

Ident. No. 97-7486
RECEIVED
JUN - 3 2009
IDWR/North

75666
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho (contact # 208 448-2443 SANDY)

1. Name of Applicant Steve + Greg BRADBURY (Priest Lake Lumber) Phone 208-443-2212
Mailing address 26605 HWY 57 PRIEST LAKE, Idaho 83856 Email sher-mac2@povn.com
2. Source of water supply Underground Spring which is a tributary of NA
3. Location of point of diversion is Township 60N Range 4W Sec. 31, in the SE $\frac{1}{4}$,
SW $\frac{1}{4}$, SW $\frac{1}{4}$, Govt. Lot _____, B.M., Bonner County;
additional points of diversion if any: NA
4. Water will be used for the following purposes:
Amount .03 for DOMESTIC purposes from 1-1 to 12-31 (both dates inclusive) year
(cfs or acre-feet per year)
Amount .03 for Industrial purposes from 1-1 to 12-31 (both dates inclusive) year
(cfs or acre-feet per year)
Amount .03 for Fire Protection 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
5. Total quantity to be appropriated is (a) .03 and/or (b) _____
cubic feet per second acre feet per year
6. Proposed diverting works: This system is already established and has been since 1944 - It operates as follows -
a. Describe type and size of devices used to divert water from the source Approx 4' diameter x 4' tall cistern at spring locate
- Then 3/4" gravity fed line to (1) 1000 tank and (1) 250 gall tank - Then 3/4" gravity fed line to all usage points. The overflow from
The cistern goes through 2" line to a holding tank for fire protection - then 2" line gravity fed to East Free Spickett usa
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; points
total reservoir capacity _____ acre-feet All grav Fed
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet All establi
d. Is ground water with a temperature of greater than 85°F being sought? _____ no pumps or
e. If well is already drilled, when? _____; Drilling firm _____ motors needed
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is NA years (minimum 1 year)
no time required as already established
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW. NA
b. Stockwatering; list number and kind of livestock. NA
c. Municipal; show name of municipality. NA
d. Domestic; show number of households. Small home and office
e. Other; describe fully. Fire protection - Some water stored in storage Tanks for fire protection
Industrial - some water needed in small sawmill for machinery

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	
60	4W	31											D	D			40		40
													I	I			40		
													F	F					

Total number of acres to be irrigated: 8

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? USFS
- b. Who owns the land to be irrigated or place of use? BRADBURY'S - PRIEST LAKE LUMBER
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. This system was originally established in 1944 - All is established & Gravity Fed to all locations. Originally established by the Raines & Binarch Lumber. We purchased in 1984. As described on the cover sheet & in talking with Bob Haines, water rights on this spring had not been established, so we need to do so. The ^{spring} cistern sits on USFS ground (Special Use Permit is in the way) & is gravity fed to holding tanks on our property. From this point all is gravity fed in a 3/4" line to all usage points. The overflow from the cistern goes to holding tanks (which is gravity fed as well) down to a 2" line for fire protection. The spring only sits approx 60' off our property line on USFS ground. This system has been in use since 1944. It supplies water to one home, one office & our sawmill.
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

STEVE BRADBURY - OWNER

GREG BRADBURY - OWNER

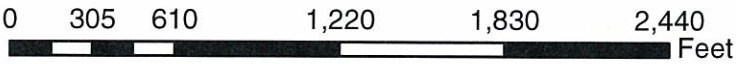
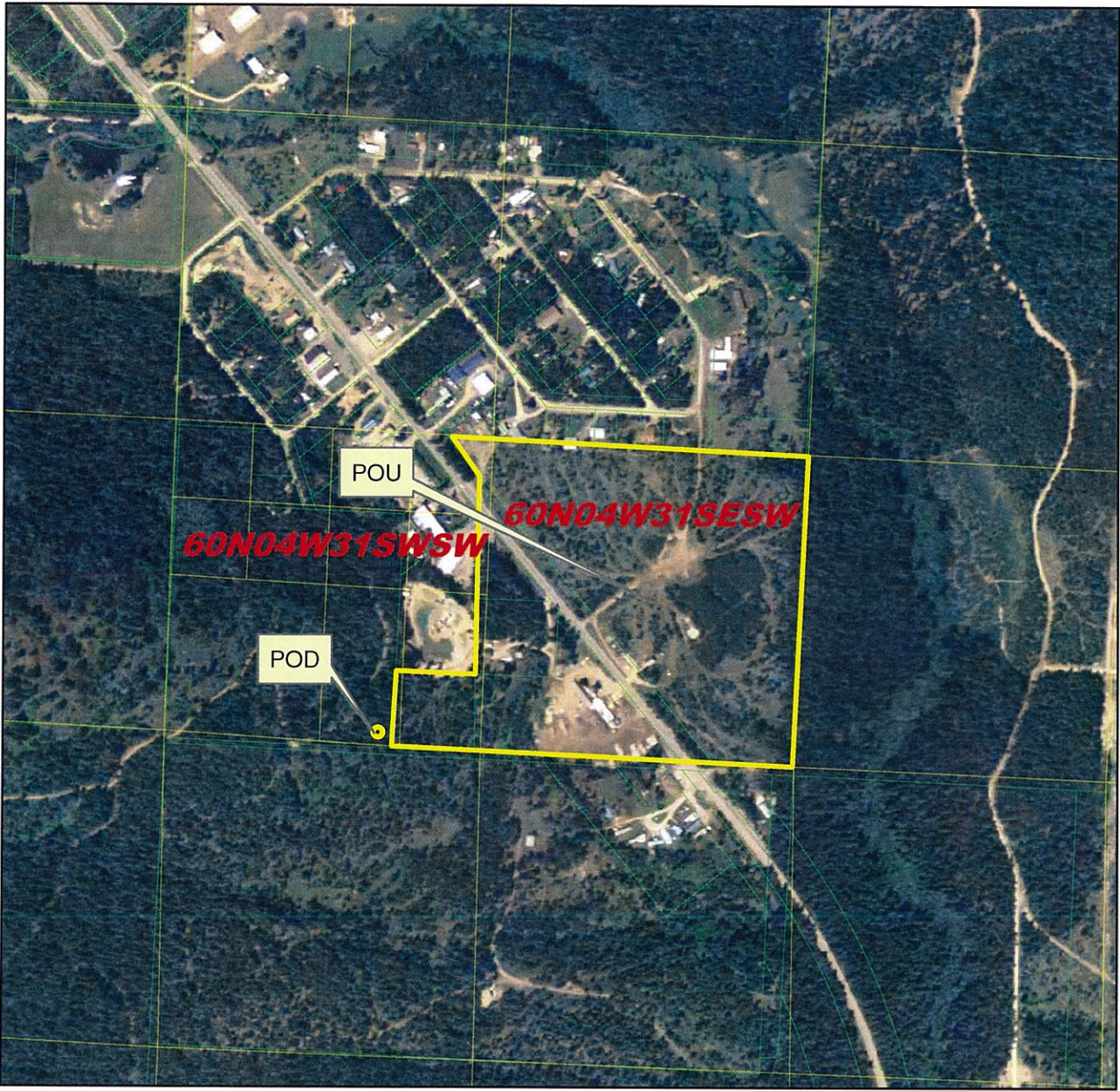
Steve Bradbury
Signature of Applicant

Gregory A Bradbury
Print Name (and title, if applicable)

For Department Use:

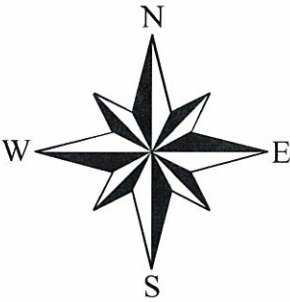
Received by cm Date 6-3-09 Time 11:30 am Preliminary check by _____Fee \$ 100.00 Received by cm Receipt No. N02080.1 Date 6-3-09

97-7486



Legend

-  workingpod
-  workingpou
-  QQ
-  Taxlots

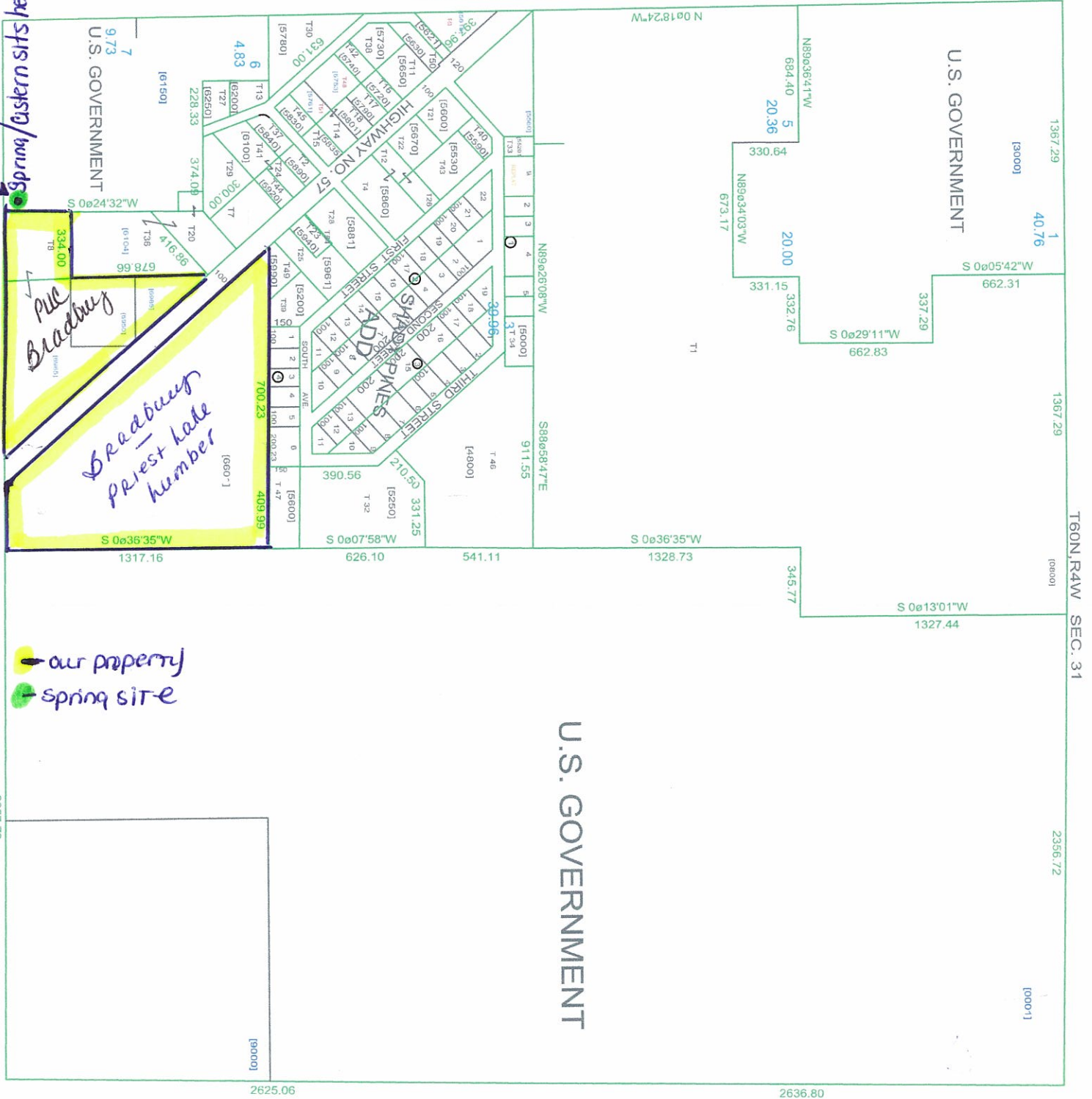


THIS DRAWING IS TO BE USED FOR
REFERENCE PURPOSES AND THE
COUNTY IS NOT RESPONSIBLE FOR
ANY INACCURACIES HEREIN CONTAINED



31	32	33	34	35	36
6	5	4	3	2	1
7	8	9	10	11	12
16	17	18	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25

DATE	DISAWN	BY
REVISION		DATE
MADE		CHECK
		BY
16/08/51-16/9/50		06/0/03 R.W.S
16/09/51-16/10/50		06/0/04 R.W.S
16/10/51-16/11/50		01/1/02 R.W.S
16/11/51-16/12/50		11/0/05 R.W.S



U.S. GOVERNMENT

T60N R4W SEC. 31

2256 77

100011

2625.06

2636.80

U.S. GOVERNMENT



United States
Department of
Agriculture

Forest
Service

Idaho Panhandle
National Forests

Priest Lake Ranger District
32203 Hwy 57
Priest River, ID 83856

File Code: 2720/PRI330

Date: June 25, 2009

Steve, Greg and Sandy Bradbury
26605 Hwy 57
Priest Lake, Idaho 83856

Dear Bradbury:

Your proposal dated June 2, 2009; you proposed that the Forest Service grant you an authorization for an existing buried waterline and cistern on National Forest System (NFS) lands administered by the Priest Lake Ranger District. This request is located at T. 60 N., R. 4 W., Section 31 SW¼SW¼, BM, Bonner County, ID.

You have provided all the necessary documentation that is required at this time. We have screened your proposal and have established that it has met all our criteria to accept your application.

At this time we are unable to process your request. We will determine the beginning of next year, if we are able to process your request for fiscal year 2010. Prior to working on issuing a special use permit, there will be a determination of costs recovery fees for processing and monitoring compliance with special use authorizations. Enclosed is a brochure explaining the cost recovery fees.

You may continue to use this spring system as you have in the past years. When we are ready to issue you a permit, we will determine the past unpaid annual fees for the use of the spring site on NFS lands.

Please contact Gianna Vaccaro, Realty Specialist, at (208) 265-6625 if you have questions or need additional information.

Sincerely,


DEWAYNE R. THORNBURGH
Deputy District Ranger

CC: GVaccaro, JGale, TWoodland

*
Attn: Keith Frank
From: Sandy Bradbury
(208) 448-2443

Re: Permit
#97-7486

Thanks, SB
6-30-9



Caring for the Land and Serving People

Printed on Recycled Paper

*Hopefully we've enclosed all the necessary information needed to approve this permit.
If you should need anything else, please do not hesitate to call.*

Thank you for your time.

Sincerely,

Steve Bradbury
Gregory A Bradbury

*Steve & Greg Bradbury
Priest Lake Lumber
208-443-2212*

Additional contact # 208-448-2443 Sandy Bradbury

TO: Idaho Department of Water Resources
CC: Bob Haines
FROM: Steve & Greg Bradbury – Priest Lake Lumber
RE: Urgent request for Idaho Water Rights authorization
DATE: June 2, 2009

We are sincerely requesting that this Water Rights Application for Permit be approved within a couple of weeks if at all possible. This spring / cistern system supplies our property (one home, one office, sawmill) with its main water source and fire protection. In going into the summer season this is a concern of ours to hopefully get this taken care of in a timely manner as things can dry out so quickly with the summer heat. We hope that you understand our urgent concern.

Attached is our application for Water Rights with the State of Idaho. We have been discussing our situation in depth with Bob Haines as this system has been in use since 1944. It was originally established by Raines / Binarch Creek Lumber in 1944 and then we (Bradbury's / Priest Lake Lumber) purchased the property from them in 1984 and it has been in use to the current date and we need to continue useage.

When recently found out that our USFS Special Use Permit needed to be brought current, we reapplied with the USFS (which is currently in the works). We thought that everything to do with the spring water was current, but apparently it was not. We are currently working as fast as possible to get all items current with both you and the USFS. This was all established back in 1944 and used to the current time and still needs to be use as this is our main water source and fire protection for the property.

When we spoke with Bob Haines and explained the situation, he suggested that we get the USFS Special Use Permit going and the USFS agreed. They understand our situation and are diligently trying to get this taken care of in a timely manner as they understand that we thought all permits were current and up-to-date. They suggested that we get the Water Rights with Idaho going as well so that hopefully all can be approved quickly so that we have no concerns and unfinished business going into this summer season.

The spring / cistern system sits approx. 60' off of our property line on USFS land. There is a small cistern underground with a ¾" underground line that runs to two holding tanks on our property. From the holding tanks, a ¾" line runs to all useage points. The overflow from the spring / cistern goes into a 2" line to holding tanks for additional water for fire protection. From these tanks, the 2" line runs underground to frost free spickets at necessary locations. Everything is underground. All is gravity fed. There are no pumps or motors needed. Nothing needs to be, nor will be changed or altered as everything is currently established and has been for years and years.

We are sincerely hoping that you can authorize this water useage as we just want to get everything current with the State of Idaho and with the USFS as we most definitely want everything up-to-date with both parties.

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, July 01, 2009 3:57 PM
To: mary.terra-berns@idfg.idaho.gov
Subject: Agency Comment Request

Attachments: Agency Comment Request.doc; 97-7486 Bradbury.pdf

Good afternoon once again, Mary,

Attached is our letter requesting your comments re WR App 97-7486 - Bradbury

This is from a spring on which system was originally established in 1944 and still working.

Please respond to Keith on this one, also.

Thans,



Agency Comment
Request.doc (31...



97-7486
radbury.pdf (425 KE

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Director

July 2, 2009

MARY TERRA-BERNS
IDAHO DEPARTMENT OF FISH AND GAME
2885 W KATHLEEN AVE.
COEUR D'ALENE, ID 83815

Re: Water Permit Application No. 97-7486 – Bradbury

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application follows for your reference.

Source is from a spring – system originally established in 1944.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency 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 after final publication, and by sending a copy of your protest to the applicant. This will be scheduled for publication on July 16 and 23, 2009 in the Bonner County Daily Bee.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **August 3, 2009**. That is also the final date for protest to be received in our office.

If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the address above, by FAX to 762-2819, or by e-mail to Keith.Franklin@idwr.idaho.gov.

We request that you send a copy of your comments regarding, and/or notice that you intend to protest this application to the applicant as well as to our office.

Please contact this office if you have any questions regarding the application.

Sincerely,

Dianne

Dianne Ball
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

July 9, 2009

STEVE BRADBURY
GREG BRADBURY
26605 HWY 57
PRIEST LAKE, ID 83856

Application For Permit No. 97-7486

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 Bonner County Daily Bee on July 16 and 23, 2009. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). 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 approval document.

Please contact this office if you have any questions.

Sincerely,

Keith Franklin
Sr. Water Resource Agent

Ball, Dianne

From: Ball, Dianne
Sent: Friday, July 10, 2009 11:53 AM
To: Legal Notices-Bonner Co Daily Bee-Sheri Jones
Subject: CoverLetter 07-09-09 BCDB e-mail 96-9434,97-7486.doc

Attachments: CoverLetter 07-09-09 BCDB e-mail 96-9434,97-7486.doc; LegalNotice 07-09-09 BCDB e-mail 96-9434,97-7486.doc

Good day to you, Sheri,

Attached is our letter requesting publication of a legal notice on July 16 and 23, 2009. The legal notice is also enclosed.

Please send proof/preview copy for my review before this goes to press.

Thanks once again for all your super help. Truly you are greatly appreciated.



CoverLetter
7-09-09 BCDB e-ma.



LegalNotice
7-09-09 BCDB e-ma.

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Director

*Please Fax or e-mail proof/preview copy to me before this goes to press.
Fax (208) 762-2819 ~ e-mail dianne.ball@idwr.idaho.gov
Thanks, Dianne*

July 9, 2009

SHERI JONES
LEGAL NOTICE DEPARTMENT
PRIEST RIVER TIMES
PO BOX 10
PRIEST RIVER, ID 83856

RE: Application for Permit No.: 96-9434 & 97-7486

Dear Sheri:

Please publish the enclosed legal notice on the dates indicated, July 16 and 23, 2009, (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 this office before 8/3/2009. Your cooperation is VERY GREATLY appreciated.

Always a pleasure to work with you. Thanks!!

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

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

96-9434

CHRIS R ASHENBRENER

621 W MALLON #509

SPOKANE, WA 99201

Point of Diversion NWSW S2 T56N R01E BONNER County

Source PEND OREILLE LK Tributary to PEND OREILLE RVR

Use: IRRIGATION 04/01 to 10/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 5/26/2009

Place Of Use: IRRIGATION

T56N R01E S2 SWNE SWNW

97-7486

STEVE BRADBURY

26605 HWY 57

PRIEST LAKE, ID 83856

Point of Diversion SESWSW S31 T60N R04W BONNER County

Source SPRING Tributary to SINKS

Use: INDUSTRIAL 01/01 to 12/31 0.03 CFS

Use: DOMESTIC 01/01 to 12/31 0.03 CFS

Use: FIRE PROTECTION 01/01 to 12/31 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 6/3/2009

Place Of Use: INDUSTRIAL

T60N R04W S31 SWSW SWSE

Domestic use is for 1 home and office.

Industrial use is for machinery for small sawmill.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 8/3/2009. The protestant must also send a copy of the protest to the applicant.

Legal #

Published July 16, 23, 2009



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

September 3, 2009

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

STEVE BRADBURY
GREG BRADBURY
26605 HWY 57
PRIEST LAKE, ID 83856

Application For Permit No. 97-7486

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 was prepared and scheduled for publication in the Bonner County Daily Bee on July 16 and 23, 2009. There was a computer error in the Place of Use, so we need to publish a Notice of Correction, and it is scheduled for publication on 9/17/2009 and 9/24/2009. Protests to this application may now be submitted for a period ending ten (10) days after the second publication of the Notice of Correction..

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 this office if you have any questions.

Sincerely,

Keith E. Franklin
Sr. Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

*Please Fax or e-mail proof/preview copy to me before this goes to press.
Fax (208) 762-2819 ~ e-mail dianne.ball@idwr.idaho.gov
Thanks, Dianne*

September 3, 2009

LEGAL NOTICE DEPARTMENT
BONNER COUNTY DAILY BEE
PO BOX 159
SANDPOINT, ID 83864

RE: Application For Permit No.: 96-9434 and 97-7486

Dear Sheri:

Please publish the enclosed legal Notice of Correction on the dates indicated, September 17 and 24, 2009, (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 this office before 10/5/2009. Your cooperation is, as always, greatly appreciated.

Thanks for all your wonderful help.

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

Enclosure(s)

Ball, Dianne

From: Ball, Dianne
Sent: Friday, September 04, 2009 9:55 AM
To: Legal Notices-Bonner Co Daily Bee-Sheri Jones; Legal Notices-Bonner Co Daily Bee2 - Sheri Jones
Subject: Legal notice for publication Sept 17 and 24, 2009
Attachments: CoverLetter 09-03-09 BCDB e-mail 96-9434, 97-7486.doc; LegalNotice of Correction 09-03-09 BCDB e-mail 96-9434 and 97-7486.doc

Good day to you Sheri - wherever you are today. I guest with your promotiion you get to float between several of the newspaper office up that way - Priest River Times, Daily Bee and Bonners Ferry Herald. Hope you are keeping them all straight and on their toes! Is is still OK for me to address my requests for publication to you for those to publish in the "Bee"?

I just spoke with Shirley and pulled one legal previously scheduled for 9/17 and 24/2009 - legal SNP11004 for the "Notice of Minimum Lake Level Hearing".

Now I have another separate legal notice for which we are requesting publication on Sept. 17 and 24, 2009. See my cover letter attached, together with a copy of the legal "Notice of Correction", also attached.

If you have any questions please call me or reply to this e-mail.

Thanks so much for all your help.



CoverLetter
9-03-09 BCDB e-ma.



LegalNotice of
Correction 09-0...

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATIONS FOR PERMITS No.96-9434 in the name of Chris R Ashenbrener, 621 W Mallon #509, Spokane, WA 99201, and No.97-7486 in the name of Steve and Greg Bradbury, were incorrectly advertised on July 16 and 23, 2009.

In each case the Place of Use was incorrectly advertised.

Place of Use for Ashenbrener, Application No.96-9434 was shown as SWNE, SWNW whereas correctly it should be NESW, NWSW.

Place of Use for Bradbury, Application No.97-7486 was shown as SWSW, SWSE whereas correctly it should be SWSW, SESW.

In the original publication, Greg Bradbury's name was omitted. Application is in the names of both Steve and Greg Bradbury.

(For additional information concerning the property locations, call the Northern Regional Office at 762-2800.)

Any protests against the approval of the above-referenced corrections must be filed with the applicant and with the Director, Dept. of Water Resources, 7600 N Mineral Drive, Suite 100, Coeur d'Alene, Id. 83815, together with a protest fee of \$25.00 on or before October 5, 2009.

GARY SPACKMAN, Interim Director

Legal # _____

Published on Sept.17 & 24, 2009.