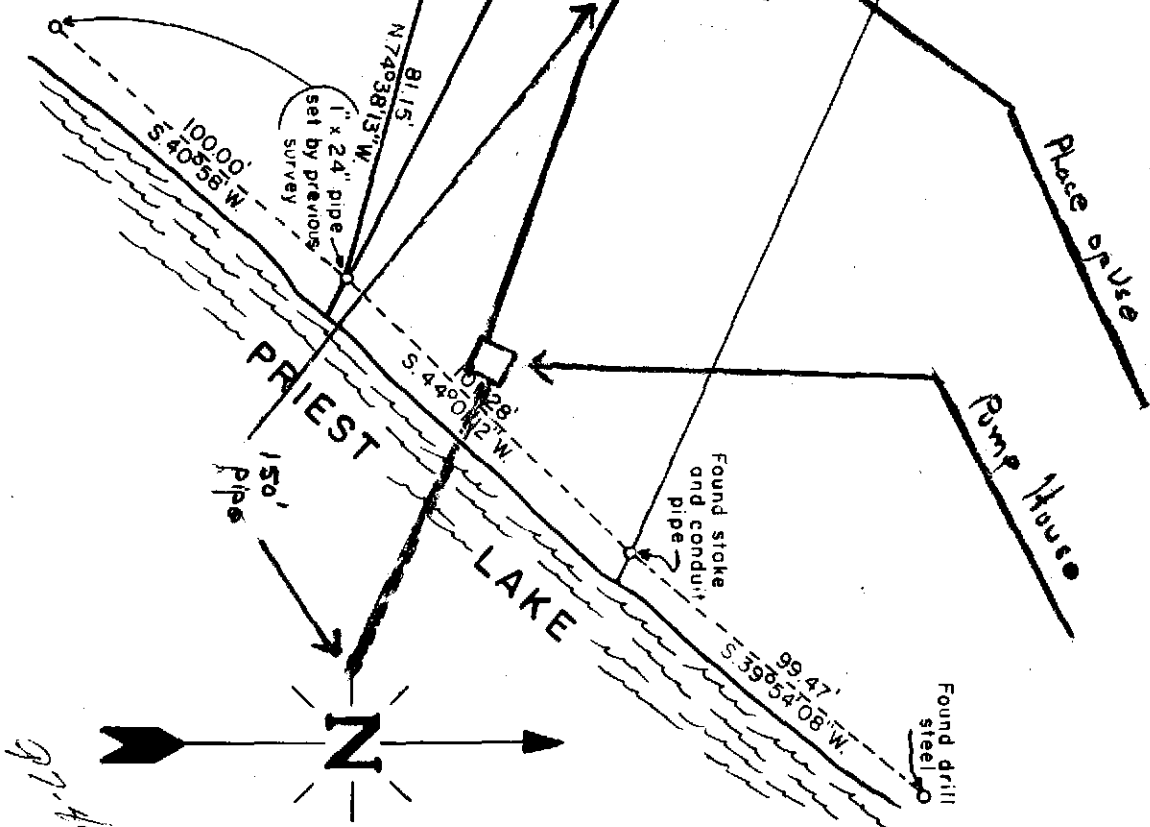
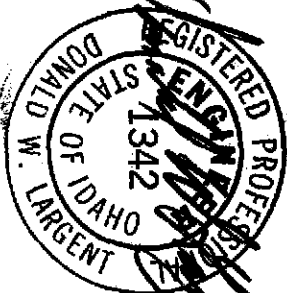
4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to it for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

I certify that this plat truly represents a survey of part of Gov't. Lot 8, Sec. 6, Twp. 60N., R. 4W. B. M. in Bonner County, Idaho. Survey completed October 3, 1968.



Affidavit of Publication

STATE OF IDAHO

County of Bonner,

ss.

Marie Martin,

being duly sworn, says that he is the Co-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 circulation 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

Notice of Claim to a Water Right Everett Bierman

as it was published in the regular and entire issue of said paper for a period of two consecutive weeks, commencing on the 17th day of Sept., 1970, and _____ ending on the 24th day of Sept., 1970, and that said notice was published in said newspaper proper, and not in supplement form.

Marie Martin

Subscribed and sworn to before me this

24th day of Sept., 1970.

George C. Caudy
Notary Public for Idaho,

Residing at Priest River, Idaho

NOTICE OF CLAIM TO A WATER RIGHT No. 97-4003

Notice is hereby given that Everett Bierman, RFD 5, Priest River, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from Priest Lake with point of diversion in Gov't. Lot 8, Sec. 6, T. 60N, R. 4W, B.M., Bonner County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of September 13, 1961; the place of use is within Gov't. Lot 8, Sec. 6, T. 60 N, R. 4W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

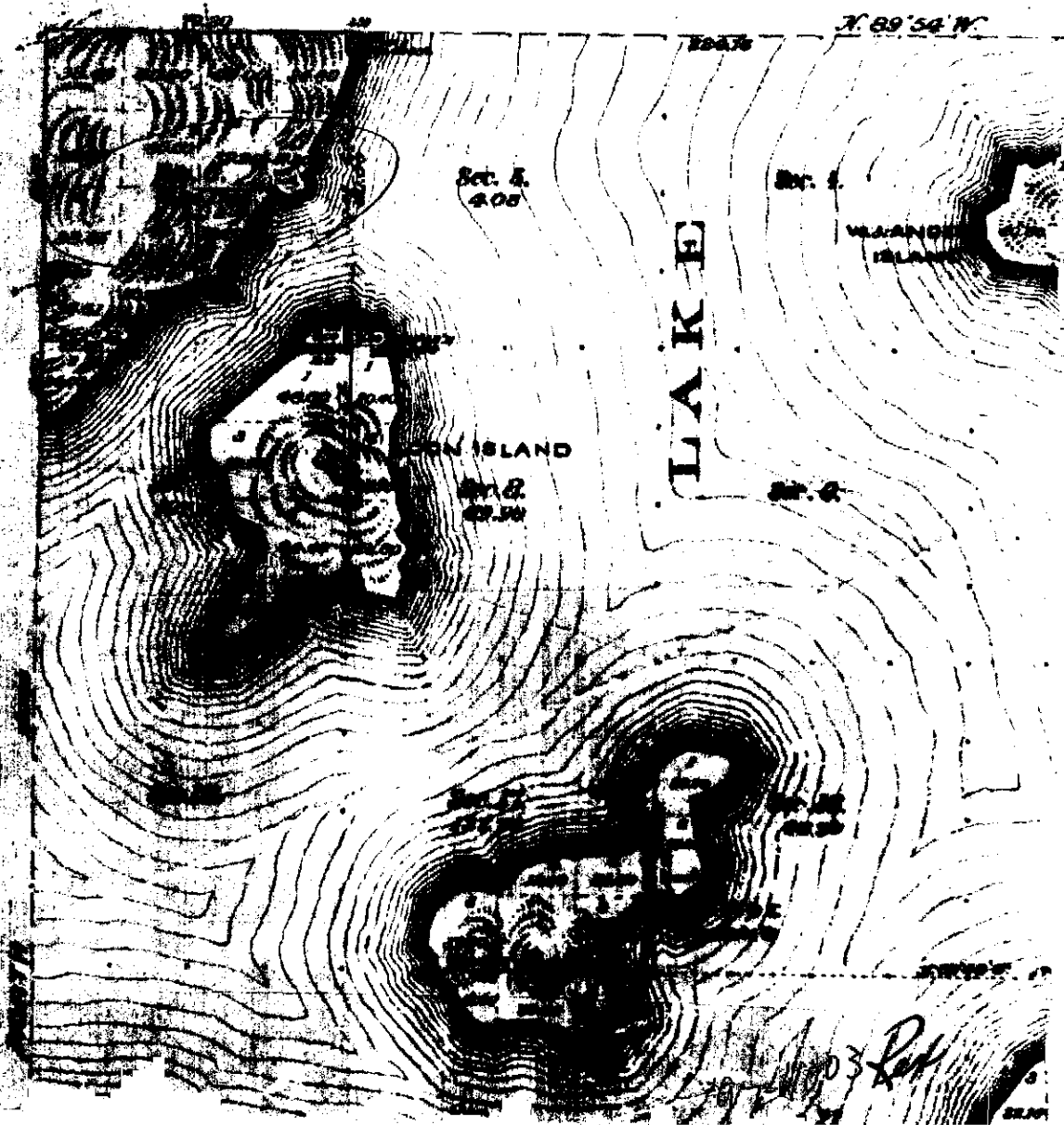
R. KEITH HIGGINSON
Director

Published in the Priest River Times, Priest River, Idaho, on September 17 and September 24, 1970.

97-4003

Township N° 60 North, Range N° 4 West

G f F e E d D



October 7, 1970

Re: Claim to a Water Right No. 97-4003

Mr. Everett Bierman
RFD #5
Priest River, Idaho 83856

Dear Mr. Bierman:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225 of the Idaho Code. Your claim will remain in our files and will be available at any time for your or the courts use.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or evidence that you would like to have included in your claim file, you may add that information at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr
Enclosures: Copy of claim
Receipt No. 5099

97-4003

September 10, 1970

Re: Application for Permit No. 96-7052 - S. Donald Williams
96-7053 - Raymond E. McGregor
96-7054 - Robert L. Wieber
97-7008 - Diamond National Corp.

Claim to a Water Right No. 97-4003 - Everett Bierman

Priest River Times
P.O. Box 398
Priest River, Idaho 83856

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 ample 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 date. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notices (5)

Bill submitted 9-30-70 By ds

97-4003

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 97-4003

Notice is hereby given that **Everett Bierman, RFD 5, Priest River, Idaho,** has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from Priest Lake with point of diversion in Gov't. Lot 8, Sec. 6, T. 60N, R. 4W, B.M., Bonner County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes

with a priority of September 13, 1961; the place of use is within Gov't. Lot 8, Sec. 6, T. 60 N, R. 4W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the Priest River Times, Priest River, Idaho, on September 17 and September 24, 1970.

▲

97-4003

NOTICE OF CLAIM TO A WATER RIGHT

No. 97-4003

Notice is hereby given that Everett Bierman, RFD 5, Priest River,
Idaho,

has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.02 cubic feet per second ~~at the~~
of water from Priest Lake
with point of diversion in ~~the~~ Gov't. Lot 8, Sec. 6, T. 60N, R. 4W,
B.M., Bonner County.

The water is claimed to be used from Jan. 1 to Dec. 31 for
domestic purposes
with a priority of September 13, 1961;
the place of use is within ~~the~~ Gov't. Lot 8, Sec. 6, T. 60N, R. 4W, B.M.

Any exception to this claim of water right may be filed with the
Idaho Department of Water Administration, , Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

Published in the Priest River Times, Priest River, Idaho,
on September 17 and September 24, 1970.

KH

97-4003

August 18, 1970

Mr. Everett Bierman
Route #5
Priest River, Idaho 83856

Dear Mr. Bierman:

Pursuant to your letter of August 17, 1970, please find enclosed our application for permit form and instructions and a claim to a water right form.

The application for permit form should be used when you wish to establish a new water right. The priority of that right will date from the time that the application is received by this department. If you have a water development that has already been completed and in use for a period of time, you may have already established a water right which will have a priority dating back to the first time of use. In this case, you should use our claim to a water right form.

If we can be of any assistance in helping you complete either of these forms, please feel free to contact us.

Very truly yours,

Dorian Clay,
Appropriation Examiner

DC/DG

Enc: application for permit form and instructions
claim to a water right form

97-4003

RECEIVED

Aug 17 1970 Route 5

Forest River, Idaho

Aug. 14, 1970

Dept. of Reclamation Administration

Dept. of Reclamation
Boise, Idaho

Dear Sirs:

Please send me a application
for a water permit withdrawing
from a lake for domestic purposes.

Yours truly
Everett Bierman

97-4003