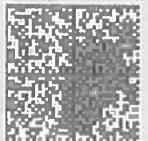


Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED

FIRST CLASS



02 1A
0004310839
JAN 11 2006
MAILED FROM ZIP CODE 83702

\$ 00.630

RECEIVED
JAN 17 2006
DEPARTMENT OF
WATER RESOURCES



77-10089

unk

RUTH WESTBROOK
PO BOX 1104
CALDWELL ID 83606



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 6, 2006

Margaret Vernon
Box 1104
Caldwell, ID 83606

RE: 77-10089

Enclosed is a new map and a preliminary recommendation reflecting the comments you made on the Notice of Error Reply. The water right license that this was based on, had the place of use within lot 4 (SWSE). We have listed 10 acres which was is the amount claimed on the Snake River Adjudication Claim.

Sincerely,

A handwritten signature in black ink, appearing to read 'Knoblock', is written over a horizontal line.

Kenneth Knoblock
Water Resources Agent

03/06/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 77-10089

NAME AND ADDRESS: MARGARET VERNON
PO BOX 1104
CALDWELL ID 83606

RUTH WESTBROOK
PO BOX 1104
CALDWELL ID 83606

SOURCE: ELK CREEK TRIBUTARY: SOUTH FORK SALMON RIVER

QUANTITY: 0.240 CFS

The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 07/01/1923

POINT OF DIVERSION:

T21N R07E S23 NENW Within VALLEY County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	04/01 11/01	0.200 CFS

PLACE OF USE: IRRIGATION Within VALLEY County

T21N R07E S15 Lot 4 SWSE 10.00

DOMESTIC Within VALLEY County

T21N R07E S15 Lot 4 SWSE

10 ACRES TOTAL

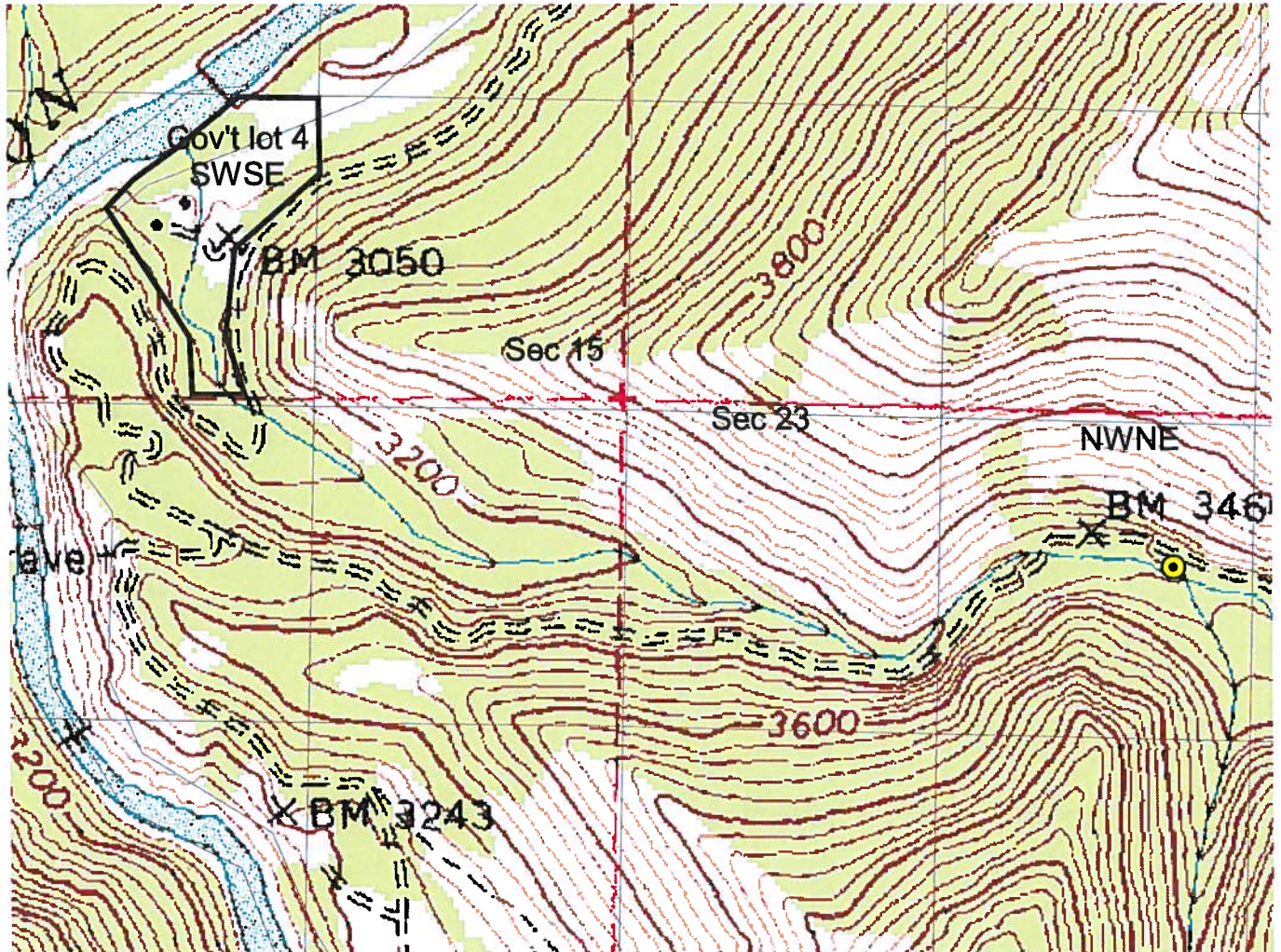
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic use is not
a determination of historical beneficial use.

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

77-10089



0 500 1000 Feet

Sections 15 & 23
T21N R7E



● Point of Diversion

□ Place of Use

Map prepared on March 3, 2006
By Kenneth Knoblock
Idaho Department of Water Resources

01/05/2006

RECEIVED

FEB 09 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 3, 2006

Water right number: 77-10089

MARGARET VERNON
PO BOX 1104
CALDWELL ID 83606
Telephone Number: (208)459-8732

RUTH WESTBROOK
PO BOX 1104
CALDWELL ID 83606
Telephone Number: (208)459-8732

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

The ground north and east (marked in red on the map) between the road and the river.

2. Describe the changes you wish to make in the proposed recommendation:

Add the above described area as part of the non-domestic water use.

3. Give a brief explanation as to why you disagree with these portions:

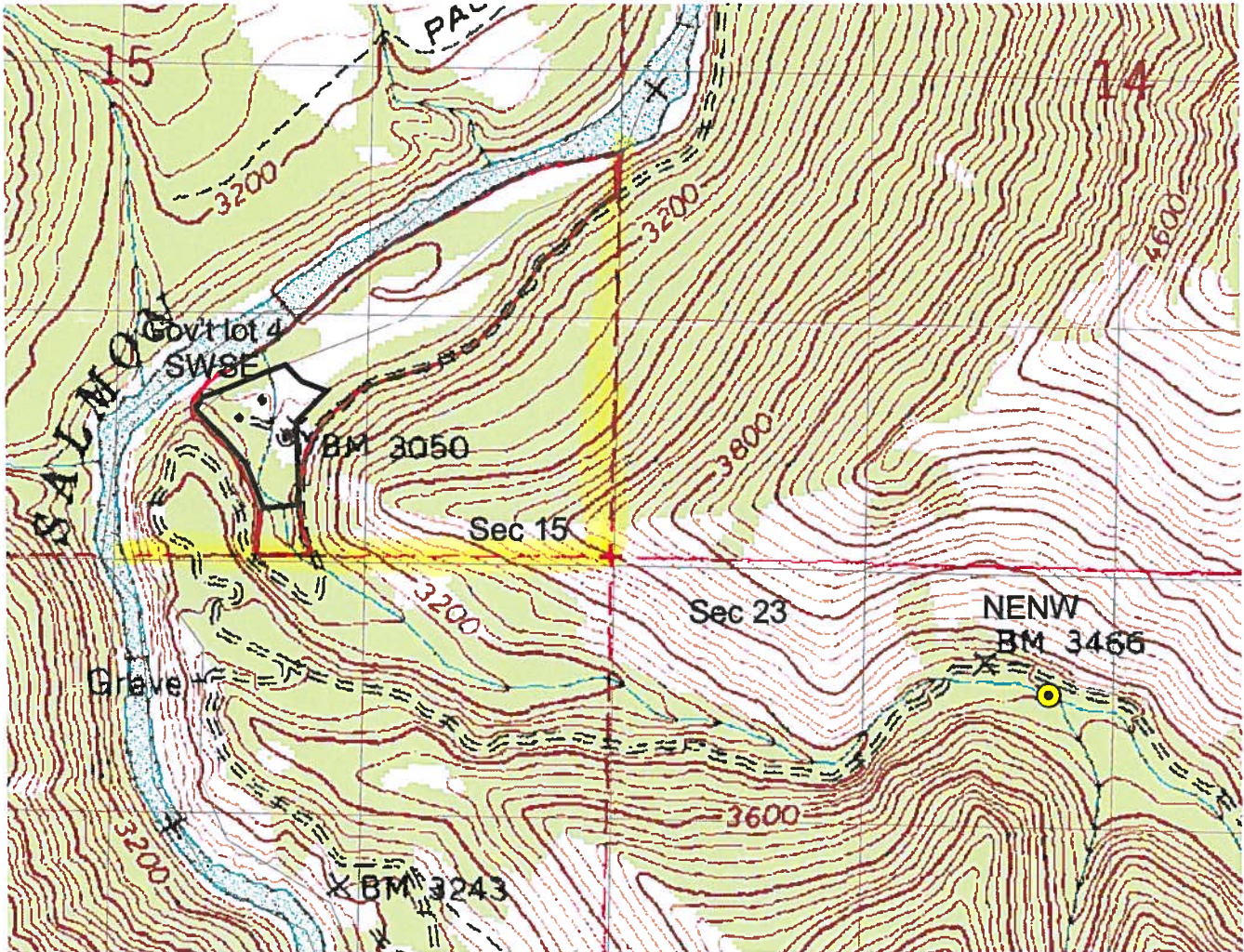
When the property is used for grazing this part has required irrigation. We need enough rights to cover the area.

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 2/8/06 SIGNATURE: Margaret B. Vernon
Please print your name: MARGARET B. VERNON

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

77-10089



0 400 800 Feet

Sections 15 & 23
T21N R7E



● Point of Diversion

□ Place of Use

Map prepared on November 7, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

77-10089

11/07/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 77-10089

NAME AND ADDRESS: MARGARET VERNON
PO BOX 1104
CALDWELL ID 83606

RUTH WESTBROOK
PO BOX 1104
CALDWELL ID 83606

SOURCE: ELK CREEK

TRIBUTARY: SOUTH FORK SALMON RIVER

QUANTITY: 0.180 CFS

The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 07/01/1923

POINT OF DIVERSION:

T21N R07E S23 NENW Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	04/01 11/01	0.140 CFS

PLACE OF USE: IRRIGATION Within VALLEY County

T21N R07E S15 Lot 4 SWSE 7.0

DOMESTIC Within VALLEY County

T21N R07E S15 Lot 4 SWSE

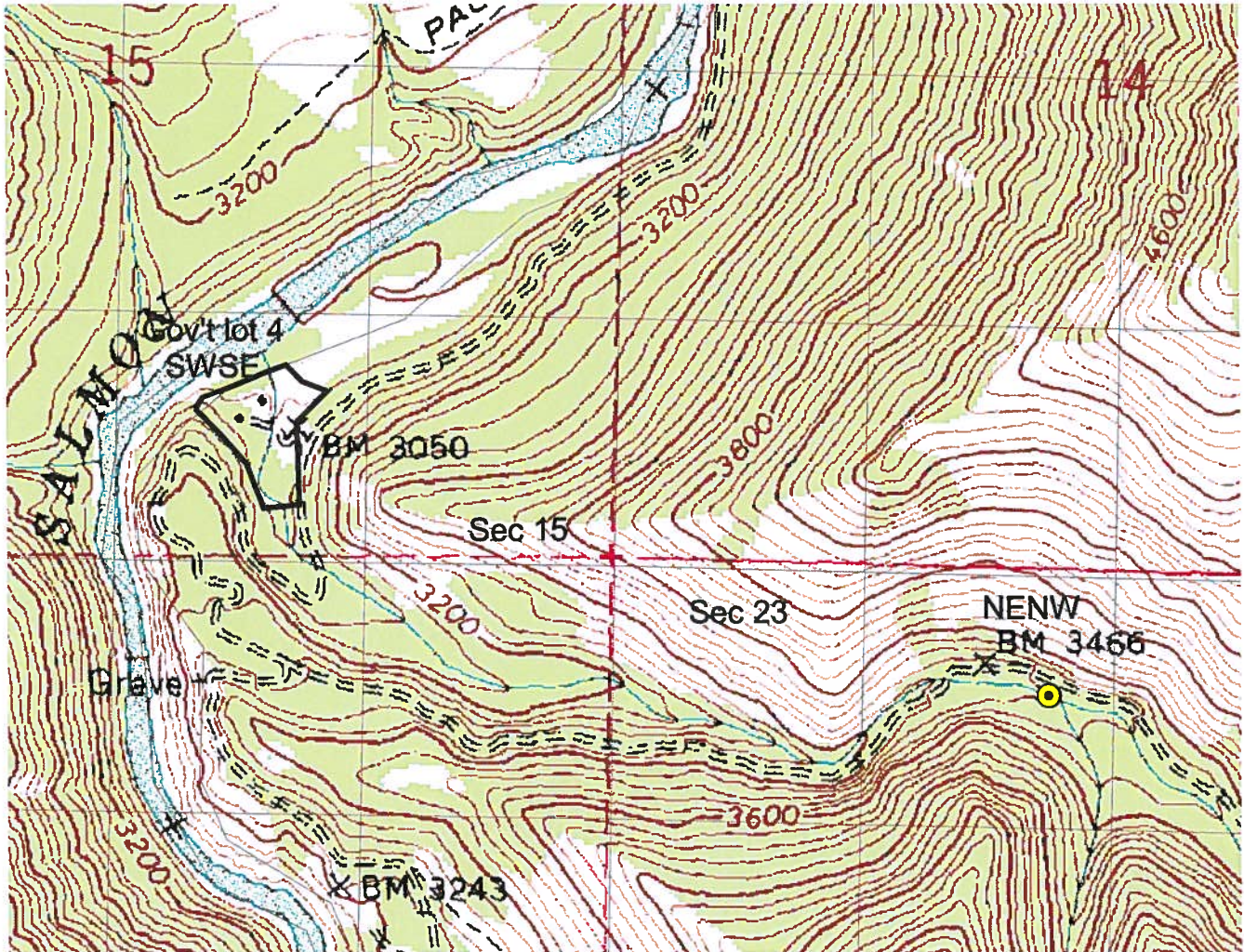
7 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

77-10089



0 400 800 Feet



Sections 15 & 23
T21N R7E



● Point of Diversion

□ Place of Use

Map prepared on November 7, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

RECEIVED

DEC 10 1996

WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A77-10089

Date Received: 10/13/1988

Receipt No: C002903

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MARGARET VERNON

208-459-8732

Address: PO BOX 1104

CALDWELL ID

83606

AND/OR

Name: RUTH WESTBROOK

208-459-8732

Address: PO BOX 1104

CALDWELL ID

83606

2. Date of Priority: JUL 1, 1923

3. Source: ELK CREEK

Trib. to: SALMON RIVER, SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
21N	07E	15	NW	SW	SE		VALLEY

5. Description of diverting works:

TWO DITCHES ON EACH SIDE OF THE CREEK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	11/01	0.200		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:

0.240 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

20.0 Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC 1 HOME AND ASSOCIATED STOCK

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
21N	07E	23	SW		SE	4	IRR	5.0
			SW		SE	4	DOMEST	
			SE		SE	5	IRR	5.0
Section Acres								10.0
Total Acres								10.0

11. Place of use in counties: VALLEY

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS RIGHT EVIDENCED BY RIGHT 77-02038/15656 THAT WAS FOR THE POWER PLANT CONNECTED WITH THE WARREN MINE. THE POWER PLANT OPERATOR LIVED IN THE HOUSE ON THIS LAND WITH THE ASSOCIATED IRRIGATED PASTURES AND BUILDINGS FOR THE LIVESTOCK AND RANCH.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____ / _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Margaret B. Vernon Date: Dec. 9, 1996

Date: _____

State of Idaho)
County of Ada) SS.

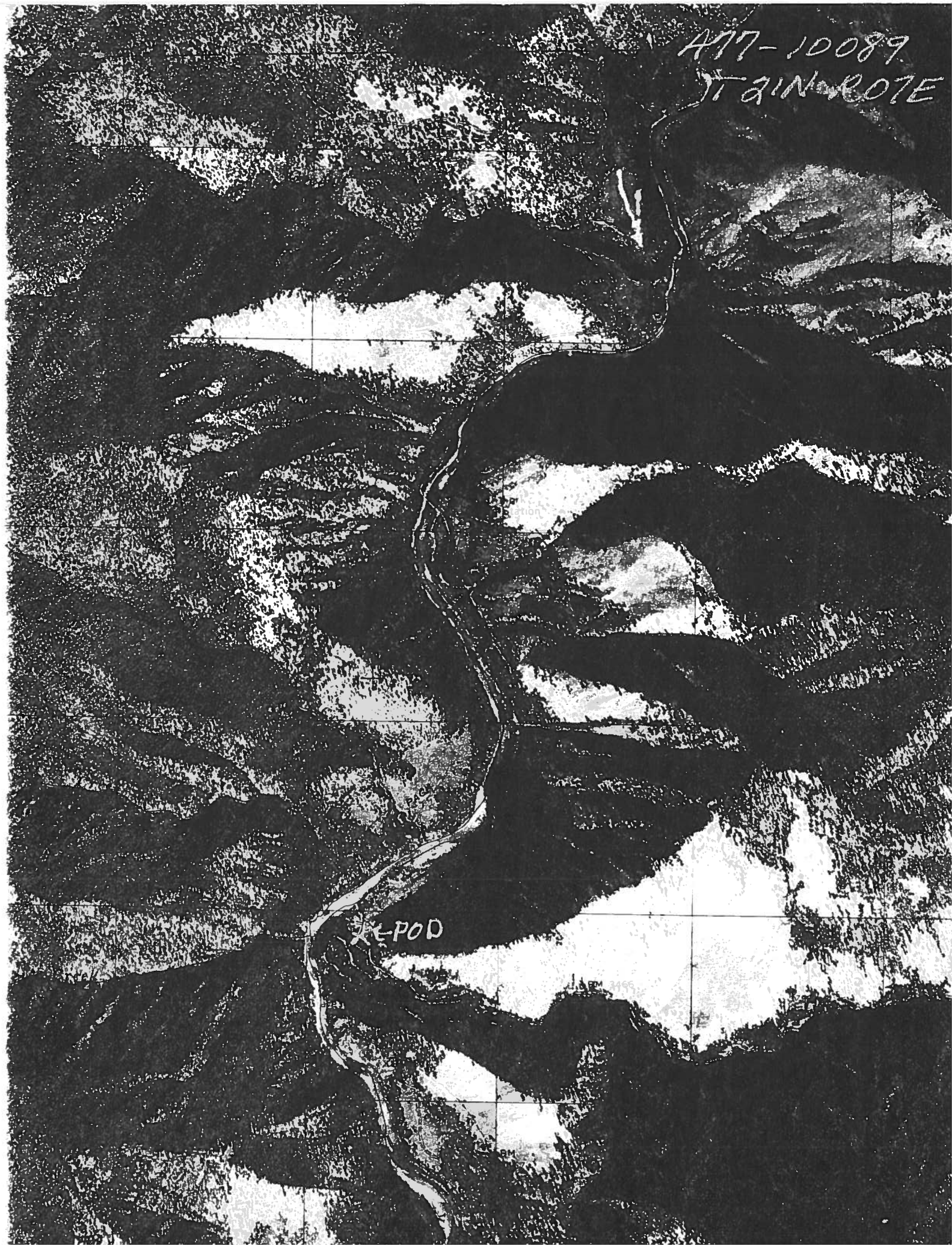
Subscribed and sworn (or affirmed) before me this 9TH day
of December 19 96

Kyranne McCarthy
Notary Public

Seal

Residing at Boise, Idaho
My Commission Expires 5-16-2002

A17-10089
TRAIN ROTE



X-POD

Station

POD

3466

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A77-10089
Date Received: 10/13/1988
Receipt No: C002903
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARGARET VERNON 208-459-8732
Address: P.O. BOX 1104
CALDWELL, ID 83606
AND/OR
Name: RUTH WESTBROOK 208-459-8732
Address: P.O. BOX 1104
CALDWELL, ID 83606
2. Date of Priority: JUL 01, 1923
3. Source: ELK CREEK Trib. to: SALMON RIVER, SOUTH FORK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 21N | 07E | 23 | SE | SW | SE | 4 | VALLEY |
5. Description of diverting works:
TWO DITCHES ON EACH SIDE OF THE CREEK.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 11/01 | 0.200 | | |
| DOMESTIC | 01/01 | 12/31 | 0.040 | | |
7. Total Quantity Appropriated is:
0.240 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 20.0 Acre Feet Per Annum.
9. Non-irrigation uses:
DOMESTIC 1 HOME AND ASSOCIATED STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	07E	23	SW	SE	4	IRR	5.0
			SW	SE	4	DOMEST	
			SE	SE	5	IRR	5.0
						Section Acres	10.0
						Total Acres	10.0

11. Place of use in counties: VALLEY

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS RIGHT EVIDENCED BY RIGHT 77-02038/15656 THAT WAS FOR THE POWER PLANT CONNECTED WITH THE WARREN MINE. THE POWER PLANT OPERATOR LIVED IN THE HOUSE ON THIS LAND WITH THE ASSOCIATED IRRIGATED PASTURES AND BUILDINGS FOR THE LIVESTOCK AND RANCH.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Margaret B. Vernon Date: Oct. 13, 1988
Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of October 19 88

[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1994

RECEIVED

DEC 10 1996

WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A77-10089
Date Received: 10/13/1988
Receipt No: C002903
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MARGARET VERNON
Address: PO BOX 1104
CALDWELL ID

208-459-8732

83606

AND/OR

Name: RUTH WESTBROOK
Address: PO BOX 1104
CALDWELL ID

208-459-8732

83606

2. Date of Priority: JUL 1, 1923

3. Source: ELK CREEK

Trib. to: SALMON RIVER, SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
21N	07E	15	NW	SW	SE		VALLEY

5. Description of diverting works:
TWO DITCHES ON EACH SIDE OF THE CREEK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	11/01	0.200		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.240 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 20.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME AND ASSOCIATED STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	07E	23	SW	SE	4	IRR	5.0
			SW	SE	4	DOMEST	
			SE	SE	5	IRR	5.0
Section Acres							10.0
Total Acres							10.0

11. Place of use in counties: VALLEY

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS RIGHT EVIDENCED BY RIGHT 77-02038/15656 THAT WAS FOR THE POWER PLANT CONNECTED WITH THE WARREN MINE. THE POWER PLANT OPERATOR LIVED IN THE HOUSE ON THIS LAND WITH THE ASSOCIATED IRRIGATED PASTURES AND BUILDINGS FOR THE LIVESTOCK AND RANCH.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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Number of attachments: _____ / _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Margaret B. Vernon Date: Dec. 9, 1996

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 9TH day
of December 19 96

Ryanne McElrath
Notary Public

Seal

Residing at Boise, Idaho
My Commission Expires 5-16-2008

A77-10089
T2IN-RO7E

Station

XE-POD

100 3400

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A77-10089
Date Received: 10/13/1988
Receipt No: COO2903
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARGARET VERNON 208-459-8732
Address: P.O. BOX 1104
CALDWELL, ID 83606
AND/OR
Name: RUTH WESTBROOK 208-459-8732
Address: P.O. BOX 1104
CALDWELL, ID 83606
2. Date of Priority: JUL 01, 1923
3. Source: ELK CREEK Trib. to: SALMON RIVER, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	07E	23	SE	SW	SE	4	VALLEY
5. Description of diverting works:
TWO DITCHES ON EACH SIDE OF THE CREEK.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	11/01	0.200		
DOMESTIC	01/01	12/31	0.040		
7. Total Quantity Appropriated is:
0.240 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 20.0 Acre Feet Per Annum.
9. Non-irrigation uses:
DOMESTIC 1 HOME AND ASSOCIATED STOCK

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
21N	07E	23	SW		SE	4	IRR	5.0
			SW		SE	4	DOMEST	
			SE		SE	5	IRR	5.0
							Section Acres	10.0
							Total Acres	10.0

11. Place of use in counties: VALLEY

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS RIGHT EVIDENCED BY RIGHT 77-02038/15656 THAT WAS FOR THE POWER PLANT CONNECTED WITH THE WARREN MINE. THE POWER PLANT OPERATOR LIVED IN THE HOUSE ON THIS LAND WITH THE ASSOCIATED IRRIGATED PASTURES AND BUILDINGS FOR THE LIVESTOCK AND RANCH.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Margaret B. Vernon Date: Oct. 13, 1988

Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of October 19 88

[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1994

177-10089

Margaret Vernon → Caldwell - 459-8332
Ruth Westbrook

Called
8-4-05
will
call back

Has bunk house
Original House destroyed.
Gravity Irrig. → Flood.

Original was Power & mining

All of property is in Sec. 15

POD above bridge → Go up hill.

Contracted out to Nordic Company

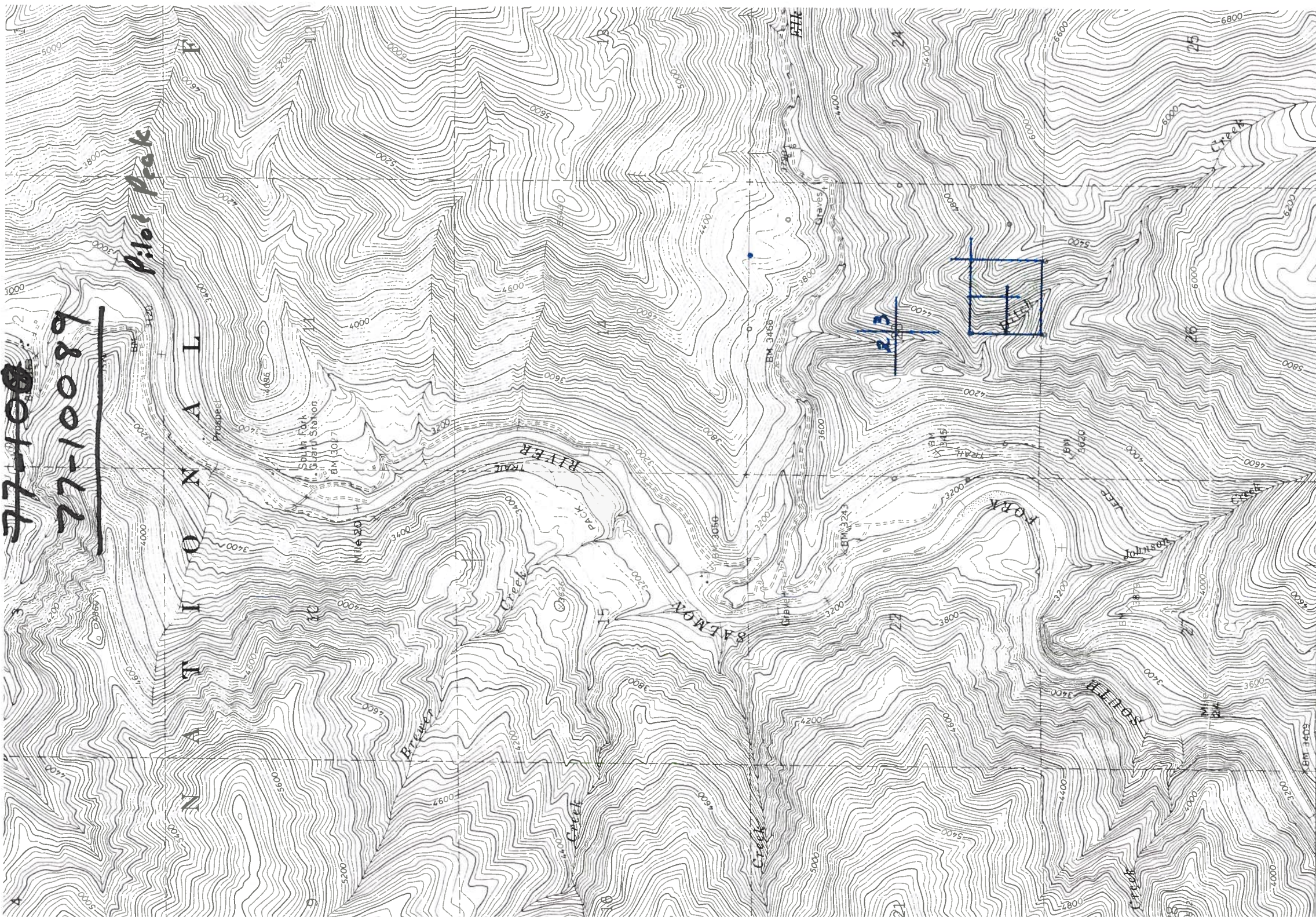
who used water summer of 2002-03

Dust abatement & workers had trailers & gardens. (3-4)

Took out of Elk Creek

Company took pump.

I don't think much is going on there now but I'm not
sure. Mrs. Vernon is an older retired person & they
are thinking about passing property on to children.



al Survey *Elk Creek Prop*
45°09' 19" N
115° 35' 3" W

from aerial
by USGS 1969
an datum
e system,
grid ticks,

UTM GRID AND 1969 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

1"=18 MILS
1"=341 MILS

GN
MN

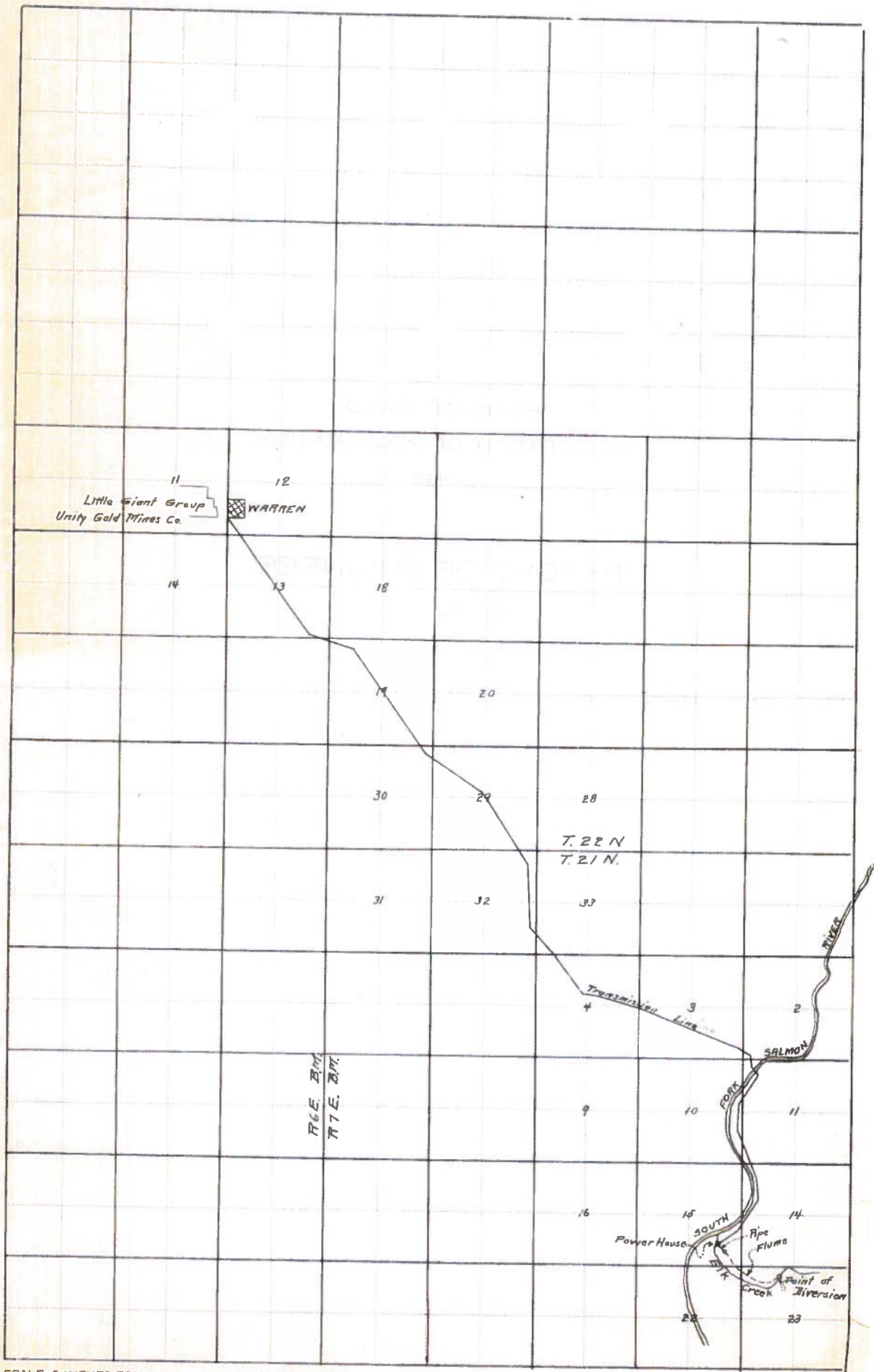
1
0 1000 2000 3000 4000 5000 6000 7000 FEET
0 5 10 15 20 25 30 35 40 KILOMETER

SCALE 1:24,000

(PARKS PEAK)
2874 II SE

CONTOUR INTERVAL 40 FEET
DATUM IS MEAN SEA LEVEL

Pilot Peak
77-10089



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

15656