

06/10/2013

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

RIGHT NUMBER: 47-17586
NAME AND ADDRESS: JACKIE RODRIGUES
4846 N 1000 E
BUHL ID 83316

JOHN RODRIGUES
4846 N 1000 E
BUHL ID 83316

SOURCE: SALMON FALLS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.060 CFS

PRIORITY DATE: 07/18/1923

POINT OF
DIVERSION:

T08S R14E S31 NWSW Lot 3 Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.060 CFS

PLACE OF
USE:

IRRIGATION in TWIN FALLS County

T08S R14E S30

NESE

0.20

T08S R14E S30

NWSE

1.70

1.9 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 47-2159AF.



47-17586

47-17586
5 acre lot

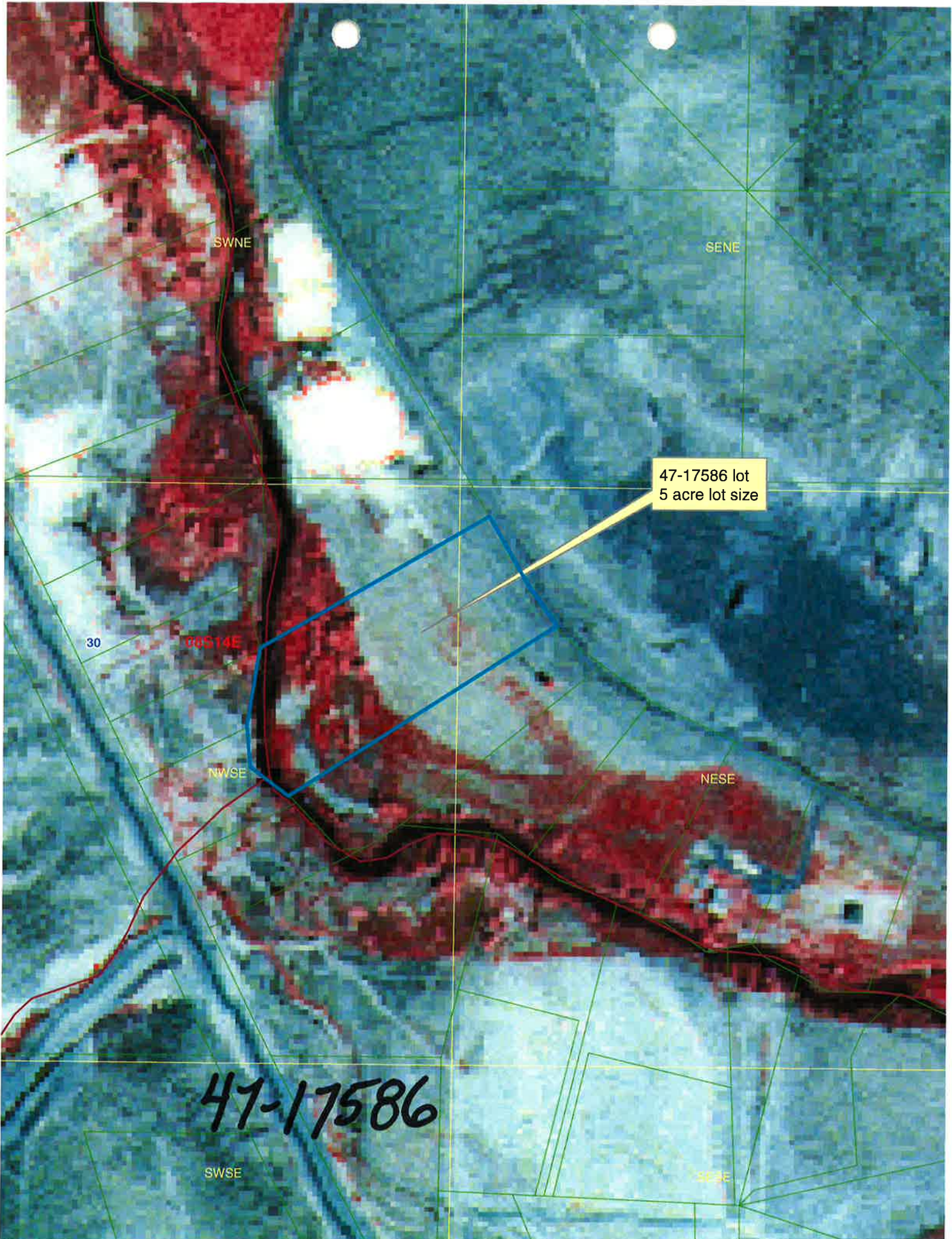
SENE

08S14E

20

NWSE

NESE



47-17586 lot
5 acre lot size

47-17586

SWNW 2

SESW

31

08S14E

POD as per claim map

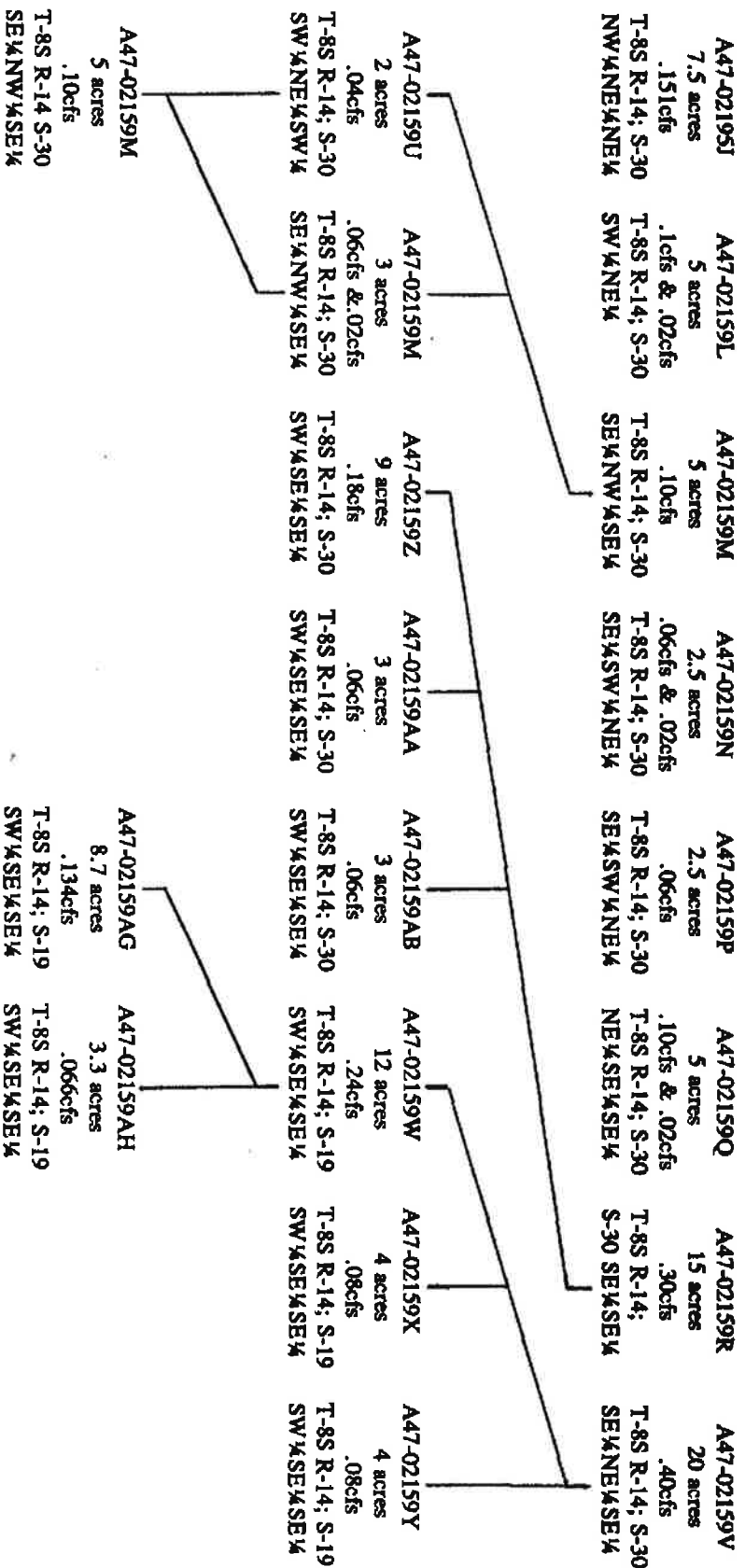
NWSW 3

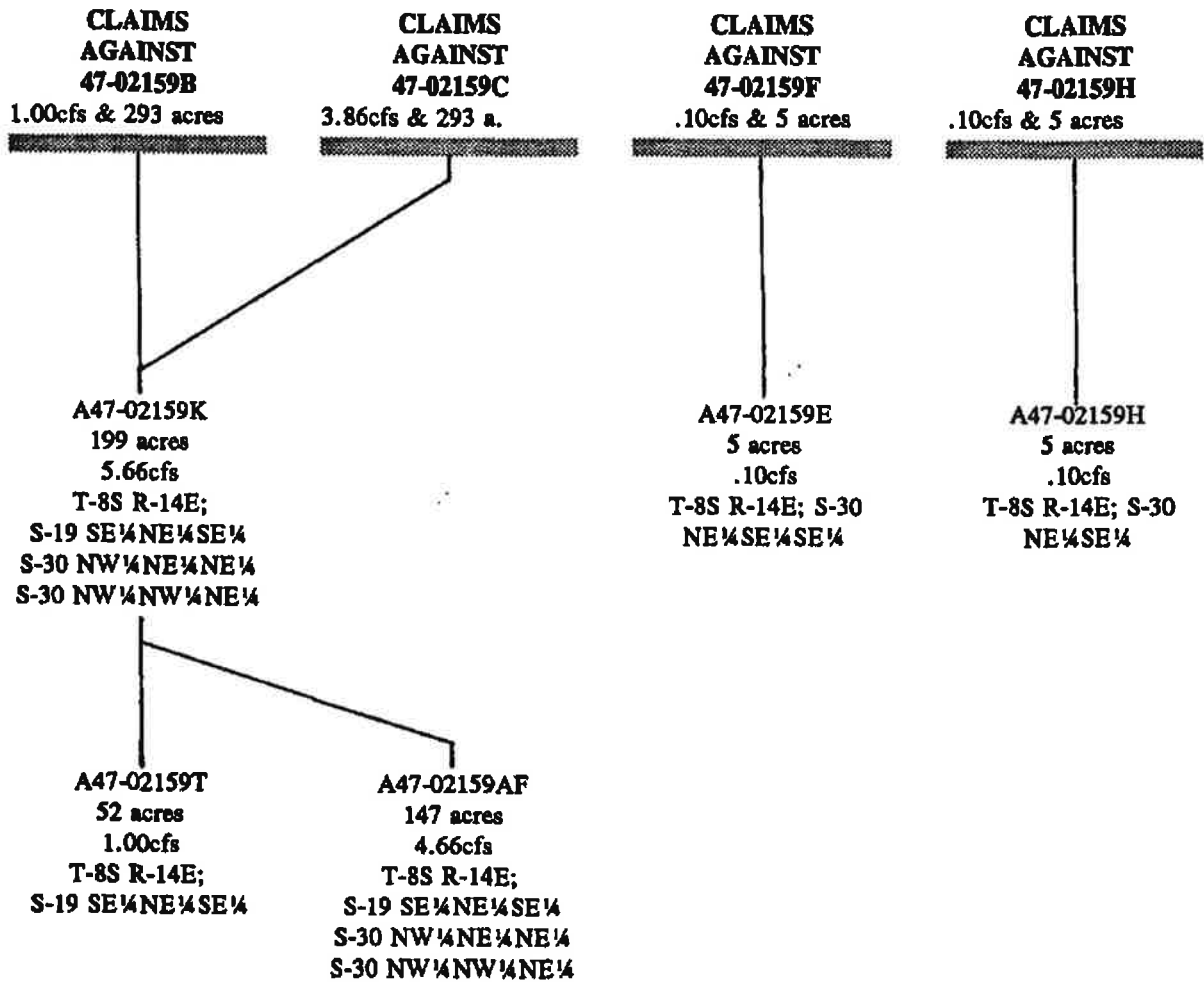
NESW

47-17586
POD 1984

CLAIMS AGAINST 47-02159G

0.80 CFS for 293 ACRES

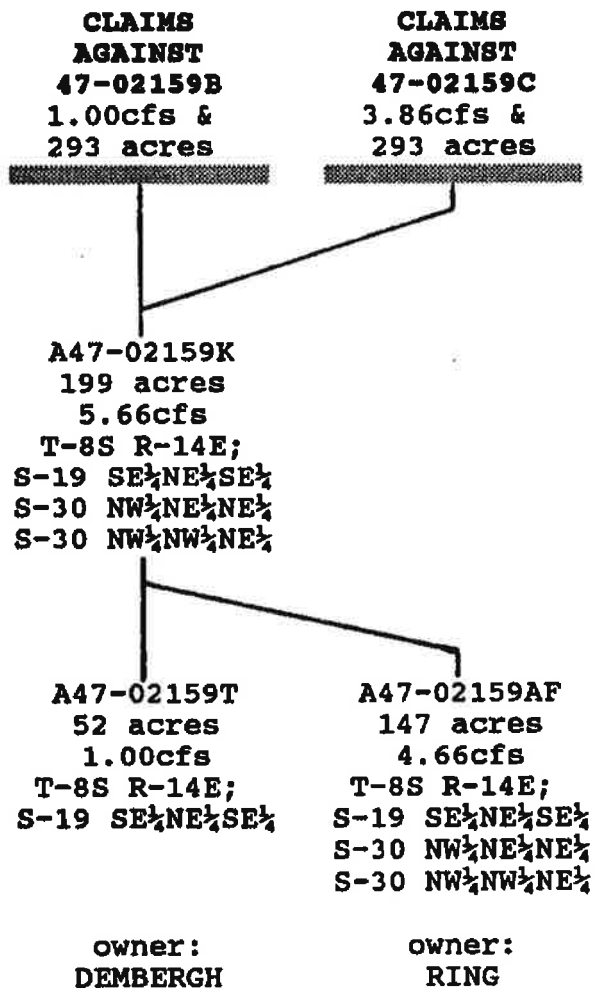




**ADJUDICATION CLAIMS WITH
BASE RIGHT UNKNOWN**

A47-02159F 3 acres .10cfs T-8S R-14E; S-30 SE¼SE¼	A47-02159S 5.1 acres 102cfs & .02cfs T-8S R-14E; S-30 SE¼NE¼SE¼	A47-02159AC 3.5 acres .08cfs T-8S R-14E; S-31 NW¼SW¼	A47-13285 5 acres .10cfs T-8S R-14E; S-30 NE¼NE¼ T-9S R-13E; S-30 NE¼NE¼
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January 23, 1996
RING
PAGE 2



47-17586

6/10/13

Similar lots in the subd. were allowed based on POD site of the Dam on Salmon Falls Creek that washed out in 1984, based on Courts rule of 5 year forfeiture prior to Start of SRBA these claims were recognized - so will this one be, (per discussion/email w/ Doug Jones)

POU - determined from study of various aerial photos to see historical irrigation patterns. This is the shape as rec'd.

- * COO issues are not resolved at this time.
- * POD transfer is required to update POD location as pumped from SFC.

$$GIS = 1.9 \text{ AC}$$

$$Q = * 0.03 \text{ cfs/AC} = \underline{0.06 \text{ cfs}}$$

47-17586

Late Claim

INITIAL REVIEW:

- claim looks okay as filed.
- appears to be claiming portion of an old license 47-2159.

Change of Ownership:

- why? They did not provide evidence of new ownership status (i.e. deed)
- Paid \$25 fee - may not be required for SRBA claim as pending.

Noon

1/11/13

phone call from John Rodrigues

- 1) told him we need a "DEED" of some kind to show how ANTHONY PEICH (Tony) came to own $\frac{1}{2}$ interest. A divorce resulted in a split of the ownership.
- 2) mentioned a refund may be possible for the \$25 COO fee. It was paid by Tony P.

6/10/13

phone call to John Rodrigues

(3:15 pm

he said pump in SF Creek is

@ 543-4886

about a 2 HP pump w/ hoses & sprinklers for lawn area around house.

I confirmed I would be recommending the claim. Pump system installed by previous owner.

Clelland, Steve

From: Price, Fredric W [fwprice@blm.gov]
Sent: Tuesday, November 20, 2012 4:59 PM
To: joerockstahl@yahoo.com
Cc: Clelland, Steve; Kelly, Vicki; Spencer, Nick
Subject: 12-18-12, 1:30 pm, Hearing on Motion for Late Claim: 47-17586, Rodrigues

Categories: Red Category

Mr. Rockstahl,

RE: 12-18-12, 1:30 pm, Hearing on Motion for Late Claim: 47-17586, Rodrigues
Typo in Place of Use

In the Notice of Claim, the Claimant lists a place of use described in T08S, R14E, S30, SWSE 1.1 acres (pvt). The map attached to the Notice of Claim does not show any acreage being claimed in the SWSE of said township and section, neither is this place of use described in the license (47-02159) upon which this claim is based. The map does, however, show approximately 1.1 acres being claimed in T08S, R14E, S30, NESE (pvt), and the license does describe T08S, R14E, S30, NESE (pvt) as a place of use. The Claimant also made a note on the license attached to the Notice of Claim that the T08S, R14E, S30, NESE was part of this claim.

It appears a clerical error was made in the Notice of claim and the 1.1 acre in T08S, R14E, S30, SWSE (pvt) should be described in T08S, R14E, S30, NESE (pvt).

This is an irrigation right from surface water (Salmon Falls Creek) with a 07-18-1923 priority date based on a license (47-02159).

BLM isn't concerned with this motion or the notice of claim and is just forwarding this information in case it is of interest or assistance.

Fred Price
Water Rights Specialist
BLM, Idaho State Office
(208) 373-3831

Joseph R. Rockstahl

Address: 440 Fairfield Street North
Twin Falls, ID 83301
Firm: Rockstahl Law Office, Chtd.

Phone: (208) 734-8810 Ext.
FAX: (208) 734-8820

E-Mail Address: joerockstahl@yahoo.com
Website Address: www.joerockstahl.com

ISB Membership Number: 6576
Admittance Date: Sep/26/2002
Status: Active

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 02 2013

DEPARTMENT OF
WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
47-17586	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: John & Jackie Rodrigues
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): John Rodrigues
Name of each new owner as listed on the conveyance document
Anthony Peich
New owner continued Name connector ☒ and ☐ or ☐ and/or
4846 N 1000 E
Mailing address
Buhl Idaho 83316
City State ZIP
208-543-4886 TPeich@CMPEICH.COM
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 12/18/2012
6. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature: [Signature] Title, if applicable: _____ Date: 12/24/12
Signature of new owner/claimant
- Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by [Signature] Date 1-2-13 Receipt No. CO96380 Receipt Amt. 25.00
Approved by _____ Processed by _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 02 2013

DEPARTMENT OF
WATER RESOURCES

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47-17586	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: John & Jackie Rodrigues
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): John Rodrigues
Name of each new owner as listed on the conveyance document
Anthony Peich
New owner continued ☐ Name connector ☒ and ☐ or ☐ and/or
4846 N 1000 E
Mailing address
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City State ZIP
208-543-4886 TPeich@CMPEICH.COM
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Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____
Approved by _____ Processed by _____ Date _____

Idaho Department of Water Resources Receipt

Receipt ID: C096380

Payment Amount	\$25.00	Date Received	1/2/2013 11:53 AM	Region	STATE
Payment Type	Check	Check Number	15291		
Payer	PEICH, ANTHONY J				
Comments	NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP WR# 47-17586				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	56140	0229	21		1155



Signature Line (Department Representative)

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 47-17586

WATER RIGHT NUMBER: 47-17586

Owner Type: Name and Address
Current Owner JACKIE RODRIGUES
4846 N 1000 E
BUHL, ID 83316

Current Owner JOHN RODRIGUES
4846 N 1000 E
BUHL, ID 83316

Priority Date: 7/18/1923

Basis: License

Status: Temporary

Source:
SALMON FALLS CREEK

Tributary:
SNAKE RIVER

<u>Beneficial Use:</u>	<u>From / To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.100 CFS	
	<u>Total Diversion</u>	0.100 CFS	

Location of Point(s) of Diversion:

SALMON FALLS CREEK L3(NWSW) Sec. 31, Twp 08S, Rge 14E B.M. TWIN FALLS County

Place of Use:

IRRIGATION within TWIN FALLS County

			NE				NW				SW				SE				Totals
Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	30														3.9	1.1		5
																		Total Acres:	5.0

Dates and Other Information:

Claim Received Date: 8/7/2012

Owner Name Connector: AND

Mitigation Plan: False

Combined Use Limits: N/A

SubCase: N/A

Water Supply Bank: N/A

Tax Lot: SALMON RIVER RANCHES #1
Lot 4

Pow
ERROR?