

AJ5809NP
No. R71-02091D

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/06/98
PAGE: 12

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DONALD K JUSTUS 1024 RANCH RD BOISE ID 83702 (208) 344-0921	01/31/1964	IRRIGATION	04-15 10-15	0.36 CFS	54.30 AFA
TOTAL DIVERSION:					0.36 CFS	54.30 AFA

C KARAN JUSTUS
C STEVEN JUSTUS
C KEVIN JUSTUS
1024 RANCH ROAD
BOISE ID 83702
(208) 344-0921

Water Source: BEAVER CREEK

Tributary to: SALMON RIVER

Stage: LICENSE

Point(s) of Diversion:

TOTN R14E S22

NWMSW

BLAINE County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S	NE NE	SW NE	SW NE	SW NE	SW NE
07N 14E 21	17	:	:	:	: .6
TOTAL ACRES					18.1

POU County: BLAINE

Other Rights: NONE

Conditions of Approval:

- C13
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN BASIN 71:
 - WATER RIGHT NO. SOURCE
 - NONE
 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE
 - ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
 - CONJUNCTIVELY.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHT NO. 71-10665B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.58 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 86.7 AF.

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS

11/06/98

AJ5809NP
No. R71-02091D

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/06/98
PAGE: 13

Remarks:

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.

EXP RIGHT NO. 71-10665B IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates:

Exam Made Date: 09/23/1993

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:
Presumption Flag:

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: SPLIT FROM OLD LICENSE
THIS PORTION OF THE OLD LICENSE IS BEING SPLIT OFF SEPARATE
SINCE IT IS ON A SEPARATE SPRINKLER SYSTEM, ADDITIONALLY THOSE
ACRES BEING RECOGNIZED UNDER 71-10665 THAT ARE ALSO COVERED UNDER
THE OLD GRAVITY DITCH HAVE BEEN TAKEN OUT OF THIS LICENSE.

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: DSHAF Subject: REMARK
RECORD WAS MODIFIED TO ADD EXTENDED IRRIGATION SEASON REMARK.

Audit:

09/28/93 MERRITT 10/01/93 MERRITT 10/04/93 MERRITT 03/30/95 POST-STD
03/11/98 AMERRITT 07/21/98 DSHAF 07/21/98 AJU10-DS 11/05/98 DSHAF

AJ0743NP
(CD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

03/11/98 14:00:10
Page 1

AD

Water Right Number - R71-02091D

Prefix Translation: RESEARCH

Old (D) Number - 31688

*** C - CURRENT OWNER ***
JUSTUS
Last Name - + First Name - + Address - +
STEVEN
1 - 1024 RANCH ROAD
2 -
3 -
City- BOISE
Phone - 208-344-0921
1 - 1024 RANCH ROAD
2 -
3 -
City- BOISE
Phone - 208-344-0921
1 - 1024 RANCH RD
2 -
3 -
City- BOISE
Phone - 208-344-0921
State- ID Zip- 83702

JUSTUS
KEVIN
State- ID Zip- 83702

JUSTUS
DONALD K
State- ID Zip- 83702

JUSTUS
KARAN
State- ID Zip- 83702

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

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

+ - - Rng Sec Tract Lot RFlg County Point of Diversion - - + +
07N 14E 22 NW NW SW (13) BLAINE PUMP IN CREEK

+ - - Code Description Period From Period To Water Use - - + + - - Diversion Rate - - + + - - Diversion Volume - - + +
01 - IRRIGATION 05/01 09/30 0.360 54.30

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - + +
0.360 54.30 0.0

+ - - Twn Rng Sec Tract Lot Acres Code Description County
07N 14E 21 SE NE 17.5 01 IRRIGATION (13) BLAINE
07N 14E 21 NE SE 0.6 01 IRRIGATION (13) BLAINE

Total Acres: 18.1

+ - - Diversion Means - 30 HP PUMP IN CREEK DELIVERING TO SPRINKLER SYSTEM.

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE

USE OF THIS RIGHT WITH RIGHT NO. 71-10665B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.58 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 86.7 AF.

7102091 Old Water Right Numbers

Decree Plaintiff	Decree Defendant	Decree Date
00/00/0000		

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+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+
Date: 09/28/1993 User Id: MERRITT Subject: COPIED FROM REMARKS
SOURCES ARE: BEAVER CK. TRIB. TO SALMON R., SMILEY CK. TRIB. TO
RATE OF DIVERSIONS ARE 1.96 CFS FOR BEAVER CREEK.
POINTS OF DIVERSIONS WERE CHANGED TO REFLECT ACTUAL CONDITIONS
THIS CLAIM WAS CREATED WHEN A PORTION OF THE ORIGINAL CLAIM
PORTION WAS NUMBERED A71-02091A. BY ADM 10/1/89.
Date: 09/28/1993 User Id: MERRITT Subject: SPLIT FROM OLD LICENSE
THIS PORTION OF THE OLD LICENSE IS BEING SPLIT OFF SEPARATE
ACRES BEING RECOGNIZED UNDER 71-10665 THAT ARE ALSO COVERED UNDER
Comments-
SALMON R., & SALMON R. TRIB. TO SNAKE R.
AND 0.24 CFS FOR SMILEY CREEK
*****IDNR NOTE*****
A71-02091 WAS SPLIT OFF DUE TO OWNERSHIP CHANGE. THE SPLIT OFF
SINCE IT IS ON A SEPARATE SPRINKLER SYSTEM, ADDITIONALLY THOSE
THE OLD GRAVITY DITCH HAVE BEEN TAKEN OUT OF THIS LICENCE.

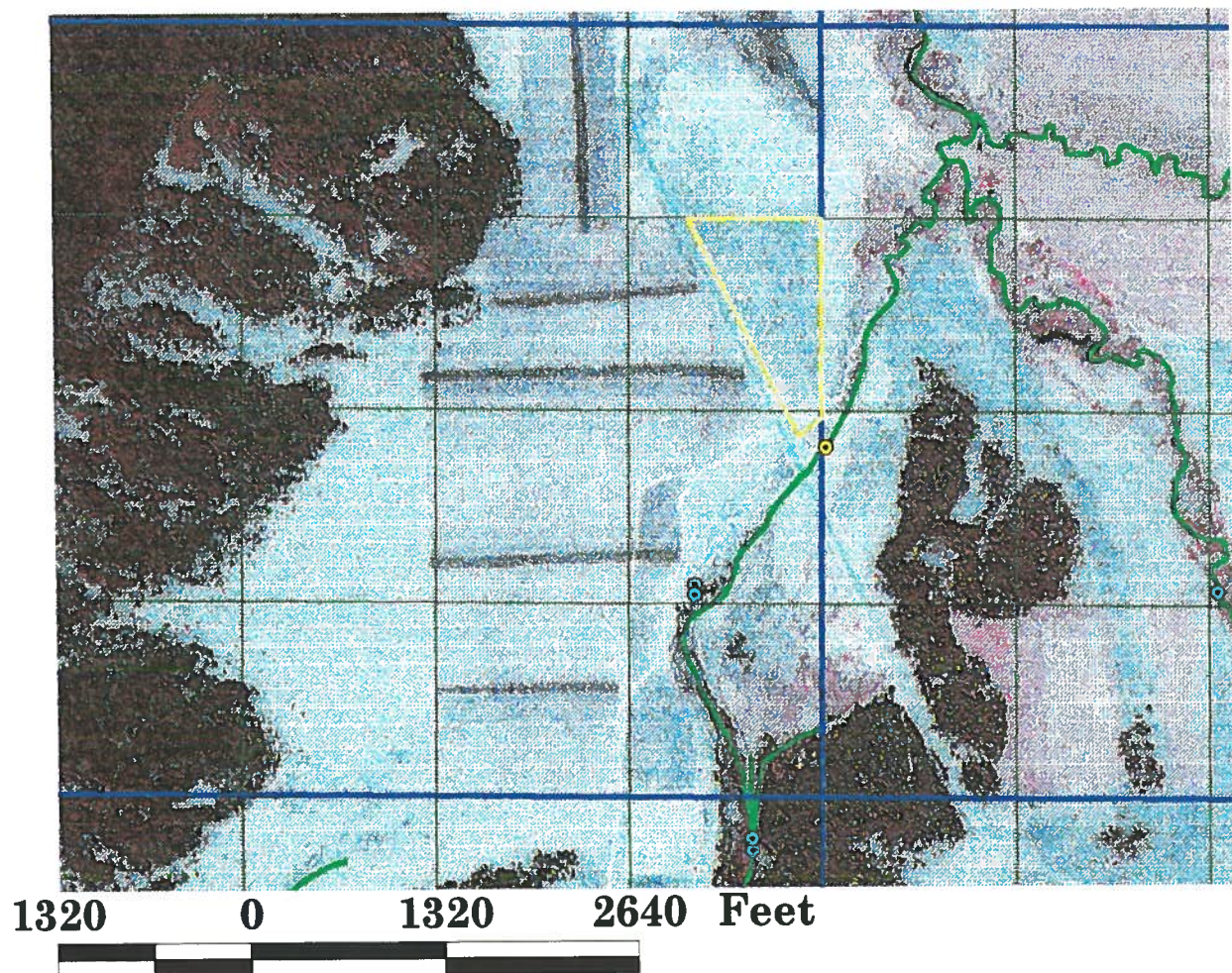
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+ Adjudication Rights Dates and Flags Area

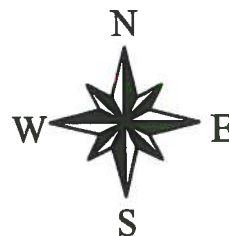
Court Report Filing	- 00/00/0000	Field Inspection Made	- 09/23/1993	Civil Case Number	-	59516
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-	
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-	
Claim Received Date	- 08/19/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P	
		Receipt Number	- C002288	Water District	-	
		POU Ownership Flag	- Y	Federal/State Indicator	- S	
		Name Connector	- AND/OR	Presumption Flag	-	
				Notice of Error Flag	-	

IDAHO DEPARTMENT OF WATER RESOURCES

71-02091D



TWP 7N, RNG 14E,
SEC 21



- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- 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

TRANSFER NUMBER _____

CLAIM NUMBERS 71-02091D

DATE 2/16/98
AGENT AD

GEOGRAPHIC INFO ACRES

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				17.5									0.58			18.09
<i>Pac</i>							17.5									0.6			
CLAIM																			
GIS																			
CLAIM																			
GIS																			
CLAIM																			
GIS																			
CLAIM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B71-DBPOU.DBF ✓
B71-DBPOD.DBF ✓

POLYGON CREATED ON 604 () _____
ATTRIBUTES OF B71-POU.SHP () 15
ATTRIBUTES OF B71-POD.SHP () 14

Pac 18.1

POU #15 18.09 ac.

POD #14 NWNWSW sec 22

GENERAL INFORMATION

Don Justice

9/23/52

Don Justice

DATE OF PROPERTY / REMARKS:

PROPERTY / REMARKS:

I met Don and completed licensing exam for 71-07008 & 71-07003. Since this old license 71-02091 has separate system, I decided for ease of understanding the various parts and their relationship with overlaps and that I would recommend the parts as follows:

Part B Chin to be split, "Z" claim

C Beaver Creek above highway.

D Beaver Creek below highway.

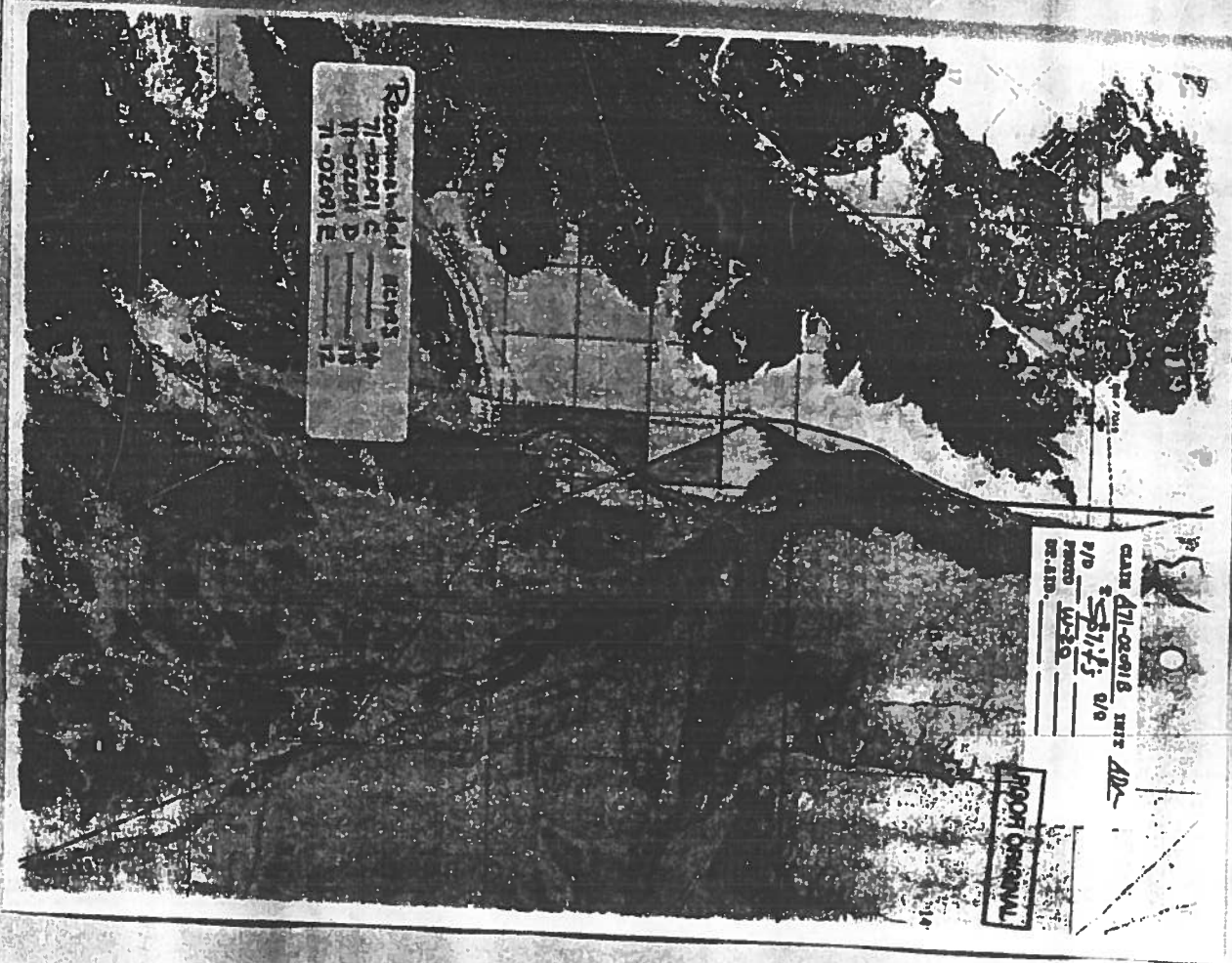
E Smiley Creek

Before recommending each part and after discussing with Mr. Justice that 2 portions 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 those areas from those licensed originally. This would reduce the area of amounts licensed.

O *ADN*
7/23/08
71-02091E

Pump in
Smiley CK.

Leads
Investigated
looking west.



Recommended REC-05
71-02091 C
71-02091 D
71-02091 E

CASE 471-02091B, 11/12/08 ADL
P/P 5/1/12 0/0
PROOF ORIGINAL

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. Justus
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
tributary to Salmon River and Smiley Creek
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>	at <u>1.06</u> cfs and	<u>294.0</u> acre feet
Irrigation from <u>Salmon River</u>	<u>April 15</u> to <u>October 15</u>	at <u>1.06</u> cfs and	<u>24.0</u> acre feet
Irrigation from <u>Smiley Creek</u>	<u>April 15</u> to <u>October 15</u>	at <u>0.25</u> cfs and	<u>36.0</u> acre feet

(both 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 confirmed is for the purpose
mentioned and is limited to the amount which can actually be beneficially used and shall not exceed
36.0 acre feet per year, and waters to be diverted within the NE 1/4 Sec. 21, Twp. 7N, Rge. 14E, (Salmon River) SE 1/4 Sec. 21, Twp. 7N, Rge. 14E, (Smiley Creek) SE 1/4 Sec. 27, Twp. 7N, Rge. 14E in the County of Blaine

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 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	
						25								31	76
		22					4			10	8				22
		25									8				8
		27											12		12
															118

Total number of acres irrigated 118

NOTE: No change of variance from this license must be made within the limits of Section 42-222, Idaho
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
described as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26th day of
February, 19 82.

For the Norm C Young
Director

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

02/16/98 13:01:48
Page 1

Water Right Number - R71-02091D

Prefix Translation: RESEARCH

Old (D) Number - 31688

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

*** C - CURRENT OWNER ***
JUSTUS

DONALD K

1 - 1024 RANCH RD
2 -
3 -

State- ID Zip- 83702

JUSTUS

KARAN

City- BOISE
Phone - 208-344-0921
1 - 1024 RANCH ROAD
2 -

State- ID Zip- 83702

JUSTUS

STEVEN

City- BOISE
Phone - 208-344-0921
1 - 1024 RANCH ROAD
2 -
3 -

State- ID Zip- 83702

JUSTUS

KEVIN

City- BOISE
Phone - 208-344-0921
1 - 1024 RANCH ROAD
2 -
3 -
City- BOISE
Phone - 208-344-0921

State- ID Zip- 83702

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

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

+ - - - - Rng Sec Tract Lot Rflg County Point of Diversion Diversion Name
07N 14E 22 NW NW SW (13) BLAINE

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 09/30 0.360 54.00

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
0.360 54.00 36.0

+ - - - - Twn Rng Sec Tract Lot Acres Code Description County
07N 14E 21 SE NE 17.0 01 IRRIGATION (13) BLAINE
07N 14E 21 NE SE 1.0 01 IRRIGATION (13) BLAINE

Total Acres: 18.0

+ - - - - Diversion Means - 30 HP PUMP IN CREEK DELIVERING TO SPRINKLER SYSTEM.

Prefix translation: RESEARCH

+ - - Other Rights for Same Use - NONE

GEN RIGHT NO. 71-106658 IS ALSO DIVERIED THROUGH POINT OF DIVERSION DESCRIBED ABOVE AND THE TOTAL COMBINED DIVERSION RATE IS LIMITED TO 0.60 CFS.

Old Water Right Numbers

--- Conditions of Approval ---
No Conditions of Approval found

+ - Decree Date - +
00/00/0000

+	-	-	-	Audit Fields -	09/28/93	MERRITT	10/01/93	MERRITT	10/04/93	MERRITT	03/30/95	POST-STD
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-Comments-

Date: 09/20/1993 User Id: MERRITT Subject: COPIED FROM REMARKS
THIS PORTION OF THE OLD LICENSE IS BEING SPLIT OFF SEPARATE
ACRES BEING RECOGNIZED UNDER 71-10665 THAT ARE ALSO COVERED UNDER
Date: 09/28/1993 User Id: MERRITT Subject: COPIED FROM REMARKS
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THIS CLAIM WAS CREATED WHEN A PORTION OF THE ORIGINAL CLAIM
PORTION WAS NUMBERED A71-02091A. BY ADM 10/1/89.

SINCE IT IS ON A SEPARATE SPRINKLER SYSTEM, ADDITIONALLY THOSE
THE OLD GRAVITY DITCH HAVE BEEN TAKEN OUT OF THIS LICENCE.

SALMON R., & SALMON R. TRIB. TO SNAKE R.
AND 0.24 CFS FOR SMILEY CREEK
*****IDNR NOTE*****
A71-02091 WAS SPLIT OFF DUE TO OWNERSHIP CHANGE. THE SPLIT OFF

+ - - - - - 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	-		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	-	00/00/0000	Temporary Right	-	P
Proof Due Date	-	00/00/0000	Proof Made Date	-	00/00/0000	Water District	-	
Licensed Date	-	00/00/0000	Receipt Number	-	C002258	Federal/State Indicator	-	S
			POU Ownership Flag	-	Y	Presumption Flag	-	
			Name Connector	-	AND/OR	Notice of Error Flag	-	