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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

NOV 28 2008

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

By

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

)
) Water Rights: 22-13859 & 22-13860

)
) ORDER OF PARTIAL DECREES
)
)
)

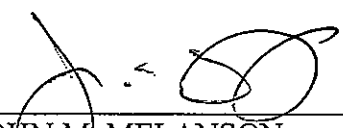
On December 22, 2006, the Idaho Department of Water Resources filed its *Director's Report for Basin 22, Part II, Reporting Area 17, for Irrigation and Other Water Rights*, which included a recommendation for water right 22-02058.

On July 29, 2008, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Reports* notifying the Court that water right 22-02058 had been split into water rights 22-13859 and 22-13860. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

Therefore, IT IS ORDERED that the above-captioned water rights be decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED

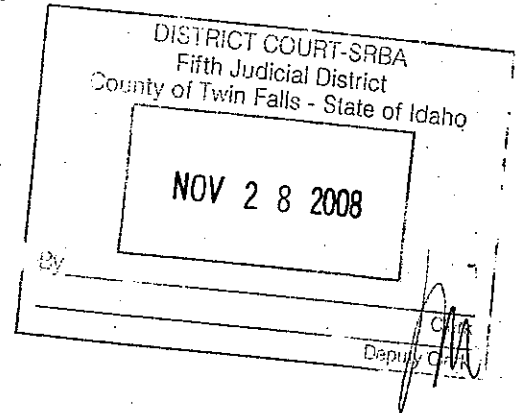
November 28, 2008


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

ORDER OF PARTIAL DECREES

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 22-13859



NAME AND ADDRESS: SCHIESS BROTHERS
C/O LYLE SCHIESS
498W 675 S
VICTOR, ID 83455

SOURCE: PATTERSON CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.40 CFS
70.00 AFY

PRIORITY DATE: 04/15/1911

POINT OF DIVERSION: T04N R44E S36 SWSWSE Within Teton County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.40 CFS 70.00 AFY

PLACE OF USE: Irrigation Within Teton County
T04N R45E S31 LOT 3 (NWSW) 20.0
20.0 Acres Total

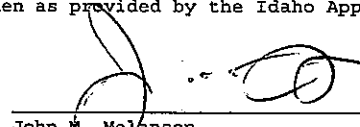
Right Nos. 22-13859 and 22-13861 are limited to the irrigation of
a combined total of 55 acres in a single irrigation season.

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. I.C. SECTION 42-1412(6).

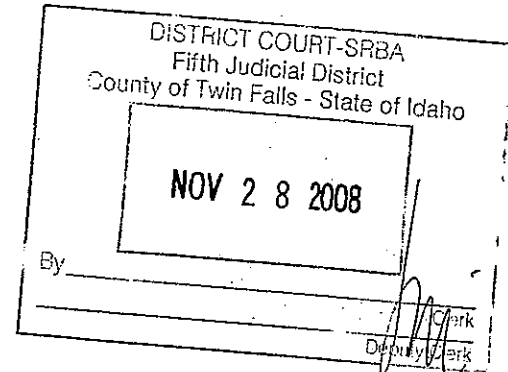
RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 22-13860



NAME AND ADDRESS: THE SCHIESS REVOCABLE TRUST
4145 E RIRIE HWY
IDAHO FALLS, ID 83401

SOURCE: PATTERSON CREEK TRIBUTARY: TETON RIVER

QUANTITY: 1.10 CFS
192.50 AFY

PRIORITY DATE: 04/15/1911

POINT OF DIVERSION: T04N R44E S36 SWSWSE Within Teton County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.10 CFS 192.50 AFY

PLACE OF USE: Irrigation Within Teton County
T04N R45E S31 LOT 4 (SWSW)21.0 SESW 34.0
55.0 Acres Total

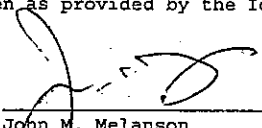
Right Nos. 22-13860 and 22-13862 are limited to the irrigation of
a combined total of 55 acres in a single irrigation season.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on November 28, 2008, with sufficient first-class postage to the following:

SCHIESS BROTHERS
C/O LYLE SCHIESS
498W 675 S
VICTOR, ID 83455

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

THE SCHIESS REVOCABLE TRUST
4145 E RIRIE HWY
IDAHO FALLS, ID 83401

ORDER

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Deputy Clerk