

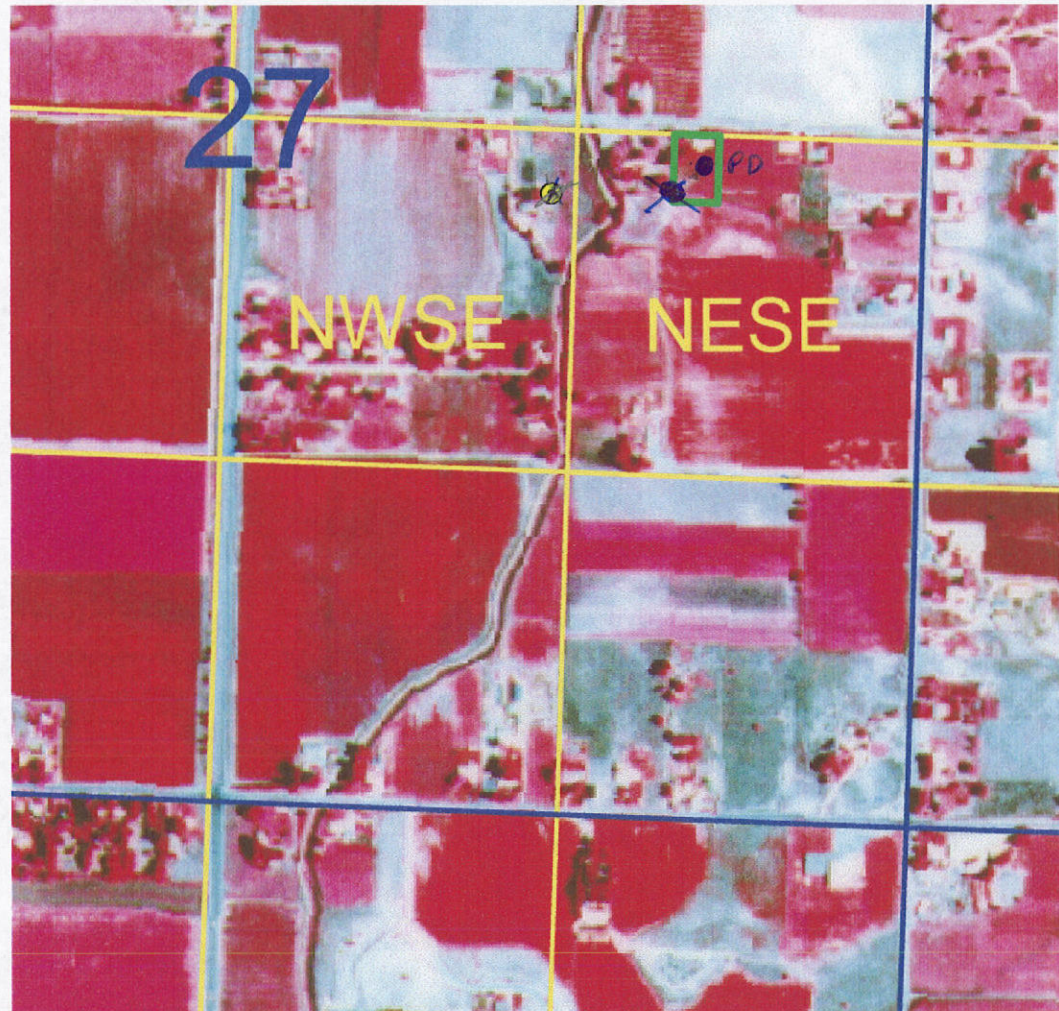
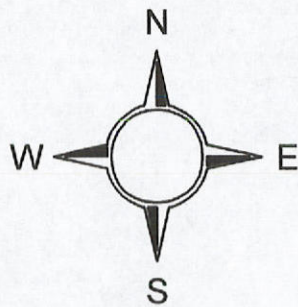
Idaho Department of Water Resources

Claim Number: 65-06436

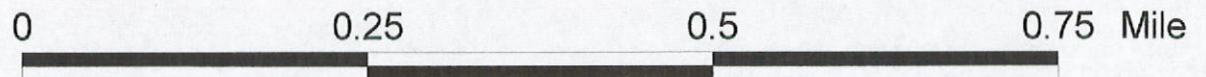
Legal: T09N, R05W, S27

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

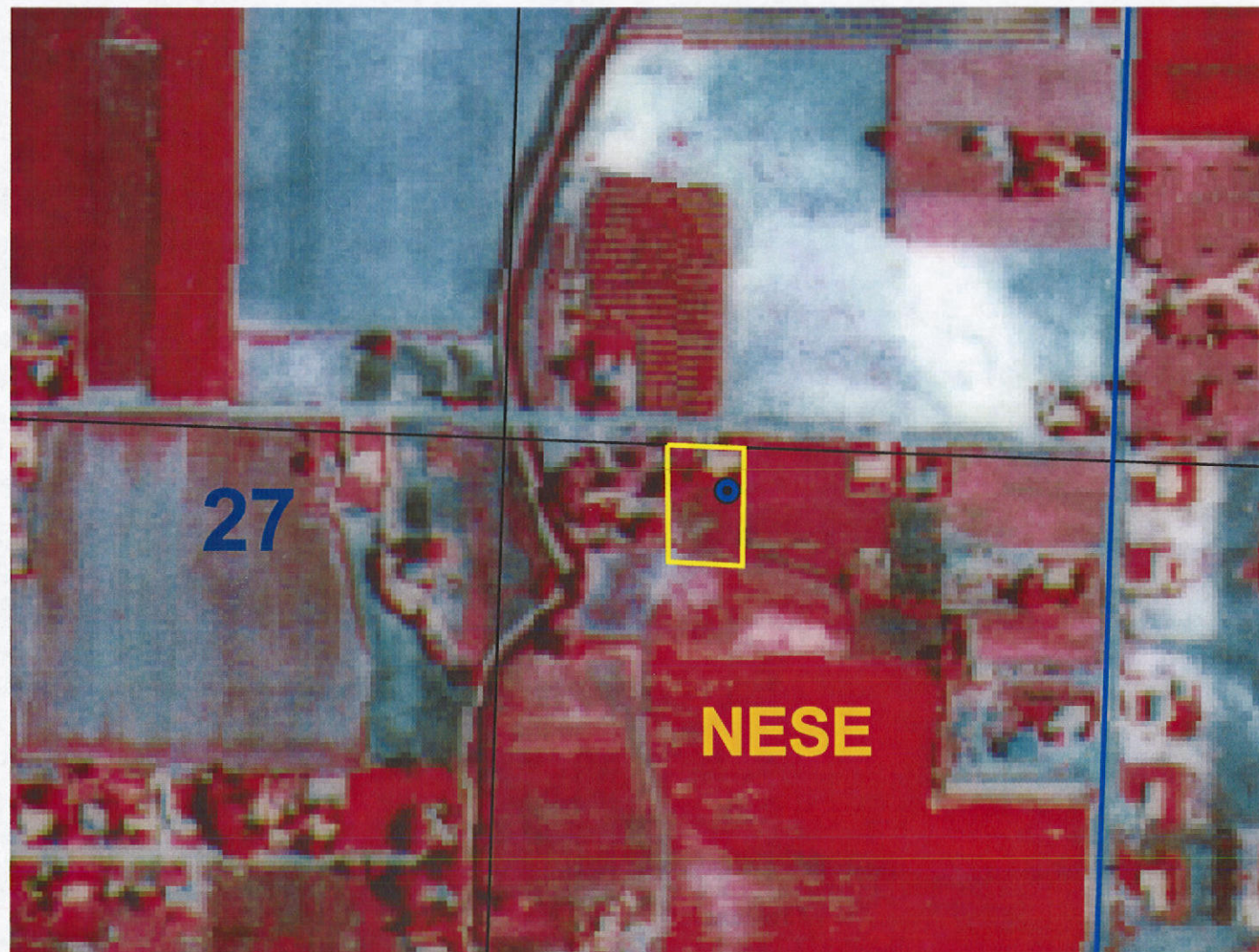
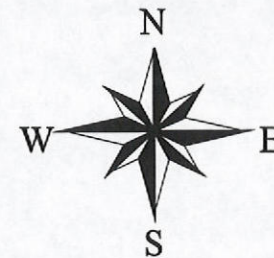


1987 Napp Photo



IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R05W, S27



1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES

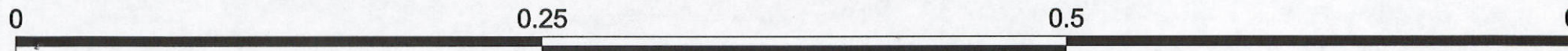
6 ACRES
6 SECTION NUMBERS

CLAIM(S): 65-06436

OWNER(S): EINSPAHR, BETTY

DATE: APRIL 6, 2001

By: Mel Schulte



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: A65-06436
Date Received: 3/ 2/1990
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: BETTY EINSPAHR
Address: 1877 NE 17TH AVE
PAYETTE ID

208-642-2122

83661

2. Date of Priority: APR 1, 1963

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	05W	27	NW	SE			PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
IRRIGATION	03/15	11/15	0.020		

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

1.20 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	05W	27	NE	SE		IRR	1.0

MICROFILMED

AUG 03 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	1.0
					Total Acres	1.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant

MICROFILMED

AUG 03 1994

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: 3956
Ident. No. 165-06436

**ATTACHMENT TO
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

RECEIVED
MAR 02 1990

Please type or print clearly:

Department of Water Resources

Name of claimant(s) BETTY EINSPAHR

Mailing Address
(including zip code) 1877 N.E. 17th Ave.

Payette, Idaho 83661

Phone Number (208) 642 - 2122

MICROFILMED
AUG 03 1994

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: 65-06436

DATE RECEIVED:

RECEIPT NO:

RECEIVED BY: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: BETTY EINSPAHR
ADDRESS: ROUTE 1, BOX 247-D
PAYETTE, ID

83661

RECEIVED
MAR 02 1990

2. DATE OF PRIORITY: APR 01, 1983

3. SOURCE: GROUNDWATER

TRIB. TO:

Department of Water Resources

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
09N	03W	27		NW <u>OK</u>	SE		PAYETTE

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
IRRIGATION	03/15	11/15	0.020		

7. TOTAL QUANTITY APPROPRIATED IS:

0.060 C.F.S. (AND/OR)

1.20 A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
09N	03W	27	NE	SE		IRR	1.0

SECTION ACRES 1.0

10. PLACE OF USE: CONTINUED

TOTAL ACRES 1.0

11. PLACE OF USE IN COUNTIES: PAYETTE, PAYETTE

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO

DECREE PLAINTIFF

VS

A & C CORP., ET AL.
DECREE DEFENDANT

65-06436

PAGE

2

DATE: 01/23/90

5149

MICROFILMED

AUG 03 1994

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): Betty Einspahr DATE: March 1, 1990

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF

TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF

TITLE
_____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Payette) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 1st DAY
OF March 19 90

Ellela Pepples
NOTARY PUBLIC

SEAL

RESIDING AT Lruitland, Idaho

MY COMMISSION EXPIRES 1-27-92
DATE: 01/23/90 5150

12/08/2000

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

RIGHT NUMBER: 65-6436

NAME AND ADDRESS: BETTY EINSPAHR
1877 NE 17TH AVE
PAYETTE, ID 83661

SOURCE: GROUND WATER

QUANTITY: 0.06 CFS
1.2 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1963

POINT OF DIVERSION: T09N R05W S27 NESE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.02 CFS
DOMESTIC	01-01 12-31	0.04 CFS
		1.20 AFY

PLACE OF USE:

IRRIGATION Within PAYETTE County
T09N R05W S27 NESE 1
DOMESTIC Use same as IRRIGATION
1 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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM LOWER PAYETTE
DITCH CO.

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

**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: April 13, 2001

Water right number: 65-6436

BETTY EINSPAHR

1877 NE 17TH AVE

PAYETTE ID 83661

Telephone Number: (208) 642-2122

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

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

Check POD to match map.

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

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

DATE: 4-5-01

SIGNATURE: *Betty Einspahr*

Please print your name: _____

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

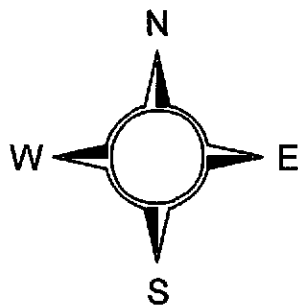
Idaho Department of Water Resources

Claim Number: 65-06436

Legal: T09N, R05W, S27

Reviewed By:

- Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo



WR5809NP
No. 65-06436

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/11/00
PAGE: 25

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BETTY EINSPAHR ROUTE 1, BOX 247-D PAYETTE ID 83661	04/01/1963	IRRIGATION DOMESTIC	03/15 11/15 01/01 12/31	0.020 CFS 0.040 CFS	1.20 AFA
TOTAL DIVERSION:					0.060 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T09N R05W S27

PAYETTE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																										
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM														
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac																
09N	05W	27	:					:					:					:					:															
																			01		:																	
																			TOTAL ACRES																			

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: PAYETTE

Other Water Rights Listing Overlapping Place(s) of use:
65-00165X 65-09257 65-11413

Dates:	App. Received:	Priority Date:	04/01/1963
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

C03 - C18 + N10 + N12.

* Percell to Mrs Einspahr, Well is next to house.

65-6436

RECOMMENDED RIGHT

Claim No.

Betty Einspahr
Route 1, Box 247-D
Payette, Idaho 83661

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) April 1, 1963
- (2) Describe source of water: (Name of stream, lake, spring, etc., or groundwater) Groundwater
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|---|--|--|
| Quantity <u>.04 1.2</u>
(CFS, GPD, AF) | Use <u>Domestic</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>Jan. 1</u> To <u>Dec. 31</u>
(Mo., Day) (Both Dates Inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>April 1</u> To <u>Oct. 31</u>
(Mo., Day) (Both Dates Inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Both Dates Inclusive) |
- (4) .04 1.2 c.f.s. TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source. NW 1/4 SE 1/4.
Sec. 27, Twp. 9 N, Rge. 5 W, B.M.; additional points: _____
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. Pump & pipeline
- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9 N	5 W	27													1				1

Total No. of acres 1

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

- (7) Effluent, sewage waste, or return water from this use is discharged into _____
- (8) If you are claiming water as a member of an organization, list name of organization: _____
- (9) Remarks Home 17.100
- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case: _____
☐ C) Right based on application, license, or claim filed with the Idaho Department of Water Administration: _____

DATE OF EXAM 2/21/74FIELD EXAMINER Larry J Page

RECEIVED
MAY 10 1964

**NOTICE OF CLAIM
TO A
WATER RIGHT**

IDENT. NO.

1972 11 1973

Notice is hereby given that BETTY EINSPAHR

(Name of Claimant)

Route 1, Box 247-D, Payette, Idaho 83661

Department of Water Administration

Route 1, Box 247-D, Payette, Idaho 83661, claims a right to the diversion
(Mailing Address)
and beneficial use of the surface or groundwater, or of tributary to the Payette River;

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) April 1, 1963

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Groundwater

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
(Both Dates Inclusive)

104 CSS
Use Domest

Use Domestic

Period of Use From Jan. 1 To Dec. 31
(Mo. Day) (Mo. Day)

Use #07 ~~irrigation~~ ^{of irrigation}

Use 02 Jan 68

Period of Use From April 1 To Oct. 31

2 F (Domestic, 1971)

2 F (Domestic, 1971)

(Both Dates Inclusive)

(4) Quantity of water claimed: 0.06 ~~0.06~~ 0.07 Cubic Feet Per Second, or 1.25.7 Acre Feet Per Annum,
and/or _____ Gals. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source NE NW 1/4 SE 1/4
Sec. 27 Twp. 9 N. Rge. 5 W., B.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. Pump & Pipeline

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres 1.0

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

(7) Effluent, sewage waste, or return water from this use is discharged into.

(8) If you are claiming water as a member of an organization, list name of organization.

(9) Remarks

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

April 11, 1973

(Date)

Individual

(Signature of Claimant)

(Signature of Spouse)

Organization

State of Idaho

County of Ada

a notary public, personally appeared Betty Einspahr

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same. *John J. Koss*

Notary Public residing at

My commission expires _____

9KN 11/9/78

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 65-06436 Date: 1-20-00

Overlapping POU Claim #'s: _____

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	9N	5W	27													/				/
GIS																/				/
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 174

POD_ID #(s): 121

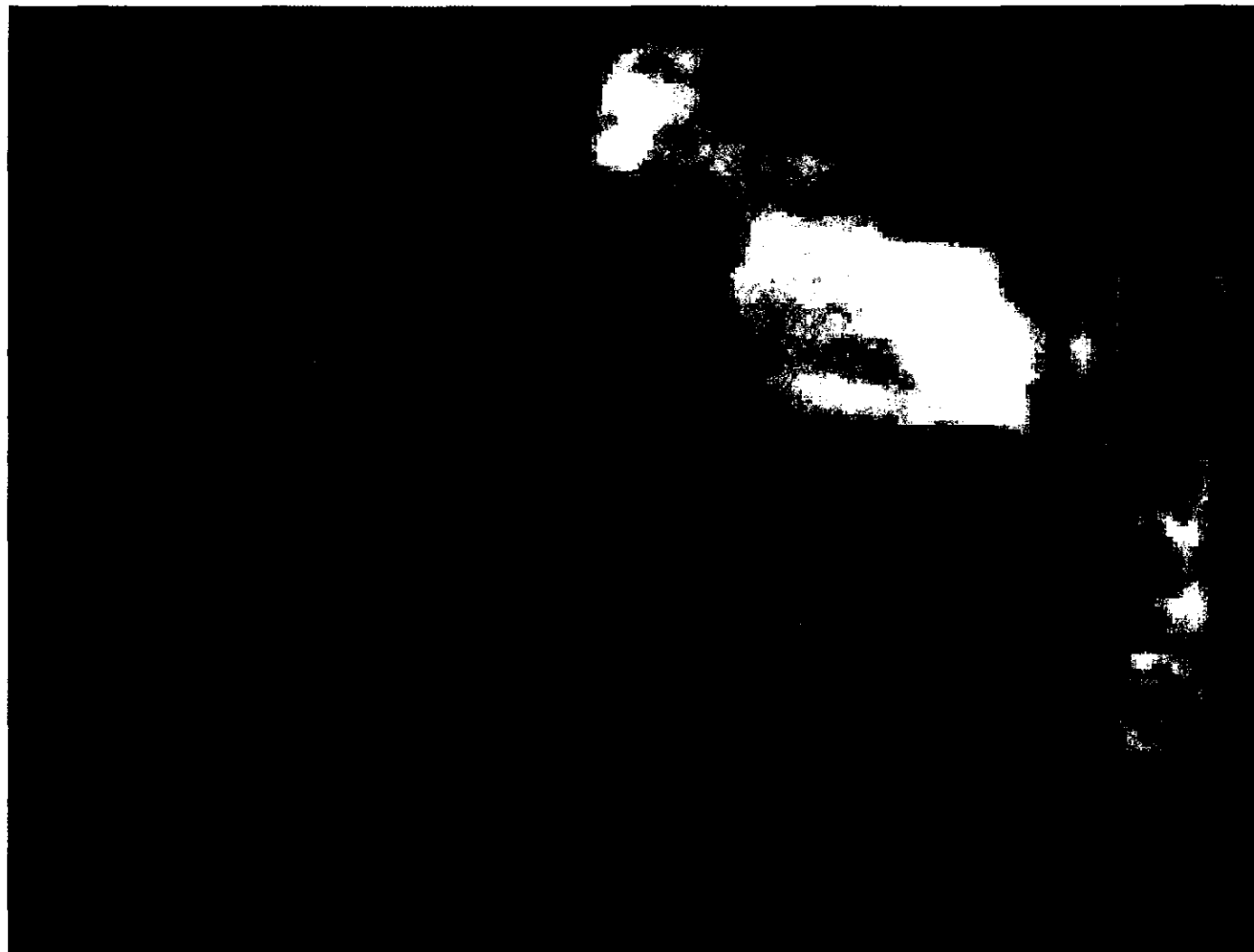
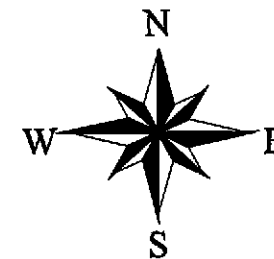
Total Claimed Acres: 1

Total GIS Acres: 1

COMMENTS:

per PRBA blueprints and county tax data
- POD ?? placed randomly in POD listed.

IDAHO DEPARTMENT OF WATER RESOURCES
T09N, R05W, S27



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-06436

OWNER(S): EINSPAHR, BETTY

DATE: APRIL 6, 2001

By: Mel Schulte

0

0.25

0.5

1