

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

In Re CSRBA

Case No. 49576

) **SUBCASE: 95-7604**
) **STANDARD FORM 5**

) **STIPULATED ELEMENTS OF A WATER**
) **RIGHT**

) ☐ **AMENDED NOTICE OF CLAIM /**
) **DIRECTOR'S REPORT**

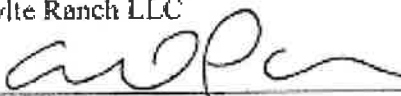
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Coeur d'Alene-Spokane River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages. Attached pages should include a copy of the Director's Recommendation, noting where stipulated changes have been made.

CLAIMANT/OBJECTOR:

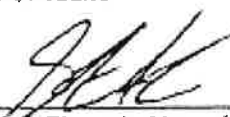
John Sylte
Sylte Ranch LLC

 10/5/2020

Michael Lawrence, Attorney at Law Date

OBJECTOR:

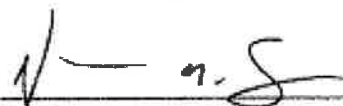
State of Idaho

 10/6/20

Shantel Chapple Knowlton Date
Deputy Attorney General

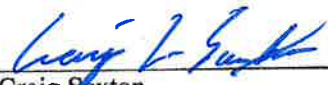
OBJECTOR:

Twin Lakes Improvement Association

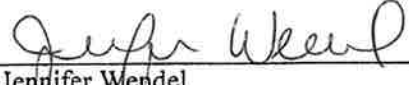
 10-14-20

Norman Semanko, Attorney at Law Date

IDWR Concurrence:

 11/19/2020

Date
Craig Saxton
Manager, Water Rights Adjudication

 11/19/20

Date
Jennifer Wendel
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of November, 2020 I caused to be served a copy of the Standard Form 5 by the following method to:

1. Original to:

Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adj.
PO Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-delivered
☐ Facsimile

2. Copies to:

IDWR Document Depository
322 East Front St.
PO Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-delivered
☐ Facsimile

Sylte Ranch LLC
Represented by:
Michael P Lawrence
601 W Bannock St
PO Box 2720
Boise, ID 83701-2720

☐ Overnight Mail
☒ Regular Mail
☐ Hand-delivered
☐ Facsimile

Chief Natural Resources Div
Office of the Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Twin Lakes Improvement Assn
Represented by:
Norman M Semanko
Parsons Behle & Latimer
800 West Main Street Ste 1300
Boise, ID 83702

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Paul Finman
764 South Clearwater Loop
Rathdrum, ID 83854

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

U.S. Department of Justice
Environment and Natural Resources Div.
550 West Fort Street, MSC 033
Boise, Idaho 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Signature of person delivering this
document

Jeri Harris

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

09/16/2020

RIGHT NUMBER: 95-7604
NAME AND ADDRESS: SYLTE RANCH LLC LIMITED LIABILITY COMPANY
8626 W SYLTE RANCH RD
RATHDRUM ID 83858-6820

SOURCE: RATHDRUM CREEK TRIBUTARY: SINKS

QUANTITY: 0.340 CFS

PRIORITY DATE: 04/14/1976

POINT OF DIVERSION: T52N R04W S30 NWSW Lot 3 Within KOOTENAI County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	03/15 11/15	0.340 CFS

PLACE OF USE:

IRRIGATION in KOOTENAI County

T52N R04W S30	SWNE 1.00	T52N R04W S30	SENE 9.00
T52N R04W S30	NESW 18.00	T52N R04W S30	NESE 1.00
T52N R04W S30	NWSE 14.00		

43 ACRES TOTAL

Right Nos. 95-733, 95-944, 95-7604, and 95-8858 are limited to the irrigation of a combined total of 109.9 acres in a single irrigation season.

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

This right is all or part of a water right first decreed in In the Matter of the General Determination of the Rights to the Use of the Surface Waters of Twin Lakes, Including Tributaries and Outlets, Case No. 32572 (1st Jud. Dist. Ct. April 20, 1989). When seepage and evaporation losses from Twin Lakes exceed the total natural tributary inflow to Twin Lakes, no water will be released from the lakes to satisfy this water right and other downstream water rights, with the exception of Water Right No. 95-734. When this occurs, Water Right No. 95-734 and water rights that divert from Twin Lakes and from the tributaries to Twin Lakes may divert the natural flow, but not the stored waters, on the basis of water right priority.

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 - Decreed

This claim was renumbered from former claim 95-10729.

Point of Diversion Parcel No. 52N04W306100; Place of Use Parcel Nos. 52N04W306100 & 52N04W301100.

Right Nos. 95-733, 95-7630, and 95-8858 are also diverted from Rathdrum Creek through the point of diversion described above.

This right is for the appropriation of natural flow in Rathdrum Creek.

Right includes accomplished change in place of use pursuant to Idaho Code § 42-1425.

~~This right originated as all or part of Right No. 95-7604 in the Final Decree, In the Matter of the General Determination of the Rights to the Use of the Surface Waters of Twin Lakes, Including Tributaries and Outlets, Case No. 32572 (1st and 2nd Dist. Ct. April 20, 1989).~~

MPL

[Handwritten signature]

NMS

GW

LS