

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

RECEIVED

NOV 21 1989

Ident. Number: A63-04905
Date Received: 11/17/1989
Receipt No: S010493
Received By: lw

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELIZABETH GAMBOA
Address: 2764 ANGELL AVE.
SAN DIEGO, CA

619-453-0724

92122

2. Date of Priority: JUN 01, 1941

3. Source: LITTLE SMOKEY CREEK
BIG SMOKEY CREEK

Trib. to: BIG SMOKEY CREEK
BOISE RIVER, SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	13E	11	NE	NE	NE		CAMAS
			NE	SE	SE		CAMAS

5. Description of diverting works:
LARGE CHAINED LOG, CANVAS DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/15	10/01	2.620		
STOCKWATER	06/10	09/10	0.040		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is 327.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/5 HORSES, D/UNSPECIFIED

A63-04905

Page 1

Date: 11/17/89

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	13E	11	NE		NE		IRR	20.0
			NW		NE		IRR	10.0
			SW		NE		IRR	20.0
			SE		NE		IRR	30.0
			NE		SE		IRR	30.0
			NW		SE		IRR	21.0

Section Acres 131.0

Total Acres 131.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
NONE

14. Remarks:

SOURCES ARE LITTLE SMOKEY CK., TRIB. BIG SMOKEY CK.; BIG SMOKEY CK., TRIB. BOISE R., S. FK.
ORIGINALLY CLAIMED 500 SHEEP FOR STOCK USE, NOW ~ 5 HORSES USE WATER SOURCES.

15. Basis of Claim: STATUTORY CLAIM

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

10. Place of use is: Township: _____ Range _____

Section _____, _____ 1/4 of _____ 1/4, Govt. Lot _____, B.M.,

for (Circle One) **Domestic** **Stock** **Domestic and Stock**

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? _____

12. Do you own the property listed above as place of use? Yes _____ No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

() None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Elizabeth Sambo Date 10-13-1989

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____ that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of _____) SS.

County of Gooding)

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 13th day of October 1989



Notary Public Janet A. Correll

Residing at Gooding, Idaho

My Commission Expires 2-28-1993

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claim

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Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Henry Gamboa

(Name of Claimant)

2764 Angell Ave. San Diego, Calif. 92122

(Mailing Address)

(Zip Code)

Telephone No. 714-453-0724

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 1941

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Little Smokey Creek tributary to Big Smokey Creek
Big Smokey Creek tributary to South Fork Boise River
- (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)	
(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>2.62 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>5-15</u>	To <u>10-1</u>
Quantity <u>.04</u>	Use <u>Stockwater</u>	Period of Use From <u>6-10</u>	To <u>9-10</u>
Quantity <u>.04</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity <u>2.70 cfs</u>	Use _____	Period of Use From _____	To _____
TOTAL QUANTITY USED.			

- (4) 2.70 cfs TOTAL QUANTITY USED.
(cfs, gpm, ...)
- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ NE ¼, Sec. 11 Twp. 3N Rge. 13E B.M., County of Camas
Additional points of diversion: NESE, Sec. 11 T3N, R13E

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. Describe any changes in the system and give the date of the change. Movable diversion dam by large chained log to divert water into fields (point Marked #1 point of diversion). Canvas dam (point #2 point of diversion).

- (6) A) 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]

No. of acres 131

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

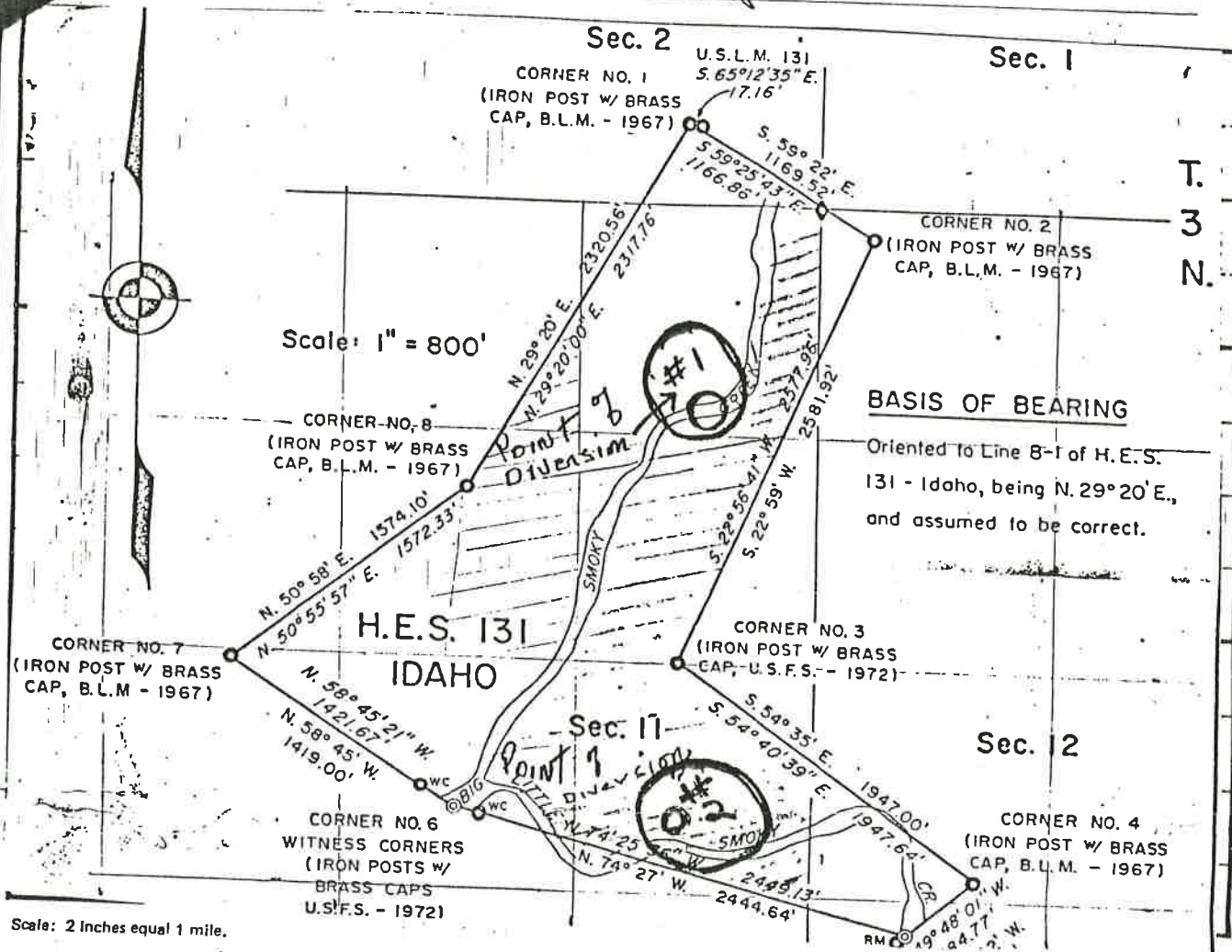
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NOTE: Include here the type and number of stock watered: 500 head sheep

- (7) If you are claiming water as a member of an organization, list name of organization: _____

Shaded Area designates
place of use for irrigation.

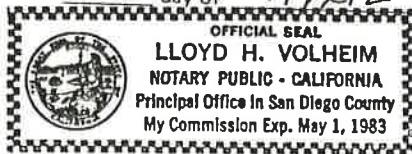


Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of _____) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 15th day of APRIL



My commission expires

Henry Embrose
(Claimant)
1982

Notary Public
Residing at Lloyd Volheim

FOR DEPARTMENT USE ONLY

Received by _____ Date 7-12-82
Prelim. check by CLS Date 7/11/82
\$20.00 fee received by 710 Date 7/16/82 # 24060
Published in Gooding County Leader
Dates 8/12/82 8/19/82 mountain home news

Exception filed by:
Forwarded to
claimant by:

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AUG 20 1992

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

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-04905

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2004 MAR 11 PM 4 29

NAME AND ADDRESS: ELIZABETH GAMBOA
2764 ANGELL AVE
SAN DIEGO, CA 92122

SOURCE: BIG SMOKY CREEK TRIBUTARY: SOUTH FORK BOISE RIVER
LITTLE SMOKY CREEK TRIBUTARY: BIG SMOKY CREEK

QUANTITY: 1.75 CFS

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

PRIORITY DATE: 06/01/1941

POINT OF DIVERSION: T03N R13E S01 LOT 5 (SWSW) Within Camas County
S11 NENE
S12 NWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.71 CFS
	Stockwater	06-10 TO 09-10	0.04 CFS

PLACE OF USE:	Irrigation	Within Camas County
	T03N R13E S11	NENE 16.3 ✓ SENE 20.5 ✓ NWSE 16.2 ✓
	S12	NWNW 2.3 ✓
	R13E S11	NWNE 0.3 ✓
	85.4 Acres Total	SWNE 15.7 ✓ NESE 13.4 ✓ NESW 0.7 ✓

Stockwater Within Camas County
Same as Irrigation

All places of use are on private land within Homestead Entry
Survey (MES) 131.

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER 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. I.C. SECTION 42-1412(6).

RECOMMENDATION

MAR 11 2004


SPECIAL MASTER

COPY OF SIGNED DOCUMENT
PRIOR TO ATTORNEY SIGNATURES.

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

In Re SRBA

Subcase No. 63-04905

Case No. 39576

Standard Form 5

**STIPULATED ELEMENTS
OF A WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Elizabeth Gamboa
Elizabeth Gamboa Date

12/28/03

OBJECTORS:

United States on behalf of the
USDA Forest Service

David L. Negri Date

Susan Gamboa 12/28/03
Susan Gamboa Date

IDWR CONCURRENCE:

Jan Shurte 1-15-04
Jan Shurte Date

ATTORNEY FOR IDWR:

Nicholas B. Spencer Date

12/15/2003

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

RIGHT NUMBER: 63-4905

NAME AND ADDRESS: ELIZABETH GAMBOA
2764 ANGELL AVE
SAN DIEGO CA 92122SOURCE: LITTLE SMOKY CREEK
BIG SMOKY CREEKTRIBUTARY: BIG SMOKY CREEK
TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 1.75 CFS

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

PRIORITY DATE: 06/01/1941

POINT OF DIVERSION:

T03N R13E S11 NENE Within CAMAS County
T03N R13E S1 SWSW Lot 5 Within CAMAS County
T03N R13E S12 NWSW Within CAMAS CountyPURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.710 CFS
STOCKWATER	06/10 09/10	0.040 CFS

PLACE OF USE:

IRRIGATION Within CAMAS County

T03N R13E S11	NENE	16.3	T03N R13E S11	NWNE	0.3
T03N R13E S11	SWNE	15.7	T03N R13E S11	SENE	20.5
T03N R13E S11	NESW	0.7	T03N R13e S11	NESE	13.4
T03N R13E S11	NWSE	16.2	T03N R13E S12	NWNW	2.3

STOCKWATER same as IRRIGATION

85.4 ACRES TOTAL

All places of use are on private land within Homestead Entry Survey (HES) 131.

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 stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

~~Stockwater use is for 5 horses.~~ SL 24

12/15/2003

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

RIGHT NUMBER: 63-4905
NAME AND ADDRESS: ELIZABETH GAMBOA
2764 ANGELL AVE
SAN DIEGO CA 92122
SOURCE: LITTLE SMOKY CREEK
BIG SMOKY CREEK
TRIBUTARY: BIG SMOKY CREEK
TRIBUTARY: SOUTH FORK BOISE RIVER
QUANTITY: 1.750 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
PRIORITY DATE: 06/01/1941
POINT OF DIVERSION:

T03N R13E S1 SWSW Lot 5 Within CAMAS County
T03N R13E S11 NENE Within CAMAS County
T03N R13E S12 NWSW Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.710 CFS
STOCKWATER	06/10 09/10	0.040 CFS

PLACE OF USE: IRRIGATION Within CAMAS County

T03N R13E S11	NENE	16.3	T03N R13E S11	NWNE	0.3
T03N R13E S11	SWNE	15.7	T03N R13E S11	SENE	20.5
T03N R13E S11	NESW	0.7	T03N R13e S11	NESE	13.4
T03N R13E S11	NWSE	16.2	T03N R13E S12	NWNW	2.3

STOCKWATER same as IRRIGATION

85.4 ACRES TOTAL

All places of use are on private land within Homestead Entry Survey (HES)
131.

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
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL
BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER USE IS FOR 5 HORSES.

IDAHO DEPARTMENT OF WATER RESOURCES

Claim No. 63-4905
Gamboa

Prepared by:
Jan Shurte
Date: 12-12-03

T3N R13E S11 & 12

1987 NAPP



Place of Use



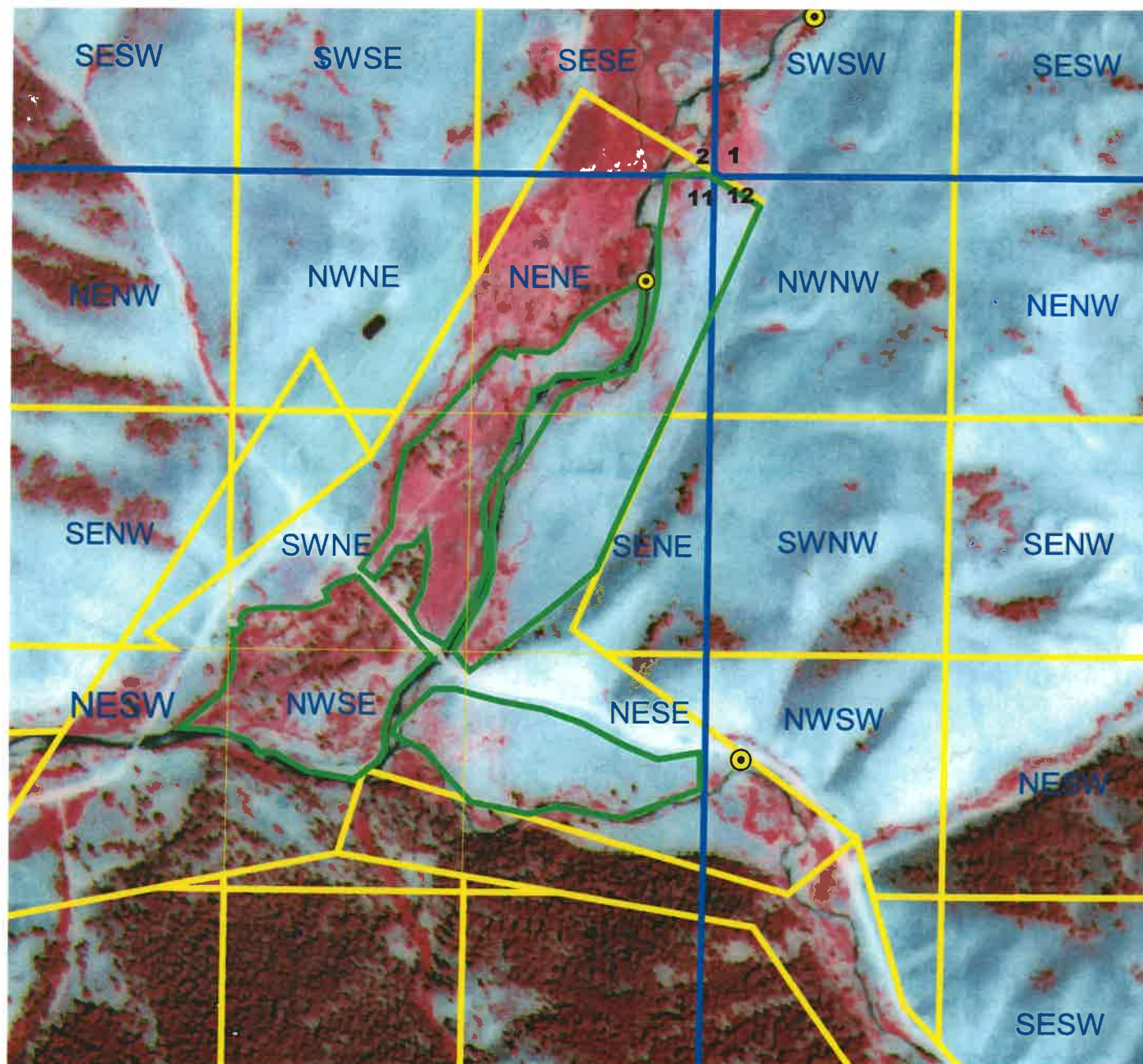
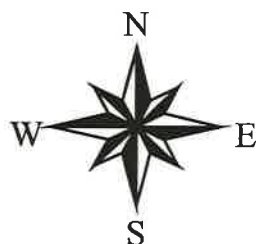
Section Lines



1/41/4



Pt of Diversion



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4905 V3

WATER RIGHT NUMBER: 63-4905 V3

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELIZABETH GAMBOA 2764 ANGELL AVE SAN DIEGO, CA 92122 (619)453-0724

Priority Date: 06/01/1941
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
BIG SMOKY CREEK LITTLE SMOKY CREEK	SOUTH FORK BOISE RIVER BIG SMOKY CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	1.710 CFS	
STOCKWATER	06/10 to 09/10	0.040 CFS	
	<u>Total Diversion:</u>	1.750 CFS	

Location of Point(s) of Diversion

BIG SMOKY CREEK CAMAS County	NE1/4NE1/4	Sec. 11, Twp 03N, Rge 13E, B.M.
BIG SMOKY CREEK CAMAS County	L5 (SW1/4SW1/4)	Sec. 1, Twp 03N, Rge 13E, B.M.
LITTLE SMOKY CREEK CAMAS County	NW1/4SW1/4	Sec. 12, Twp 03N, Rge 13E, B.M.

Place of UseIRRIGATION Within CAMAS County

T03N R13E S11	NENE 16.3	T03N R13E S11	NWNE 0.3
T03N R13E S11	SWNE 15.7	T03N R13E S11	SENE 20.5
T03N R13E S11	NESW 0.7	T03N R13e S11	NESE 13.4
T03N R13E S11	NWSE 16.2	T03N R13E S12	NWNW 2.3

Total Acres: 85.4

STOCKWATER same as IRRIGATIONConditions of Approval:

1. C18 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.
2. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4905 V3

Remarks:

1. Explanatory STOCKWATER USE IS FOR 5 HORSES.
2. Place of Use All places of use are on private land within Homestead Entry Survey (HES) 131.

Comments:

1. jshurte 12/12/2003 Objection Resolution

Comment: Objection to omission of the point of diversion in the NENE, S. 11. Per field exam conducted by Lori Graves in August 2003, the point of diversion was evident (as it was on the 1987 NAPP photo) thus adding the acres on the westside of the creek where this ditch fed. Total acres added were 38.9 and total cfs .78 cfs (1" per acre). Ditch capacities were 7.01 cfs, so ok on the diversion rate. SF5 created and submitted on 12-12-03.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POD	12/12/2003 4:40:28 PM	jshurte			Active
Summary			12/12/2003	jshurte	Active
Summary			12/15/2003	jshurte	Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4905 V2

WATER RIGHT NUMBER: 63-4905 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELIZABETH GAMBOA 2764 ANGELL AVE SAN DIEGO, CA 92122 (619)453-0724

Priority Date: 06/01/1941
 Basis: Beneficial Use
 Status: Closed

<u>Source</u>	<u>Tributary</u>
BIG SMOKY CREEK LITTLE SMOKY CREEK	SOUTH FORK BOISE RIVER BIG SMOKY CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.930 CFS	
STOCKWATER	06/10 to 09/10	0.040 CFS	
	<u>Total Diversion:</u>	0.930 CFS	

Location of Point(s) of Diversion

BIG SMOKY CREEK CAMAS County	L5 (SW1/4SW1/4)	Sec. 1, Twp 03N, Rge 13E, B.M.
LITTLE SMOKY CREEK CAMAS County	NW1/4SW1/4	Sec. 12, Twp 03N, Rge 13E, B.M.

Place of UseIRRIGATION Within CAMAS County

T03N R13e S11	NENE	10.0	T03N R13e S11	SWNE	0.1
T03N R13e S11	SENE	17.5	T03N R13e S11	NESE	13.4
T03N R13e S11	NWSE	3.2	T03N R13e S12	NWNW	2.3

Total Acres: 46.5

STOCKWATER same as IRRIGATIONConditions of Approval:

1. C18 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.
2. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Explanatory STOCKWATER USE IS FOR 5 HORSES.
2. Place of Use All places of use are on private land within Homestead Entry Survey (HES) 131.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4905 V2

Comments:

1. lharris 7/7/2003 SF5-Amendment

Comment: This right amended per agreement with Forest Service.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			07/07/2003	lharris	Closed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4905 V1

WATER RIGHT NUMBER: 63-4905 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELIZABETH GAMBOA 2764 ANGELL AVE SAN DIEGO, CA 92122 (619)453-0724

Priority Date: 06/01/1941

Basis: Beneficial Use

Status: Closed

<u>Source</u>	<u>Tributary</u>
BIG SMOKY CREEK LITTLE SMOKY CREEK	SOUTH FORK BOISE RIVER BIG SMOKY CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.930 CFS	
STOCKWATER	06/10 to 09/10	0.040 CFS	
	<u>Total Diversion:</u>	0.930 CFS	

Location of Point(s) of Diversion

BIG SMOKY CREEK CAMAS County	SW1/4SW1/4	Sec. 1, Twp 03N, Rge 13E, B.M.
LITTLE SMOKY CREEK CAMAS County	NW1/4SW1/4	Sec. 12, Twp 03N, Rge 13E, B.M.

Place of UseIRRIGATION Within CAMAS County

T03N R13e S11	NENE 10.0	T03N R13e S11	SWNE 0.1
T03N R13e S11	SENE 17.5	T03N R13e S11	NESE 13.4
T03N R13e S11	NWSE 3.2	T03N R13e S12	NWNW 2.3

Total Acres: 131

STOCKWATER same as IRRIGATIONConditions of Approval:

1. C18 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.
2. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Explanatory STOCKWATER USE IS FOR 5 HORSES.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4905 V1

Comments:

1. sbock 8/20/2001 POU

Comment: Mel Schulte and I conducted a field exam on 8/9/01. The pod from the little smoky had been a source of conflict recently. We spoke with Don at the bar next to Big Smoky Cr. he used to manage the land for Gamboa up until this year when he had a stroke. He indicated that nothing on the North side of Big Smoky had been irrigated in many years. We followed the f.s. road up the south side of the creek. We spoke with Darlene Wilcox, she has the f.s. lease on the cabin close to the pod from Big Smoky. Falkner comes up and puts hay bales in the cr to aid in diverting water. Darlene has been tending to the water; however, she has mainly applied this water to the land just west of her which is f.s. land. I explained that she did not have a water right for this irrigation nor would the f.s. allow her to file an irrigation right for the property. Some of the water Darlene was diverting made it down on the Gamboa land. From the little Somky a large diversion has been placed in the creek to irrigate land on the east side of the creek up to the road.

2. sbock 8/20/2001 domestic

Comment: There was no evidence of domestic use during the field exam, no home found. Tried calling Gamboa number is no longer valid. Will wait to hear from her for evidence of priority.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag: NONE RECEIVED

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	8/20/2001 9:31:49 AM	sbock			Closed
Priority Date	8/20/2001 9:32:16 AM	sbock			Closed
POD	8/20/2001 9:34:32 AM	sbock			Closed
Source	8/20/2001 9:34:58 AM	sbock			Closed
POU	8/20/2001 9:44:57 AM	sbock			Closed
Use	8/20/2001 9:45:27 AM	sbock			Closed
Season	8/20/2001 9:52:24 AM	sbock			Closed
Quantity	8/20/2001 9:52:26 AM	sbock			Closed
Season	8/20/2001 10:01:56 AM	sbock			Closed
Quantity	8/20/2001 10:02:17 AM	sbock			Closed

Summary

8/20/2001 10:05:10 AM sbock

Closed

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4905 V1

SubCase:

SubCase Number: 63-4905
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: Jan Shurte
Basis of Claim: Beneficial Use
Date Filed: 1/31/2003 Objection Status: Active

IDAHO DEPARTMENT OF WATER RESOURCES

Claim No. 63-4905
Gamboa

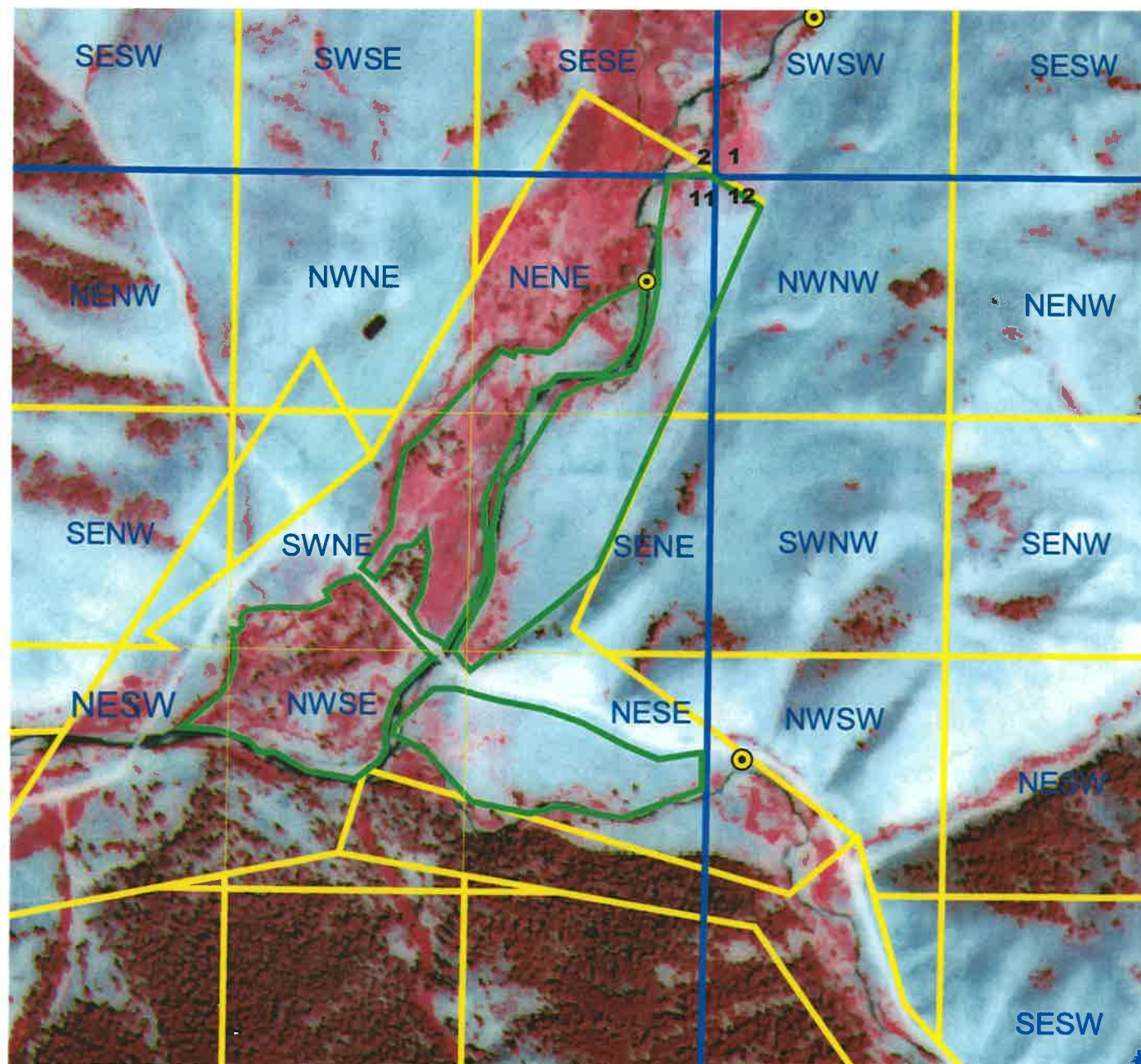
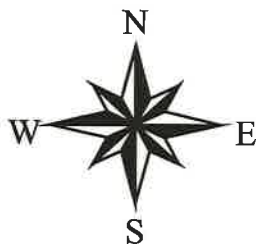
Prepared by:
Jan Shurte
Date: 12-12-03

T3N R13E S11 & 12

1987 NAPP

 **Place of Use**
 **Section Lines**
 **1/41/4**

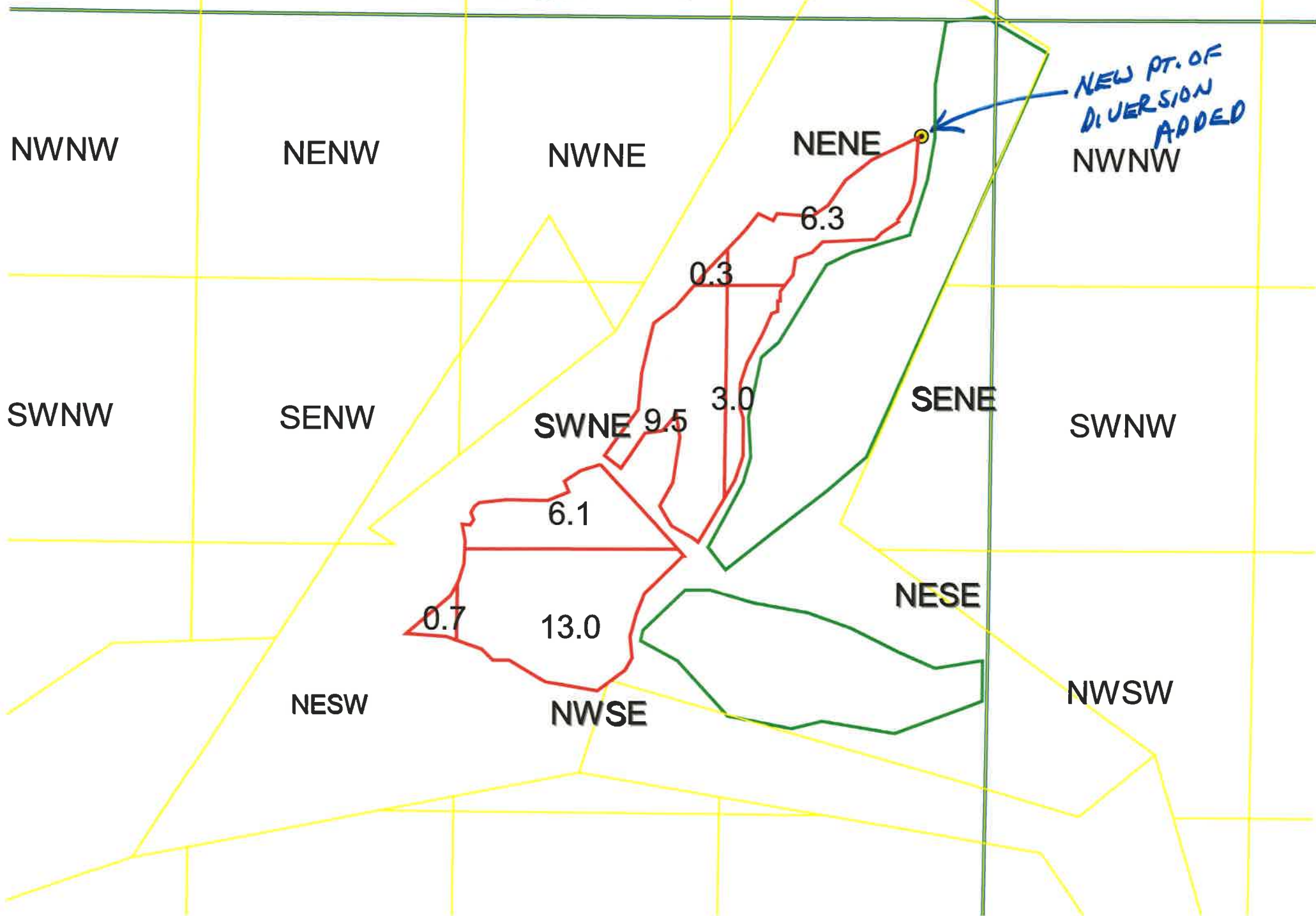
 **Pt of Diversion**



0 0.25 0.5 0.75 Miles

RED - NEW ADDITIONAL ACRES

GREEN - ORIGINAL ACRES RECOMMENDED



MEMORANDUM

DATE: 9/29/03

FROM: Lori Graves 

TO: Jan Shurte

RE: Gamboa Claim 63-4905

Susan Gamboa filed an objection to claim 63-4905, stating that a diversion located on the West side of Big Smokey Creek was overlooked and not recommended for decree. As a result acres on the West side of Big Smokey Creek were not included in the total acres recommended for decree.

The Sydney Butte Topo Quad map (X70) indicates an obvious diversion and ditch on the west side of Big Smokey Creek. A 1987 arc view photo also shows the same diversion and ditch, along with irrigation (red) below the ditch.

I conducted a field investigation of the site 8/31/03 and found the diversion ditch actually a little farther north of the diversion indicated on the topo map. This northerly diversion and ditch is evidenced on the arc view photo. A dead-man steel post and cable were found at the diversion site in a location that suggested a wooden (tree) dam was used and held in place by the cable. Evidence of a partial rock dam across the channel were also found. The water was diverted through a ditch and existing 18" culvert, which then discharged into a 3' wide by 3' deep ditch that is indicated on the topo map and arc view photo. A GPS reading was taken at the point of diversion. Latitude was 0430171 and longitude was 0279637.

Lands that could be irrigated via gravity irrigation were south and east of the ditch. Another 18" culvert was found in the SWNE, just southeast of the lodge, where the ditch water could be used to irrigate acres on the other side of the dirt road. Actual number of acres that can be irrigated with the ditch irrigation system can be calculated using arc view. I have attached an arc view photo and pictures indicating the location of the p/d, p/u and culverts found during the investigation. I have also attached a sketched diagram of how the dead-man steel post and cable were probably utilized. Please let me know if you have any questions.

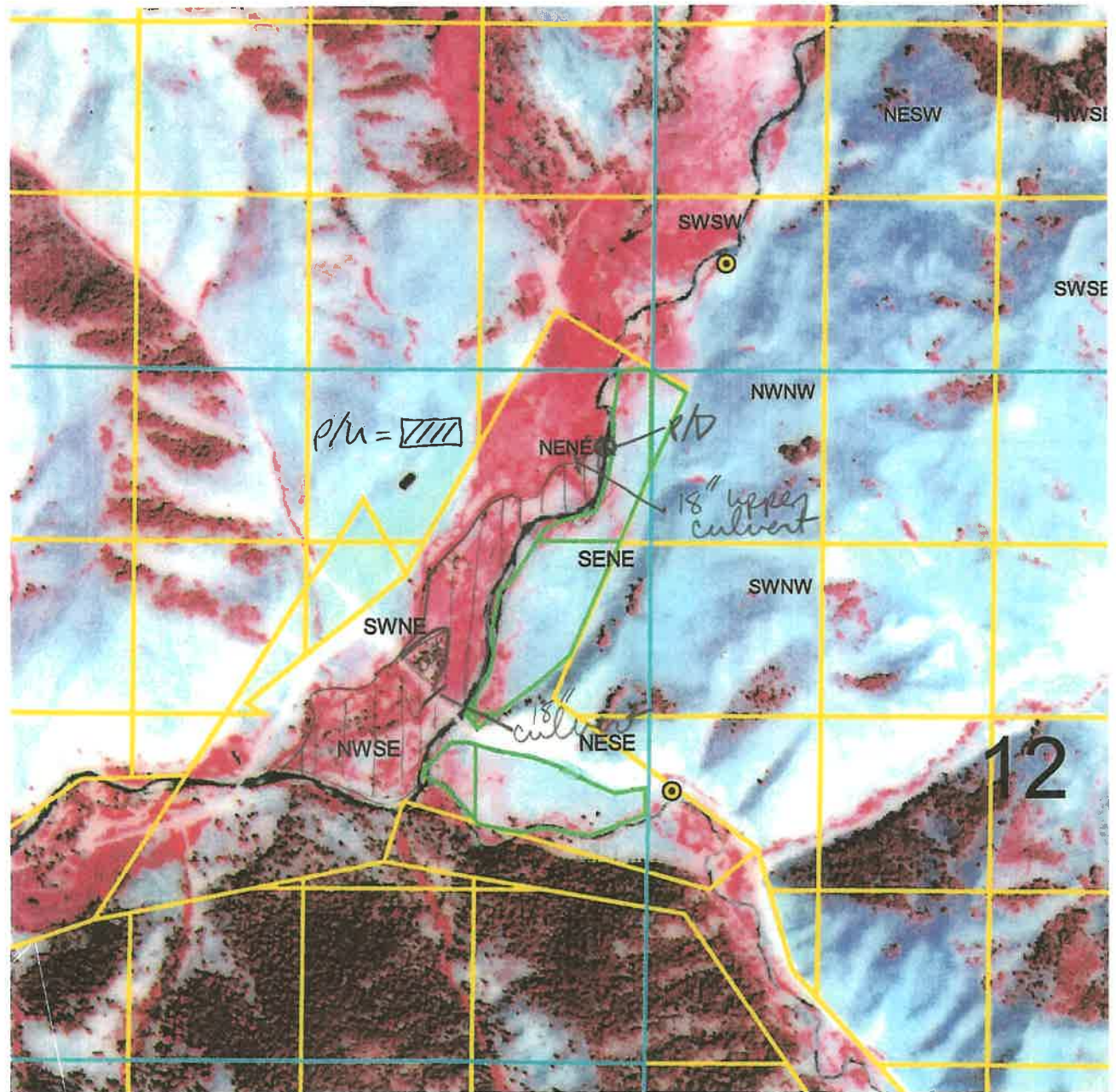
Idaho Dept of Water Resources

Claim No(s): 63-4905
T03N, R13E, S 11, 12
Prepared by: Sue Bock
Date: 8/20/2001

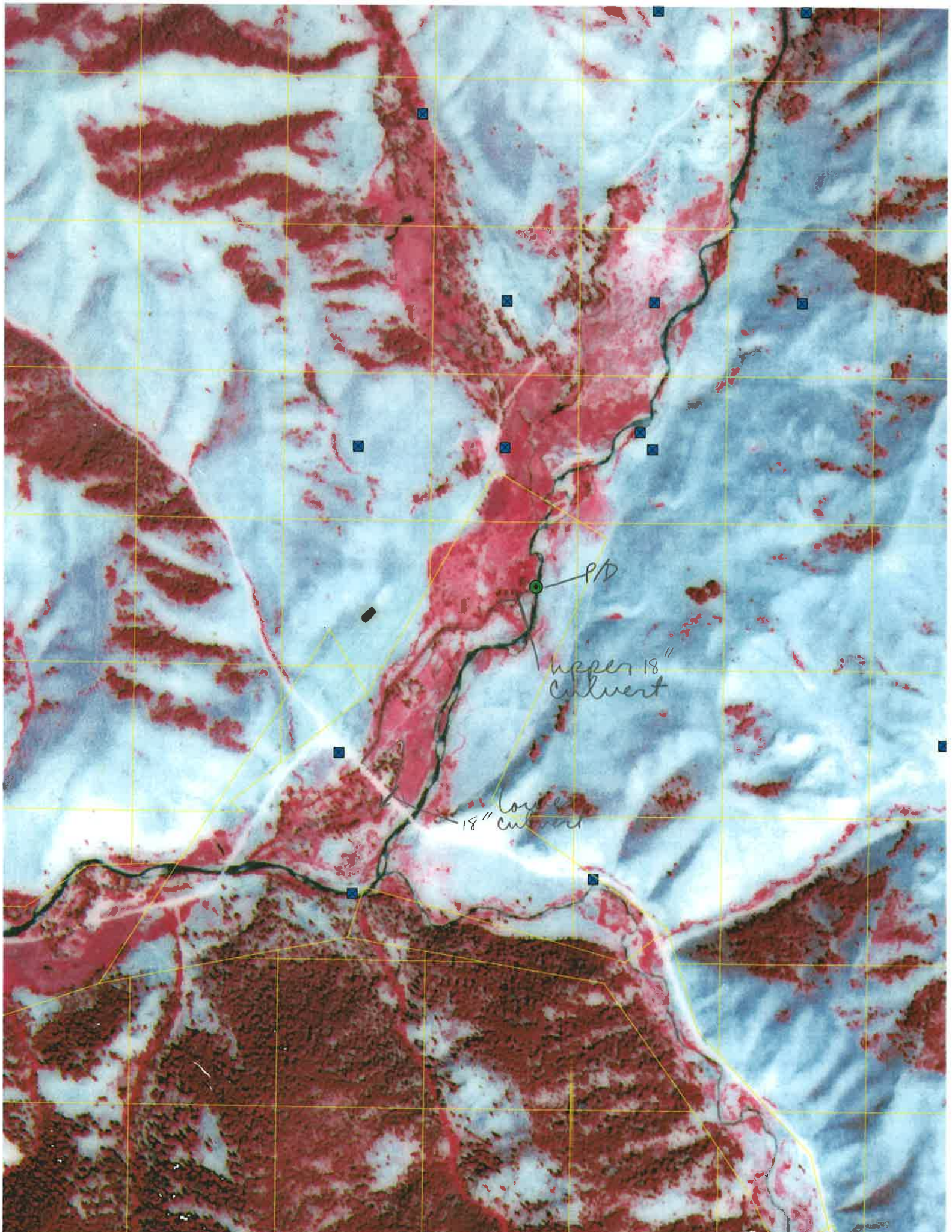
-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



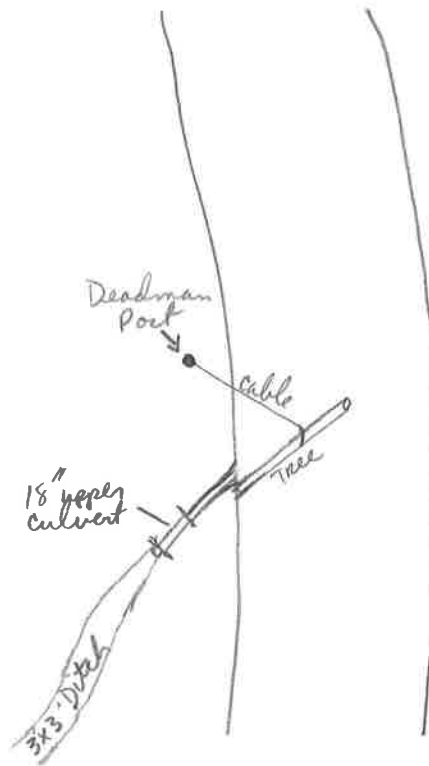
600 0 600 1200 Feet



1987 NAPP Photo



Diversion
Sketch
(assuming use of dead-
man post)





NENE S11
T3N R13E

P/D

Facing SW



Evidence of
old rock dam

P/D

Facing SE



Dead-Man
Port + cable
in NENE S11
(Just above P/D)



Upper Culvert
in NENE S11



P/D, Beginning of ditch
Facing SW



Ditch leading to ^(upper) Culvert
in NE NE S11
Facing S



P/U NE of
Road

Facing W
Picture taken
on West bank
of River in
SENE SII



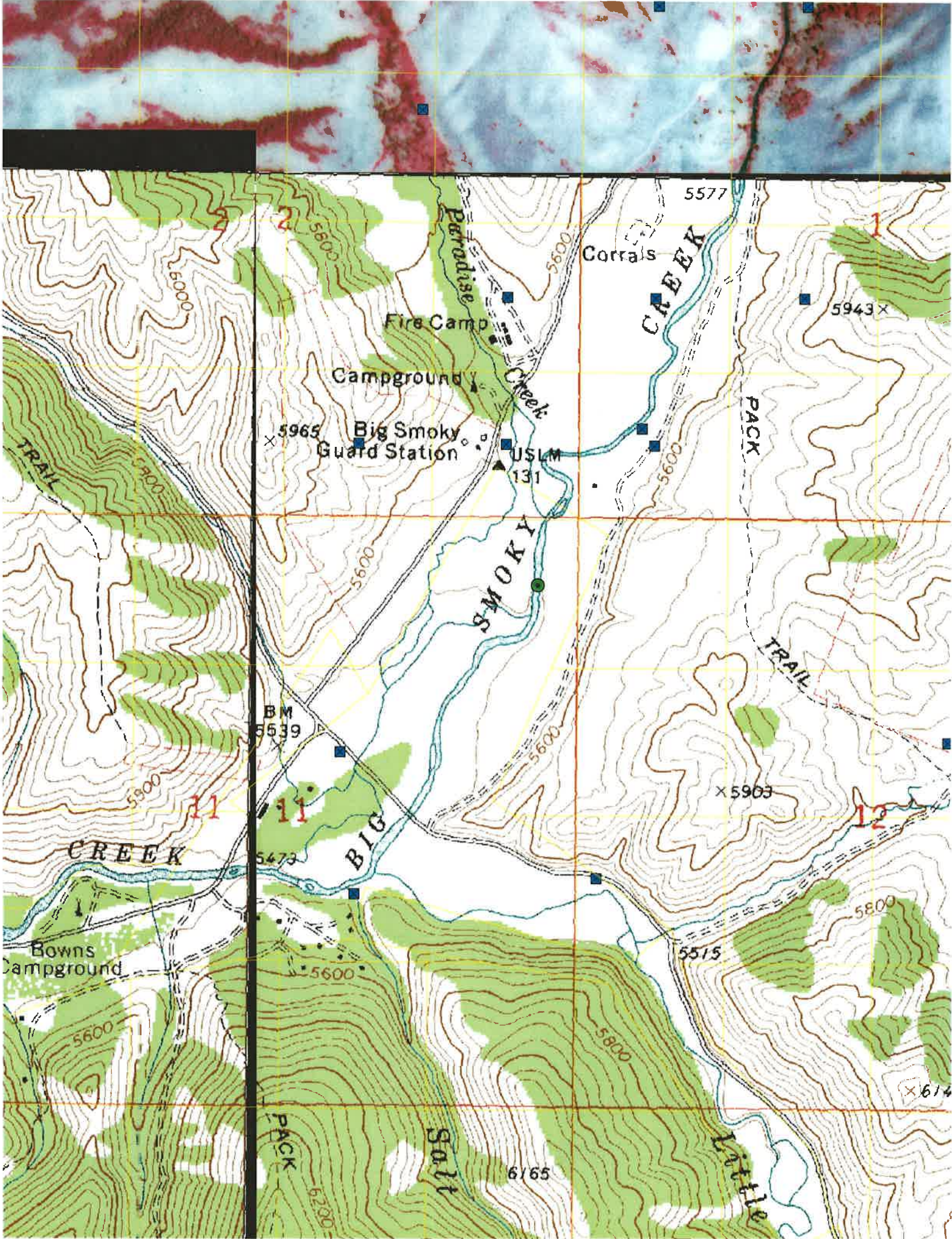
Lower Culvert in SWNE
SII

Facing SW

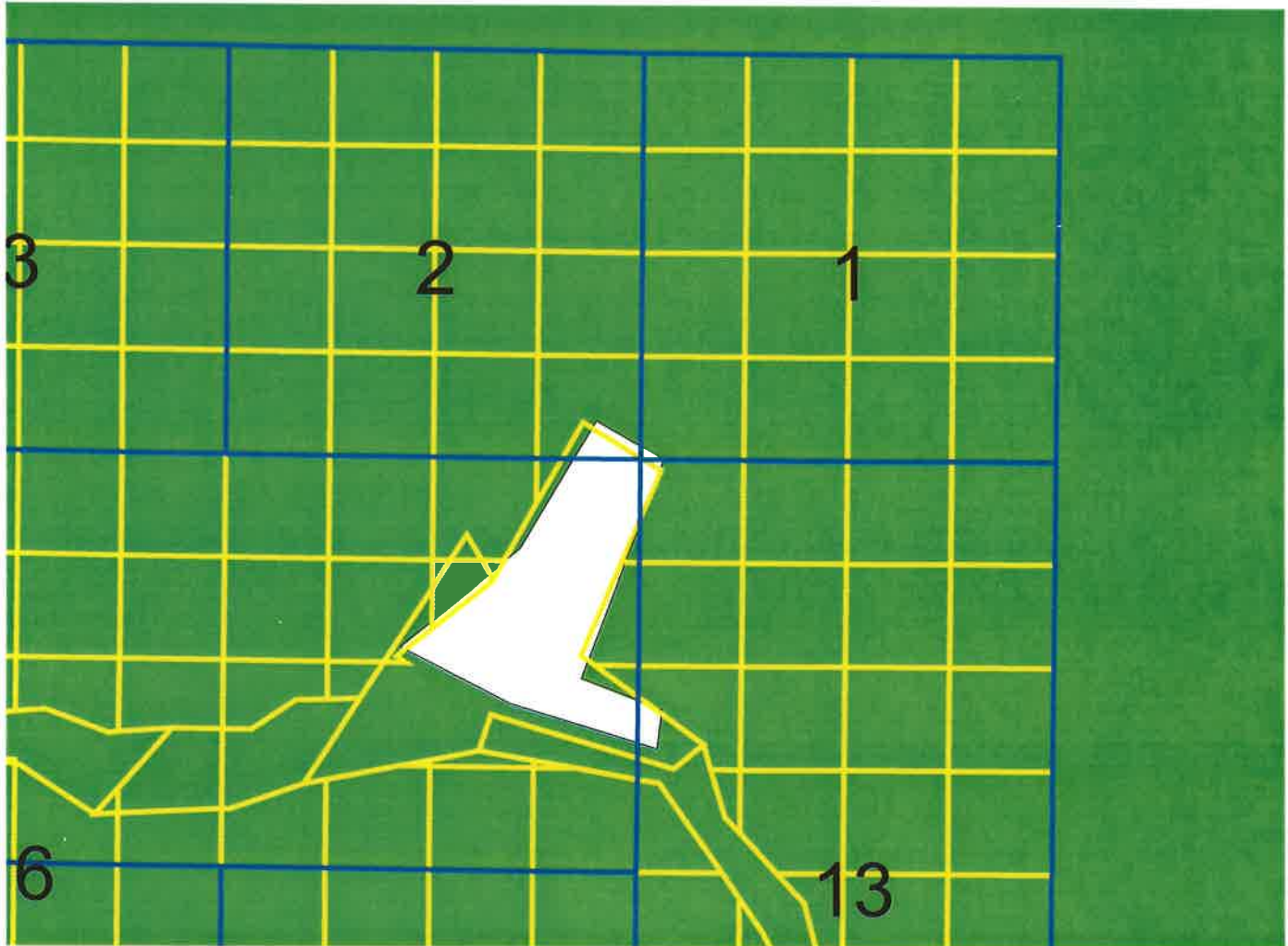


River SW of Rd
in SWNE + NWSE SII
Facing SW

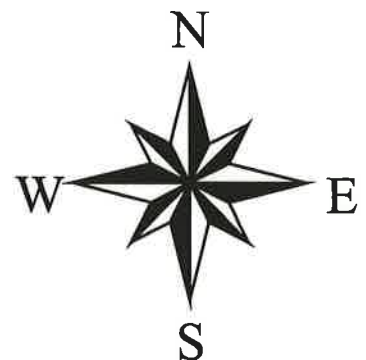


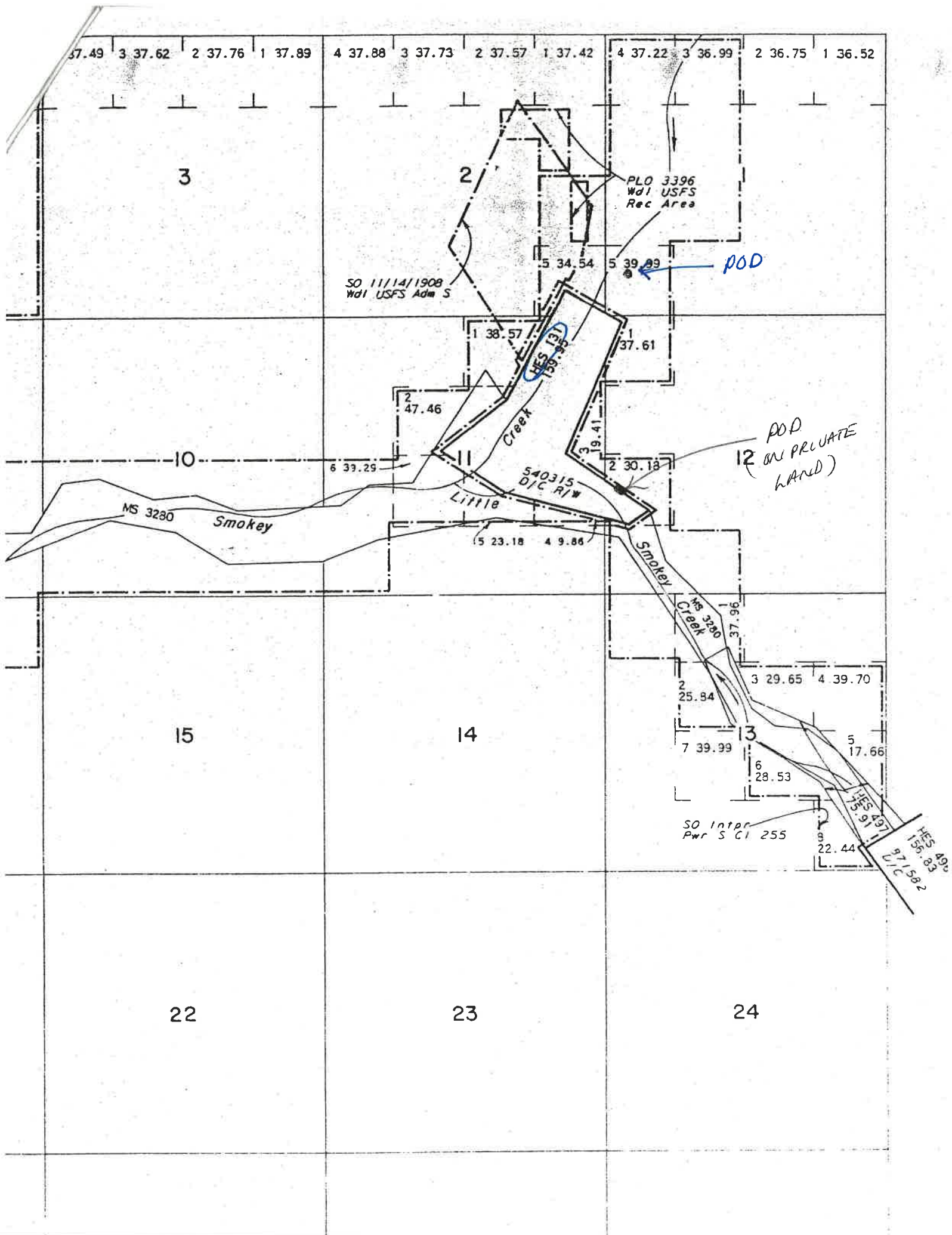


63-4905



-  S3n13e.shp
-  T03n13e.shp
- ldown.shp**
 -  B.L.M.
 -  Bureau of Indian Affairs
 -  Department of Energy
 -  Forest Service
 -  Military Reservations
 -  National Parks & Monuments
 -  Open water
 -  Private
 -  State of Idaho
 -  U.S. Fish & Wildlife Service





USFS DRAFT OF
RESOLUTION TO THEIR
OBJECTION.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 63-04905

Name and Address: ELIZABETH GAMBOA
2764 ANGELL AVE
SAN DIEGO, CA 92122

Source: BIG SMOKY CREEK Tributary: BOISE RIVER
LITTLE SMOKY CREEK BIG SMOKY CREEK

SOUTH FORK

Quantity: .93 CFS

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

Priority Date: 06-01-1941

Diversion Point: T03N R13E S01 Lot 5 (SWSW) Within Camas County
S12 HES 131 (NWSW)

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	04-15 TO 10-31	.93 CFS
	Stockwater	06-10 TO 09-10	.04 CFS

Place of Use:	Irrigation	Within Camas County
	T03N R13e S11	NENE 10 SWNE 0.1
		SENE 17.5 NESE 13.4
		NWSE 3.2
	S12	NWNW 2.3
	46.5 Acres Total	

Stockwater
Same as Other Use

ALL PLACES OF USE ARE ON PRIVATE LAND WITHIN HOMESTEAD ENTRY
SURVEY (HES) 131.

Other Provisions Necessary for Definition / 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
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

Explanatory Material: Basis of Claim - Beneficial Use

STOCKWATER USE IS FOR 5 HORSES.

Shurte, Jan

From: Steven M Spencer [sspencer@fs.fed.us]
Sent: Wednesday, July 02, 2003 4:46 PM
To: jshurte@idwr.state.id.us
Subject: Gamboa 63-04905



Corrected Directors
Report Rec...



SF5.wpd

This is a draft of the corrected directors report recommendation I talked about with you this morning. There are no deletions. I'm requesting that Lot 5 be added to the Section 1 POD and HES131 be added to the Section 12 POD. Then all POU's are in HES 131. If this meets with your approval, please sent back to me an electronic copy of the Departments amended directors report recommendation. I'll sent it with the appropriate document (hopefully the accompanying SF5 if it also meets with your approval) and my special use permit application to Mrs. Gamboa. If you have any questions, please contact me.

(See attached file: Corrected Directors Report Recommendation.doc)

(See attached file: SF5.wpd)

Steve Spencer
Boise Adjudication Team
161 E. Mallard, Suite A

(208) 331-5944
(208) 387-0842 FAX
e-mail: sspencer@fs.fed.us

Boise, ID 83706

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4905

NAME AND ADDRESS:

ELIZABETH GAMBOA
2764 ANGELL AVE
SAN DIEGO CA 92122SOURCE: BIG SMOKY CREEK Tributary: BOISE RIVER SOUTH FORK
LITTLE SMOKY CREEK BIG SMOKY CREEK

QUANTITY: 0.930 CFS

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

PRIORITY DATE: 06/01/1941

POINT OF DIVERSION:

~~T03N R13E S1 SWSW~~
~~Within CAMAS County~~T03N R13E S1 SWSW Lot 5
Within CAMAS CountyT03N R13E S12 NWSW
Within CAMAS CountyPURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/15 10/31	0.930 CFS
STOCKWATER	06/10 09/10	0.040 CFS

PLACE OF USE:

IRRIGATION within CAMAS County

T03N R13E S11 NENE 10.0

T03N R13E S11 SWNE 0.1

T03N R13E S11 SENE 17.5

T03N R13E S11 NESE 13.4

T03N R13E S11 NWSE 3.2

T03N R13E S12 NWNW 2.3

STOCKWATER Same As IRRIGATION

46.5 ACRES TOTAL

All places of use are on private land within Homestead Entry Survey (HES) 131.

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 STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
STOCKWATER USE IS FOR 5 HORSES.ARCHIVED LINKED 7-17-03 *JS*

Shurte, Jan

From: Steven M Spencer [sspencer@fs.fed.us]
Sent: Wednesday, July 16, 2003 11:40 AM
To: Shurte, Jan
Subject: Re: FW: Gamboa 63-04905

Yes. I mailed things to her in San Diego last week. Thanks for checking.

Steve Spencer (208) 331-5944
Boise Adjudication Team (208) 387-0842 FAX
161 E. Mallard, Suite A e-mail: sspencer@fs.fed.us

Boise, ID 83706

"Shurte, Jan"

<JShurte@idwr.st
" 'sspencer@fs.fed.us' " <sspencer@fs.fed.us>

To:

ate.id.us>

cc:

Subject: FW: Gamboa

63-04905

07/16/2003 11:25

AM

Hey Steve - I have a copy of a corrected directors report in the file for Gamboa. Did we circulate an SF5 and director's report to you on this one yet? Just doublechecking myself. Thanks, Jan.

-----Original Message-----

From: Steven M Spencer [mailto:sspencer@fs.fed.us]
Sent: Wednesday, July 02, 2003 4:46 PM
To: jshurte@idwr.state.id.us
Subject: Gamboa 63-04905

*SF5 Routed
APPROVAL LINKED
TO VERSION 2
js*

COPY OF LATE OBJECTION
SENT TO SRBA COURT
AS OF THIS DATE NO
DATE SET FOR LATE OBJ.

fyj

RECEIVED

AUG 04 2003

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 SRBA

Case No. 39576

A. Subcase 63-4905

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Susan Gamboa

Address:

55 Dorland St.

San Francisco, CA 94110

Daytime Phone:

(415) 4012764 / Cell: (415) 9997125

Name & Address of Attorney, if any:

n/a

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

Elizabeth Gamboa

Address:

2764 Angell Ave.

San Diego, CA 92122

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**
Should be: Susan Lamba, 55 Dorland St. San Francisco, CA 94110
2. ☐ **Source**
Should be: N/C
3. ☒ **Quantity**
Should be: 2.0 cfs
4. ☐ **Priority Date**
Should be: N/C
5. ☒ **Point(s) of Diversion**
Should be: Additional point on Big Smoky Creek located in the NENE 511 + 3N R13E
6. ☐ **Instream Flow Description**
Should be: N/A
7. ☐ **Purpose(s) of Use**
Should be: N/C
8. ☐ **Period of Year**
Should be: N/C
9. ☒ **Place of Use**
Should be: Additional acreage on west side of Big Smoky Creek was omitted. Approx. 100 acres should be listed rather than 46.5
11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** (Please see attached)

p. 2a

E.

August 1, 2003

To: Idaho Department of Water Resources

From: Susan Gamboa

Re: SRBA

Case No. 39576

Subcase No. 63-4905

Thank you for this opportunity to explain what has happened in regards to my mother's failure to respond to recent communications re: the waters allotted to the Gamboa property at Big Smoky.

My mother, Elizabeth Gamboa turns 78 this month. She received the communications about the hearings on the water rights but became overwhelmed by the procedures involved. She did not inform my brothers and ^{Paul} about the problem and it was only in mid July that we learned that hearings were being scheduled. Unfortunatley my mother did not have the dates.

These events have brought us together to support our mother who is happy to relinquish responsibility for these legal affairs and has asked me (or if possible all of us who form the Gamboa Trust; myself, Henry, Mark, Paul and John) to follow-up. We

have been educating ourselves about the situation and would ask that we be given the opportunity to respond. My mother remains concerned about the plans for the property but because of her age and mental status is unable to effectively respond to the communications from the IDWR.

Gamboa

F.

VERIFICATION (Must be Completed)

State of California)
) ss.
County of San Francisco

SUSAN GAMBOA, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Susan Gamboa
(Signature of person filing objection)

(Attorney signing in representative capacity)

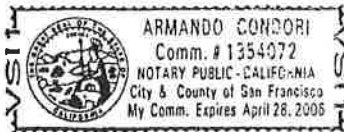
Subscribed and sworn to before me on:

August 1, 2003

Armando Condori
Notary Public for California

Residing at: 5373 18th St. S.F. CA

My Commission Expires: 4/28/06



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 8/1/03 ²⁰⁰³, 199__, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name:

Address:

Elizabeth Gamboa
2764 Angell Ave.
San Diego, CA 92122

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of Objector or attorney
mailing on Objector's behalf

RECEIVED

SEP - 8 2003

Department of Water Resources

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

In Re SRBA

Case No. 39576

A. Subcase 63-4905

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Susan Gamboa

Address: 55 Dorland St.

San Francisco, CA 94110

Daytime Phone: (415) 401 2764 / cell: (415) 999 7125

Name & Address of Attorney, if any:

n/a

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Elizabeth Gamboa

Address: 2764 Angell Ave.

San Diego, CA 92122

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**
Should be: Susan Camba, 55 Dorland St. San Francisco, CA 94110
2. ☐ **Source**
Should be: N/C
3. ☒ **Quantity**
Should be: 2.0 cfs
4. ☐ **Priority Date**
Should be: N/C
5. ☒ **Point(s) of Diversion**
Should be: Additional point on Big Smoky Creek located in the NENE S11 T3N R13E.
6. ☐ **Instream Flow Description**
Should be: N/A
7. ☐ **Purpose(s) of Use**
Should be: N/C
8. ☐ **Period of Year**
Should be: N/C
9. ☒ **Place of Use**
Should be: Additional acreage on west side of Big Smoky Creek was omitted. Approx. 100 acres should be listed rather than 46.5
11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** (Please see attached)

P. 2 a

E

August 1, 2003

To: Idaho Department of Water Resources

From: Susan Gamboa

Re: SRBA

Case No. 39576

Subcase No. 63-4905

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have been educating ourselves about the situation and would ask that we be given the opportunity to respond. My mother remains concerned about the plans for the property but because of her age and mental status is unable to effectively respond to the communications from the IDWR.



F.

VERIFICATION (Must be Completed)

State of California)
) ss.
County of San Francisco

SUSAN L GAMBORA, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

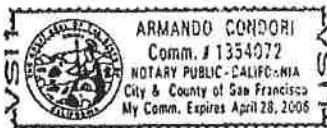
Susan L Gambora
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

August 1, 2003
Armando Condori

Notary Public for California
Residing at: 3312 18th St S.F. CA
My Commission Expires: 4/28/06



INSTRUCTIONS FOR MAILING

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1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name:

Address:

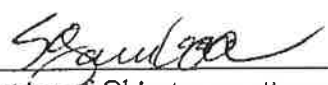
Elizabeth Cambra
2764 Angell Ave.
San Diego, CA 92122

3. Copies to:

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PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of Objector or attorney
mailing on Objector's behalf

Shurte, Jan

From: Steven M Spencer [sspencer@fs.fed.us]
Sent: Wednesday, July 02, 2003 4:46 PM
To: jshurte@idwr.state.id.us
Subject: Gamboa 63-04905



Corrected Directors
Report Rec...



SF5.wpd

This is a draft of the corrected directors report recommendation I talked about with you this morning. There are no deletions. I'm requesting that Lot 5 be added to the Section 1 POD and HES131 be added to the Section 12 POD. Then all POU's are in HES 131. If this meets with your approval, please sent back to me an electronic copy of the Departments amended directors report recommendation. I'll sent it with the appropriate document (hopefully the accompanying SF5 if it also meets with your approval) and my special use permit application to Mrs. Gamboa. If you have any questions, please contact me.

(See attached file: Corrected Directors Report Recommendation.doc)
(See attached file: SF5.wpd)

Steve Spencer
Boise Adjudication Team
161 E. Mallard, Suite A

(208) 331-5944
(208) 387-0842 FAX
e-mail: sspencer@fs.fed.us

Boise, ID 83706

Shurte, Jan

From: Steven M Spencer [sspencer@fs.fed.us]
Sent: Monday, September 15, 2003 10:48 AM
To: jshurte@idwr.state.id.us
Subject: 63-04905 Gamboa

I'm working now with Susan Gamboa on a special use permit that will partially resolve the FS objection to this water right filed by her mother, Elizabeth. The other things that would resolve our objection would be assuring 'Lot 5' is associated with the POD in the SWSW of Sec 1 and something similar to 'All places of use are on private land, part of HES 131'. You and I worked on this stuff prior to Susan and John Gamboa becoming involved and questioning the absence of more irrigated lands.

I understand there will be a new or amended directors report recommendation to include more acres. If we can assure that Lot 5 and the HES 131 are on the new recommendation I can't foresee any problem with the new/additional irrigated acres and diversion on private land. When they are available, would you please send to me the new recommendation and map for my files and to include as part of the special use permit application? Thank you.
If you have any questions, please contact me.

Steve Spencer
Boise Adjudication Team
161 E. Mallard, Suite A

(208) 331-5944
(208) 387-0842 FAX
e-mail: sspencer@fs.fed.us

Boise, ID 83706

RECEIVED

JAN 31 2003

Department of Water Resources

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

In Re SRBA

Case No. 39576

A. Subcase: _63-04905 _

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service

Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724

Daytime Phone: (208) 331-5943

Name and Address of Attorney, if any:

David L. Negri
550 West Fort Street
MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN THE DIRECTOR'S REPORT

Name: Elizabeth Gamboa

Address: 2764 Angell Ave.
San Diego, CA 92122

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☒ **Point(s) of Diversion**
Should be: See E below.
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Places of Use**
Should be: See E below.

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The point of diversion, SWSW of Section 1, T3N R13E is on National Forest System land. The claimants are not authorized to occupy and use National Forest System (NFS) land for this purpose. The legal description of the private land should all be HES 131. The NFS land surrounding HES 131 is all described as lots in the public land survey system.

F. VERIFICATION (Must be Completed)

State of Idaho)
County of Ada) ss.

Michael Collette, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Michael Collette
(Signature of person filing objections)

(Attorney signing in representative capacity)

Subscribed and sworn before me on:

January 30, 2003
 Gayla J. Gough



Notary Public for: Idaho
Residing at: Kuna, Idaho
Commission Expires: 11/17/2004

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 11/30/03, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

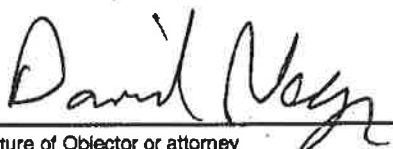
Name: Elizabeth Gamboa
Address: 2764 Angell Ave.
San Diego, CA 92122

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource
Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

May 24, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

John Faulkner
Faulkner Land & Livestock
1989 S 1875 E
Gooding, ID 83330

Re: Diversion of Water from Little Smoky Creek; Claim to Water Right No. A63-04905 in the Name of Elizabeth Gamboa

Dear Mr. Faulkner:

Personnel of the Idaho Department of Fish & Game (Fish & Game) informed the Idaho Department of Water Resources (IDWR) that the dam constructed to divert water from Little Smoky Creek under adjudication claim no. A63-04905 washed out during high water flood flows.

If the diversion dam/structure has failed, you should not reconstruct the diversion works until two preconditions are satisfied. First, you must demonstrate that there is water available for diversion during the upcoming irrigation season. I spoke with Lee Sisco, watermaster for the Boise River, about water availability in the Boise River during the 2002 irrigation season. Lee stated that Anderson Ranch Reservoir will not fill this year. Adjudication claim no. A63-04905 claims a priority date of June 1, 1941. The storage water right for Anderson Ranch Reservoir bears a priority date of 1940. Because the Anderson Ranch storage will not fill, no water will be available for claim no. A63-04905 during the 2002 irrigation season. Furthermore, your claim is based on beneficial use, and is not yet decreed. Water can only be diverted after all other decreed, licensed, or permitted water rights are delivered. There are other decreed, licensed, or permitted water rights that will not be satisfied during the 2002 irrigation season. Because no water can be diverted during the 2002 irrigation season, you are instructed not to rebuild the diversion works during the 2002 irrigation season without written approval from IDWR.

Second, prior to any reconstruction for diversion in future years, you must: (1) Show that there is or will likely be water available for diversion and beneficial use, and (2) Submit plans and specifications to IDWR for construction of a diversion structure that will withstand flood water flows in Little Smoky Creek. You should use actual measured data or hypothetical data derived from accepted scientific methods to determine the type, size, and location of the diversion structure. The plans and specifications must be approved by IDWR prior to any construction.

If you have any questions, I would be happy to visit with you.

Respectfully,


Gary Spackman

cc. Dave Parrish
Greg Schildwachter
Norm Young

DAVE PARISH
FISH & GAME
PO BOX 428
JEROME ID 83338-0428

GREG SCHILDWACHTER
SPECIES CONSERVATION
300 N 6TH ST
BOISE ID 83702

02/26/2002

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

RIGHT NUMBER: 63-4905

NAME AND ADDRESS: ELIZABETH GAMBOA
2764 ANGELL AVE
SAN DIEGO CA 92122

SOURCE: LITTLE SMOKY CREEK
BIG SMOKY CREEK

TRIBUTARY: BIG SMOKY CREEK
TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.93 CFS

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

PRIORITY DATE: 06/01/1941

POINT OF DIVERSION:

T03N R13E S1 SWSW Within CAMAS County
T03N R13E S12 NWSW Within CAMAS County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.930 CFS
STOCKWATER	06/10 09/10	0.040 CFS

PLACE OF USE: IRRIGATION Within CAMAS County

T03N R13e S11	NENE	10.0	T03N R13e S11	SWNE	0.1
T03N R13e S11	SENE	17.5	T03N R13e S11	NESE	13.4
T03N R13e S11	NWSE	3.2	T03N R13e S12	NWNW	2.3

STOCKWATER same as IRRIGATION

46.5 ~~131~~ 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 STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER USE IS FOR 5 HORSES.

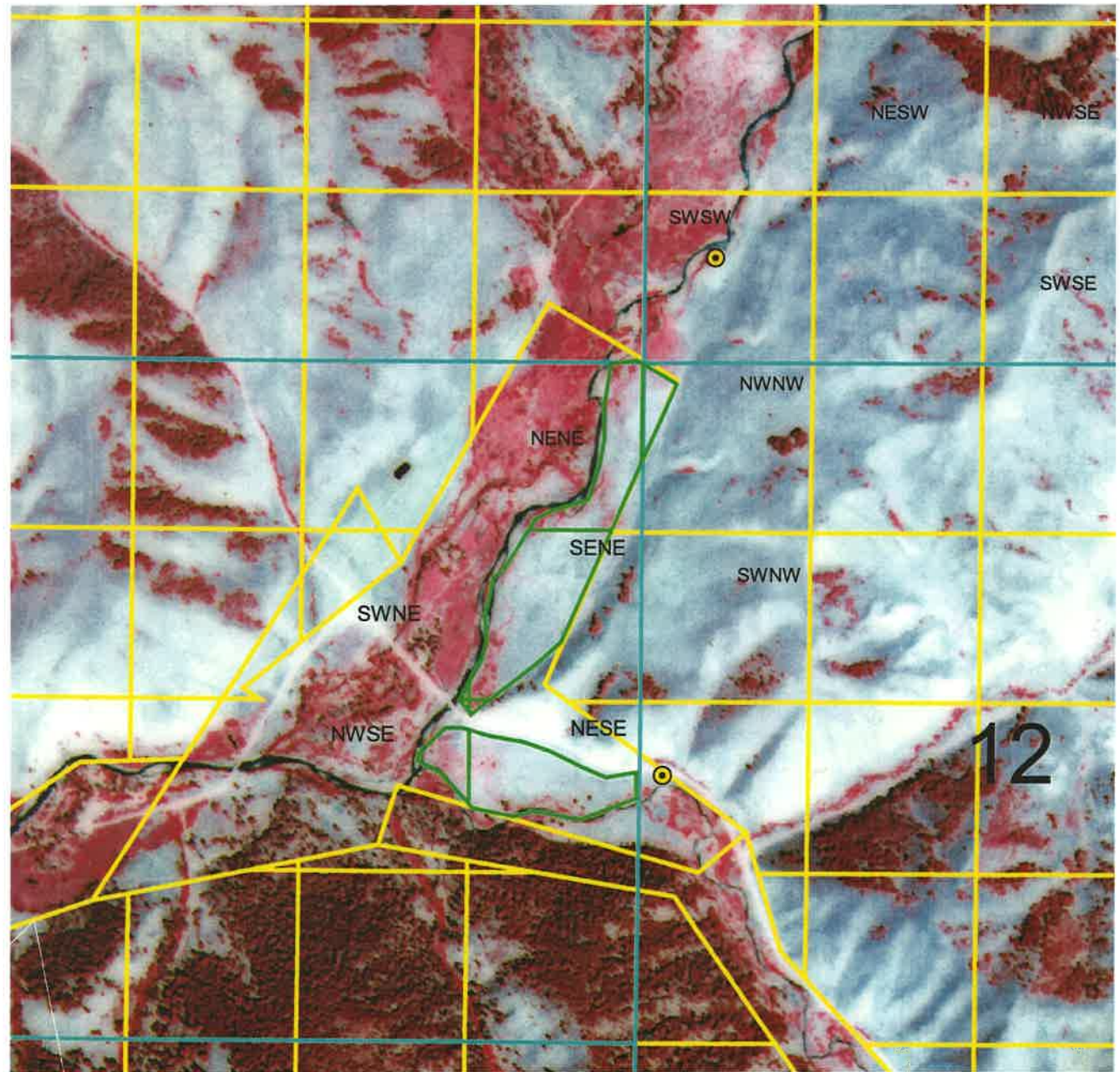
Idaho Dept of Water Resources

Claim No(s): 63-4905
T03N, R13E, S 11, 12
Prepared by: Sue Bock
Date: 8/20/2001

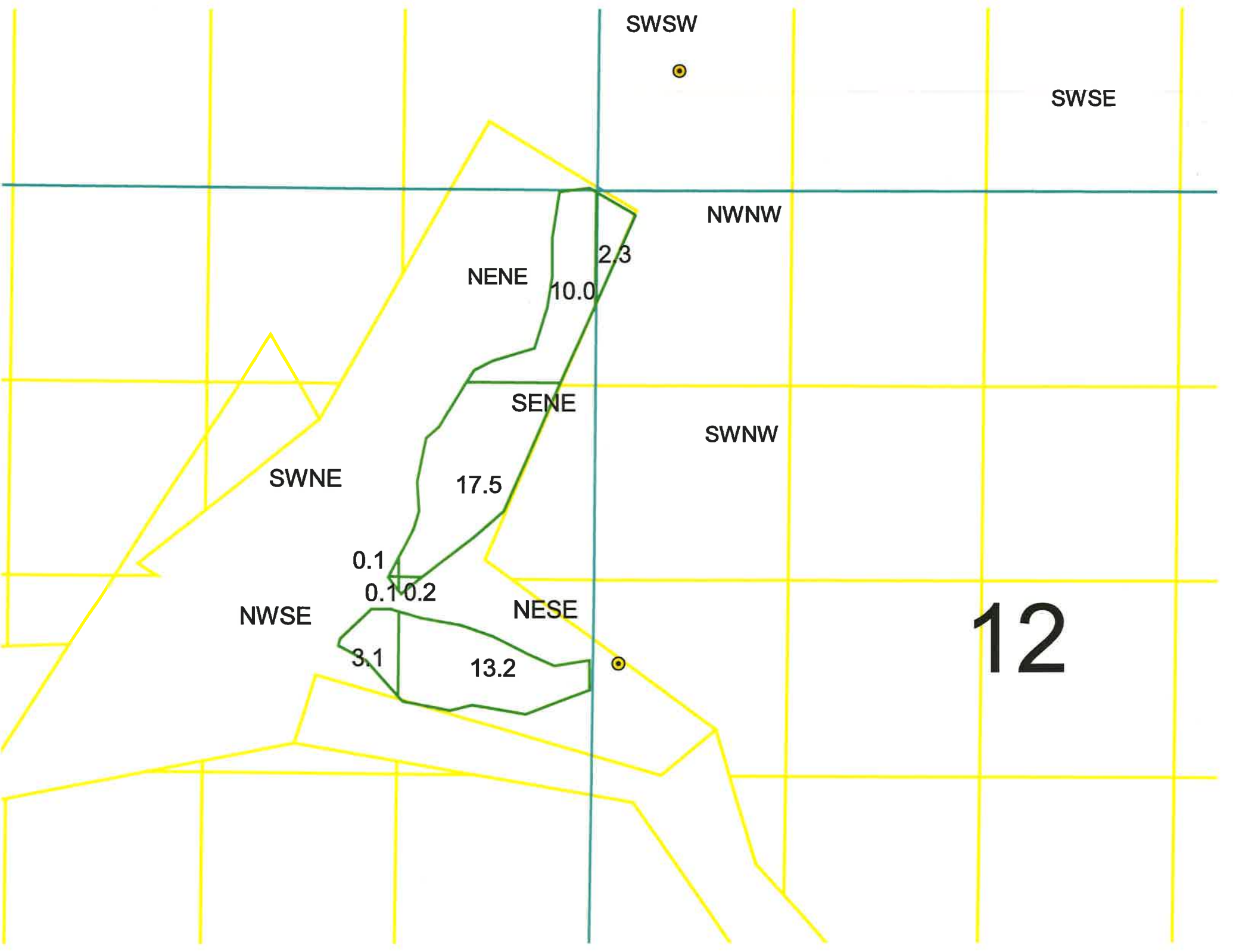
-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



600 0 600 1200 Feet



1987 NAPP Photo



IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))

_____)
_____)

AFFIDAVIT

RECEIVED

NOV 01 2001

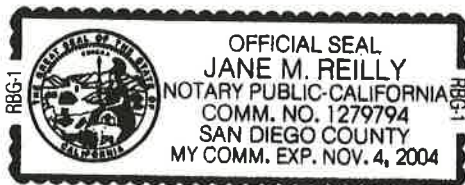
WATER RESOURCES
WESTERN REGION

State of Idaho California
County of Camas San Diego

being first duly sworn,

deposes and says: After my husband and I were
married June 14, 1947 we moved to Boise,
Idaho. While there we visited Camas County
& the land (Snakey) left to my husband by his
father Felix Garmho, who for years had
run his sheep & irrigated the meadows
in Snakey. Felix also owned & operated
the Snakey Bar in the area. Felix continued
to run his sheep & irrigate the land
until his death. The meadows continue
to be irrigated. My family enjoy our vacations
every summer at the area. The mountains
peaking in little Snakey Creek & the starry nights!

Elizabeth Garmho
Elizabeth Garmho
(Signature)



Subscribed and sworn to before me this
day 25th of October, 2001

SEAL

COPY

Jane M. Reilly
(Notary Public)
Residing at San Diego, Ca
My Commission Expires 11-4-04

10/23/01

Mrs. Hansen has
Sent in the Notice
to a Claim twice
now. I contacted her
yesterday & told her
that we need a letter
from her or other
stating the water has
been used since
1941.

Oct. 12, 1991

Dear Sue,

I hope the information
I have sent is sufficient
as evidence of priority.

My phone number is
1-858-453-0724 San Diego.

However I will be

out of town until Oct. 18th.

If you wish to call
before that - My son
Larry Gambino's phone
number is 1-619-533-4127
This is his office San Diego,
no.

Thank you

MEMORANDUM

TO: GARY SPACKMAN
FROM: DANIEL A. NELSON
DATE: 10/4/01
SUBJECT: LEASING A PUMP FOR FAULKNER DIVERSION

I have called all of the pump companies in the local area and the only company that leases a pump is Rain for Rent. The following are the particulars on the motor that they would offer to lease to us:

Trailer mounted diesel pump with 36-hour fuel capacity.

The pump will pump from 150 to 450 gpm of water.

The price is \$1100.00 per month for the pump and \$40.00 per month for the hoses.

I also priced the cost of purchasing a pump to perform this function. The cost for a brand new pump that would pump 150 gpm would be \$1800.00. You would have to add on the hoses and gas tank for an extended period of use. It would cost less in the long run to just purchase a new pump for this purpose and save the state a great deal of money.

Nelson, Dan

From: Spackman, Gary
Sent: Wednesday, October 03, 2001 10:28 AM
To: Bock, Susan; Nelson, Dan
Subject: Faulkner Diversion

Sue & Dan:

Yesterday, I met with Greg Schildwacter of the governor's office of species management, Dave Parrish and Cindy Robertson of Fish & Game, and Norm Young to discuss the Faulkner-Gamboa diversion dam on Little Smoky Creek. At the meeting, we discussed what the state should do to promote the removal of the dam. Greg Schildwacter suggested the governor's office propose to Faulkner that he remove the obstruction, and, in return, the state would lease a portable pump and motor for diversion from Little Smoky Creek. The state doesn't want to propose a permanent lease or purchase of the pumping equipment. Greg proposed a lease until the validity of the Gamboa beneficial use claim has been determined in the SRBA. If the court determines the claim is valid, the state might participate in constructing a more permanent structure. I personally don't think Faulkner will view this as a meritorious proposal. Nonetheless, I've been asked to gather some information.

Would the two of you determine the annual cost of leasing a portable pump, diesel or propane motor, pipe to deliver to the ditch, and any other necessary equipment to deliver the water to the Gamboa property? I believe the pump and motor should be sized to deliver the quantity of water to irrigate the lands identified by Sue Bock during her field exam. As I recall, about 17 acres are irrigated with Little Smoky water. The pump must be able to divert at least 0.34 cfs, or 150 gallons per minute. The pump must be available for use between May 1 and September 1.

I need to submit this information to Shieldwacter the first part of next week. Thanks for your help.

Gary

0.34 CFS

150 gpm

Open Discharge

30 FT OF Hose

Rain For Rent TRAILER MOUNTED
Pump (Diesel) 36 in. capacity
SELF PRIMING
\$1100⁰⁰ / MONTH - PUMP
40 / MONTH - HOSE -
20 FT. LENGTH.


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All Businesses

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	Business Name	Address	City	Phone	Miles**
NO	Precision Pumping Systems	7286 W Airway Ct # B	Boise, ID	(208) 323-5300	3.9
NO	Caron Pump Co	11026 Culdesac Way	Boise, ID	(208) 939-9198	8.1
YES	Rain For Rent	1303 20th St N	Nampa, ID	(208) 466-8929	17.2
NO	Layne Of Idaho Inc	700 Nampa Blvd	Nampa, ID	(208) 466-7376	18.5
NO	Silver Creek Irrigation	447 W Karcher Rd	Nampa, ID	(208) 463-0519	19.0
	Valley Pump & Equipment	608 N Washington Ave	Emmett, ID	(208) 365-2972	23.7 Maybo
NO	Agri Lines Irrigation	115 N 2nd St	Parma, ID	(208) 722-5121	39.0
NO	Parma Irrigation	26950 Highway 95 S	Parma, ID	(208) 722-6855	42.1
NO	Farm Commerical Irrigation Inc	431 E 1st St	Weiser, ID	(208) 549-1907	58.1
NO	Weiser Pump & Pipe Inc	115 W Idaho St	Weiser, ID	(208) 549-0090	58.1
TOP FOR	Willow Creek Irrigation Sys	4732 John Day Hwy	Yale, OR	(541) 473-2803	64.1
TOTTER	Agri Lines Irrigation	360 River Rd	Grand View, ID	(208) 834-2380	79.3

** Distances are in Miles from the center of Boise, ID

Search by Name or Category (e.g. Hilton, Hotel or Hilton Hotel)

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Boise, ID

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[Top](#) > Search for: **Irrigation Systems & Equipment (whol)**

All Businesses

Showing 1 - 6 of 6 [Beyond Boise](#)

	Business Name	Address	City	Phone
NO	B A Fischer Sales Co	2178 Centurion Pl	Boise, ID	(208) 375-1411
NO	Basin View Landscape	10630 Highlander Rd	Boise, ID	(208) 362-0626
NO	Caron Pump Co	11026 Culdesac Way	Boise, ID	(208) 939-9198
NO	Evergreen Sprinkler Supply Co	107 W 32nd St	Boise, ID	(208) 342-1771
NO	Precision Pumping Systems	7286 W Airway Ct # B	Boise, ID	(208) 323-5300
NO	Waterman Industries Sales Inc	6466 Supply Way	Boise, ID	(208) 343-5478

Beyond Boise

*Rain
FOR
RENT*

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*TO Buy
one
180000*

*13.4
3.2*

16.6 ACRES TOTAL

134 CFS



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 20, 2001

Elizabeth Gamboa
2764 Angell Ave
San Diego, CA 92122

Re: Claim no. 63-4905

Dear Ms. Gamboa:

Our department requested evidence of priority on the above mentioned water right. Today I received the original notice of claim from you. The notice of claim does not suffice as evidence of priority. Your claim has a priority date of 6/1/1941. We need something in the file to substantiate this date. Usually this is provided in the form of an affidavit from yourself or someone else that has historical knowledge of when and how the right was used.

Please give me a call if you have any questions. Also if you would include your phone number on any correspondence so that I may contact you with any further questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Sue Bock', written over a horizontal line.

Sue Bock
Sr. Water Resource Agent

Enclosure: Evidence of priority and profile.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

Re: Claim No(s). 63-4905

ELIZABETH GAMBOA
2764 ANGELL AVE
SAN DIEGO CA 92122

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures

B

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

07/17/2001

WATER RIGHT NO. 63-4905

Owner Type
Current Owner

Name and Address
ELIZABETH GAMBOA
2764 ANGELL AVE
SAN DIEGO, CA 92122
(619)453-0724

415-252-8453

Priority Date: 06/01/1941
Basis: Beneficial Use
Status: Active

Source
BIG SMOKY CREEK
LITTLE SMOKY CREEK

Tributary to
SOUTH FORK BOISE RIVER
BIG SMOKY CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	5/15	10/01	2.62 CFS		
STOCKWATER	6/10	9/10	0.04 CFS		
DOMESTIC	1/01	12/31	0.04 CFS		
Total Diversion			2.7 CFS		

Location of Point(s) of Diversion:

NENE	Sec. 11	Township 03N	Range 13E	CAMAS County
NESE	Sec. 11	Township 03N	Range 13E	CAMAS County

IRRIGATION Use:
Acre Limit: 131

Place(s) of use:

Place of Use Legal Description: IRRIGATION CAMAS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
03N	13E	11		NENE	20		NWNE	10		SWNE	20		SENE	30
				NESE	30		NWSE	21						

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Place of Use Legal Description: DOMESTIC same as IRRIGATION

Total Acres: 131

Remarks:

1. General SOURCES ARE LITTLE SMOKEY CK., TRIB. BIG SMOKEY CK.; BIG SMOKEY CK., TRIB. BOISE R., S. FK. ORIGINALLY CLAIMED 500 SHEEP FOR STOCK USE, NOW ~ 5 HORSES USE WATER SOURCES.

Dates:

Licensed Date:
Claim Received Date: 11/17/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s): S010493
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

IDWR FIELD EXAM
63-4905 Gamboa
July 18, and AUG 9, 2001
SUE BOCK AND MEL SCHULTE

Headgate put in by
Faulkner on the
Little Smokey
This is the E. side
of the Channel



On top of the
diversion structure
facing South



IDWR FIELD EXAM
63-4905 Gamboa
July 18, and AUG 9, 2001
SUE BOCK AND MEL SCHULTE

Headgate put in by
Faulkner on the
Little Smokey
This is the E. side
of the Channel



Facing N. toward
culvert that takes water
into ditch



IDWR FIELD EXAM
63-4905 Gamboa
July 18, and AUG 9, 2001
SUE BOCK AND MEL SCHULTE

Upstream mannings
photo taken facing
S. Lots of vegetation
in the ditch



Downstream mannings
reading



IDWR FIELD EXAM
63-4905 Gamboa
July 18, and AUG 9, 2001
SUE BOCK AND MEL SCHULTE

POU to be irrigated
from the Little
Smoky diversion



POD from
Big Smoky. Rocks and
hay bales placed in
stream to increase
diversion. Water was
being diverted at the
time of exam

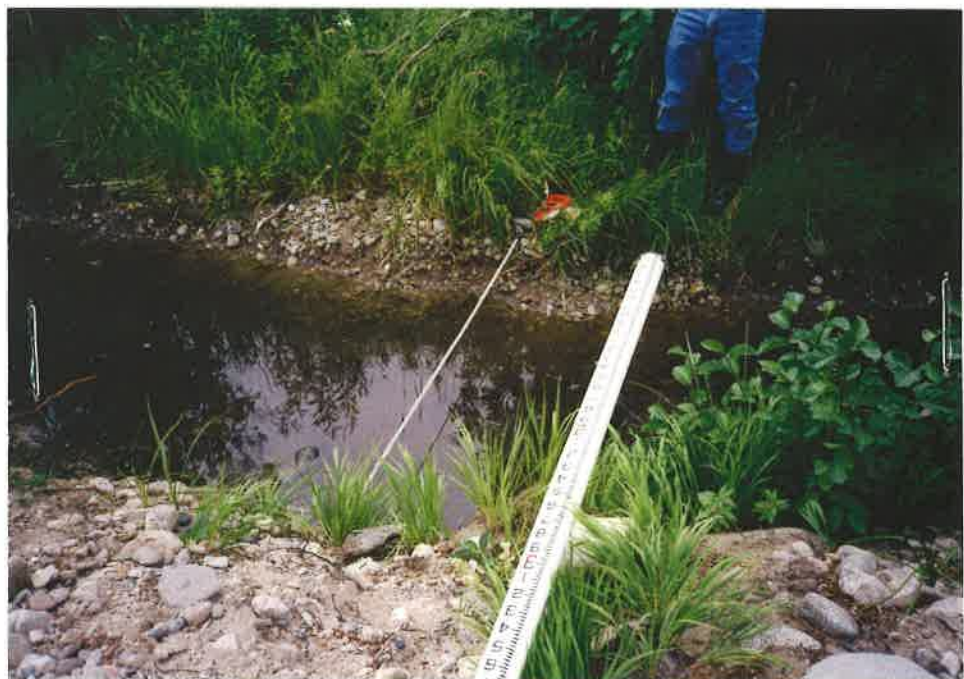


IDWR FIELD EXAM
63-4905 Gamboa
July 18, and AUG 9, 2001
SUE BOCK AND MEL SCHULTE

Water in ditch from
Big Smoky. Facing N.W.
Diversion is just E. of
Govt. Lease to Darlene
Wilcox.



Upstream mannings
from Big Smoky.



IDWR FIELD EXAM
63-4905 Gamboa
July 18, and AUG 9, 2001
SUE BOCK AND MEL SCHULTE

Downstream mannings
from Big Smoky.



POU irrigated from
Big Smoky. Photo taken
just West of F.S. land
facing W towards road. Big
Smoky on the right



Claim Number(s): 103-4905

Name of Claimant(s): Gaulter

Name of Ditch, Canal, or Stream: Big Smoky 75' Rimpool

Date of Measurement: 8/9/01 Data Collected By: SB/MS

Measurement Location: SW 1/4 SW 1/4 Section 1 T 3N R 13E

Cross Section Data

Basis: high water mark(☒) maximum capacity()

Note: minimum of five depth or rod readings; first and last must be equal or zero

depth or rod reading	distance from initial point	depth or rod reading	distance from initial point
1. <u>0</u> <u>.35</u>	<u>0</u> <u>.5</u>	7. <u>0</u> <u>.3</u>	<u>0</u> <u>.5</u>
2. <u>.8</u>	<u>1.5</u>	8. <u>.6</u>	<u>1.5</u>
3. <u>1.25</u>	<u>2.5</u>	9. <u>.8</u>	<u>2.5</u>
4. <u>~~3~~ 1.2</u>	<u>3.5</u>	10. <u>1.0</u>	<u>3.5</u>
5. <u>1.25</u>	<u>4.5</u>	11. <u>1.05</u>	<u>4.5</u>
6. <u>.9</u> <u>.35</u>	<u>5.5</u> <u>6.5</u>	12. <u>.85</u> <u>.5</u> <u>.3</u>	<u>5.5</u> <u>6.5</u> <u>7.25</u>

Slope Data

Basis: high water mark() channel bottom() land surface()

Level Readings:	upstream	downstream	
upper stadia	<u>10.08</u>	<u>10.3</u>	
center	<u>9.64</u>	<u>9.88</u>	
lower stadia	<u>9.24</u>	<u>9.44</u>	channel length
stadia difference	(<u>.52</u> + <u>.84</u>)	x 100 =	<u>138</u>

Note: for elevations, the downstream rod reading must be higher than the upstream rod reading

Comments

Are maps and/or photos attached? yes()

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	X	(1)	negligible	.000	X	(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000	X	(1)	low	.005	X	(1)
minor	.005		(2)		.010		(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000	X	(1)	minor	1.00	X	(1)
occasional	.005		(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

CROSS SECTION NUMBER 1

For File Number 63-4905 for the big smoky

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.35	0.35	0.50
3	0.80	0.80	1.50
4	1.25	1.25	2.50
5	1.20	1.20	3.50
6	1.25	1.25	4.50
7	0.90	0.90	5.50
8	0.35	0.35	6.50

The area for this cross section is 5.84 square feet
and the wetted perimeter is 7.01 feet.

CROSS SECTION NUMBER 2

For File Number 63-4905 for the big smoky

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.30	0.30	0.50
3	0.60	0.60	1.50
4	0.80	0.80	2.50
5	1.00	1.00	3.50
6	1.05	1.05	4.50
7	0.85	0.85	5.50
8	0.50	0.50	6.50
9	0.30	0.30	7.15

The area for this cross section is 5.04 square feet
and the wetted perimeter is 7.43 feet

MANNING EQUATION CHANNEL CAPACITY RESULTS

08-16-2001

File Number: 63-4905

Claimant: gamboa

Channel measured: big smoky

Date of measurement: 8/9/01

Measurement location:

75 feet from pod

Calculation prepared by: sue bock

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 138 feet.

The upstream and downstream rod readings are 9.66 and 9.88 feet.

The channel cross section is 5.44 ft-sq.

The wetted perimeter is 7.22 feet.

The hydraulic radius is 0.75 feet.

The slope is 0.0016

The roughness coefficient is 0.0050

The flow velocity is 9.850 ft/sec.

The rate of flow is 53.55 cfs.

Claim Number(s): 63-4905

Name of Claimant(s): Gambao

Name of Ditch, Canal, or Stream: about 50' from road Little Smoky

Date of Measurement: 8/9/01 Data Collected By: SB/MS

Measurement Location: NW 1/4 SW 1/4 Section 12 T 3N R 14E

Cross Section Data

Basis: high water mark() maximum capacity()

Note: minimum of five depth or rod readings; first and last must be equal or zero

depth or rod reading	distance from initial point	depth or rod reading	distance from initial point
1. <u>0</u>	<u>0</u>	7. <u>1.3</u>	<u>.25</u>
2. <u>.3</u>	<u>.25</u>	8. <u>.75</u>	<u>.75</u>
3. <u>.7</u>	<u>.75</u>	9. <u>1.05</u>	<u>1.25</u>
4. <u>.85</u>	<u>1.25</u>	10. <u>1.25</u>	<u>1.75</u>
5. <u>.8</u>	<u>1.75</u>	11. <u>1.2</u>	<u>2.25</u>
6. <u>.9</u>	<u>2.25</u>	12. <u>1.0</u>	<u>2.75</u>
7. <u>.75</u>	<u>2.75</u>		
8. <u>.5</u>	<u>3.25</u>		

Slope Data

Basis: high water mark() channel bottom() land surface()

Level Readings: upstream downstream

upper stadia	<u>6.24</u>	<u>6.78</u>
center	<u>5.98</u>	<u>6.5</u>
lower stadia	<u>5.74</u>	<u>6.26</u>

stadia difference (5 + 5) x 100 = 100 channel length

Note: for elevations, the downstream rod reading must be higher than the upstream rod reading

Comments

Are maps and/or photos attached? yes()

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	☒	(1)	negligible	.000		(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024		(3)		.015	☒	(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000	☒	(1)	low	.005		(1)
minor	.005		(2)		.010		(2)
moderate	.010		(3)	medium	.015	☒	(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000	☒	(1)	minor	1.00	☒	(1)
occasional	.005		(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

For File Number 63-4905 for the little smokey

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.30	0.30	0.25
3	0.70	0.70	0.75
4	0.85	0.85	1.25
5	0.80	0.80	1.75
6	0.90	0.90	2.25
7	0.75	0.75	2.75
8	0.50	0.50	3.25

The area for this cross section is 2.24 square feet
and the wetted perimeter is 3.65 feet.

CROSS SECTION NUMBER 2

For File Number 63-4905 for the little smokey

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.30	0.30	0.25
3	0.75	0.75	0.75
4	1.05	1.05	1.25
5	1.25	1.25	1.75
6	1.20	1.20	2.25
7	1.00	1.00	2.75
8	0.85	0.85	3.25
9	0.40	0.40	3.75

The area for this cross section is 3.26 square feet
and the wetted perimeter is 4.42 feet.

MANNING EQUATION CHANNEL CAPACITY RESULTS

08-16-2001

File Number: 63-4905

Claimant: gamboa

Channel measured: little smokey

Date of measurement: 8/9/01

Measurement location:
about 50' from pod

Calculation prepared by: sue bock

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 100 feet.

The upstream and downstream rod readings are 5.98 and 6.50 feet.

The channel cross section is 2.75 ft-sq.

The wetted perimeter is 4.03 feet.

The hydraulic radius is 0.68 feet.

The slope is 0.0052

The roughness coefficient is 0.0500

The flow velocity is 1.665 ft/sec.

The rate of flow is 4.58 cfs.

November 13, 1989

RECEIVED

NOV 14 1989

Department of Water Resources
Southern Region Office

Mrs. Laurie White
Department of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83301

Dear Laurie:

With reference to our telephone conversation of November 9th, please find enclosed the following:

1. Check No. 6643 - \$25.00 - Elizabeth Gamboa + CK #1554 - #156
2. Notice of Claim to a Water Right
3. Copy of Claim to a Water Right

Thank you in advance for your help in completion of these documents. Please forward Adjudication documents to me at the following address:

Janet Gorrell
P.O. Box 143
Gooding, Idaho 83330

Mrs. Gamboa is presently in Europe and would like the documents mailed to my Gooding address.

Should you have questions, please call me at 934-8477.

Sincerely,


Janet Gorrell

MICROFILMED
AUG 20 1992