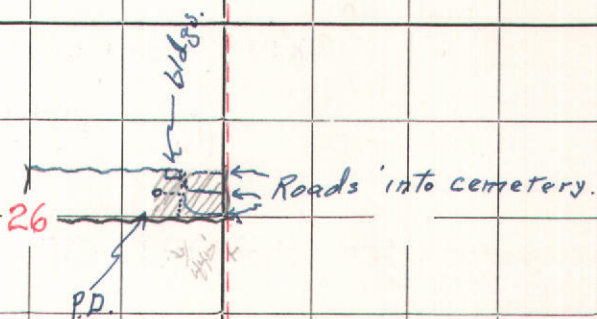


R-4W.

T.
51
N.

divides 60' apart 5 on North Side
4 on South Side



Subdivision = One

Area = 15 acres.

Q = 15" or
.3 cfs.

4 = 205' no dd.

221' x 30"

15' x 110' x 70' x 550' = 15'

212
138
350

403 Lakeside

Mr Peck

Reda Submersible

9) 300 gpm.
23

16' x 30" d. ceg in bottom

brick lining from there to

Top.

4" column.

Judygraf - drilled

15 hp. motor

Submersible

Sterling Sigmund

one of owners.

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.

RECEIVED
MAR 27 1959

Department of Reclamation

No. 45072

Restlawn Memorial Park, Inc. (M.C. Bailey, Mgr. Sec-Treas.)
221 E. Garden

Coeur d'Alene, Idaho

Permit No. 26527

Examination for Completion of Works & Beneficial Use

County Kootenai

26-51N-4W.

Q = 0.8 c.f.s.

Bill Flook.

S = Well

P.D. = S2S2NE4 Sec. 26, T51N.-R.4W.

actually about 20"

Use = Irrigation

Hawkins & Miller attys.

320-321 suggests Bldg.

Wm S. Hawkins

Filed = Sept. 10, 1956.

Dec = Sept. 24, 1958.

no other right

Well as in a pit-top is placed with ground surface - Flat wood cover approx. 8' x 9' x 7 1/2" covered with green composition paper.

632220 AB Control Switch
250V. 60A.

Large tank 6' 1/2 x 3' 1/2 d. in pit. Bricked up compartment for pump.

Submersible pump

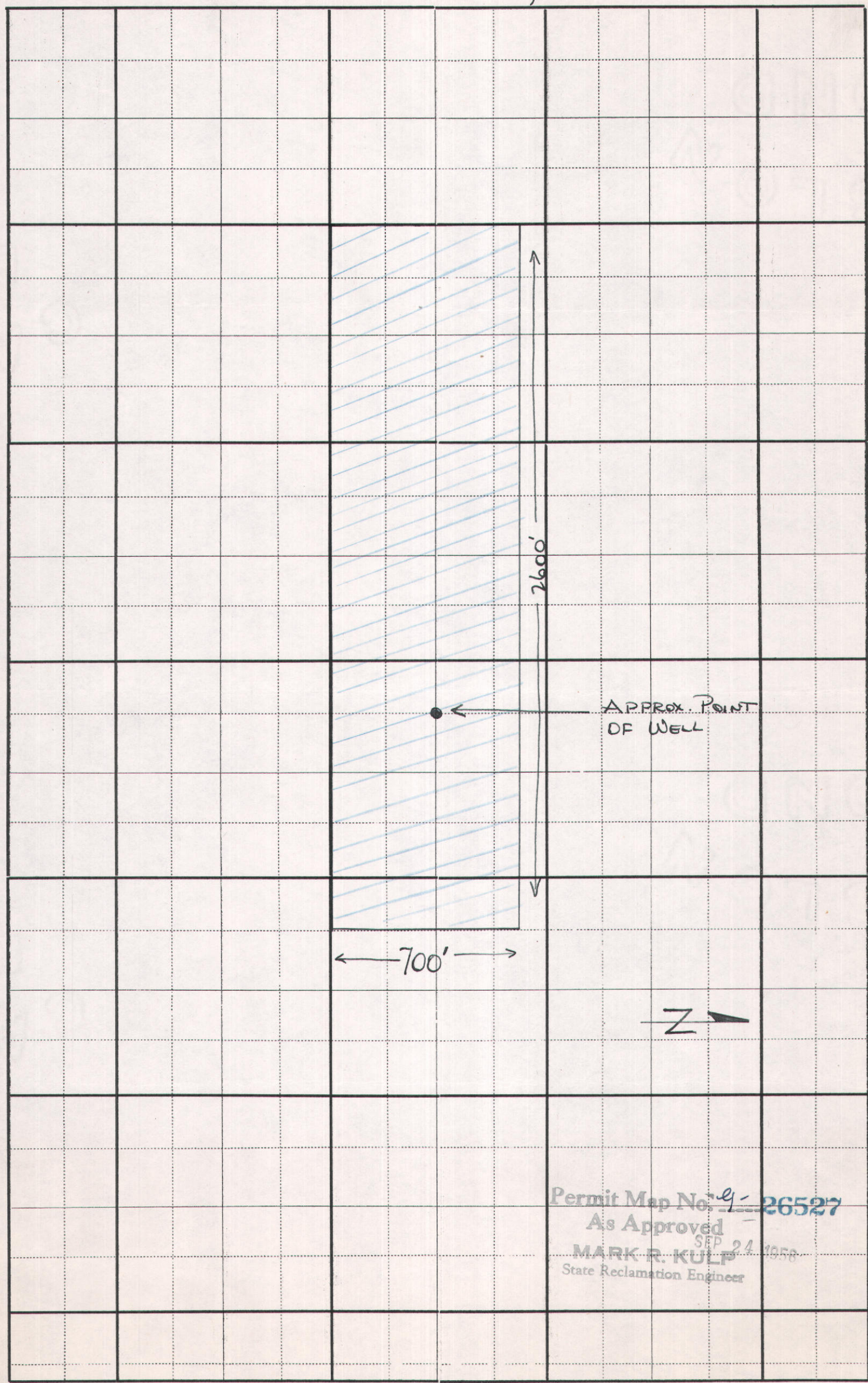
4" steel pipe line

15 1/2' per 3" x 30' al. pipe lines
10' per 2" x 30'

26 Buckner 1/4" x 3/32 nozzles.

NAME OF APPLICANT RESTTOWN MEMORIAL PARK, IN

Form No. 0



Permit Map No. g-26527
As Approved
SEP 24 1958
MARK R. KULP
State Reclamation Engineer

SCALE: 2-INCHES EQUAL 1-MILE. DRAW PLAN IN INK.

26527

State of Idaho

License and Certificate of Water Right

Water License No. G-26527Amount 0.3 c.f.s.

Water District No. _____

Priority Sept/ 10, 1956

THIS IS TO CERTIFY that RESTLAWN MEMORIAL PARK, Inc.
 of Coeur d'Alene, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated Sept. 10, 1956; that Permit No. G-26527
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.3 second feet, was issued thereunder on April 6, 1959, showing that said works
 were completed on the 30 day of December, 1958; and that on the 30
 day of December, 1958, RESTLAWN MEMORIAL PARK, Inc.

of Coeur d'Alene, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of a well
_____, a tributary of subterranean, for the purpose of irrigation
_____, under Use Permit No. G-26527 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6628, on the 6 day of April, 1959;
 The right hereby confirmed dates from September 10, 1956;

The Point of Diversion is located S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$
 in the $\frac{1}{4}$ $\frac{1}{4}$, Sec. 26, Tp. 51N, R. 4 W., B. M. _____ County Kootenai

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 0.3 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
51 N.	4 W.	26	SE $\frac{1}{4}$ NE $\frac{1}{4}$	20	<u>15</u>
			Total Number of Acres Irrigated:		15

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
6th day of April, 1959.

GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 26303

Amount .28 c.f.s.

Water District No.

Priority April 18, 1956

THIS IS TO CERTIFY that S. A. LARSEN, Assignee V. C. PETTIGREW
 of Midvale, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated April 18, 1956; that Permit No. 26303
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 .4 second feet, was issued thereunder on March 10, 1958, showing that said works
 were completed on the 26 day of February, 1958; and that on the 26
 day of February, 1958, S. A. LARSEN, Assignee, V. C. PETTIGREW

of Midvale, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of a spring &
 over-night storage pond, a tributary of, for the purpose of irrigation and Stock
 water use, under Use Permit No. 26303 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
 11 of Licenses at page 6627, on the 1 day of April, 1959;

The right hereby confirmed dates from April 18, 1956;

The Point of Diversion is located

in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, Tp. 13 N, R. 4 W., B. M. County Washington

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed .28 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 N	4 W	13	SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	21
			Total Number of Acres Irrigated:		21

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

1st day of April, 1959.

s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

95-2123

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34432
Permit No. G- 26527
District No.

Gee & Hargraves
Box 125
Pocatello, Idaho

1. Name of Applicant: RESTLAWN MEMORIAL PARK, Inc.
Postoffice address: Coeur d'Alene County: Kootenai State: Idaho
2. Quantity of water claimed: 40 inches
 - (a) Rate of withdrawal in cubic feet per second 0.8 or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Well (Dug) (Cased) (Pump)
4. Location of point of diversion or well is in the S $\frac{1}{2}$ S $\frac{1}{2}$ ~~NE~~ of the NE $\frac{1}{4}$ of Section 26
Twp. 51 N , Rge. 4 W. , B.M., County of Kootenai
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: Well, pump, sprinklers
8. Estimated cost of works: \$ 5,000.00
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 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation: 4/10/55 - Pocatello, Idaho
(b) Amount of capital stock: \$ 50,000.00 (c) Amount paid in: \$ 50,000.00
(d) Names and addresses of directors: Ray L. Andrews, Pocatello, Idaho; Merrill K. Gee, Pocatello, Idaho
Sterling Sigman, Pocatello, Idaho; and George W. Hargraves, Pocatello, Idaho
 - II. The financial resources of the applicant are (a) Cash on hand: \$ 1,500.00
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources: See Remarks
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) (cubic feet per second, inches or gallons per minute) is for new lands.

PERMIT NO. G-26527
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that RESTLAWN MEMORIAL PARK, Inc., of Coeur d'Alene, County of Kootenai, and State of Idaho, the holder of Permit No. G-26527, issued upon Application No. 34432 bearing date of priority of September 10, 1956, authorizing the diversion of 0.8 second feet of waters of a well, County of Kootenai, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.3 second feet of the waters of a well, that the point of diversion of said waters $S\frac{1}{2}S\frac{1}{2}NE\frac{1}{4}$, Sec. 26, T. 51 N., R. 4 W., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 15 acres in the $S\frac{1}{2}NE\frac{1}{4}$, Sec. 26, T. 51 N., R. 4 W., B. M.

Witness my hand this 6th day of April, A. D. 1959.

s/ GEO. N. CARTER
State Reclamation Engineer

Proof of Completion of Works Made: December 30, 1958

LICENSE ISSUED FOR 0.3 SEC. FL.

Page 6628

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement)
of Permit No. G- 26527 Under the)
Provisions of Section 42-311 Idaho)
Code)

ORDER REINSTATING PERMIT

WHEREAS, Permit No. G-26527 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: September 24, 1958; and,

WHEREAS, On the 30 day of October, 1958 notice to show cause why said permit should not be cancelled, under the provisions of Section 42-311, Idaho Code, was duly served on the holder of said permit; and,

WHEREAS, On the 26 day of November, 1958 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 7 day of January, 1959 depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,

WHEREAS, After examination of the said depositions, the State Reclamation Engineer of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. G-26527, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. G-26527 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 9 day of April, 1959.



State Reclamation Engineer

D 26527

April 6, 1959

Re: Permit G-26527

Mr. M. C. Bailey, Sec.-Treas.
Restlawn Memorial Park, Inc.
221 E. Garden
Coeur d'Alene, Idaho

Dear Mr. Bailey:

Enclosed are Certificate of Completion of Works
and License and Certificate of Water Right issued on Permit
No. G-26527.

We also enclose receipt No. G-3956 in the amount
of \$7.00 covering fees on the above certificates.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Chief Clerk

EPR:ew

Enclosures

cc: Geo. W. Hargraves
Attorney at Law

26527

March 31, 1959

Re: Permit No. G-26527
Restlawn Memorial Park, Inc.

Mr. George W. Hargraves
Attorney at Law
Pocatello, Idaho

Dear Mr. Hargraves:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-26527, shows the well is capable of conveying 16 miner's inches (.3 c.f.s.) of water for irrigation of 15 acres.

Upon receipt of the statutory fees, totaling \$7.00, we will issue the Certificate of Completion of Works (\$5.00 fee) and the License and Certificate of Water Right (fee \$2.00- based on the rate of \$2.00 for each 40-acre subdivision) confirming the right with priority of September 10, 1956, to the use of .3 second feet of subterranean water, with the point of diversion in the S₄SE₄NE₄ for irrigation of 15 acres of land in the S₄NE₄, Sec. 26, T. 51 N., R. 4 W., B. M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Chief Clerk

EPR:ew

cc: M.C. Bailey, Sec.-Treas.
Restlawn Memorial Park, Inc.

D26527

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26527

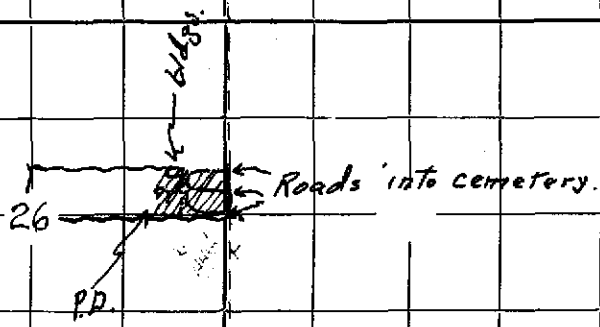
REPORT ON PROOF OF Completion of Works & Beneficial Use

Restlawn Memorial Park, Inc., Coeur d'Alene, Idaho
M. C. Bailey, Secy-Treasurer

R-4W.

T.
51
N.

North line
5 mi
4 mi
South line



Subdivision = One
Area = 15 acres
Q = 15" or
.3 cfs.

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

Permit No. G-26527

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Restlawn Memorial Park, Inc.,

2. Source of water supply: Well (Dug) (Cased) (Pump)

3. Location of point of diversion: Is in the S¹/2 S¹/2 NE¹/4 of Section 26

T. 51 N R. 4 W., B.M. County of Kootenai

4. Describe works as they exist, giving dimensions and capacities of same: Hand dug well.
22 1/2' x 30" dia. 16' of steel casing in bottom, balance in brick
masonry to level of ground surface. There is a pit 9' x 9' x 7 1/2' h. concrete
with wood cover on top of well. There is a 15 hp. Reda Submersible
pump in bottom of well. 4" = 205' 4" column. Large steel
pressure tank in pit 6' x 5' dia.

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):

40 acres in S¹/2 NE¹/4 of Sec. 26., Twp. 51 N., Rge. 4 W., B. M.

There is a 4" buried steel line as indicated by dots
A portable Aluminum lateral of 3" and 2" lines
with 26 nozzles is used to irrigate approx. 15 acres.
Part of this has not yet been seeded to grass but
has been irrigated and in process of being reclaimed
from brush.

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

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

Remarks: _____

This is an irrigation system for a cemetery.
One with greater capacity should have been
installed.

This examination was made on the 25 day of March, 1959

(Signed) E. H. Humphrey Examiner.

S26527

4 = 205" no del.

221' x 30"

$$\frac{15 \times 110 \times 70 \times 550}{212} = 15'$$

$$\frac{212}{138} = 350$$

403 Lakeview #2

Mr Peck

Rada Submersible

9) 300 rpm.

16' x 30" d. ceg in bottom

brick lining from there to top.

4" column.

Jackup = driller

15 hp. motor

Submersible

Sterling Sigmund
one of owners.

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.

RECEIVED
MAR 27 1959

Department of Reclamation

45072

Bestlawn Memorial Park, Inc.

Coeur d'Alene, Idaho

Permit No. Q-26527

Examination for Completion of Works & Beneficial Use

County... Kootenai 26-51N-4W.

Q = 0.8 c.f.s

Bill Flook.

S = Well

P.D. = S2S2NE4 Sec. 26, T51N.-R.4W.

actually about 20"

Use = Irrigation

Hammer & Mallet

320-331

Wm S. Hamilton

Filed = Sept. 10, 1956.

Done = Sept. 24, 1958.

no other right

J. C. Bailey, Mgr. Sec-Treas.)

121 E. Garden

Well in m & put-top is black with ground surface - flat wood cover approx. 9' x 9' 1/2" covered with green composition paper.

632220 A B Control building

220V. 60a.

Large tank 6' x 5' 1/2" in pit. Bricked up compartment for pump.

Submersible pump

4" steel pipe line

15 1/2' per 3" x 30' al. pipe lines

10' per 2" x 30'

26 Buckner 1/4" x 3/32" nozzles.

January 7, 1959

RE: Permit No. G-26527
Restlawn Memorial Park, Inc.

Mr. M. C. Bailey
Secretary-Treasurer
421 E. Garden
Coeur d'Alene, Idaho

Dear Mr. Bailey:

We acknowledge receipt of the Depositions of the Holder and two witnesses, also affidavit of publication in The Rathdrum Tribune, all submitted in proof of completion of works and beneficial use on Permit No. G-26527.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR

26527

HAWKINS & MILLER
ATTORNEYS-AT-LAW
320-321 WICGETT BLDG.
COEUR D'ALENE, IDAHO

WM. S. HAWKINS
E. L. MILLER

January 5, 1959

RECEIVED
JAN 7 1959
Department of Reclamation

Department of Reclamation
State House
State of Idaho
Boise, Idaho

Gentlemen:

RE: PERMIT NUMBER G-26527
RESTLAWN MEMORIAL PARK, INC.

I am enclosing herewith the Affidavit of Publication, together with the Deposition of the Holder, and the Depositions of two witnesses, all properly executed and notarized. These depositions were made before me pursuant to the notice.

The cost of publication has been paid. If there are any questions in connection with this matter, please do not hesitate to write to me.

Respectfully,



WSH/aah
Enclosures (4)

P 26527

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JAN 7 1959
Department of Reclamation

Permit No. 9-26527

Proof of Application of Water to Beneficial Use

Deposition of Holder and Completion of Works

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. M. C. BAILEY, 421 E. Garden, Manager - Secy-Treas. Restlawn Memorial Park, Inc., Coeur d'Alene, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. RESTLAWN MEMORIAL PARK, INC., Coeur d'Alene, Idaho
Mgr.-Secy-Treas. - authorized by Board of Directors

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans.

G 26527 - September 24, 1956 - ^{Sept. 10} November 24, 1956

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Ground - S¹/₂ of S¹/₂ of NE¹/₄, Sec. 26, Twp. 51 North, Range 4
W. B. M., Kootenai County, Idaho.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Hand dug well. 600 gallons per minute, conducted by pipe from well which is 221 feet deep, 30-inch steel casing, depth to water: 205 feet; test-pumped to 500 gallons per minute by open discharge. Measured by meter. Has 17 double heads 3/32 - 11/64, and 12 single heads 3/16. (More to be added later as cemetery developed). Operating pressure about 175 gallons per minute - 35 lbs. pressure.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Cemetery development and maintenance. It is dry land, in S² NE¹/₄ Sec. 26, T. 51 N. - R. 4 W. B. M.

B26527

717

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. --

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. --

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. --

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Since Nov. 1956, by means of a pump in the well water has been distributed at about 175 gallons per minute as needed to maintain cemetery. Water is used for other incidental purposes in maintenance of cemetery.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. --

(Sign)

M. C. Bailey

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Coeur d'Alene, County of Kootenai, State of Idaho, on this 30th day of December, A. D. 1958.

W. A. Hawkins
Notary Public for Idaho, residing
at Coeur d'Alene. My commission
expires: 9-11-62.

My commission expires

26527

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JAN 7 1959
Department of Reclamation

Permit No. G-26527

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.
OLIVER F. ZINKGRAF, age 58, well-drilling contractor, E 1606
Ans. Sharp Avenue, Spokane, Washington.

Ques. 2. Are you acquainted with Restlawn Memorial Park, Inc., the holder of Permit No. G-26527? How long have you known him and where does he reside?

Ans. Yes. More than four years. Coeur d'Alene, Idaho.

Ques. 3. Have you read or heard read said Permit No. G26527, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Ground water supply. S $\frac{1}{2}$ of S $\frac{1}{2}$ of NE $\frac{1}{4}$, Sec. 26, Twp. 51, N. R. 4 W.B.M., Kootenai County, Idaho. Dug well, operated by pumps and pipelines.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Safely 600 gallons per minute -- have seen 175 gallons per min.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 175 gallons. By the number of sprinkler heads, their capacity; aided by 35 years of experience in matters of this kind.

G26527

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation -- principally for watering lawn for cemetery purposes on land described in answer to Question 4. This is dry land and improvements are for cemetery purposes.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. --

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. This is dry land. It is not reclaimed and will require sufficient water to keep area green and presentable.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I supervised the digging of the well. I have seen it operate and the water distributed over the area above described and for the purposes above mentioned.

(Signed) Oliver B. Bingham

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Coeur d'Alene, County of Kootenai, State of Idaho, on this 30th day of December, A. D. 19 58.

My commission expires 9-11-62

W. S. Bingham
Notary Public.
for Idaho, residing at Coeur d'Alene.

826527

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JAN 7 1959
Department of Reclamation

Permit No. G-26527

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. GERALD E. KIRK, age 49, radio and TV service, 1905 Coeur d'Alene, Idaho, Box 6

Ques. 2. Are you acquainted with RESTLAWN MEMORIAL PARK, INC., the holder of Permit No. G-26527? How long have you known him and where does he reside?

Ans. Yes - 2 years.

Ques. 3. Have you read or heard read said Permit No., and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Ground water supply. S $\frac{1}{2}$ of S $\frac{1}{2}$ of NE $\frac{1}{4}$, Sec. 26, Twp. 51, N. R. 4 W.B.M., Kootenai County, Idaho. Dug well, operated by pumps and pipelines.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Safely 600 gallons per minute -- have seen 175 gallons per min.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 175 gallons. By the number of sprinkler heads, their capacity:

G26527

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation -- principally for watering lawn for cemetery purposes on land described in answer to Question 4. This is dry land and improvements are for cemetery purposes.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. --

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. This is dry land. It is not reclaimed and will require sufficient water to keep area green and presentable.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. In September, 1956, by personal observation on a nearly daily basis. I have witnessed the operation of the well, pump and distribution system for watering and irrigating the cemetery area.

(Signed)

Gerald E. Kist

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Coeur d'Alene, County of Kootenai, State of Idaho, on this 30 day of December, A. D. 1958.

W. S. Shuchman

Notary Public.

for Idaho, residing at Coeur d'Alene.

My commission expires 9-11-62.

26527

NOTICE OF PROOF OF COMPLETION OF WORKS

and

Application of Water to Beneficial Use

Notice is hereby given that 10:00 A.M. on the 26th day of December, 1958, at Coeur d'Alene, County of Kootenai, State of Idaho, before Wm. S. Hawkins, Notary Public, at the Wiggett Bldg., proof will be submitted of the completion of works for the diversion of 0.8 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 626527 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Restlawn Memorial Park, Inc.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which such works are capable of conveying to the place of use is 0.8 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 0.8 cubic feet per second.

4. The point of diversion of said water is Sec. 26, Twp. 51 N. Rge. 3 W.B.M.

5. The place where said water is used is Sec. 26, Twp. 51 N. Rge. 4 W.B.M.

6. The date of priority which said user is prepared to establish is September 10, 1956.

GEO. N. CARTER

State Reclamation Engineer

Pub. Dec. 5, 1958, 12/23/1958

AFFIDAVIT OF PUBLICATION

Plaintiff

VS.

Defendant

State of Idaho,

County of Kootenai

I, Charles M. Culp, of said Kootenai County, being duly sworn, deposes and says as follows:

I. I am a citizen of the United States, and at all times hereinafter mentioned was over eighteen years of age, and am not a party to the above entitled action, and in no wise interested in it.

II. I am and at all the said times was the publisher and proprietor of THE RATHDRUM TRIBUNE, a newspaper printed and published in the Town of Rathdrum, County of Kootenai, State of Idaho, and of general circulation in said county and state.

III. The Notice of Proof of Completion of Works of which the annexed is a printed copy was published in said newspaper at least once a week for four consecutive weeks, commencing on the 6th day of November, 1958, and ending on the 26th day of November, 1958, and that the same was published in the newspaper proper and not in a supplement thereof.

Subscribed and sworn to before me this 2nd day of January, 1959.

826527

RECEIVED
JAN 7 1959
Department of Reclamation

Notary Public
NOTARY PUBLIC for the State of Idaho
residing at Rathdrum, Idaho
My Commission Expires October 11, 1961

THE RATHDRUM TRIBUNE

CULP BROS., PUBLISHERS

Established June 1, 1895

Rathdrum, Idaho

RECEIVED
DEC 4 1958
Department of Reclamation

December 1, 1958

State of Idaho
Department of Reclamation
Mr. Ralph W. Thomas, Office Engineer
Boise, Idaho

Re: Permit No. G-26527
Restlawn Memorial Park
Inc.

Dear Mr. Thomas:

Notice for publication has been received and will be published as directed once a week for four consecutive ~~weeks~~ in The Rathdrum Tribune, beginning with the issue of December 5 and ending with December 26.

Copy or tear-sheet will be mailed to you promptly, showing first publication.

Very truly yours,

Culp Brothers

By J. H. Culp

S26527

November 26, 1958

Re: Permit No. G-26527
Restlawn Memorial Park, Inc.

Hawkins & Miller
Attorneys At Law
320-321 Wiggett Bldg.
Coeur D'Alene, Idaho

Attention: Wm. S. Hawkins

Dear Mr. Hawkins:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use, under Permit No. G-26527, in the name of Restlawn Memorial Park, Inc. Final proof is to be made before you, as Notary, on the 30th day of December, 1958, at 10:00 A. M., at Coeur D'Alene, Idaho.

As of this date we have mailed the Notice to the Rathdrum Tribune, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then to mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed on behalf of the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions (Holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Office Engineer

RWT/lw
Encls (3)
cc: M. C. Bailey, Manager
Restlawn Memorial Park, Inc.
Coeur D'Alene, Idaho

D26527

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G-26527
Restlawn Memorial Park, Inc.

Date: November 26, 1958

Rathdrum Tribune
Rathdrum, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to December 30, 1958 the date set for proof; the expense of the publication is to be paid by the applicant's Attorney

Wm. S. Hawkins of 320 Wiggett Bldg, Coeur D'Alene, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear-sheet of the first publication.**

Very truly yours,

Geo. N. Carter
State Reclamation Engineer
By

Ralph W. Thomas
Office Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

RWT/lw

26527

RECEIVED
NOV 26 1958

Department of Reclamation

HAWKINS & MILLER
ATTORNEYS-AT-LAW
320-321 WIGGETT BLDG.
COEUR D'ALENE, IDAHO

November 25, 1958

WM. S. HAWKINS
E. L. MILLER

State of Idaho Dep't of Reclamation
State House
Boise, Idaho

Gentleman:

RE: APPLICATION NO. G34432
PERMIT NO. G 26527 - HESTLAWN MEMORIAL PARK, INC.

I am enclosing herewith the Notice of Proof of Completion of Works, properly completed and authorization for publication. If anything further is required in this connection, will you please advise.

We are in receipt of your notice on the show cause proceedings. Will it be necessary under the circumstances for them to appear?

The water is used for purposes of irrigating a cemetery, which is well under way and has had many internments. There has been some neglect in connection with this matter, but I trust it will not be prejudicial to the interests of the applicant.

Let me know if there is anything further required and it will be promptly submitted.

Thank you for your cooperation.

Respectfully,

W. S. Hawkins

WSH/aah
Enclosure

S 26527

RECEIVED
NOV 26 1958
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November 25, 1958
(P. O.) Coeur d'Alene, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

Rathdrum Tribune of Rathdrum, Idaho, published in
the county in which the works are situated Kootenai Co.

RESTLAWN MEMORIAL PARK, INC.

By M. C. Bailey Mgr.

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

126527

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that 10:00A.M., on the 30th day of December,
1958, at Coeur d'Alene, County of Kootenai, State of Idaho,
before Wm. S. Hawkins, Notary Public, at (address) 320 Wiggert
Bldg., proof will be submitted of the completion
of works for the diversion of 0.8 cubic feet per second of underground
water from a well, and of the application to beneficial use of said water,
in accordance with the terms and conditions of Permit No. G-26527 heretofore
issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding
said permit is Restlawn Memorial Park, Inc.

2. Said works of diversion will be fully completed on the date set for
such completion, and the amount of water which said works are capable of con-
veying to the place of use is 0.8 cubic feet per second.

3. The use to which said water has been applied is Irrigation
purposes, and the amount applied to beneficial use is
0.8 cubic feet per second.

4. The point of diversion of said water is S. 1/4 Sec. 26, Twp. 51 N.
Rge. 4 W.B.M.

5. The place where said water is used is S. 1/4 Sec. 26, Twp. 51 N.
Rge. 4 W.B.M.

6. The date of priority which said user is prepared to establish is
September 10, 1956.

26527

Geo. N. Carter
State Reclamation Engineer

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that 10 A.M., on the day of December,
19 58, at Coeur d'Alene, County of Kootenai, State of Idaho,
before Wm. S. Hawkins, Notary Public, at (address) 320 Wiggett
Bldg., proof will be submitted of the completion
of works for the diversion of 40 in. ~~cubic feet per second~~ of underground
water from a well, and of the application to beneficial use of said water,
in accordance with the terms and conditions of Permit No. G26527 heretofore
issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding
said permit are Restlawn Memorial Park, Inc.

2. Said works of diversion will be fully completed on the date set for
such completion, and the amount of water which said works are capable of con-
veying to the place of use is 40 in. ~~cubic feet per second~~ of water.

3. The use to which said water has been applied is irrigation
 purposes, and the amount applied to beneficial use is
40 inches ~~cubic feet per second~~.

4. The point of diversion of said water is S $\frac{1}{2}$ of S $\frac{1}{2}$ of NE $\frac{1}{4}$ Sec. 26,
Twp. 51 N. Range 4 W.B.M., Kootenai County, Idaho

5. The place where said water is used is S $\frac{1}{2}$ of S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of
Section 26, Twp. 51 N. Range 4 W.B.M., Kootenai County, Idaho.

6. The date of priority which said user is prepared to establish is
September 24, 1956.

G26527

RECEIVED
 NOV 26 1958
 Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS
 and
 APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that 10 A. M., on the 30 day of December, 1958, at Coeur d'Alene, County of Kootenai, State of Idaho, before Wm. S. Hawkins, Notary Public, at (address) 320 Wiggett Bldg., proof will be submitted of the completion of works for the diversion of 0.8 c.f.s. ~~40 in. surface per second~~ of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G26527 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Restlawn Memorial Park, Inc.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.8 c.f.s. ~~40 in. surface per second~~.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 0.8 c.f.s. ~~40 inches surface per second~~.

4. The point of diversion of said water is S $\frac{1}{2}$ of S $\frac{1}{2}$ of NE $\frac{1}{4}$ Sec. 26,
Twp. 51 N. Range 4 W.B.M., Kootenai County, Idaho

5. The place where said water is used is S $\frac{1}{2}$ of S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of
Section 26, Twp. 51 N. Range 4 W.B.M., Kootenai County, Idaho.

6. The date of priority which said user is prepared to establish is September 10, 1956.

G26527

State Reclamation Engineer

DELIVERING
EMPLOYEE

☐ Deliver ONLY to addressee
☐ Show address where delivered

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this return receipt.

1 *Ernest Libby*
(Signature or name of addressee)

2 _____
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery NOV - 1 - 1955

Form 3811
Rev. 4-54

U. S. GOVERNMENT PRINTING OFFICE 16-72321-2

26527

Post Office Department
OFFICIAL BUSINESS



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

10 P M



9-26527

Return to Department of Reclamation
(NAME OF SENDER)

Street and Number,
or Post Office Box,

Room 107 Statehouse,

REGISTERED ARTICLE

No.

19740
INSURED PARCEL

No.

BOISE,

9-26527

IDAHO.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 26527

October 30, 19 58

To Restlawn Memoria 1 Park, Inc.

Coeur D'Alene, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 26527 to appropriate the Public Waters of the State of Idaho, have not been complied with as to _____

Completion of Works & Beneficial Use Proofs which were due September 24, 1958

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 26527 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

Said PERMIT NO. G- 26527 claims the use of 0.8 cubic feet per second of the Subterranean Waters of a well with point of diversion located S1S1NE1/4 Sec. 26, Twp. 51 North, Rge. 4 E.B.M., was approved September 24, 1956.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the 30th day of October, 19 58

cc: George W. Hargraves
Attorney At Law
Pocatello, Idaho

Geo. W. Hargraves
State Reclamation Engineer

26527

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

RE: Permit No. G-26527

Date July 1, 1958

**Restlawn Memorial Park, Inc.
Coeur d'Alene,
Idaho**

Dear Sir:

The date for proofs of completion of works and application of water to beneficial use, as set out under the terms of Permit No. G-26527 are due not later than September 24, 1958.

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list which has been recorded in this department. If changes have been made on no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least forty (40) days before the above mentioned date, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point or points of diversion; and the location of use or the lands which are irrigated--all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with Form 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named and before the notary public, as advertised in the publication notice.

Very truly yours,

GEORGE W. CARTER
MARKER, JR.

State Reclamation Engineer

Enclosures

**Note: Copy of this notice sent to:
George W. Hargraves
Attorney At Law
P. O. Box 125
Pocatello, Idaho**

D26527

October 10, 1956

RE: Permit No. G-26527

Messrs. Gee and Hargraves
No 4 Parkview Court
746 East Center
Pocatello, Idaho

ATTENTION: Mr. G. W. Hargraves

Dear Mr. Hargraves:

We enclose Permit No. G-26527 of the Restlawn Memorial Park, Inc., and direct attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

You will note that we have allowed two years, or until September 24, 1958, within which to make the proofs of completion of works and beneficial use. However, these proofs may be made at any earlier date that applicant is prepared to make same and we shall be glad to furnish the necessary forms and instruction upon request.

We also enclose departmental receipt No. G-2128 for the \$5.00 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

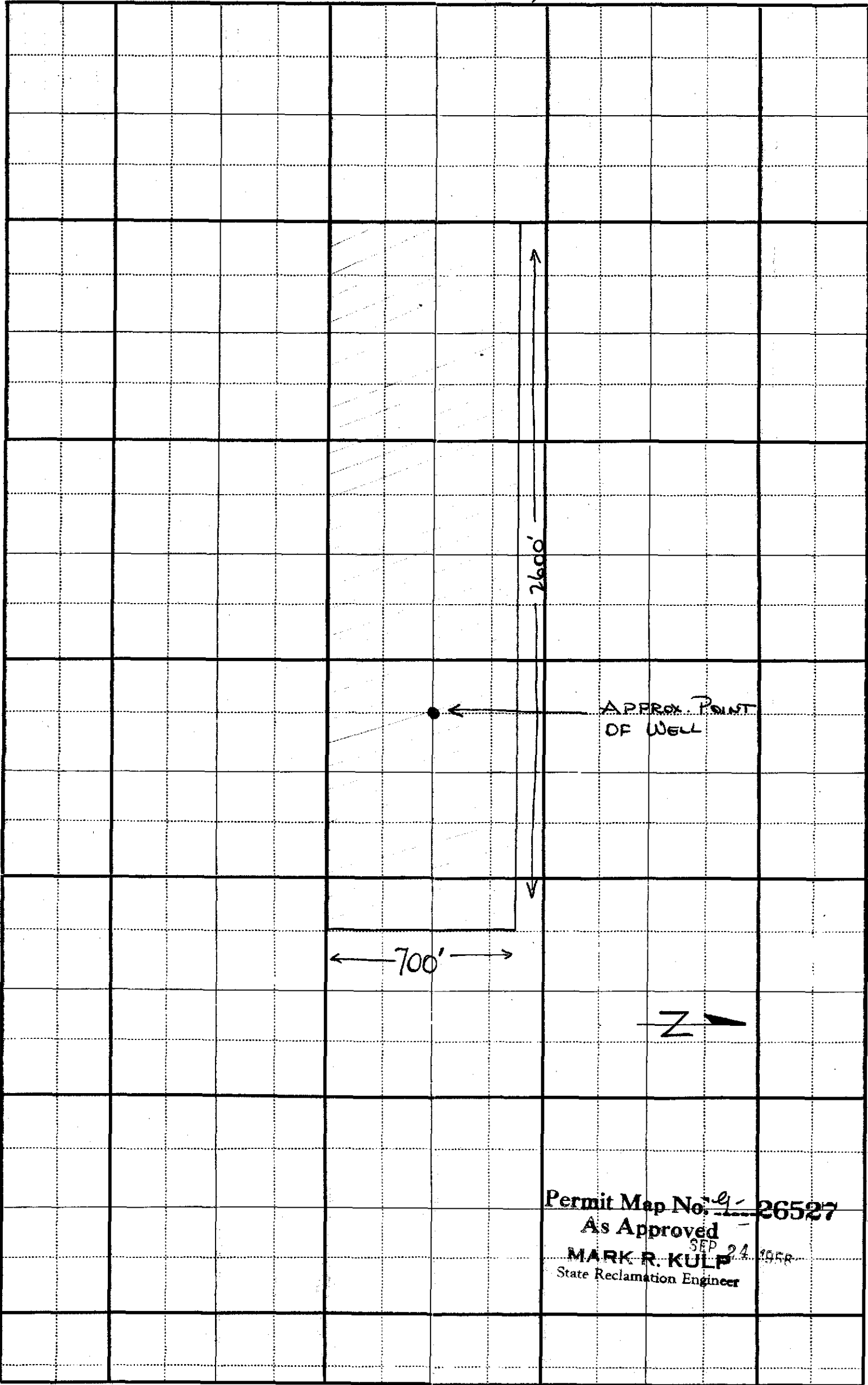
G26527

Chief Clerk

R:hl
Enc.

NAME OF APPLICANT RESTAURANT MEMORIAL PARK, INC.

Form No. 0



Permit Map No. 9-26527
As Approved
SEP 24 1958
MARK R. KULP
State Reclamation Engineer

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

26527

MERRILL K. GEE

GEORGE W. HARGRAVES

LAW OFFICES
GEE & HARGRAVES
NO. 4 PARKVIEW COURT
746 EAST CENTER
POCATELLO, IDAHO

RECEIVED
SEP 10 1956
Department of Reclamation

September 7, 1956

State Department of Reclamation
Boise, Idaho

Gentlemen:

We enclose herewith application for permit and filing fee
in the sum of \$5.00.

If there is any further information we should submit in
connection with this application, kindly let us know.

Very truly yours,

GEE & HARGRAVES

By:

G. W. Hargraves

826527

NOTICE OF PROOF OF COMPLETION OF WORKS
and
Application of Water to Beneficial Use

Notice is hereby given that, 10:00 A.M., on the 30th day of December, 1958, at Coeur d'Alene, County of Bontenai, State of Idaho, before Wm. S. Hawkins, Notary Public, at 320 Wiggatt Bldg., proof will be submitted of the completion of works for the diversion of 0.8 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-26527 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Restlawn Memorial Park, Inc.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which such works are capable of conveying to the place of use is 0.8 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 0.8 cubic feet per second.

4. The point of diversion of said water is S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 26, Twp. 51 N., Rge. 4 W.B.M.

5. The place where said water is used is S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 26, Twp. 51 N., Rge. 4 W.B.M.

6. The date of priority which said user is prepared to establish is September 10, 1958.

GEO. N. CARTER

State Reclamation Engineer

-Pub. Dec. 5, 12, 19, 26, 1958