

DIVERSION
VOLUME

105.60 AFA

105-60 AFA

105-60 AFA

BLAINE County

TOTAL ACRES

CONJUNCTIVELY.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.48 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 636 AF WHEN COMBINED THROUGH THE PUMP WITHIN THE MWSESE S21, T07N, R14E WHICH DIVERTS WATER

Remarks:

FROM BEAVER CREEK AND RELIFTS GROUNDWATER FROM THE NEARBY WELL.
COMBINED RIGHT NOS.: 71-07008, 71-07083 & 71-10665A.

USE

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 15 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL
WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE
AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS
ENTERED FOR THIS RIGHT.

POU1

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 35.2 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 212 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 71-07083, 71-07008 &
71-10665A.

EXP

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 71-07008 & 71-10665A. ADDITIONALLY
WATER DIVERTED FROM WELL UNDER RIGHT 71-07083 IS PRESSURIZED
USING THIS SAME DIVERSION.

Dates:

Exam Made Date: 09/23/1993

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:
Presumption Flag: C

Comments:

Date: 09/28/1993 User-ID: MERRITT Subject: COPIED FROM REMARKS
SOURCES ARE: BEAVER CK. TRIB. TO SALMON R., SMILEY CK. TRIB. TO
SALMON R., & SALMON R. TRIB. TO SNAKE R.
RATE OF DIVERSIONS ARE 1.96 CFS FOR BEAVER CREEK,
AND 0.24 CFS FOR SMILEY CREEK
POINTS OF DIVERSION WERE CHANGED TO REFLECT ACTUAL CONDITIONS
*****IDWR NOTE*****
THIS CLAIM WAS CREATED WHEN A PORTION OF THE ORIGINAL CLAIM
A71-02091 WAS SPLIT OFF DUE TO OWNERSHIP CHANGE. THE SPLIT OFF
PORTION WAS NUMBERED A71-02091A. BY ADM 10/1/89.

Date: 09/28/1993 User-ID: MERRITT Subject: SPLITTING OF OLD LICENSE
THE OTHER PORTIONS OF LIC 71-02091 ARE BEING RECOMMENDED IN
SEPARATE PARTS ACCORDING TO THEIR SEPARATE DIVERSION SYSTEM.
THE LAND BEING RECOGNIZED UNDER 71-10665 WHICH WERE PART OF THE
OLD LICENSE ARE BEING REDUCED SINCE 71-10665 ALLOWS AN EARLIER


11/06/98

AJ5809NP
No. R71-02091C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/06/98
PAGE: 11

Comments: Date: 09/28/1993 User-ID: MERRITT Subject: SPLITTING OF OLD LICENSE
PRIORITY.

Date: 07/21/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C13 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 11/05/1998 User-ID: DSHAFF Subject: REMARK
RECORD WAS MODIFIED TO ADD EXTENDED IRRIGATION SEASON REMARK.

Audit: 09/28/93 MERRITT 1D/D1/93 MERRITT 10/04/93 MERRITT 03/30/95 POST-STD
03/12/98 AMERRITT 07/21/98 DSHAFF 07/21/98 AJU10-DS 11/05/98 DSHAFF

Water Right Number - R71-02091C

Prefix Translation: RESEARCH

Old (D) Number - 31688

+ - - - - Last Name - - - - + + - - - First Name - - - + + - - - - - Address - - - - -

*** C - CURRENT OWNER ***

JUSTUS

KEVIN

JUSTUS

DONALD K

JUSTUS

KARAN

JUSTUS

STEVEN

1 - 1024 RANCH ROAD
2 -
3 -
City- BOISE
Phone - 208-344-0921
1 - 1024 RANCH RD
2 -
3 -
City- BOISE
Phone - 208-344-0921
1 - 1024 RANCH ROAD
2 -
3 -
City- BOISE
Phone - 208-344-0921
State- ID Zip- 83702
State- ID Zip- 83702
State- ID Zip- 83702

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/31/1964 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
BEAVER CREEK SALMON RIVER

+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
07N 14E 21 NW SE SE (13) BLAINE PUMP IN CREEK

+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period from Period To Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 09/30 0.700 105.60

+ - - Total Div. Rate - - + + - - Total Div. Volume - - + + - - Total Consumptive Use - - + + - - KW Usage - - +
0.700 105.60 0.0

+ - - - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07N 14E 21 NW NE 20.2 01 IRRIGATION (13) BLAINE
07N 14E 21 SW NE 33.4 01 IRRIGATION (13) BLAINE
07N 14E 21 SE NE 18.0 01 IRRIGATION (13) BLAINE
07N 14E 21 NE SE 28.2 01 IRRIGATION (13) BLAINE
07N 14E 21 NW SE 39.8 01 IRRIGATION (13) BLAINE
07N 14E 21 SW SE 38.9 01 IRRIGATION (13) BLAINE
07N 14E 21 SE SE 27.1 01 IRRIGATION (13) BLAINE
07N 14E 22 NW SW 1.5 01 IRRIGATION (13) BLAINE

Water right number - R71-02091C

Prefix Translation: RESEARCH

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|-------------|
| 07N | 14E | 22 | SW SW | | 4.9 | 01 | IRRIGATION | (13) BLAINE |

Total Acres: 212.0

- - - Diversion Means - 100 HP PUMP DELIVERING TO SPRINKLER SYSTEM.

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

Remarks

QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.48 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 636 AF WHEN COMBINED THROUGH THE PUMP WITHIN THE NSESE S21, T07N, R14E WHICH DIVERTS WATER FROM BEAVER CREEK AND RELIFTS GROUNDWATER FROM THE NEARBY WELL. COMBINED RIGHT NOS.: 71-07008, 71-07083 & 71-10665A.

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EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 71-07008 & 71-10665A. ADDITIONALLY WATER DIVERTED FROM WELL UNDER RIGHT 71-07083 IS PRESSURIZED USING THIS SAME DIVERSION.

7102091 Old Water Right Numbers

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

Decree Plaintiff Decree Defendant Decree Date
00/00/0000

Comments: Date: 09/28/1993 User Id: MERRITT Subject: COPIED FROM REMARKS
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Water right number - R71-02091C

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THE OTHER PORTIONS OF LIC 71-02091 ARE BEING RECOMMENDED IN SEPARATE PARTS ACCORDING TO THEIR SEPARATE DIVERSION SYSTEM.
THE LAND BEING RECOGNIZED UNDER 71-10665 WHICH WERE PART OF THE OLD LICENSE ARE BEING REDUCED SINCE 71-10665 ALLOWS AN EARLIER
PRIORITY.

+ - - Audit fields - - +
03/12/98 AMERRITT

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 09/23/1993 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - 00/00/0000 Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 08/19/1988 Last Amended Date - C002288 Temporary Right - P
Receipt Number POU Ownership Flag - Y Water District -
Name Connector - AND/OR Federal/State Indicator - S
Notice of Error Flag - C

71-02091C
71-07008

TRANSFER NUMBER _____

HOMESTEAD ENTRY NO. _____

CLAIMED ACRE TOTAL _____

GEOGRAPHIC INFO ACRES _____

CLAIM NUMBERS _____ DATE 3/12/98
AGENT _____

| RIGHT NO | | | | NE | | | | NW | | | | SW | | | | SE | | | |
|----------|-----|-----|-----|----|------|------|------|----|----|----|----|-----|-----|----|----|--------------------|------|-------------|--------------------|
| | TNS | RNG | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
| CLAIM | | | | | | | | | | | | | | | | | | | |
| GIS | 7N | 14E | 21 | | 20.2 | 33.4 | 18.0 | | | | | | | | | 14.1
6.4
3.7 | 39.8 | 38.5
0.4 | 1.9
8.5
16.7 |
| RECOM | | | | | | | | | | | | | | | | | | | 205 |
| CLAIM | | | | | | | | | | | | | | | | | | | |
| GIS | 7N | 14E | 22 | | | | | | | | | 1.5 | 4.9 | | | | | | 6.4 |
| RECOM | | | | | | | | | | | | | | | | | | | |
| CLAIM | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | |
| CLAIM | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | |

B71-DBPOD.SHP

212.0

NOS DESCRIPTION

17 NWSESE Sec 21

7008 - 146 acres in 212

02091C 35.2 acres in 212

B71-DBPOU.SHP

SHAPE NOS

17

18

20

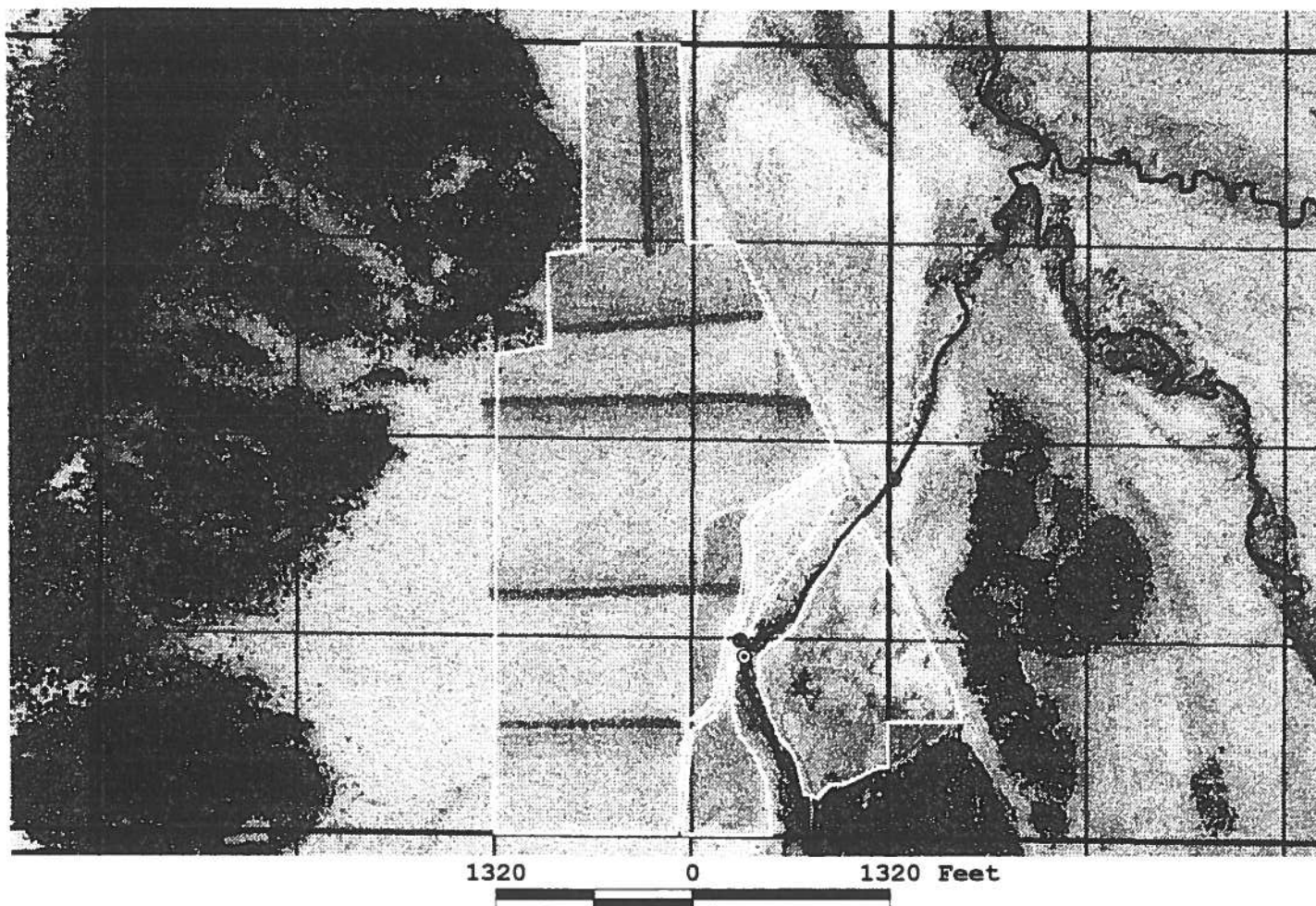
DBF TABLES UPDATED

B71-DBPOD.DBF

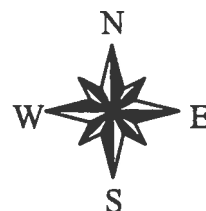
B71-DBPOU.DBF

IDAHO DEPARTMENT OF WATER RESOURCES

71-02091C & 71-07008



TWP 7N, RNG 14E,
SEC 21 & 22



RECOMMENDED PLACE OF USE

- RECOMMENDED POINT OF DIVERSION
- SECTION LINES
- QUARTER QUARTER LINES
- ∨ STREAM AND DITCH CHANNELS

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY FEBRUARY 1998
BY ALLEN MERRITT

GENERAL INFORMATION

Don Justus

9-22-83

Don Justus

OFFICE USE ONLY

PHONE NUMBER

PHONE NUMBER

PROPERTY TO CLARIFY:

REMARKS:

I met Don and completed licensing exam for 71-07008 & 71-07053. Since this old license 71-02091 has separate system, I decided for ease of understanding the various parts and their relationship with overlaps etc. that I would recommend the parts as follows.

Part B Chain to be split, "Z" claim

C Beaver Creek above hwy.

D Beaver Creek below hwy.

E Smiley Creek

Before recommending each part and after discussing with Mr. Justus that a portion of the land included in the old license was historically irrigated before the license was issued (dated 71-10665), I decided to review 71-10665 first then delete these areas from those licensed originally. This would reduce the acreage & amounts licensed.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 71-2091 Priority January 31, 1964 Amount 2.36 cfs

THIS IS TO CERTIFY that Donald K. Hustus
of Boise, Idaho has complied with the terms and conditions of Permit
No. 71-2091 issued pursuant to Application for Permit dated January 31, 1964
and has submitted proof to the Department of Water Resources on December 20, 1979
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.17 cfs of water from Beaver Creek
Salmon River tributary to Salmon River and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

| Beneficial Use | Period of Use | Rate of Diversion | Annual Volume |
|-------------------------------------|--------------------------------------|---------------------|------------------------|
| Irrigation from <u>Beaver Creek</u> | <u>April 15</u> to <u>October 15</u> | <u>1.96</u> cfs and | <u>294.0</u> acre feet |
| Irrigation from <u>Salmon River</u> | <u>April 15</u> to <u>October 15</u> | <u>0.16</u> cfs and | <u>24.0</u> acre feet |
| Irrigation from <u>Smiley Creek</u> | <u>April 15</u> to <u>October 15</u> | <u>0.25</u> cfs and | <u>36.0</u> acre feet |

(Noft dates inclusive)

Subject, however, to the condition that no more than 2.36 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and beneficially used for the purpose
aforesaid and is limited to the amount which was actually be beneficially used and shall not exceed
354.0 acre feet per year, said waters to be diverted within the NE1/4, SE1/4, Section 21,
Twp. 7N, Rge. 14E, (Salmon River) SE1/4, Section
26, Twp. 7N, Rge. 14E, (Smiley Creek) SE1/4, in the County of Blaine
Section 27, Twp. 7N, Rge. 14E

Description and location of place of use:

| Twp. | Range | Sec. | ACRES | | | | | | | | | | Totals |
|----------------|-------|------|-------|---|----|---|---|----|---|---|---|----|--------|
| | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | |
| (Beaver Creek) | | | | | | | | | | | | | |
| 7N | 14E | 21 | | | 25 | | | | | | | 31 | 76 |
| | | 22 | | | | 4 | | 10 | 8 | | | | 22 |
| (Salmon River) | | | | | | | | | | | | | |
| 7N | 14E | 26 | | | | | | 8 | | | | | 8 |
| (Smiley Creek) | | | | | | | | | | | | | |
| 7N | 14E | 27 | | | | | | | | | | 12 | 12 |

Total number of acres irrigated 118

NOTE: Modifications to or variance from this license must be made within the limits of Section 43-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 25th day
February, 19 82.

For the Director Roscoe C. Young

Map 7N, Pg 4E

BB
JUSTICE

WEST

7N