

RECEIVED
FORM 202 Rev. 09/16
SEP 20 2021
IDWR/NORTH

85333
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 97-7735

1. Name of applicant(s) PRIEST RIVER TIMBER LLC Phone 509-412-5522
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address 2721 ROAD 84 City PASCO
State WA ZIP 99301 Email PDMCBURNEY@AOL.COM
2. Name of representative, if any PATRICK D MCBURNEY SR Phone 509-412-5522
Mailing address 2721 ROAD 84 City PASCO
State WA ZIP 99301 Email PDMCBURNEY@AOL.COM
- a. ☒ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Spring / Unnamed Stream which is a tributary of Priest River / Priest River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
56N	05W	12		NW	SW	SW	BONNER	SPRING	POND 1 DAM
56N	05W	12			SW	SW	BONNER	UNNAMED STREAM	POND 2 DAM

5. Water will be used for the following purposes:
- Amount 0.6 AF for AESTHETIC STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 0.6 AF for RECREATION STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 0.6 AF for Fire Protection Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) N/A cubic feet per second (cfs) and/or (b) 0.6 acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Existing pond 1 impounds spring water on bank of pond, flows through to pond 2; existing pond 2 receives unnamed stream water with flow through to River.
- b. Height of storage dam < 5 ft / < 5 ft feet; active reservoir capacity 0.1 / 0.1 acre-feet; total reservoir capacity 0.1 / 0.1 acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☒ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? _____; drilling firm _____;
well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ 100.00 Received by NS Receipt No. N037454 Date 9-20-21

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
- d. Domestic; show number of households _____
- e. Other; describe fully. STORAGE POND FOR AESTHETIC USE, RECREATION USE FOR SWIMMING, AND FIRE PROTECTION USE.

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	05W	12											J/R						storage
56N	05W	12											F						storage

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? N/A

11. a. Who owns the property at the point of diversion? APPLICANT

b. Who owns the land to be irrigated or place of use? APPLICANT

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: REGISTERED AGENT

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. APPLICANT PLANS TO USE 2EA EXISTING PONDS FOR AESTHETIC STORAGE, RECREATION STORAGE FOR SWIMMING, & FIRE PROTECTION STORAGE USE(S).

13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Pat McBurney
Signature of Applicant

Pat McBurney
Print Name (and title, if applicable)

Donna G. McBurney
Signature of Applicant

Donna G. McBurney
Print Name (and title, if applicable)

Total Storage Calculations		
FILE NUMBER	McBurney	This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond. Print Page to PDF
REVIEWER	Luke Bates	
DATE	9/13/2021	
POND 1 User Input Calculated value Formula Explanations		
Surface Area (AC.)	0.04	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	2.4	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	0.1	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.
Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	0	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a <i>from storage</i> component if the <i>from storage</i> component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: if a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.
Estimated Seepage Loss (AF)	0.1	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	0.1	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	0.3	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.

POND 1 MAXIMUM DEPTH = 6 FT

SOURCE = SPRING, TRIBUTARY TO PRIEST RIVER

Total Storage Calculations		
FILE NUMBER	McBurney	This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.
REVIEWER	Luke Bates	
DATE	9/13/2021	
POND 2		Print Page to PDF
Surface Area (AC.)	0.04	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	2.4	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	0.1	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.
Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	0	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a from storage component if the from storage component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: if a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.
Estimated Seepage Loss (AF)	0.1	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	0.1	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	0.3	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.

POND 2 MAXIMUM DEPTH = 6 FT

SOURCE = UNNAMED STREAM, TRIBUTARY TO PRIEST RIVER

BUSINESS INFORMATION

Business Name:

PRIEST RIVER TIMBER, LLC

UBI Number:

603 456 232

Business Type:

WA LIMITED LIABILITY COMPANY

Business Status:

ACTIVE

Principal Office Street Address:

2721 RD. 84, PASCO, WA, 99301, UNITED STATES

Principal Office Mailing Address:

2721 ROAD 84, PASCO, WA, 99301-1625, UNITED STATES

Expiration Date:

12/31/2021

Jurisdiction:

UNITED STATES, WASHINGTON

Formation/ Registration Date:

12/01/2014

Period of Duration:

PERPETUAL

Inactive Date:

Nature of Business:

AGRICULTURE, FORESTRY, FISHING, HUNTING & TRAPPING

REGISTERED AGENT INFORMATION

Registered Agent Name:

PATRICK D MCBURNEY SR

Street Address:

2721 ROAD 84, PASCO, WA, 99301-1625, UNITED STATES

Mailing Address:

2721 ROAD 84, PASCO, WA, 99301-1625, UNITED STATES

GOVERNORS

Title	Governors Type	Entity Name	First Name	Last Name
GOVERNOR	INDIVIDUAL		DONNA	MCBURNEY
GOVERNOR	INDIVIDUAL		PATRICK	MCBURNEY



0 0.015 0.03 0.06 Miles

Legend

- Township/Range
- Sections
- QQ





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

September 29, 2021

PRIEST RIVER TIMBER LLC
2721 ROAD 84
PASCO, WA 99301-1625

RE: Application for Permit No. 97-7733 & 97-7735

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the PRIEST RIVER VERSION on 10/6/2021 and 10/13/2021. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact the Northern Region office at (208)762-2800 if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist

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

97-7643

RONALD ARMACOST
CATHY ARMACOST
1222 S STARR LN
LIBERTY LAKE, WA 99019-9530
Point of Diversion NENW S22 T62N R04W BONNER County
Source PRIEST LAKE Tributary PRIEST RIVER
Use: DOMESTIC
01/01 to 12/31
0.04 CFS
Total Diversion:
0.04 CFS
Date Filed: 09-10-2021
Place Of Use: DOMESTIC
T62N R04W S22 L1(NWNE)

97-7686

MICHAEL FETTIG
9430 N WIEBER DR
SPOKANE WA 99208-9105
Point of Diversion SENW S29 T57N R04W BONNER County
Source PRIEST RIVER Tributary PEND OREILLE RIVER
Use: IRRIGATION
4 /1 to 10/31
0.02 CFS
Total Diversion:
0.02 CFS
Date Filed: 09-24-2021
Place Of Use: IRRIGATION
T57N R04W S29 SENW,SWNW
Total Acres: 0.8

97-7733

PRIEST RIVER TIMBER LLC
2721 ROAD 84
PASCO, WA 99301-1625
Point of Diversion SWSW S12 T56N R05W BONNER County
Source UNNAMED STREAM Tributary PRIEST RIVER
Use: AESTHETIC STORAGE
01/01 to 12/31
1.9 AF
Use: RECREATION STORAGE
01/01 to 12/31
1.9 AF
Use: FIRE PROTECTION STORAGE
01/01 to 12/31
1.9 AF
Use: DIVERSION TO STORAGE
01/01 to 12/31
0.2 CFS
Total Diversion:
0.2 CFS
1.9 AF
Date Filed: 09-13-2021
Place Of Use: AESTHETIC STORAGE,DIVERSION TO STORAGE,FIRE PROTECTION STORAGE,RECREATION STORAGE
T56N R05W S12 SWSW

97-7735

PRIEST RIVER TIMBER LLC

2721 ROAD 84

PASCO, WA 99301-1625

Point of Diversion NWSWSW S12 T56N R05W BONNER County

Source SPRING Tributary PRIEST RIVER

Point of Diversion SWSW S12 T56N R05W BONNER County

Source UNNAMED STREAM Tributary PRIEST RIVER

Use: AESTHETIC STORAGE

01/01 to 12/31

0.6 AF

Use: RECREATION STORAGE

01/01 to 12/31

0.6 AF

Use: FIRE PROTECTION STORAGE

01/01 to 12/31

0.6 AF

Total Diversion:

0.6 AF

Date Filed: 09-20-2021

Place Of Use: AESTHETIC STORAGE, FIRE PROTECTION STORAGE, RECREATION STORAGE

T56N R05W S12 SWSW

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of \$25.00 for each application on or before 10/25/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/7/2021 and 10/14/2021

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, September 29, 2021 10:15 AM
To: Moore, Mary
Subject: RE: Legal Notice for Priest River Version BCDB
Attachments: Legal Notice.docx

RE: Application for Permit No. 97-7643, 97-7686, 97-7733, 97-7735

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to the Northern Region office before 10/25/2021. Your cooperation is appreciated.

I want to apologize for sending these to you in batches. I'm helping Tammy from our Northern Region with advertising this week, and I am not use to different basins going to the same paper. This is the last of the legal notices. There should be six water right applications for the Priest River paper and 10 for the Daily Bee. Please let me know if you have any questions.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

From: Moore, Mary <mmoore@cdapress.com>
Sent: Wednesday, September 29, 2021 9:28 AM
To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Subject: Re: Legal Notice for Priest River Version BCDB

Received.

Thank you,
Mary Moore
Legal Clerk
Coeur d'Alene Press, The Daily Bee,
Shoshone News Press & Bonners Ferry Herald
Hagadone Newspaper Group

On Wed, Sep 29, 2021 at 9:02 AM Hersley, Jean <Jean.Hersley@idwr.idaho.gov> wrote:

Please publish the enclosed legal notice for Applications for Permit 96-9904 & 96-9909 on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to the Northern Region office before 10/25/2021. Your cooperation is appreciated.

Jean Hersley

Technical Records Specialist II

Idaho Dept Water Resources

(208) 287-4942

From: [Hersley, Jean](#)
To: merritt.horsmon@idfg.idaho.gov
Subject: Applications for Permit
Date: Wednesday, September 29, 2021 11:02:00 AM

96-9899
96-9900
96-9910
96-9919
96-9920
96-9924
96-9904
96-9909
97-7643
97-7686
97-7733
97-7735
98-8058
98-8061

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right applications. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an untested application as soon as the protest period has past. The protest end date is October 25, 2021. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

Please contact the Northern Region office at (208) 762-2800 if you have any questions regarding the application.

Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942

From: [Hersley, Jean](#)
To: [Clark, Cynthia Bridge](#); [Golden, Kala](#); [Cassel, Amy](#)
Subject: Applications for Permit
Date: Wednesday, September 29, 2021 11:01:00 AM

96-9910
96-9920
96-9909
97-7643
97-7686
97-7733
97-7735
98-8061

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right applications. You can find a copy of the application at:
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. The applications will be scanned by the end of the week.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. The protest end date is October 25, 2021. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

Please contact the Northern Region office at (208) 762-2800 if you have any questions regarding the application.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

From: [Hersley, Jean](#)
To: [Chantilly Higbee](#); anna.moody@deq.idaho.gov
Subject: Applications for Permit
Date: Wednesday, September 29, 2021 11:01:00 AM

93-7695
95-18156
96-9897
96-9899
96-9900
96-9910
96-9919
96-9920
96-9924
96-9929
96-9907
96-9909
97-7643
97-7686
97-7733
97-7735
98-8058
98-8060
98-8061

Dear Interested Party:

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Please contact the Northern Region office at (208) 762-2800 if you have any questions regarding the application.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*