

05/10/2012

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

RIGHT NUMBER: 22-14008

NAME AND ADDRESS: SCHIESS BROTHERS
C/O LYLE SCHIESS
4964 W 6750 S
VICTOR ID 83455

SOURCE: PATTERSON CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.700 CFS

PRIORITY DATE: 05/15/1965

POINT OF DIVERSION:

T04N R44E S36 SWSE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.700 CFS

PLACE OF USE: IRRIGATION in TETON County

T04N R45E S31 Lot 2 SWNW	24.00	T04N R45E S31 Lot 3 NWSW	31.00
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55 ACRES TOTAL

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.

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 - Beneficial Use

Water is delivered through Patterson Creek pipeline.



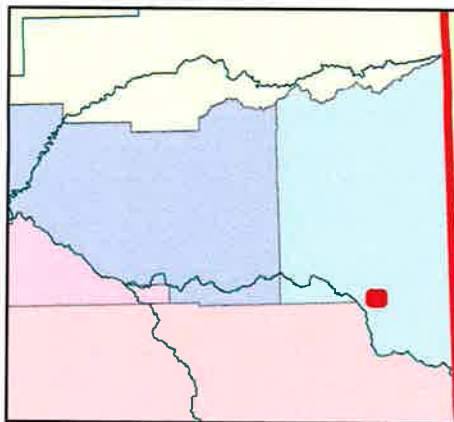
Idaho Department of Water Resources

Adjudication Recommendation

22-14008

(IRRIGATION)

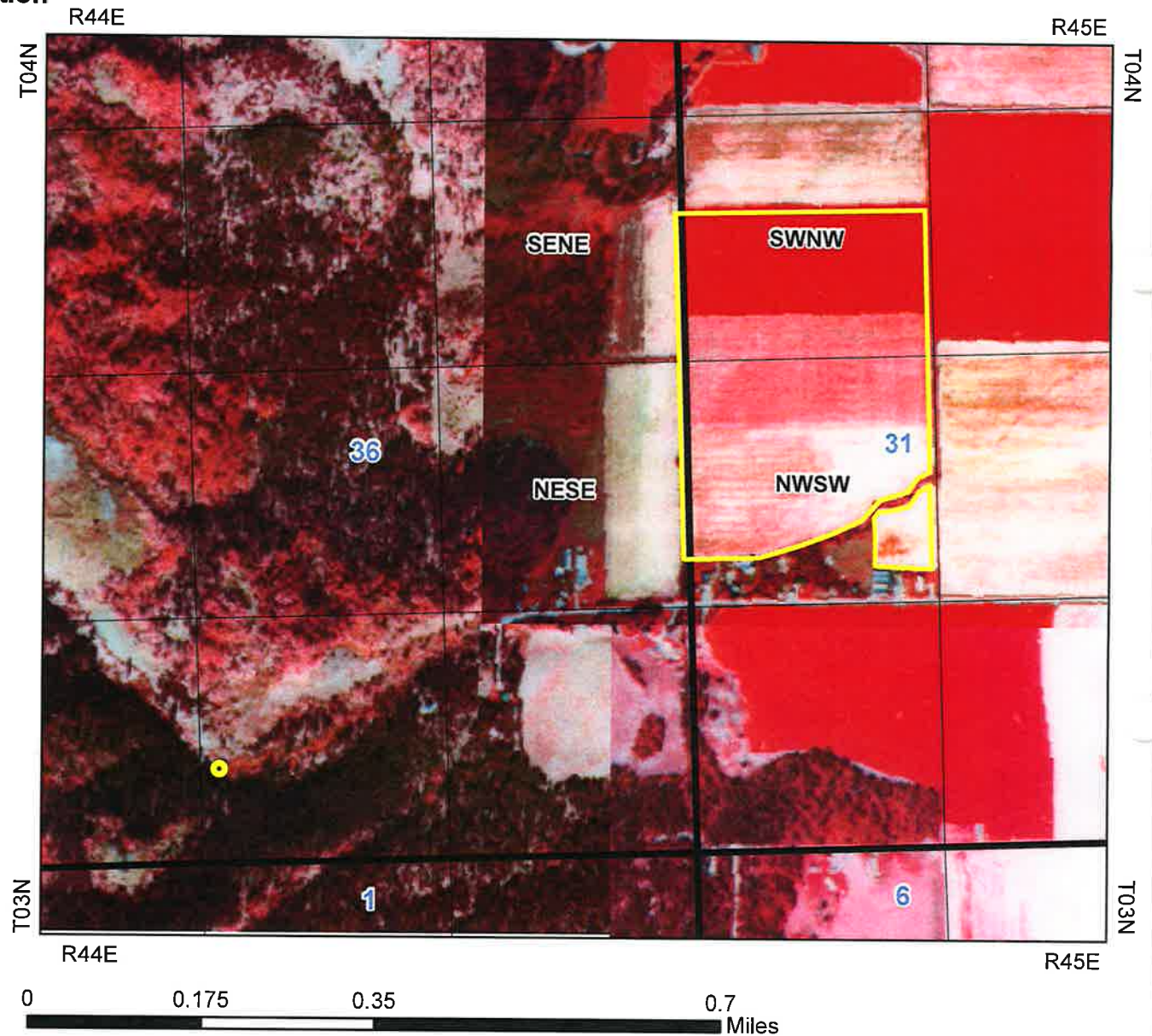
- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



**Teton County
IDWR Basin 22**

Prepared by Holliday, Michael

1987/88 Aerial Photography



RECEIVED

MAY 10 2012

Department of Water Resources
Eastern Region

04-30-12

To Whom It May Concern,

State of Idaho, water rights # 22-13859

From Patterson Creek, Teton County Idaho, for 55 acres.

In 1965, we watered this 55 acres by flood irrigation. Because of the sloop of the ground, my father, Edwin E. Schiess purchased a water pump that we put on a power take off on a tractor. He purchased two 1/4 mile lines of 4" aluminum sprinkler pipe. We started irrigating the 55 acres using this system in 1966. This provided a way to water all the property.

Thank You



Tim Schiess
4884 W. 6750 S.
Victor, Idaho 83455
208-313-5437

RECEIVED

MAY 10 2012

Department of Water Resources
Eastern Region

State of Idaho Water Rights
Water District # 1

Dear Sirs,

I picked potatoes on my Uncle Wm E Schiess and Nephi A Schiess farms in the fall of 1943 and the fall of 1944. They watered those potatoes from Patterson Creek, Teton County Idaho during the summer before we harvested those potatoes. I understand that the water right number was 22-13859 for 55 Acres. I have a journal entry for Uncle Nephi where he paid me for picking potatoes in Oct 1943, as well as others who picked potatoes for him at the same time.

Sincerely Yours,

E. Wayne Schiess

Driggs, Idaho

9 May 2012

E. Wayne Schiess

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MAY 10 2012

Department of Water Resources
Eastern Region

RECEIVED

APR 17 2012

Department of Water Resources
Eastern Region

To Whom It May Concern

My Brother and I moved Pipe
on Ground Sec. 31 T4N R. 45
When Sensors in Hole Silled
1960 - (1964), Water was
Taken out of Creek with a
Pump on a Tractor -

Sincerely
Lynn Ellis
April 15 2012
Victor Ianto
Lynn Ellis

Phone

208-317-7937

RECEIVED

APR 17 2012

Department of Water Resources
Eastern Region

To Whom it may concern.

When I was a young boy I picked potatoes for both of my uncles who raised potatoes on the land contained in Sec. 31 T 4N R 45 E. They had been watered from Patterson Creek during the summers of 1944 and 1945.

Sincerely,

E. Wayne Schiess

9 April 2012

Driggs, Idaho

E. Wayne Schiess

November 29, 2010

Lynn Schiess
4764 W 6750 S
Victor, ID 83455

RE: Patterson Creek Pipeline

Dear Lynn:

In response to your telephone inquiry last week, there are five water rights assigned to the Patterson Creek Pipeline:

#22-231	6/1/1890	3.2 cfs	Drake Farms (134 acres)
#22-13600	6/1/1891	2.8 cfs	Teton Rainbow Ranch (224 acres)
#22-10343	6/1/1896	5.6 cfs	Teton Rainbow Ranch (224 acres)
#22-13859	4/15/1911	0.4 cfs	Schiess Brothers (20 acres)
#22-13860	4/15/1911	1.1 cfs	Schiess Revocable Trust (55 acres)

I've attached reports for the five natural-flow rights. All five rights have their point-of-diversion at the head of the pipeline on Patterson Creek. Also, Teton Rainbow Ranch owns a pump on the Teton River that can pump water into the Patterson Creek Pipeline. There isn't a natural-flow right attached to this Teton River pump. However, Teton Rainbow Ranch owns storage water that can be pumped from the Teton River during most times of the year using the pump.

You asked, "Which person has the right to use the water in the pipeline when the water supply in the pipeline is limited?"

When the water available in Patterson Creek is sufficient to fill all five water rights, it's up to the users of the Patterson Creek Pipeline to determine a rotation to use the water in the pipeline. If all the priorities are not being filled on Patterson Creek, absent a Patterson Creek Pipeline delivery agreement, only the land having the senior priority or priorities being filled can be irrigated. If the senior water-right holders are not calling for (using) the water, a junior-priority user may divert water that is available under their priority to use on their property.

If water in the pipeline is being supplemented with storage water being pumped by the Teton River pump, the storage water injected into the pipeline by the pump may only be used on the Teton Rainbow Ranch property, while the remaining natural-flow rights carried by the pipeline can be delivered to all water-right holders in order of priority when they are being called upon.

All of these guidelines assume that every water-user has paid their appropriate assessment or maintenance costs associated with the Patterson Creek Pipeline. If a water-user of a pipeline or canal does not pay or provide sufficient maintenance, the pipeline manager can deny delivery of water. Also, if the water-users enter into a water delivery agreement, the agreement can also change the way in which water is distributed.

Water District #1 always encourages water-users of a common delivery system to develop written bylaws, water-delivery agreements, or rotations so water-delivery issues are easily settled. These agreements are especially important when properties change ownership or are subdivided. If the water users cannot agree on how to rotate water amongst everyone, the matter could be settled by a judge in the District Court. One of the likely outcomes of a court case would be that water would be delivered to the most senior priority first, unless junior users are able to convince the judge to have the water delivered differently. Absent previous court decisions, bylaws, or water-delivery agreements, it's possible a senior user who has been deprived of his water in the pipeline by a junior user could sue the junior user for any damages caused by depriving the senior user of water.

If the water users of a pipeline have selected a manager to distribute the water within the pipeline, and one or more of the water users have a dispute over how the water is being distributed by the manager, the matter can be referred to the Idaho Department of Water Resources (IDWR). If the water users of a pipeline do not select a manager to distribute water, the Watermaster of the water district (Lyle Swank) may appoint a manager for the pipeline upon the written demand of one or more of the water users. However, in my experience, neither of these avenues usually resolves the arguments because water users often disagree with the findings by the IDWR, or the costs to the water users for the manager appointed by the Watermaster becomes prohibitive to the water users.

My recommendation would be for all the pipeline users to formulate a water delivery agreement with advice from an attorney. This would greatly help to settle any current or future arguments that may develop when there isn't adequate water in the pipeline to supply water to every user.

Sincerely,

Tony Olenichak
Deputy Watermaster

Basin	Sequence	Process	Basis	Priority Date	Div Rate	Source List	Water Use List	Current Owner	Total Acres	Acre Limit	Volume
22	231	Water Right	Decreed	6/1/1890	3.200	PATTERSON CREEK	IRRIGATION	DRAKE, ASA J; DRAKE, GARL R	134.0		
22	13600	Water Right	Decreed	6/1/1891	3.200	PATTERSON CREEK	IRRIGATION	TETON RAINBOW RANCHES INC	261.0		
22	12831	Water Right	Decreed	6/1/1892	0.010	PATTERSON CREEK	STOCKWATER	UNITED STATES OF AMERICA			
22	10343	Water Right	Decreed	6/1/1896	6.400	PATTERSON CREEK	IRRIGATION	TETON RAINBOW RANCHES INC	261.0		
22	13859	Water Right	Decreed	4/15/1911	0.400	PATTERSON CREEK	IRRIGATION	SCHIESS BROTHERS	20.0		70.0
22	13860	Water Right	Decreed	4/15/1911	1.100	PATTERSON CREEK	IRRIGATION	THE SCHIESS REVOCABLE TRUST	55.0		192.5
22	11868	Water Right	Decreed	6/1/1945	0.070	PATTERSON CREEK	DOMESTIC, STOCKWATER	KUNZ, HOMER E			
22	14008	Recommendation	Beneficial Use	5/15/1965	0.700	PATTERSON CREEK	IRRIGATION	SCHIESS BROTHERS	55.0	35.0	

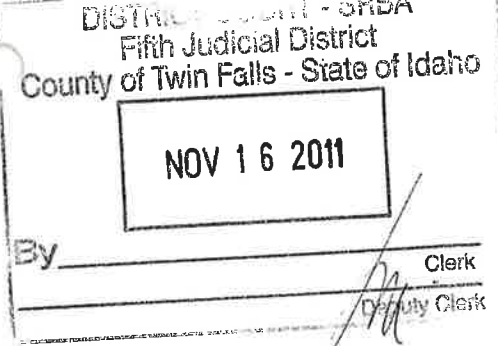
15.080

Patterson Creek rights and recs in pipeline

22	231	Water Right	Decreed	6/1/1890	3.200	PATTERSON CREEK	IRRIGATION	DRAKE, ASA J; DRAKE, GARL R	134.0		
22	13600	Water Right	Decreed	6/1/1891	3.200	PATTERSON CREEK	IRRIGATION	TETON RAINBOW RANCHES INC	261.0		
22	10343	Water Right	Decreed	6/1/1896	6.400	PATTERSON CREEK	IRRIGATION	TETON RAINBOW RANCHES INC	261.0		
22	13859	Water Right	Decreed	4/15/1911	0.400	PATTERSON CREEK	IRRIGATION	SCHIESS BROTHERS	20.0		70.0
22	13860	Water Right	Decreed	4/15/1911	1.100	PATTERSON CREEK	IRRIGATION	THE SCHIESS REVOCABLE TRUST	55.0		192.5
22	14008	Recommendation	Beneficial Use	5/15/1965	0.700	PATTERSON CREEK	IRRIGATION	SCHIESS BROTHERS	55.0	35.0	

15.000

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
)
)
)

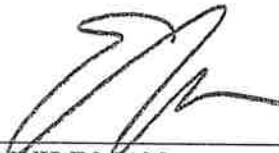
On July 15, 2011, Lyle Schiess, on behalf of Schiess Brothers, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on November 15, 2011. This *Motion* complied with all procedural requirements under **SRBA Administrative Order 1**, and no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

SCANNED
NOV 18 2011

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

SCANNED
NOV 18 2011

ORDER

Page 1 11/16/11

FILE COPY FOR 00788


Deputy Clerk

11-15-2011

7-15

RECEIVED
JUL 19 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

Case 39576

ok,
release over top
so variable fee
paid. 6/9
9-12-11

Subcase

22-14008

(Insert water right number)

STANDARD FORM 4

MOTION TO FILE:

☒ LATE NOTICE OF CLAIM

☐ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

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JUL 19 2011

☒ I have read **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996).

My name is LYNN SCHIESS

My address is 4764 W 6750 S
VECTOR INNO 83455

My phone number is: ^{CEA} Work 208-317-7937 Home 208-787-2930

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

☒ I did not file a Notice of claim to the use of water in the SRBA because:

ONLY 20 ACRES OF SS WERE ON THE CLAIM

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 100.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on Tuesday Nov 15 1:30
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☐ I must amend my Notice of Claim to the use of water in the SRBA because:

SCANNED
JUL 19 2011

CERTIFICATE OF MAILING

I certify that on _____, ~~1999~~, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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. Copies to:

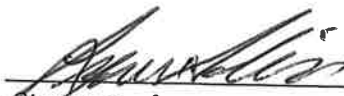
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



Signature of person or attorney mailing the form

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
Receipt No:
Received By: MWH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUL 19 2011

DEPARTMENT OF
WATER RESOURCES

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

SCANNED
JUL 19 2011

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.

SCANNED
JUL 19 2011

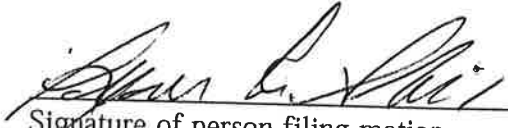
VERIFICATION (Must be completed)

State of IDAHO

County of TETON

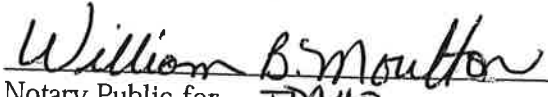
LYNN R. SCHIESS, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

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 67th SO. 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 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. Moulton

Notary Public

Residing at DRIGGS IDAHO

My commission Expires LIFE

SCANNED
JUL 19 2011

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: 0094284
Received By: MWH SR9 \$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

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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

SCANNED
NOV 18 2011

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:

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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.

SCANNED
NOV 18 2011

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]
Signature of person filing motion

Attorney signing in representative capacity

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

William B. Moulton
Notary Public for IDAHO
Residing at: DRIGGS, IDAHO
My Commission expires: LIFE

INSTRUCTIONS FOR MAILING

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SCANNED
NOV 18 2011

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 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 DEKES IDAHO

My commission Expires LIFE

SCANNED
NOV 18 2011