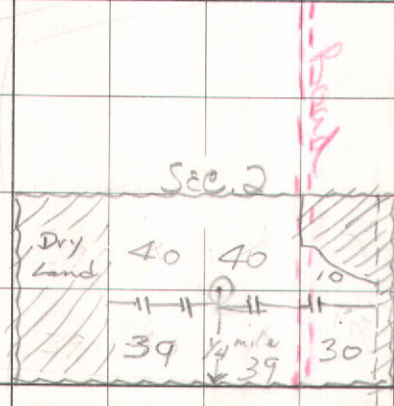


T 51 N

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

☐ _____

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

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

35 2169

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'Alene, 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

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

 Notary Public for the State of Idaho

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 _____

Service Receipt No. _____
 Tariff Item No. 46
 Part I, S. & L. 50
 Part II, S. & L. 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
44-70

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. #10000

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 -

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
51N	4w	2									40	40	40	40	22	40	40	35
			TOTALS															

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

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

(WEEKLY)

STATE OF IDAHO,

County of Kootenai,

ss.

Callie Paintner, being first duly sworn,
deposes and says:

That affiant is now, and at all times herein mentioned has been, a citizen of the United States and a resident of Kootenai County, State of Idaho, over the age of 21 years and not a party to, nor interested in the event of, the above entitled matter, and the printer (principal clerk) of the "Coeur d'Alene Press", during all of the times herein mentioned being a legal daily newspaper, of Coeur d'Alene, Kootenai County, Idaho, as defined by Idaho Code Sec. 60-106 to Sec. 60-108 both inclusive, and Chapter 121 Idaho Session Laws of 1949, and acts amendatory thereof and correlated thereto, and qualified thereunder to publish to the same effect as a weekly

newspaper on Wednesdays; and that the

Notice of Existing Water Permit

of which a printed copy is annexed hereto, was published in all the regular Wednesday

weekly issues of said newspaper for *two* consecutive weeks, commencing

on the *5* day of *February* 19*80*, and ending on the

12 day of *February* 19*80*.

Subscribed and sworn to, before me, this *12* day of *February*

19*80*.

Patrick King
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Henry R. Bentz, Route 1, Box 272, Hayden Lake, Idaho, has received an approved permit No. G-32322-95-2169 issued by the Idaho State Reclamation Department authorizing the diversion of 4.0 cubic feet per second 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 S $\frac{1}{4}$, Sec. 2, T. 51 N, R. 4 W. B.M., Kootenai County to be used for irrigation in the S $\frac{1}{4}$, 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
Feb. 5, 12, 1970.

95-2169
32322

December 22, 1972

Re: Permit No. 32322/95-2169

Mr. Henry R. Bentz
Hayden Lake,
Idaho 83835

Dear Mr. Bentz:

Enclosed is a copy of the Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

35 2169

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

December 6, 1972

Mr. Henry R. Bentz
Hayden Lake,
Idaho 83835

Dear Mr. Bentz:

A representative of this Department has made an examination of the works covered by your Permit No. 32322/95-2169 and has found the following:

Quantity of water diverted: 1.68 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 1.68 cfs

The maximum quantity diverted shall not exceed 693 acre feet per season.

Beneficial use: Irrigation of 198 acres within the E $\frac{1}{2}$ SW $\frac{1}{4}$ (79), SE $\frac{1}{4}$ (119), Sec. 2, Twp. 51 N, Rge. 4 W, B. M.

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

The priority date established is: April 15, 1965

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

95 2169

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

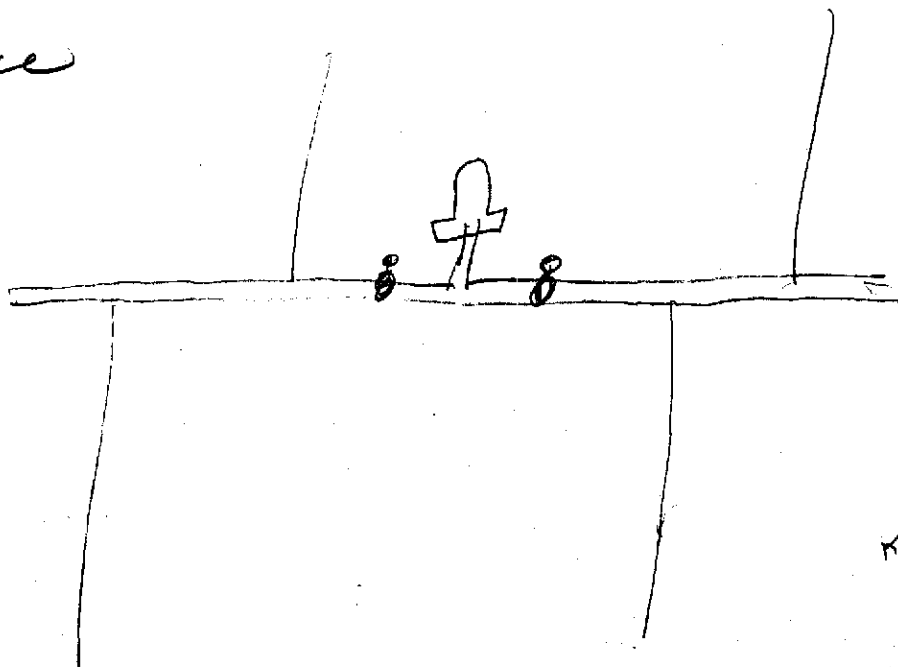
PERMIT NO. G-32322/95-2169

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

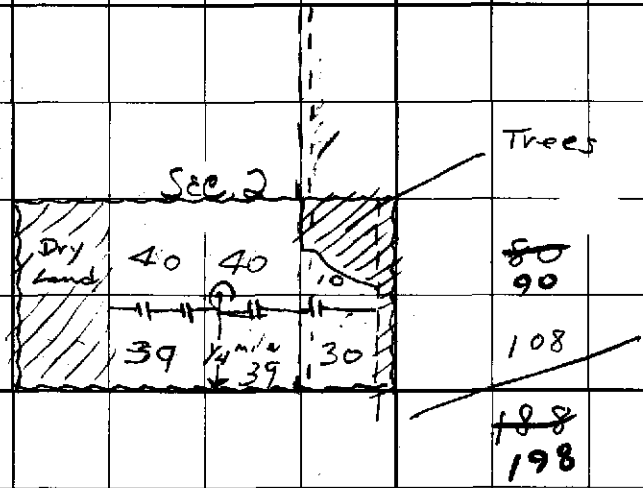
6" Discharge



95 2169

T 51 N

R.
4
W



Q measured 1.67 168
 Q recommended 1.67
 Volume 3.04 EX 188 = 564 AF / season
 Acreage -
 Found 788 198
 recommended 788 198
 Subdv. 6

Amendments
☒ None P.D is exactly the way it is Listed
☐ P.D.
☐ Place 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.

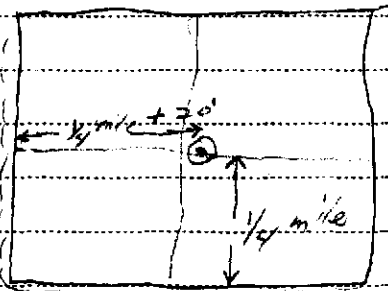
$$\frac{4 \times 33 \times 5.7}{450} = 1.6764 \text{ lbs.}$$

(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.

April 14, 1970

Re: Permit No. G-32332/95-2169

Mr. Henry R. Bentz
Hayden Lake,
Idaho

Dear Mr. Bentz:

We acknowledge receipt of the affidavit of publication and affidavit of beneficial use submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from this Department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

cc: Herbert Nagel
Atty. at Law
P.O. Box 907
Coeur d'Alene, Idaho

95-2169

30 100

LAW OFFICE OF
HERBERT NAGEL
305 JOHNSTON BUILDING
111 NORTH SECOND STREET
COEUR D'ALENE, IDAHO 83814

April 13, 1970

Air Mail

State of Idaho
Department of Reclamation
Statehouse Annex 2
Boise, Idaho 83701

Re: Permit No. G32322
Henry R. Bentz

Gentlemen:

Enclosed please find Proof of Application of Water
to Beneficial Use, together with affidavit of
publication of the Notice.

If anything further is needed, please advise.

Yours very truly,


HERBERT NAGEL

HN:slm

Enclosures

95-4169
32322

April 14, 1970

Re: Permit No. G-32322/95-2169

Mr. Henry R. Bentz
Hayden,
Idaho

Dear Mr. Bentz:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until April 16, 1970; however, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Coeur d'Alene Press, Coeurdd'Alene, Idaho and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DC

95-2169

32322

March 12, 1970

Re: Permit No. G-32322/95-2169

Mr. Henry R. Bentz
Hayden,
Idaho

Dear Mr. Bentz:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until April 16, 1970; however, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Coeur d'Alene Press, Coeur d'Alene, Idaho and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM/DG

95-2169
32322

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee
(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

1

Verity Ben

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

3

1-31-70

95-2169

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$300



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.

**RETURN
TO** 

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Annex #2 Statehouse

Boise, Idaho 83702

POST OFFICE, STATE, AND ZIP CODE

January 30, 1970

Re: Permit No. G-32322/95-2169

CERTIFIED MAIL

Henry R. Bentz
Hayden Lake, Idaho 83835

Dear Mr. Bentz:

One of the conditions of the approval of your permit G-32322/95-2169 was that proof of application of the water to beneficial use be submitted to this office on or before April 16, 19 70.

Enclosed is an affidavit form which must be used to submit this proof. You may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, ICA.

Either the proof or a request for extension must be received by this department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



State Reclamation Engineer
R. KEITH HIGGINSON

Enclosure: Proof form

jmb

cc. Herbert Nagel, Attorney
211 Wiggett Building
Coeur d'Alene, Idaho 83814

Form 5

95-2169

32322

January 27, 1970

Re: Permit No. G-32322/95-2169

Henry R. Bentz
Route 1, Box 272
Hayden Lake, Idaho 83835

Dear Mr. Bentz:

The legal notice for the above referenced permit is being published in the Coeur d'Alene Press, Coeur d'Alene, Idaho, on February 5 and February 12, 1970.

You will be required to submit an affidavit of publication to this department. The affidavit may be obtained from the above mentioned newspaper upon payment of the bill of publication.

Thanking you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

95-2169
32322

January 27, 1970

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

Coeur d'Alene Press
Coeur d'Alene, Idaho 83814

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by Henry R. Bentz,
Route 1, Box 272, Hayden Lake, Idaho 83835,
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Legal Notice (1)

95-2169
32322

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that

Henry R. Bentz

Rt. 1, Box 272

Hayden Lake, Idaho

Department of Reclamation

has received an approved permit No.

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

diversion ~~of water~~ of 4.0 cubic feet per second 1999/1999/1997/1999
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

December 1, 1969

Re: Permit No. G-32322 (New No. 95-2169)

Henry R. Bentz
Hayden Lake, Idaho

Dear Mr. Bentz:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit. ~~and are now submitting proof of beneficial use.~~ Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Order
Advertising package

32322
95-2169

November 12, 1965

RE: Permit No. G-32322
Henry R. Bentz

Herbert Nagel
Attorney at Law
211 Wiggett Building
Coeur d'Alene, Idaho

Dear Mr. Nagel:

Enclosed is the assignment of the above numbered permit,
the amendment to the point of diversion, and departmental
receipt No. G-9964 in the amount of \$2.00 covering the
recording fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. assignment
amendment
receipt

32322

LAW OFFICE OF
HERBERT NAGEL
COEUR D'ALENE, IDAHO 83814

November 8, 1965

RECEIVED
NOV 12 1965

Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

Attention: Mr. Ralph W. Thomas
Deputy State Reclamation Engineer

Re: Permit No. G-32322
Henry R. Bentz

Dear Mr. Thomas:

Pursuant to your letter of November 3, 1965, enclosed please find Assignment of Permit from Robert Campbell Pointner, a single man, together with our check in the amount of \$2.00, being \$1.00 for this Assignment and \$1.00 for the Amendment of point of diversion.

Yours very truly,


HERBERT NAGEL

HN:slm

Enclosures

32322

November 3, 1965

RE: Permit No. G-32322
Henry R. Bentz and Robert Campbell Pointer

Herbert Nagel
Attorney at Law
211 Wiggett Building
Coeur d'Alene, Idaho

Dear Mr. Nagel:

Returned herewith are the three copies of assignment of a permit from Robert Campbell Pointer to Henry R. Bentz which has been signed by only Robert Campbell Pointer. It is necessary for the spouse to sign all assignments, or a note made that the holder of the permit is single. There is a fee of \$0.50 for recording assignments on our form and \$1.00 for this form.

You also sent three copies of an application to amend the point of diversion signed by Henry R. Bentz. This amendment is not necessary as far as this office is concerned as it would require a survey to determine the exact location of the well. If it is desired we will record the amendment upon receipt of \$1.00 fee for recording.

One copy of amendments to permit and of assignments is all that is required. They are returned after recording in this office.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

Enc. assignments 3

32322

LAW OFFICE OF
HERBERT NAGEL
COEUR D'ALENE, IDAHO 83814

November 1, 1965

RECEIVED
NOV 3 1965

Department of Reclamation
ref

Department of Reclamation
State of Idaho
107 State House
Boise, Idaho 83701

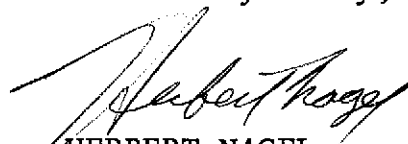
Attention: Mrs. Edna P. Rule

Re: Permit No. G-32322
Henry R. Bentz

Dear Mrs. Rule:

Pursuant to our previous phone conversations and letters herein, enclosed please find the three executed copies of assignment of water permit by Mr. Pointner to Mr. Bentz, and three executed Application for Amendment of Point of Diversion. Would you please file these and advise as to the date of filing. If there are any charges, please advise and we will immediately remit.

Yours very truly,


HERBERT NAGEL

HN:s1m

Enclosures)6(

32322

April 22, 1965

Re: Permit No. G-32322
Henry R. Bents & Robert C. Pointner

Mr. Herbert Nagel,
Attorney at Law,
211 Wiggett Building,
Cosur d'Alene, Idaho.

Dear Mr. Nagel:

We enclose Permit No. G-32322 in which we direct
your attention to the limitations and conditions as given on the
fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-9213
which was issued covering payment in the amount of \$ 5.75
for the filing fee of the above mentioned permit.

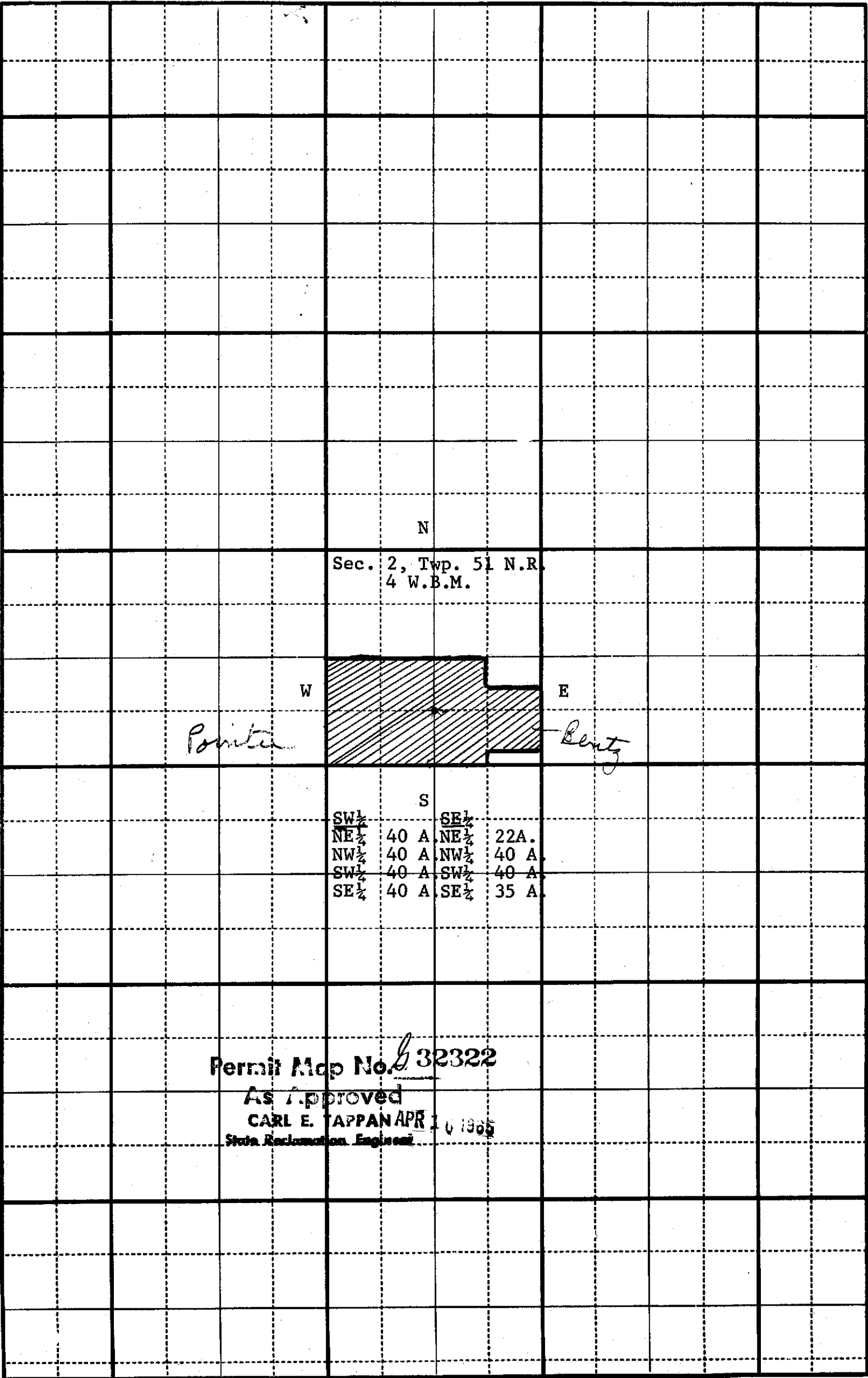
Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Henry R. Bents
Hayden Lake, Idaho

32322



Permit Map No. 32322
As Approved
CARL E. TAPPAN APR 10 1965
State Reclamation Engineer

32322

LAW OFFICE OF
HERBERT NAGEL
COEUR D'ALENE, IDAHO 83814

April 14, 1965

APR 15 1965
Department of Reclamation

Department of Reclamation
State of Idaho
107 State House
Boise, Idaho 83701

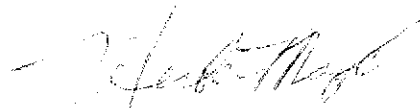
Attention: Mr. Ralph W. Thomas, Deputy

Re: Application for Permit
Bentz and Pointner

Dear Mr. Thomas:

Pursuant to your letter of April 12, 1965,
enclosed herein please find my check in the
amount of \$5.75, permit fee for the above
named applicants.

Yours very truly,


HERBERT NAGEL

HN:slm

Enclosure

32222

April 12, 1965

Re: Application for Permit
Bentz and Pointer

Herbert Nagel
Attorney at Law
Coeur d'Alene, Idaho 83814

Dear Mr. Nagel:

Returned herewith is the \$5.00 check received with
the application for permit.

The fee for 1800 GPM or 4.0 c.f.s. is \$5.75. See
Back page of the application form or instructions sent to you with
application forms.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

32322

LAW OFFICE OF
HERBERT NAGEL
COEUR D'ALENE, IDAHO 83814

April 9, 1965

RECEIVED
APR 12 1965

DEPT. OF RECLAMATION

Bureau of Reclamation
State of Idaho
Boise, Idaho

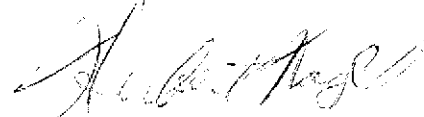
Gentlemen:

Enclosed please find application for permit to appropriate subterranean waters for and on behalf of Henry R. Bentz and Robert Campbell Pointner, together with my check in the amount of \$5.00, which we understand is the permit fee.

We hope that everything is in order herein. The Well driller is very anxious to commence operations and both Mr. Pointner and Mr. Bentz are anxious to receive the return of the permit as soon as reasonably possible.

Whatever you can do to expedite this will be greatly appreciated.

Yours very truly,



HERBERT NAGEL

HN:slm

Enclosures

32322