

Township N° 50 North Range

R4W
S 7
LT 3



MICROFILM

JAN 21 1974

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Joel Beutter
(Applicant)



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08837

Priority: October 26, 1993

Maximum Diversion Rate:

0.09 CFS

Maximum Diversion Volume:

10.7 AF

This is to certify, that JOHN BEUTLER

618 N 4TH ST

COEUR D ALENE ID 83814

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 26, 1993; and has submitted Proof of Beneficial Use on November 7, 1994. An examination indicates that the works have a diversion capacity of 0.090 cfs of water from:

SPOKANE RIVER

tributary to COLUMBIA RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
AESTHETIC	05/01 to 10/30	0.09 CFS	10.7 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (SENW), Sec. 7, Township 50N, Range 04W
KOOTENAI County

PLACE OF USE: AESTHETIC

TWN RGE SEC

50N 04W 7 Lot 3 (SENW)

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Place of use is located within Lot 7, Blk. 1, Riverside Harbor 1st Addition.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 24TH day of AUGUST, 1995.

Acting for

KARL J. DREHER, Director

AUG 28 1995

RECEIVED

NOV 07 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 95-08837 Telephone No. HM 773-8303
DK (208) 765-5554

2. Name(s) of Permit Holder(s): John A. Bentler and Ann J. Bentler

3. Mailing Address: 618 North 4th Street, Coeur d'Alene, ID 83814

4. Source of Water: Spoone River - tributary of If GROUNDWATER (well), Date Drilled: mo. N/A / yr.
Columbia River.

a. Well Driller: N/A Drilling Permit Number: N/A

b. **OPTIONAL:**

Pump Horsepower: 2 HP Pressure (psi): 30 Dynamic pumping level (ft):

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): N/A

Irrigation (No. of acres): 1/3 Other: Aesthetic

6. Total rate of diversion and/or volume for which proof is submitted: .09 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes or No ✓

Has the measuring device been installed?

Yes or No ✓

Flow Measurement Port: Is a flow measurement port required?

Yes or No ✓

Has the measurement port been installed?

Yes or No ✓

8. Fee Enclosed: \$ 50.00/100 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Ann Bentler Telephone Number: HM (208) 773-8303
DK (208) 765-5554

Address: 618 North 4th Street, Coeur d'Alene, ID 83814

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: John Bentler Ann Bentler Date: 10/19/94
(include your title, if on behalf of company or organization) owner owner
10/19/94

DEC 21 1994

location: 3804 Shoreline Drive, Post Falls

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-08837

Proposed Priority: October 26, 1993 Maximum Diversion Rate: 0.09 CFS

This is to certify, that JOHN BEUTLER
618 N 4TH ST
COEUR D ALENE ID 83814
has applied for a permit to appropriate water from:

SPOKANE RIVER tributary of COLUMBIA RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
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AESTHETIC	05/01 to 10/30	0.09 CFS
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LOCATION OF POINT(S) OF DIVERSION: Lot 3(SENW), Sec. 7, Township 50N, Range 04W
KOOTENAI County

PLACE OF USE: AESTHETIC

TWN RGE SEC

50N 04W 7 Lot 3(SENW)

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1994.
2. Subject to all prior water rights.
3. The issuance of this right in no way grants any right-of-way or easement across the land of another.
4. Place of use is located within Lot 7, Blk. 1, Riverside Harbor 1st Addition.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

6th day of December, 1993.

R. Keith Higginson
for R. Keith Higginson, Director

RECORDED

JAN 21 1994

RECEIVED

NOV 24 1993

Form 202

6/85

Department of Water Resources

STATE OF IDAHO

Ident. No.

95-8837

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant John Butler Phone 765-5554
Post office address 618 N 4th Coeur d'Alene ID 83814
2. Source of water supply Spokane River which is a tributary of Columbia River
3. Location of point of diversion is SE $\frac{1}{4}$ of SW* $\frac{1}{4}$ of Govt. Lot 3
Sec. 7 Township 50N Range 4W B.M. Kootenai County; additional
points of diversion if any: Riverside Harbor 1st Add Blk 1 Lot 7
4. Water will be used for the following purposes:
Amount .09 for Aesthetics purposes from May 1 to Oct 30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .09 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump and pipeline

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

* per map

JAN 21 1994

Description of proposed uses (if irrigation only, go to item

a. Hydropower; show total net of head and proposed capacity in kW.

b. Stockwatering; list number and kind of livestock.

c. Municipal; show name of municipality.

d. Domestic; show number of households.

e. Other; describe fully.

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

ponding place of use below. See instructions for standard symbols.

[illegible]

Total number of acres to be irrigated

10. Describe any other water rights used for the same purposes as described above.

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

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing.

12. Remarks:

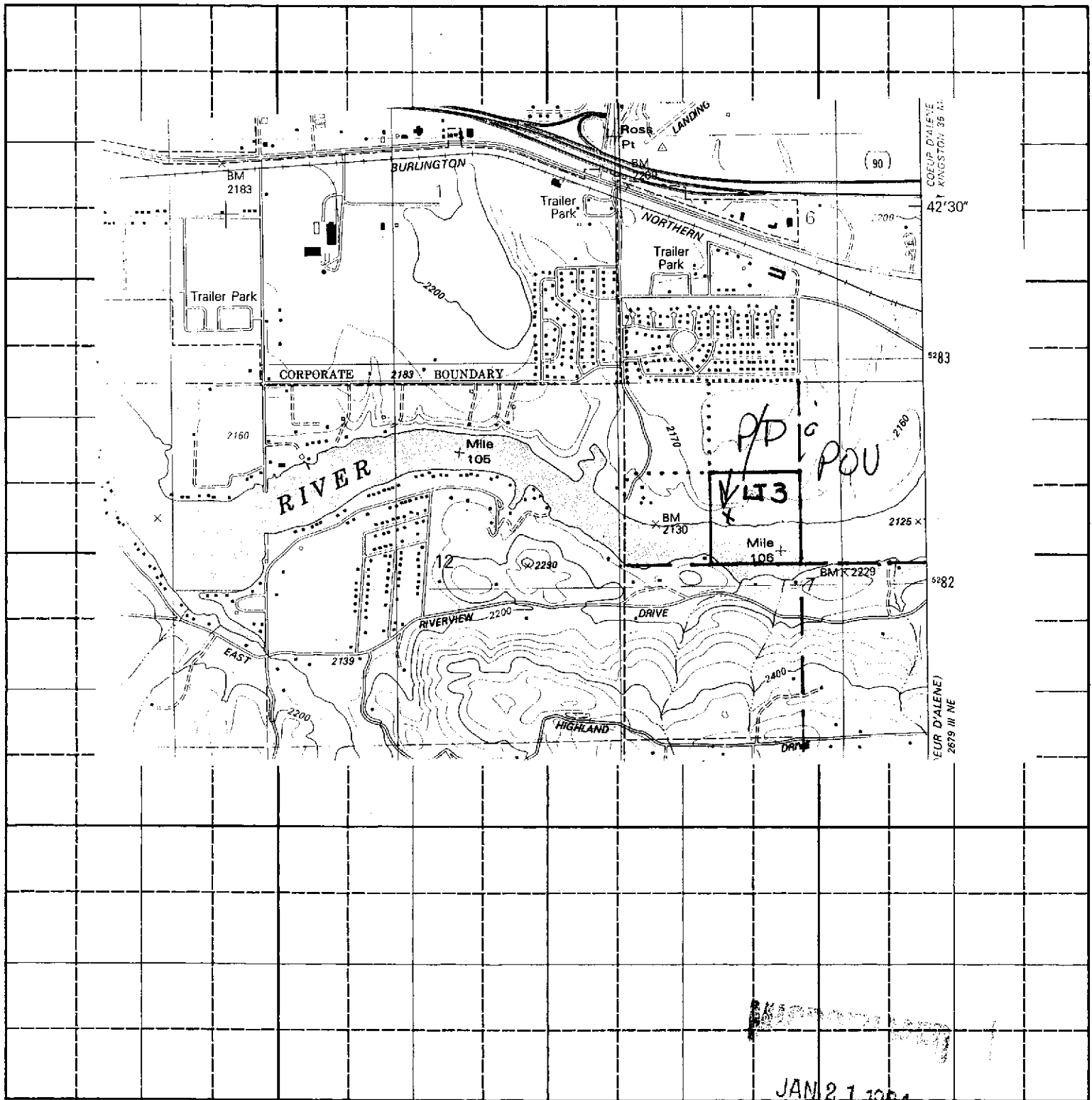
R4W
S 7
LT 3



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13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Joel Beutter
(Applicant)

JAN 21 1994

Handwritten notes and stamps at the top of the page.

e. Other:

- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

_____, 19____

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

1. Approval of said application is subject to the following limitations and conditions:

Idaho No. _____, and said application is hereby _____
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by	Date	Time	Preliminary check by
<i>[Signature]</i>	10/26/93	4:08 PM	
Fee \$	38.00		
Received by	Date	#	Date
<i>[Signature]</i>	10/27/93	N7106	10/26/93
Publication prepared by	Date	Published in	Date
<i>[Signature]</i>	10/27/93	11/16/93	11/16/93
Publication approved	Date		
<i>[Signature]</i>	11/16/93		

MEMORANDUM

DATE: August 17, 1995
TO: File No. 95-08837
FROM: Cindy Zimmerman S.
SUBJECT: Review of Beneficial Use Field Report

The following adjustments were made on the field report:

1. Annual Volume.
 - a. Aesthetic use is from 5/1 to 10/30, 8 hrs/day.
$$\begin{aligned} \text{AF} &= 0.09 \times [183 \times (8 \div 24)] \times 1.9835 \\ &= 0.09 \times [183 \times 0.33] \times 1.9835 \\ &= 0.09 \times 60.39 \times 1.9835 \\ &= 10.78 \approx 10.8 \text{ AFA.} \end{aligned}$$

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AUG 28 1995

Cindy Zimmerman

✓

PRIORITY Due 12/1/94 Rc'd 11/8/94 Receipt# 6031617 Fee OK? (Yes)/No
Order to Reinstate Needed? Yes/No Done? _____
If Yes, Advanced? Yes/No to: _____

COMMENTS:

#2 AMEND LTR: P42/P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 13 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-08837

1. Owner: John Beutler Phone No. (208) 765-5554

Current Address: 618 N 4th St COEUR D'ALENE ID 83814

2. Accompanied by: ANN BEUTLER EXAM DATE: 6-23-95

Address: SAME AS ABOVE Phone No. _____

Relationship to Permit Holder: WIFE

3. Source: SPOKANE RIVER tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	03		SE	NW	07	50N	04W	KOOTENAI	U.S.G.S. 7.5 min Quad

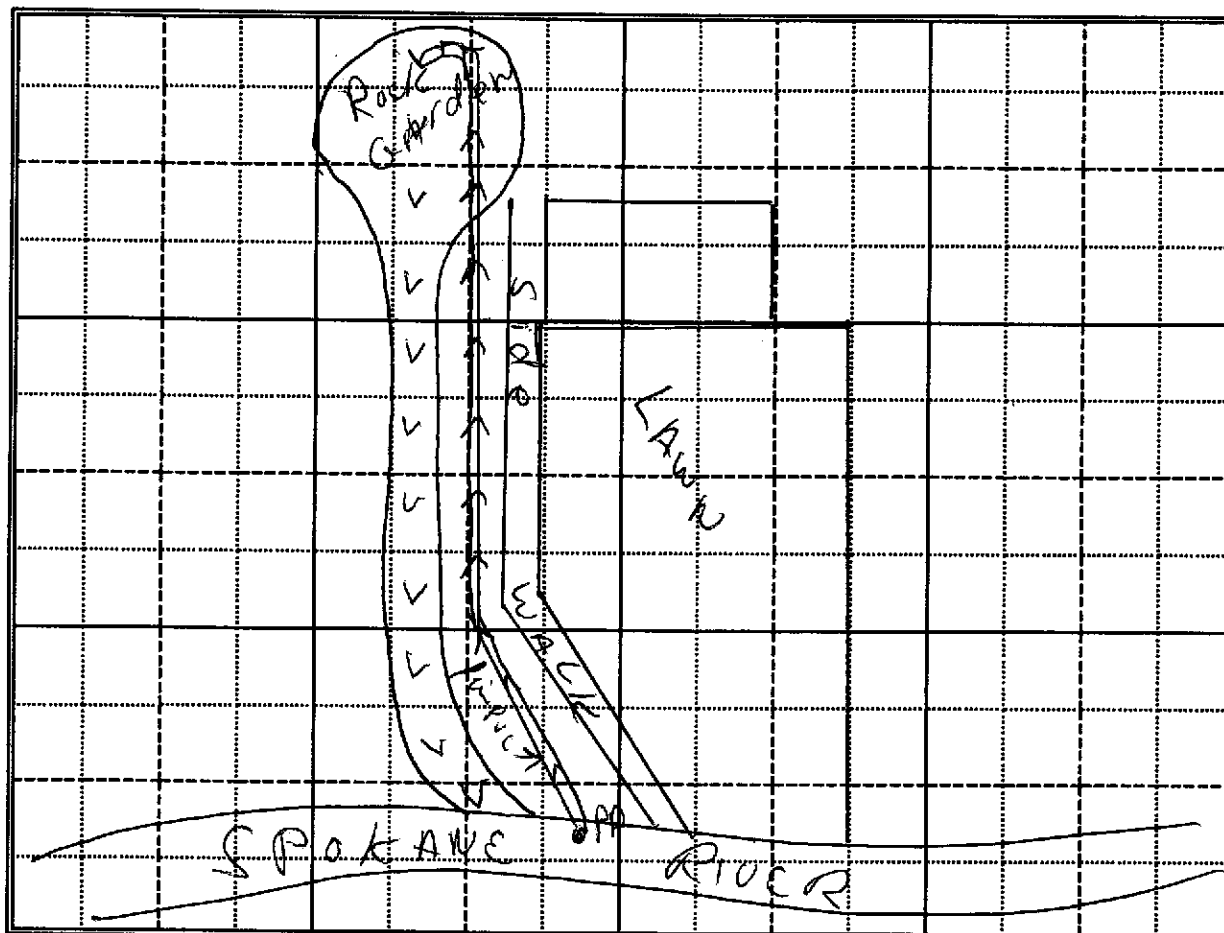
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	04W	07																	

AUG 28 1995

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = NTS

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Submersible	FRANKLIN	2		Grundfos	Type 9446

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: _____

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E. NARRATIVE/REMARKS/COMMENTS

Water is pumped from river to the top of the rock garden. From there it gravity flows through the rocks down the canal (sealed bottom) back to the river

Have conditions of permit approval been met? ☒ yes ☐ no

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F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Aesthetic</i>	<i>05-01</i>	<i>10-30</i>	<i>.09</i>	<i>1.2</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<i>.09</i>	<i>1.2</i>

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above ____ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

I. AUTHENTICATION

Field Examiner's Name

Wayne Baldick

Date

6-28-95

Reviewer _____

Date _____

SEAL

MICROFILMED

AUG 28 1995

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 95-08837

DATE: 28-JUN-95

COMPLETE BY: WAYNE BALDWIN

HORSEPOWER = 2

PUMP EFFICIENCY = 70%

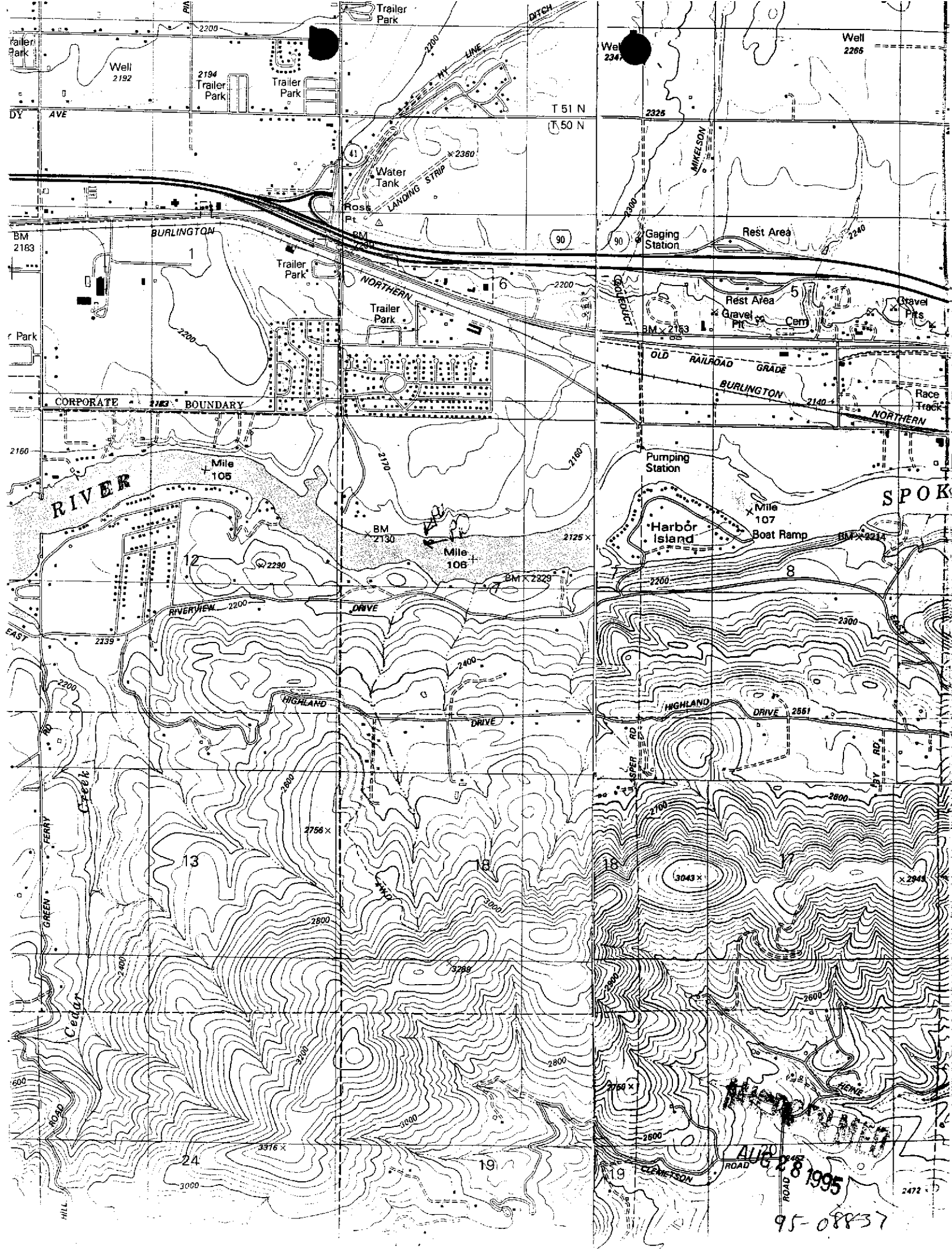
DYNAMIC LIFT = 30 FEET

SYSTEM PRESSURE = 45 PSI

QUANTITY = 0.09 CFS

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AUG 28 1995

95-08837





SEPARATE PERMIT DECISIONS MUST
BE RECEIVED FROM BOTH THE STATE
OF IDAHO AND THE CORPS OF
ENGINEERS PRIOR TO START OF
WORK

1. Corps of Engineers # _____ Date Received _____	2. State of Idaho # <u>L-95-S-3974</u> Date Received _____
--	---

3. Applicant John Beutler
Mailing Address 618 N. 4th
Coeur d'Alene, ID
Area _____ Area _____
Work Phone (208) 765-5554 Home (208) 664-1050
Fax Number _____

4. Authorized Agent _____
Mailing Address _____
Area _____ Area _____
Work Phone () _____ Home () _____
Date of Application _____

UTM Coordinate Grid

IDWR Form 3804-B
Feb 92 (REV)

8. Preparation of drawings. One set of original or good quality reproducible drawings must be attached to this application.
NOTE: DRAWINGS NO LARGER THAN 8-1/2 X 11 INCHES IN SIZE. See the instruction pamphlet for instructions and a checklist for completing the drawings. Include photographs of the project site mounted on 8-1/2 x 11 sheets.

9. Purpose and intended use: Commercial _____ Public _____ Private ☒ Other _____
Describe Bank Protection, DOCK USAGE AND landscaping plan
Necessity and justification for project Bank Protection, Containing eroding
10. Proposed Starting Date October-November Estimated Duration 3-6 weeks
11. If any portion of the activity is complete, indicate month and year of completion N/A
Indicate the existing work on the drawings.
12. Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose property also adjoins the underway.

☐ Check here if the alteration is located on endowment lands administered by the Idaho Department of Lands

13. LEGAL OWNER IF OTHER THAN APPLICANT Same as Applicant
CITY, STATE, ZIP CODE _____
MAILING ADDRESS _____
AREA WORK() AREA HOME()
PHONE _____

14. List other applications, approvals, or certifications from other Federal, interstate, state, or local agencies for any structures, constructions, discharges, deposits, or other activities described in the application.

Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval
<u>Dept. of Water Resources</u>	<u>Water Use</u>		<u>10-26-93</u>	<u>In Process</u>

15. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? Yes _____ No _____ (If "Yes" explain)

16. Remarks or additional information:

17. Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to come upon the above-described location to inspect the proposed or completed work.

10-27-93
Date

Josh Beutler
Signature of Applicant (REQUIRED)

The application must be signed by the applicant. If an authorized agent is to be designated, Item 4 and the following information should be completed.

I hereby designate _____ to act as my agent in matters related to this permit application. I understand that if a Federal permit is issued, I must sign the permit.

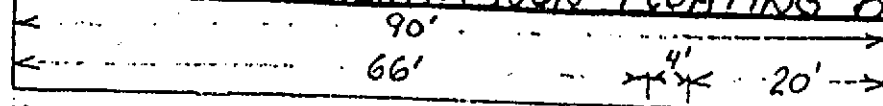
Date _____ Signature of Authorized Agent (if applicable) _____ Signature of Applicant (if applicable) _____

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both. Do not send a Federal permit processing fee with this application. The appropriate fee will be assessed when a permit is issued.

DO NOT SEND FEDERAL PROCESSING FEE WITH APPLICATION

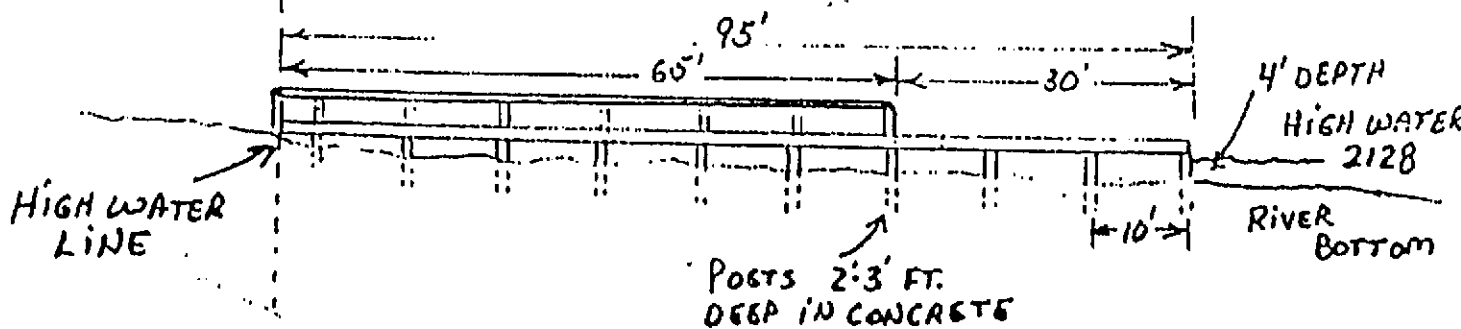
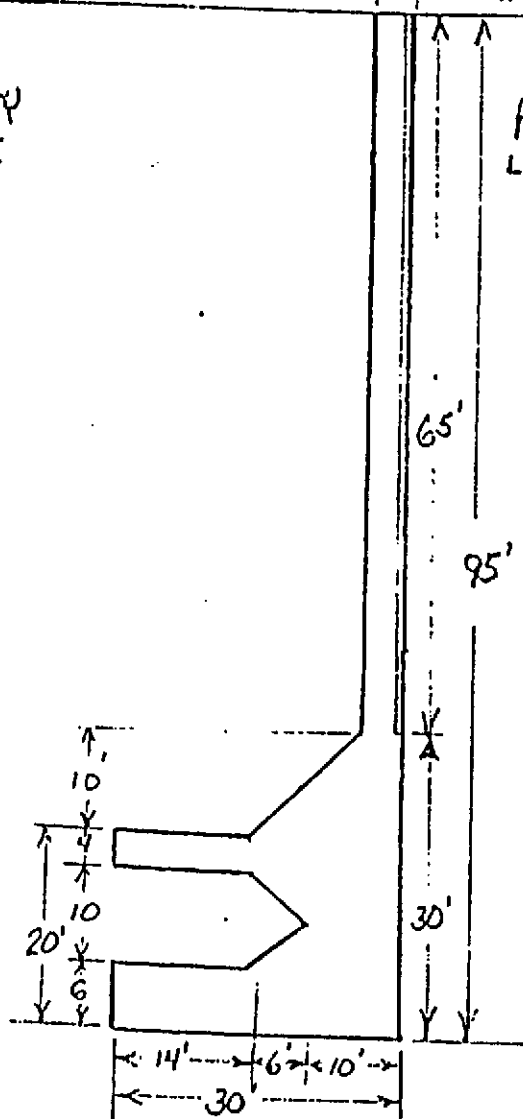
JAN 21 1994

NON-COMMERCIAL, NON-FLOATING BOAT DOCK & WALKWAY

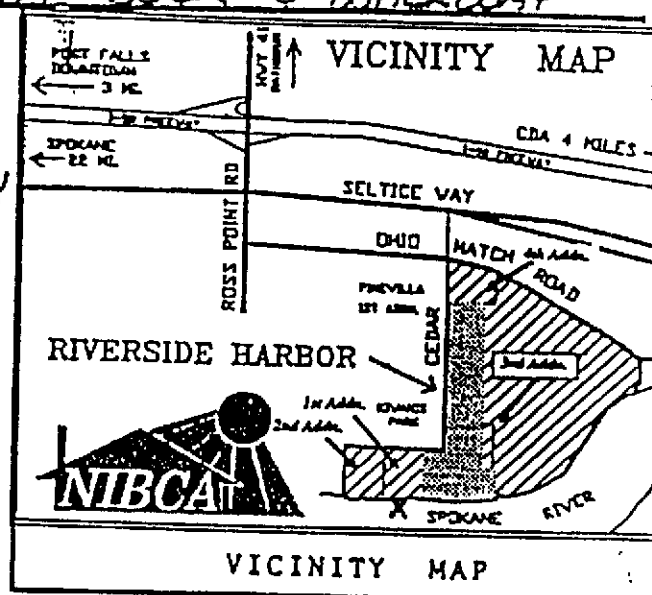
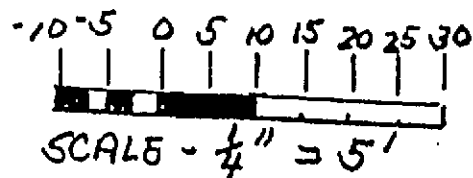


PROPERTY
LINE

PROPERTY
LINE 1



SHORE LINE



From

WALKWAY = 260 SQ. FT.

DOCK = 440 SQ. FT.

TOTAL 700 SQ. FT.

← FLOW OF SPOKANE RIVER
FROM COEUR D'ALENE LAKE

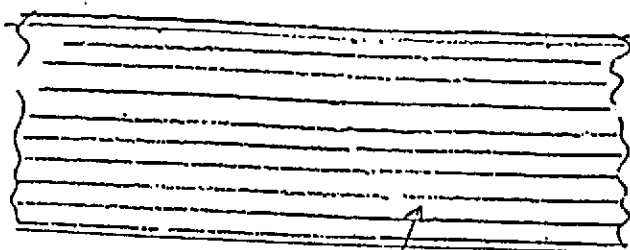
IN SPOKANE RIVER
IN/NEAR RIVERSIDE HARBOR
KOOTENAI COUNTY, IDAHO
DATE: 10-27-93 SHEET 1 OF 4
APPLICATION BY:

JAN 21 1994

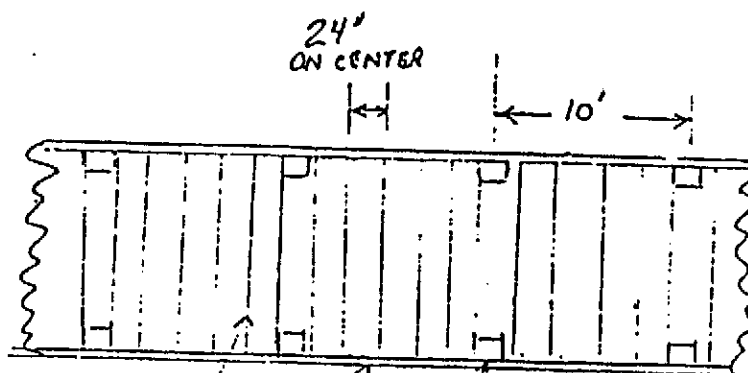
jet Beutler

TYPICAL CONSTRUCTION OF DOCK & WALKWAY

TOP VIEW



2" x 6" DECKING
OVER STRINGERS

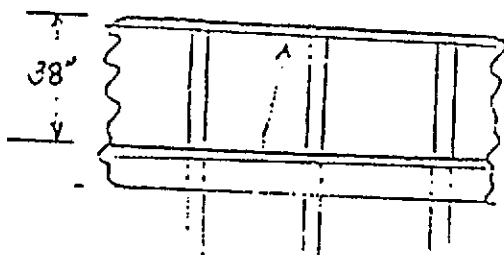


2"x8"
STRINGERS

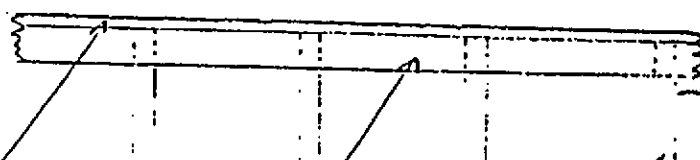
2"x8"
RAILS

6"x6"
posts

side view



HAND RAIL
ON WALKWAY



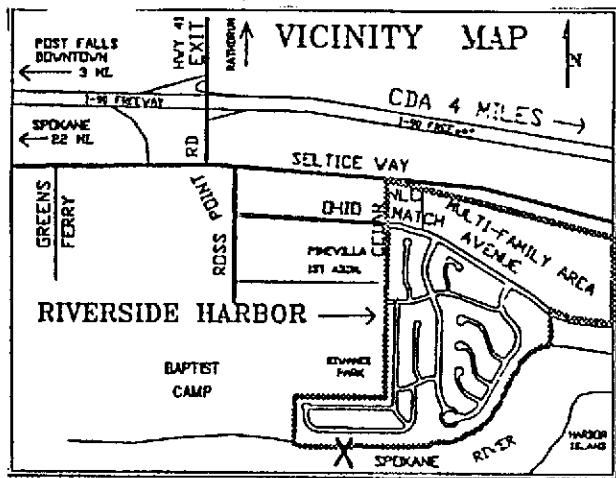
WATER LIN

2" x 6"
DECKING

2"x8"
RAILS/STRINGERS

6x6 posts

(NOT TO SCALE)



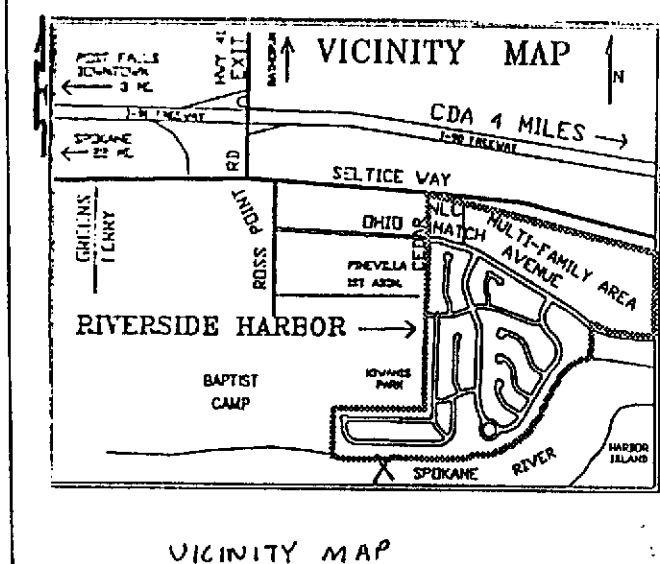
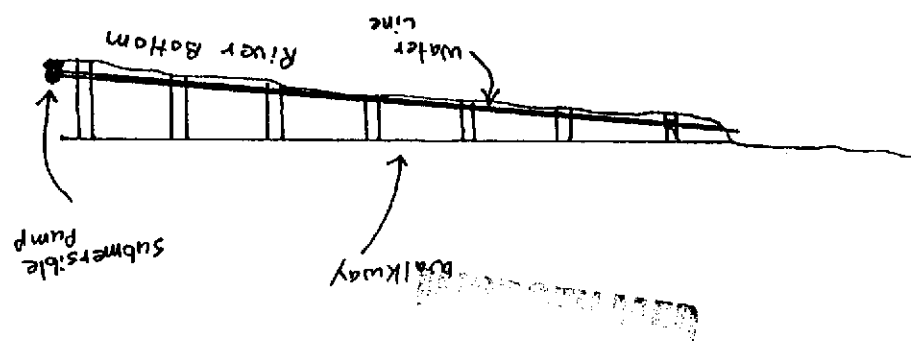
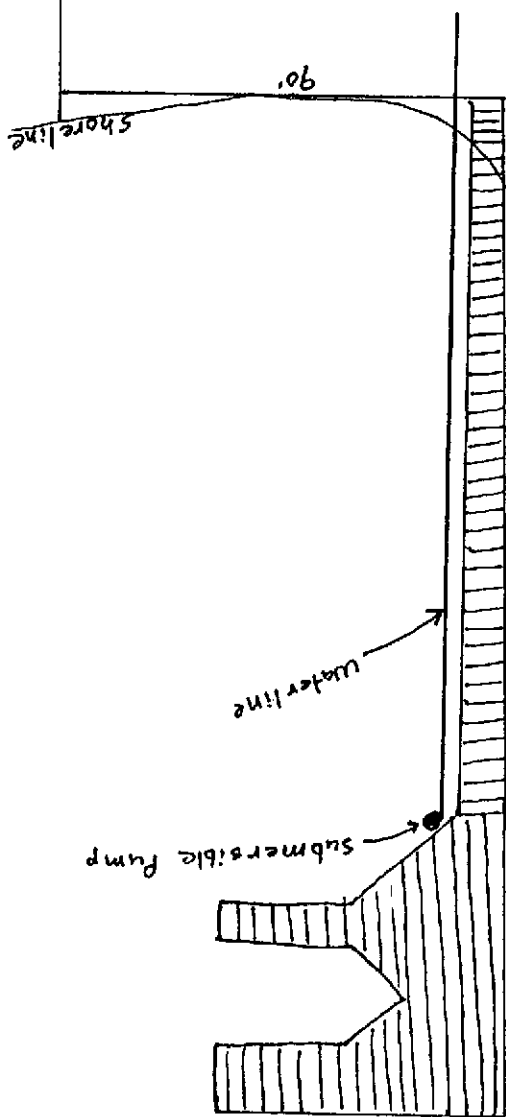
JAN 21 1994

IN: SPOKANE RIVER
IN/NEAR RIVERSIDE HARBOR
KOOTENAI COUNTY, IDAHO
DATE: 10-27-93 SHEET 2 OF 4
APPLICATION BY:

APPLICATION BY:

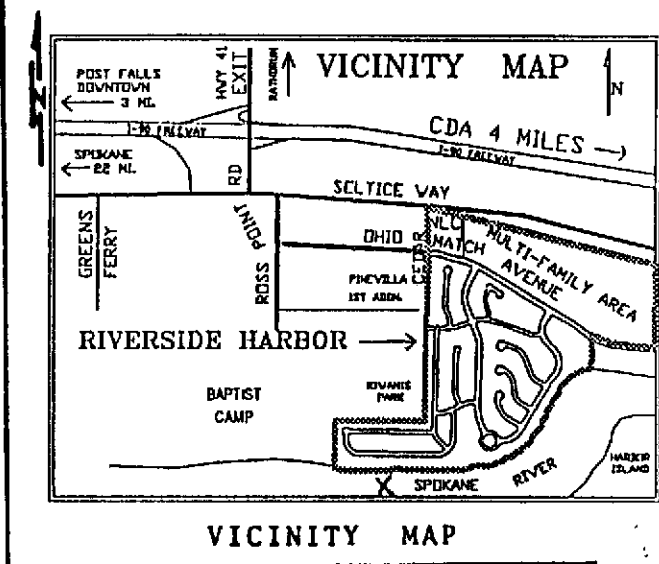
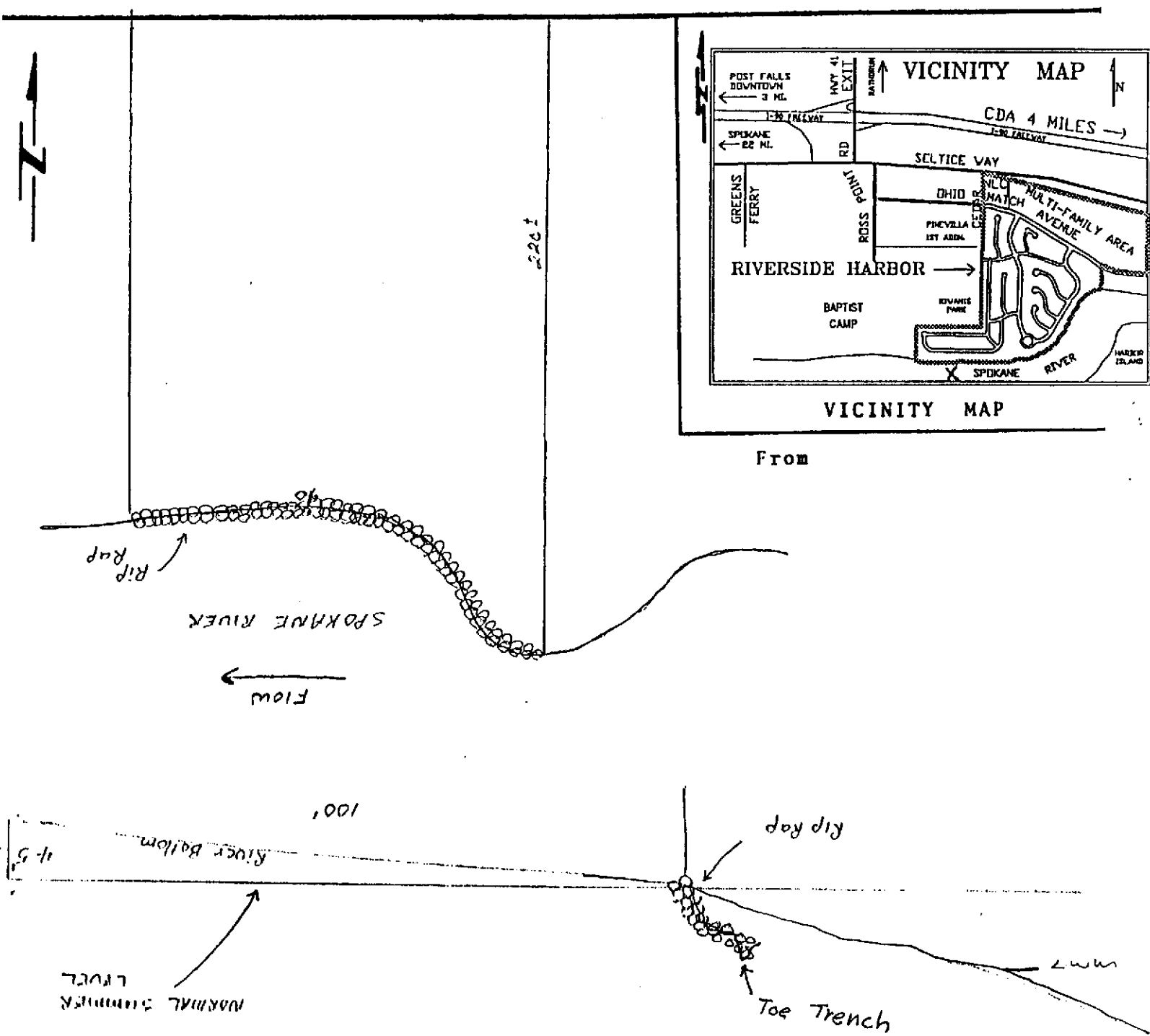
Just Beutler

7



JAN 21 1994

IN Riverside Harbor
IN/NEAR SPOKANE RIVER
KOOTENAI COUNTY
DATE: 10-27-93
APPLICATION BY: sheet 3 of 4
Jm Brunt



From

IN SPOKANE RIVER
 IN/NEAR RIVERSIDE HARBOR
 KOOTENAI COUNTY,
 DATE: 10-27-93 SHEET 4 OF 4
 APPLICATION BY: *J. Brubaker* 1994