
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-7030

SCHIESS BROTHERS
C/O LYLE SCHIESS
498 W 675 S
VICTOR ID 83455
Telephone Number: (208)787-2468

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

Disagree

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

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

We have the rights to water more ground off of this same well. We have not yet found them, make you have our papers at your office to prove this (please respond) Thanks

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

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

was ~~the~~ recommended as licensed.

12-19-06 JH

22-7671 is not part of SRBA

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 22-07671

Proposed Priority: April 26, 1990

Maximum Diversion Rate:

3.20 CFS

This is to certify, that LYNN SCHIESS

LYLE SCHIESS

478 W. 675 S.

VICTOR, ID 83455

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/15 to 10/15

3.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENESE

Sec. 7, Township 04N, Range 45E
TETON County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

04N 45E 8

SWNW 40

NWSW 40

SENW 40

NESW 40

160

Total number of acres irrigated:

160

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1992**.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
7. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 22-07671

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

31st day of July, 19 90.

for R. Keith Higginson, Director



Idaho Department of Water Resources

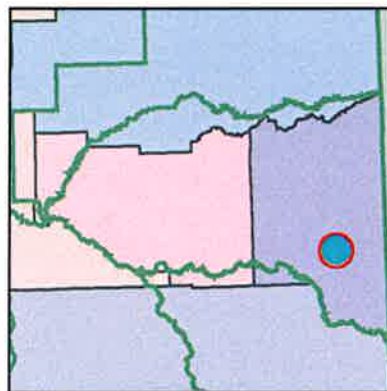
SRBA Recommendation:

22-7030

(Irrigation)

Legend

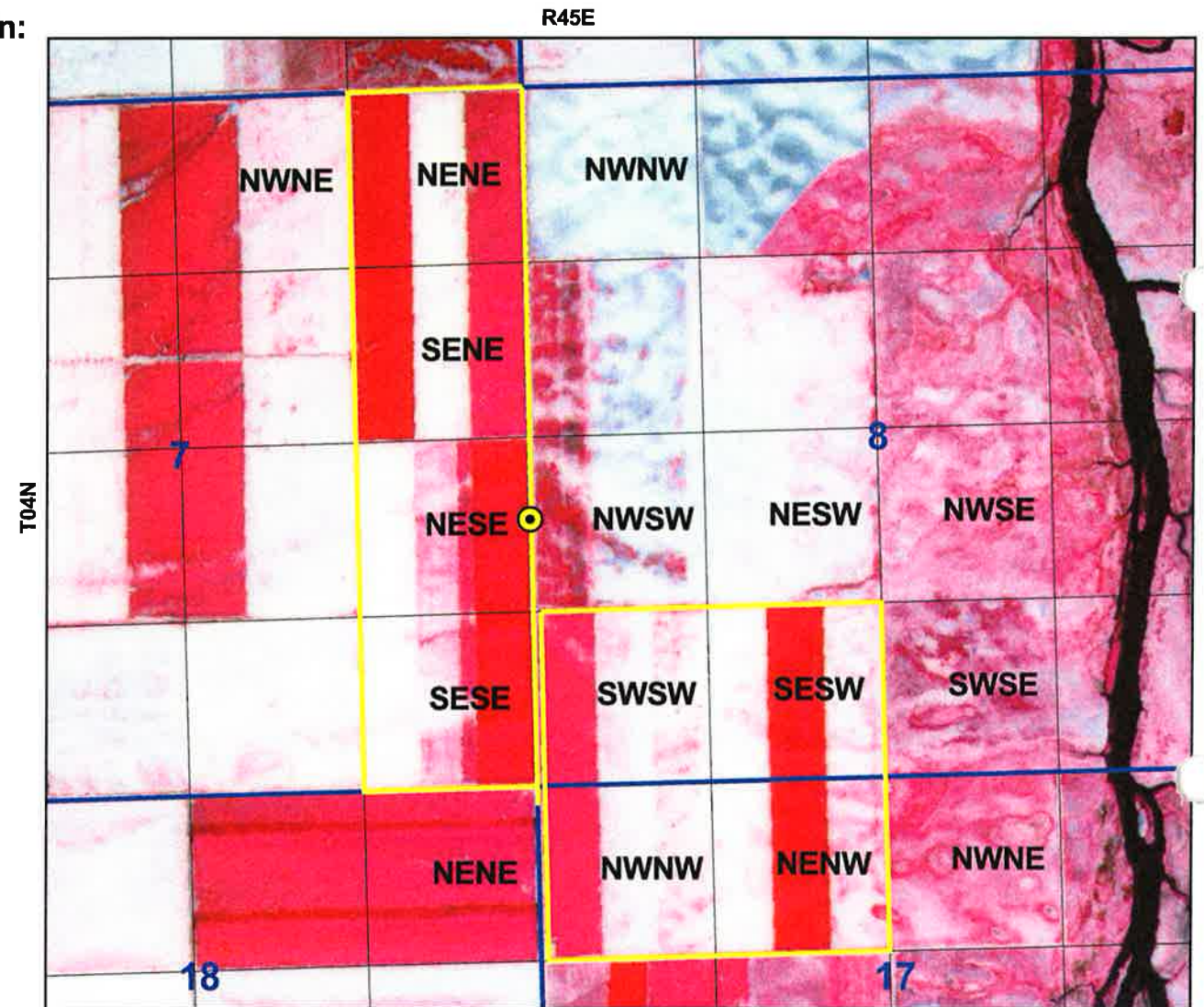
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22



Prepared by T. Galbraith
On Monday, July 17, 2006
1987/88 Aerial Photography



0 0.5 1 Miles

Water Right No(s). _____

GPS DATA:

Tag # A0014241 Location: Back of electric panel box

Diversion Data:

Source: Well Trib to: _____

MOTOR

Make: Wells Model: _____ Hp: 100
SN: R2021190

PUMP

Make: Johnston Model: #5952 Disch: 10"
SN: _____

NOTES:

Field exam shows 100 h.p. pump and buried
machine with wheel lines used to irrigate
this claim.

Field Exam Date: 5/3/05 Agent: 20



5/3/05 Well and pump for claim A2207030
DD

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? G.P.S. Tag #

Transfers Pending or approved: _____

Document how the POD and Source were verified:Claim Matches LicenceField exam showed well and pump are used to irrigate this claim

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use			QQ	Q	County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec						

Total acres _____

Recommended Place of Use			QQ	Q	County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec						

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

Claims 313 AC - License For 313 AC

5/3/05

RD

Field exam - 1/2 mile wheel lines are used to irrigate this claim.

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry Form

Claim Number: _____

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	5/15	10/15	4.0 CFS	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate 4.0 CFS Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

IDWR STD S.O.U 4/15 - 10/31

Reviewer: _____

Date: _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7030 Priority Feb. 11, 1970 Amount 4.0 cfs

THIS IS TO CERTIFY, that EDWIN E. SCHIESS

of Victor, Idaho, has complied with the terms and conditions of Permit No. 22-7030 issued pursuant to Application for Permit dated February 11, 1970, and has submitted proof to the Department of Water Resources on June 20, 1974, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 4.0 cfs of water from a ground water source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.04</u> cfs and	<u>1.2 acre feet</u>
<u>Irrigation</u>	from <u>May 15</u> to <u>Oct. 15</u>	at <u>4.00</u> cfs and	<u>939 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.0 af per acre</u>
(both dates inclusive)			

Subject, however, to the condition that no more than 4.0 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 940.2 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7,

Twp. 4 N, Rge. 45 E, B. M. in the County of Teton

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 N	45 E	7	38			39									39			39	155
		8											39	40					79
		17					40	39											79
Domestic Use:																			
4 N	45 E	7													X				

Total number of acres irrigated 313

A measuring device of a type approved by the Department shall be permanently maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of January, 19 75.

MICROFILMED

Director

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

80000000

1. Name of permit holder Edwin F. Schiess
Post office address RFD #1, Victor, ID 83455 Phone Department of Water Administration
Person to contact _____ Phone Eastern District Office

JUN 27 1974

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 6.4 c.f.s. for irrigation
_____ AF/Annum (nature of use)

Period of Use: from May 15 to Oct. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 22-7030
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 6.4 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 4N N/S, Range 45E E/W, B.M., Section 7, Subdivision NE $\frac{1}{4}$ SE $\frac{1}{4}$, Teton County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County

Other Points of Diversions: _____

Description of diverting works: 199' deep well, 16" casing, 100 hp.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	45E	7	40			40									40			40	160
		8										40	40						80
		17					40	40											80

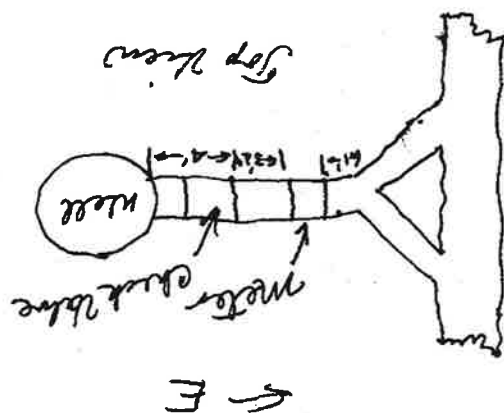
MICROFILMED

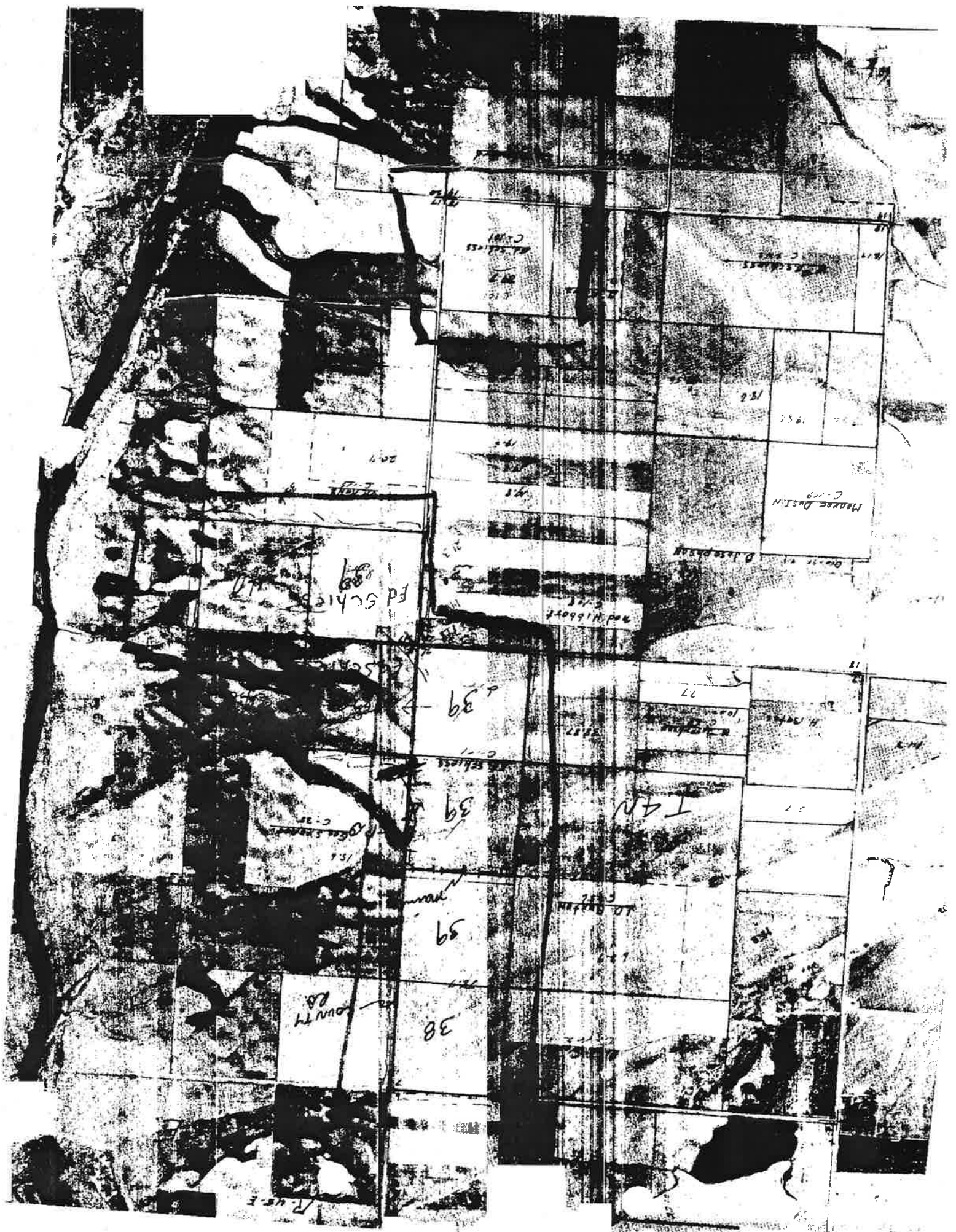
TOTAL ACREAGE 320

Page - 45E

[illegible]

Diagram of System





DATE OF EXAM Aug 2, 1974

ACREAGE
Found 313
Recommended 313

Irrigation Requirement 3 Ac Ft/Ac

USE
Irrigation Q = 4.0 c.f.s. V = 939 AF/Ann. from May 15 to Oct 15
Domestic Q = .04 c.f.s. V = 1.2 AF/Ann. from Jan 1 to Dec 31
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: N/A
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 4.0 CFS Method of measurement McCrometer Meter

Total Q recommended 4.0 CFS Meter No. 7310321 Type saddle Condition good
940.2
in line

Total V recommended 939 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other ☒ Nature of Use
None ☒

MEASUREMENT CALCULATION:

Discharged 435.6 cu ft in 109 seconds = 4 CFS
 $V = (313)(3) = 939 \text{ AF} < (4)(1.983)(152)$

SYSTEM DESCRIPTION:

100 HP U.S. Holloshaft Motor # R2021190 with Johnston pump
#5952 10" diam discharge east thru meter to surface
main line north 1/4 south - Total depth 200 ft. - static water
level 29' - drawdown .65'

REMARKS:

Contacted Mrs. Penny Schies
Domestic use for 1 single family dwelling domestic use
in NE 1/4 SE 1/4 Sec 7 Twp 4N Rge 4E Jan 1 to Dec 31
Full capacity use to 5-1/2 mi laterals with portable surface
main line

Examiner's Signature John Ferchauer Date Aug 2, 1974

Checked by Loren O. Halvick Date Dec 24, 1974

Approved by _____ Date _____

22-7030

T4N, R45E

5/3/05
00



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: A22-07030
Date Received: 8/12/1988
Receipt No: E001259
Received By: gnc

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SCHIESS BROTHERS
Address: C/O LYLE SCHIESS
498 W. 675 S.
VICTOR, ID 83455 208-787-2468

2. Date of Priority: FEB 11, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
04N 45E 7 NE NE SE TETON

5. Description of diverting works:
WELL, PUMP AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/15	10/15	4.000		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 626.0 Acre Feet Per Annum.

9. Non-irrigation uses:
ONE HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	7	NE	NE		IRR	38.0

MICROFILMED
OCT 29 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	7	SE	NE		IRR	39.0
			NE	SE		IRR	39.0
			NE	SE		DOMEST	
			SE	SE		IRR	39.0
			Section Acres				155.0
		8	SW	SW		IRR	39.0
			SE	SW		IRR	40.0
			Section Acres				79.0
		17	NE	NW		IRR	40.0
			NW	NW		IRR	39.0
			Section Acres				79.0
			Total Acres				313.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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OCT 29 1992

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 Organizations:

I do solemnly swear or affirm that I am partner of
Schiess Brothers, that I have signed the foregoing
document in the space below as partner of
Schiess Brothers and that the statements contained in the
foregoing document are true and correct.

Hub Schiess
Signature of Authorized Agent
Schiess Brothers
Title and Organization
Aug. 12, 1988
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of Aug. 19 88

Ernest Carlson
Notary Public

Seal

Residing at Idaho Falls ID
My Commission Expires 14 June 1994

OCT 29 1952

UNITED STATES

A22-07228B

Well

A22-07030

Well

RIVER R. 45E

T. 4N