

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 32322/95-2169 Priority April 15, 1965 Amount 1.68 cfs

THIS IS TO CERTIFY, that HENRY R. BENTZ
of Hayden Lake, Idaho, has complied with the terms and conditions of Permit
No. 32322/95-2169 issued pursuant to Application for Permit dated April 15, 1965,
and has submitted proof to the Department of Water Administration on April 14, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.68 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 1.68 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 1.68 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2, Twp. 51 N, Rge. 4 W, B. M.

in the county of Kootenai; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 693 acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
51 N	4W	2									40			39	10	40	39	30	198

Total number of acres irrigated 198

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19 day of
December, 19 72.


Deputy Director

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32322)

in the name of Henry R. Bentz, Hayden Lake,)

Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law;
and,

WHEREAS, these changes raised questions as to the procedures to be followed by
holders of permits issued prior to the effective date of the amendments, May 31, 1967;
and,

WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-32322 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are
hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.

Dated this 21ST day of NOVEMBER, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

32322
95-2169

Application for Amendment
POINT OF DIVERSION
Permit No. G-32322

RECEIVED
NOV 8 1965
Department of Reclamation

Comes now HENRY R. BENTZ
and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-32322.

That the point of diversion is described in said Permit as being located:
mid-point on the N-S quarter line between the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of
Section 2, Township 51 N.R. 4 W.B.M., Kootenai County, Idaho.

That he now requests that the point of diversion be changed to a point
located: 20 feet East of the midpoint on the N-S quarter line between the
SW $\frac{1}{4}$ and the SE $\frac{1}{4}$, Sec. 2, Township 51 N.R. 4 W.B.M., Kootenai County, Idaho.

That the reason for desiring to make such change is as follows:

To put well entirely on lands belonging to Henry R. Bentz.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Coeur d' Alae, Idaho this 1st day of November, 1965

Henry R. Bentz

Date of Receipt at Department of Reclamation: November 3, 1965

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-32322. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ Ralph W. Thomas

Deputy State Reclamation Engineer

Recorded in Book 113 of
Permits, at Page 32322
November 12, 1965

32322

RECEIVED

NOV 12 1965

Department of Reclamation

RECEIVED

NOV 3 1965

ASSIGNMENT OF WATER PERMIT

Department of Reclamation

The undersigned, ROBERT CAMPBELL POINTNER, ^{a single man} individually and as Trustee of JOHN H. POINTNER and MAUDE CAMPBELL POINTNER, do hereby assign, transfer and convey unto HENRY R. BENTZ, all of the undersigned's right, title and interest in and to that certain water permit issued by the Department of Reclamation of the State of Idaho, on April 16, 1965, being Permit No. G32322, recorded in Book 113, page 32322, it being the intent and purpose of this assignment to relinquish any right in and to said water permit and the application covered by said permit, and to transfer the entirety of interest thereto in HENRY R. BENTZ.

DATED this 24th day of September, 1965.

Robert Campbell Pointner

WITNESSETH THAT I, _____
Notary Public for the State of _____
do hereby certify that the foregoing is a true and correct copy of the original as the same appears in my files and records.

On this 24th day of October, 1965, before me, the undersigned Notary Public, personally appeared ROBERT CAMPBELL POINTNER, ^{a single man,} known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he signed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first herein written.

William A. Stansky
Notary Public for Idaho, State of Idaho
at _____
County of _____, State of _____

Service Receipt No. _____
Tariff Item No. 46
Permit Fee \$ 4.50
Cv. Fee \$ 31.25

32322

95-3167
G-32322
Assigned to Henry R. Bentz
Hayden Lake
Idaho

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-40470
Permit No. G- 32322
District No.

1. Name of Applicant: Henry R. Bentz and Robert Campbell Pointner
Postoffice address: Hayden Lake County: Kootenai State: Idaho
2. Quantity of water claimed: 1800 Gal. P.M. or 4.0 CFS
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the Center $\frac{1}{4}$ of the S $\frac{1}{2}$ ~~SW~~ of Section 2
Twp. 51 N. , Rge. 4 W. , B.M., County of Kootenai (See Remarks, pg. 3)
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled and cased well, electric motor and pump
8. Estimated cost of works: \$ \$25,000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is five
(5) years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 4.0 (cubic feet per second, inches or gallons per minute) is for new lands.

Ownership of the Southwest Quarter, Sec. 2, Twp. 51 N., R. 4 W.B.M., is in Robert Campbell Pointner, Trustee of John Held Pointner and Maude Campbell Pointner. Ownership of the Southeast Quarter Remarks: Sec. 2, Twp. 51 N., R. 4 W.B.M., is in Henry R. Bentz and Dorothy Bentz, husband and wife.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

HENRY R. BENTZ and ROBERT CAMPBELL POINTNER
Applicant.

By s/ Henry R. Bentz Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. April 15, 1965

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 32322

Recorded in Book 113 Page 32322 Approved April 16, 1965

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before October 16, 1967

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before April 16, 1970

Witness my hand this 16th day of April, 1965

s/ CARL E. TAPPAN
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 16th day of April, 1965.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			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	
51 N.	4 W.	2									40	40	40	40	22	40	40	35	297
ASSIGNMENT OF WATER PERMIT ✓																			
The undersigned, ROBERT CAMPBELL POINTNER, a single man, individually and as Trustee of JOHN H. POINTNER and MAUDE CAMPBELL POINTNER, do hereby assign, transfer and convey unto HENRY R. BENTZ, all of the undersigned's right, title and interest in and to that certain water permit issued by the Department of Reclamation of the State of Idaho, on April 16, 1965, being Permit No. G-32322, recorded in Book 113, page 32322, it being the intent and purpose of this assignment to relinquish any right in and to said water permit and the application covered by said permit, and to transfer the entirety of interest thereto in HENRY R. BENTZ.																			
DATED this 28th day of September, 1965.																			
/s/ Robert Campbell Pointer																			
United Mexican States	)																		
Federal District	)																		
City of Mexico	)	SS																	
Embassy of the United	)																		
States of America	)																		
On this 4th day of October, 1965, before me, the undersigned Notary Public, personally appeared ROBERT CAMPBELL POINTNER, a single man, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he signed the same.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first herein written.																			
/s/ Edith A. Stensby Consul of the United States of America																			
Service Receipt No. 4094256 Tariff Item No. 46																			

LICENSE ISSUED FOR 1.62 SEC. FT.
LICENSE PAGE NO. _____

Application for Amendment
POINT OF DIVERSION ✓
Permit No. G-32322

Comes now Henry R. Bentz and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. G-32322. That the point of diversion is described in said Permit as being located: mid-point on the N-S quarter line between the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$, Section 2, Township 51 N., R. 4 W., B.M. Kootenai County, Idaho.

That he now requests that the point of diversion be changed to a point located: 20 feet East of the midpoint on the N-S quarter line between the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$, Sec. 2, Township 51 N. R. 4 W., B.M., Kootenai County, Idaho.

That the reason for desiring to make such change is as follows: To put well entirely on lands belonging to Henry R. Bentz.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Coeur d'Alene, Idaho this 1st day of November, 1965
/s/ Henry R. Bentz

Date of Receipt at Department of Reclamation: November 3, 1965 ✓

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-32322. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded: November 12, 1965

Identification No. _____

Permit No. _____

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

*OK
4-14-65*

1. a) Name of Permit Holder Henry R. Bentz
 b) Post Office Address Hayden Lake - Idaho
2. Permit Number 32322
3. Date of Priority that you are prepared to establish April 16, 1965
4. a) Source from which water was appropriated Underground -
 b) Location of the point of diversion: 20' EAST OF CENTER $\frac{1}{4}$ Section 2
 Township 51 N, Range 4 WBM Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
 amount 4 CFS for IRRIGATION purposes from MAY to OCTOBER incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 b) Total amount appropriated 4.00 cfs and/or acre feet per annum
 c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: PUMP TEST BY PUMP SUPPLIER

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
 a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
 b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 100 H.P. PUMP - WELL 16" diameter - depth 353 FT. -
 b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
 c) Give well drillers name and address and date the well was completed Holman Drilling - Spokane, Wash. -
Completed - in Jan. 10, 1966

95-2169

32322

11-8-73

[Signature]
Notary Public residing at 10000 1st Ave. S. #1000

State of Idaho)
County of Blaine) ss.

4-3-70

Henry G. Bent
(Signature)

10. Remarks: SW $\frac{1}{4}$ of 9 above is leased land - SE $\frac{1}{4}$ owned -

[illegible]

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision.

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

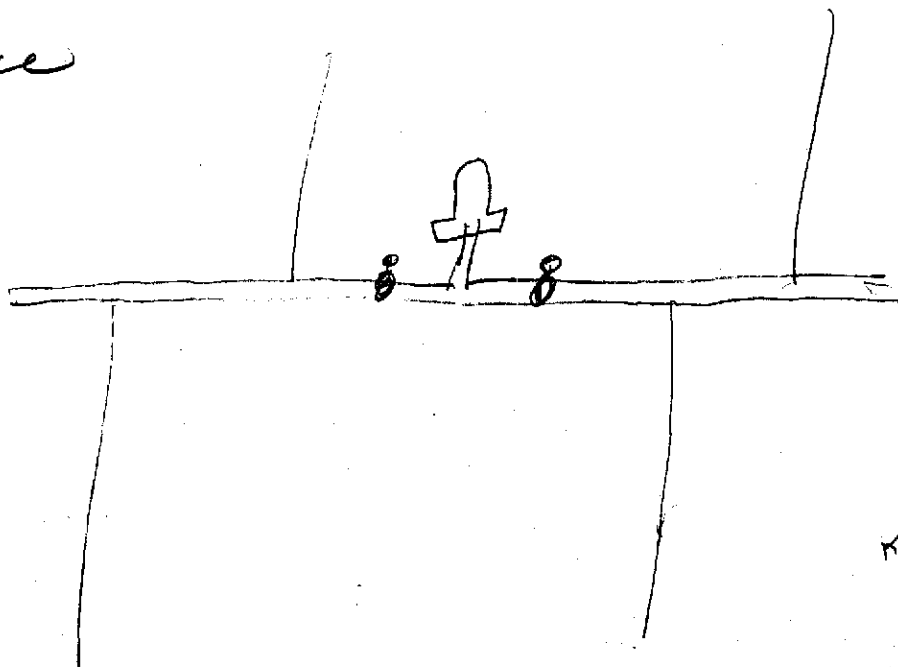
PERMIT NO. G-32322/95-2169

REPORT ON PROOF OF B/U - Henry R. Bentz

Hollowshaft Motor
100 H.P.
Ser: 1386486

Wayne & Bowler Pump
700 GPM 473
Model: 10RH
Ser: D10598

6" Discharge

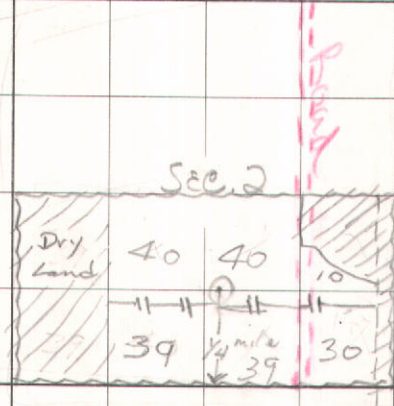


95 2169

KW

T 51 N

R.
4
W



Trees

~~80~~
90

108

~~188~~
198

Q measured 1.67 168

Q recommended 1.67

Volume 3.0 AF X 188 = 564 AF/season

Acreage =

Found 188 198

recommended 188 196

Subdv. 6

Amendments

☒ None P.D is exactly the way it is Listed

☐ R.D.

☐ Piece of use

☐ _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-32322/95-2169

This proof is for _____ b/u _____ In Water District No. _____

1. Name of applicant. Henry R. Bentz, Hayden Lake, Idaho
2. Source of water supply: groundwater N-S quarter line between the SW $\frac{1}{4}$ and SE $\frac{1}{4}$
3. Location of point of diversion: Is in the 20' east of midpoint on the $\frac{1}{2}$ Section 2
T. 51 N. R. 4 W. County of Kootenai

4. Describe works as they exist, giving dimensions and capacities of same: 100 HP. pump - well
16" diameter - depth 353'

Hollowshaft Motor L + B Pump
H.P. 100 model 10 R H
Ser: 1386486 Ser: D12598
8" Discharge

5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

T. 51 N, R. 4 W Sec. 2 S $\frac{1}{2}$ 297 acres

4 lines @ 33 @ 45 lbs.

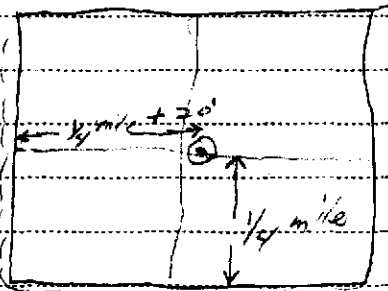
$$\frac{4 \times 33 \times 5.7}{450} = 1.6764 \text{ lbs.}$$

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: clarify point of diversion to 40 acre tract

P.D. is exactly the way it is listed



This examination was made on the 4th day of Aug, 1921

(Signed) Fred C. Smith Examiner.

95 2169

Not verifying
8/25/70
J.E.

ASCS : Coeur d'Alene
SCS : Coeur d'Alene

Permit No. G-32322/95-2169 - Henry R. Bentz

Examination for b/u

County Kootenai
Sec. 2 T. 51N R. 4W
Quantity: (permit) 4.0 cfs (proof) same

Source: groundwater

P.D.:

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: April 15, 1965 MADE: April 14, 1970

Due: April 16, 1970 PRIORITY: April 15, 1965

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that

Henry R. Bentz

Rt. 1, Box 272

Department of Reclamation

Hayden Lake, Idaho

has received an approved permit No.

G-32322/95-2169 issued by the Idaho State Reclamation Department authorizing the

diversion ~~/s/c/c/c/c/c/~~ of 4.0 cubic feet per second /9999/9999/997/99999
of water from a ground-water source.

subject to all prior rights. The priority to be established under this permit is

April 15, 1965 and the permit was approved April 16, 1965.

Water is to be diverted by well, motor and pump

from a point within the center of the S¹/₄, Sec. 2, T. 51 N., R. 4 W., B. M.,

Kootenai County

to be used for irrigation

in the S¹/₄, Sec. 2, T. 51 N., R. 4 W., B. M.

Proof of the application of the water to beneficial use is to be submitted to the
department on or before April 16, 1970. Any protests against
the issuance of a license for the above referenced permit should be filed with the
Department of Reclamation within ten (10) days of the last date of publication of
this notice or prior to the licensing of the permit. Licensing may commence prior
to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho, on

February 5

and

February 12, 1970.

State Reclamation Engineer:

Permit No. G-32322/95-2169

You are hereby authorized to have the attached notice published at my expense in

the Coeur d'Alene Press of Coeur d'Alene, Idaho;

published in the county in which the works are situated.

Henry R. Bentz
(Signature)

Rt. #1, Hayden Lake, Idaho
(Address)

83835

1-24-70
(Date)

95-2169

32322

NAME OF APPLICANT..... HENRY R. BENTZ

Form No. 0

N
Sec. 2, Twp. 51 N.R.
4 W.B.M.

W

E

Pointe

Bentz

S

SW $\frac{1}{4}$		SE $\frac{1}{4}$	
NE $\frac{1}{4}$	40 A.	NE $\frac{1}{4}$	22A.
NW $\frac{1}{4}$	40 A.	NW $\frac{1}{4}$	40 A.
SW $\frac{1}{4}$	40 A.	SW $\frac{1}{4}$	40 A.
SE $\frac{1}{4}$	40 A.	SE $\frac{1}{4}$	35 A.

Permit Map No. *32322*

As Approved

CARL E. TAPPAN APR 16 1965

State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

32322