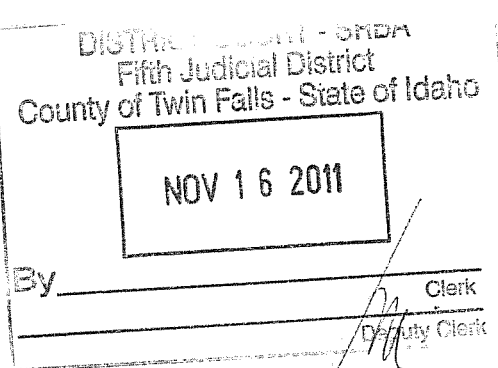


RECEIVED

NOV 18 2011

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

Subcase: 22-14008

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On July 15, 2011, Lyle Schiess, on behalf of Schiess Brothers, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on November 15, 2011. This *Motion* complied with all procedural requirements under **SRBA Administrative Order 1**, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of **SRBA Administrative Order 1** 4d(2)(h).

IT IS SO ORDERED.

Dated: November 16, 2011.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on November 16, 2011, with sufficient first-class postage to the following:

SCHIESS BROTHERS
C/O LYLE SCHIESS
4964 W 6750 S
VICTOR, ID 83455
Phone: 208-787-2468

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

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 22-14008
Date Received: 7/5/2011 11.18.2011
Receipt No: CG 94284
Received By: MWH SR7 \$100-

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JUL 15 2011	
By _____	Clerk
_____	Deputy Clerk

1. Name of Claimant(s)

SCHIESS BROTHERS Phone: (208) 787-2468
C/O LYLE SCHIESS
4964 W 6750 S
VICTOR ID USA 83455

2. Date of Priority: 05/15/1960

3. Source: PATTERSON CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	44E	36	SW SE	TETON	

5. Description of diverting works:

Patterson Creek pipeline gravity flow to 2 quarter mile wheel lines and 6 quarter mile hand lines (solid set).

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.7	

7. Total Quantity Appropriated is:
0.7 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
04N	45E	31	SW	NW	2	IRRIGATION	24
			NW	SW	3	IRRIGATION	31

Section Acres 55

Total Acres 55

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

14. Remarks:

The rights listed below are limited to the irrigation of a combined total of 55 acres in a single irrigation season. Combined Right Nos.: 22-13859, 22-13861, and 22-14008.

This right is limited to the irrigation of 35 acres within the place of use described above in a single irrigation season.

15. Basis of Claim: Beneficial Use

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.

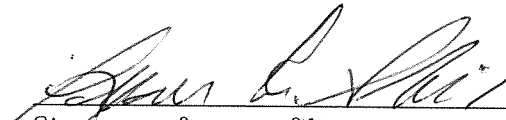
VERIFICATION (Must be completed)

State of IDAHO

County of TETON

LYNN R. SCHIESS, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

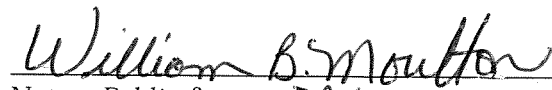
That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.



Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on JULY 13, 2011.
(Insert Date)



Notary Public for IDAHO
Residing at: DRIGGS, IDAHO
My Commission expires: LIFE

INSTRUCTIONS FOR MAILING

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am LYNN R. SCHIESS of
4764 WEST 6750 SOUTH Title
VICTOR, IDAHO Organization, that I have signed the foregoing

document in the space below as SO PARTNER of

SCHIESS BROTHERS Title
Organization and that the statements contained in the

foregoing document are true and correct. [Signature]
Signature of Authorized Agent

PARTNER, SCHIESS BROTHERS
Title and Organization

JULY 13, 2011
Date

State of Idaho)
County of TETON) SS.

Subscribed and sworn (or affirmed) before me this

of 13 JULY 2011

William B. Noulton

Notary Public

Residing at DRIGGS IDAHO

My commission Expires LIFE