

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: 95-7630
) 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:

Gordon Sylte

OBJECTOR:

State of Idaho

 11/19/2020

Michael Lawrence, Attorney at Law Date

 11/14/20

Shantel Chapple Knowlton Date
Deputy Attorney General

RESPONDENT

OBJECTOR:

Twin Lakes Improvement Association

 11-19-20

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

State of Idaho
Represented by:
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

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

Nori Harris

11/19/2020

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

MPL
Nms

RIGHT NUMBER: 95-7630
NAME AND ADDRESS: GORDON SYLTE
8626 W SYLTE RANCH RD
RATHDRUM ID 83858

SOURCE: RATHDRUM CREEK TRIBUTARY: SINKS

QUANTITY: 0.100 CFS
24.50 AFY

PRIORITY DATE: 05/24/1976

POINT OF DIVERSION: T52N R04W S30 SWSW Lot 4 Within KOOTENAI County
T52N R04W S30 NWSW Lot 3 Within KOOTENAI County

[Handwritten signature]

JW
LVS

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		03/15 11/15	0.100 CFS 24.50 AFY

PLACE OF USE: IRRIGATION in KOOTENAI County
T52N R04W S30 Lot 3 NWSW 4.00 T52N R04W S30 Lot 4 SWSW 3.00

7 ACRES TOTAL

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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

~~This right originated as all or part of Right No. 95-7630 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 Jud. Dist. Ct. April 20, 1989).~~

The following rights are diverted through points of diversion described above: 95-733, 95-7604, 95-7630 and 95-8858.

This right was renumbered from former claim 95-10732.

Parcel No. 52N04W30S770

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