

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)
) SUBCASE: 95-8858
) STANDARD FORM 5
Case No. 49576)
)
) 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.

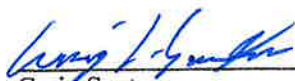
CLAIMANT/OBJECTOR:
Sylte Ranch LLC

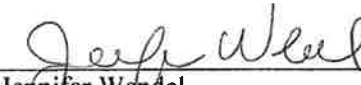

Michael Lawrence, Attorney at Law 10/5/2020 Date

OBJECTOR:
Twin Lakes Improvement Association


Norman Semanko, Attorney at Law 10-14-20 Date

IDWR Concurrence:


Craig Saxton 11/19/2020 Date
Manager, Water Rights Adjudication


Jennifer Wendel 11/19/20 Date
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	☐ Overnight Mail
Coeur d'Alene-Spokane River Basin Adj.	☒ Regular Mail
PO Box 2707	☐ Hand-delivered
Twin Falls, ID 83303-2707	☐ Facsimile

2. Copies to:

IDWR Document Depository	☐ Overnight Mail
322 East Front St.	☐ Regular Mail
PO Box 83720	☒ Hand-delivered
Boise, ID 83720-0098	☐ Facsimile

Sylte Ranch LLC	☐ Overnight Mail
Represented by:	☒ Regular Mail
Michael P Lawrence	☐ Hand-delivered
601 W Bannock St	☐ Facsimile
PO Box 2720	
Boise, ID 83701-2720	

Chief Natural Resources Div	☐ Overnight Mail
Office of the Attorney General	☒ Regular Mail
State of Idaho	☐ Hand-Delivered
PO Box 83720	☐ Facsimile
Boise, ID 83720-0010	

Twin Lakes Improvement Assn	☐ Overnight Mail
Represented by:	☒ Regular Mail
Norman M Semanko	☐ Hand-Delivered
Parsons Behle & Latimer	☐ Facsimile
800 West Main Street Ste 1300	
Boise, ID 83702	

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

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

09/16/2020

MPL
Nms
JW
CLS

RIGHT NUMBER: 95-8858
NAME AND ADDRESS: SYLTE RANCH LLC LIMITED LIABILITY COMPANY
8626 W SYLTE RANCH RD
RATHDRUM ID 83858-6820

SOURCE: RATHDRUM CREEK
UNNAMED STREAM

TRIBUTARY: SINKS
TRIBUTARY: RATHDRUM CREEK

QUANTITY: 0.430 CFS
418.00 AFY

The quantity of water under Right Nos. 95-733, 95-734, 95-944, and 95-8858 for stockwater use when combined shall not exceed 13,000 gallons per day.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.

The rights listed below are limited to a total combined annual diversion volume of 150.0 AF. Combined Right Nos. 95-733, 95-944, 95-7604 and 95-8858

Right Nos. 95-733, 95-734, 95-944, and 95-8858 are limited to a total combined annual diversion volume of 4.10 AF for stockwater use.

The quantity of water under Right Nos. 95-944 and 95-8858 for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/27/1994

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

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DIVERSION TO STORAGE	03/15 11/15	0.430 CFS
IRRIGATION	03/15 11/15	0.430 CFS 99.00 AFY
IRRIGATION FROM STORAGE	03/15 11/15	5.00 AFY
IRRIGATION STORAGE	03/15 11/15	5.00 AFY
RECREATION	01/01 12/31	0.430 CFS 311.30 AFY
RECREATION STORAGE	01/01 12/31	5.00 AFY
STOCKWATER	01/01 12/31	0.050 CFS 2.70 AFY
STOCKWATER FROM STORAGE	01/01 12/31	2.70 AFY
STOCKWATER STORAGE	01/01 12/31	5.00 AFY

PLACE OF USE:

IRRIGATION in KOOTENAI County

T52N R04W S30	NESW 4.00	T52N R04W S30 Lot 3	NWSW 9.00
T52N R04W S30 Lot 4	SWSW 12.00	T52N R04W S30	SESW 8.00

IRRIGATION STORAGE in KOOTENAI County

T52N R04W S30 Lot 3 NWSW

IRRIGATION FROM STORAGE in KOOTENAI County

T52N R04W S30	NESW 4.00	T52N R04W S30 Lot 3	NWSW 9.00
T52N R04W S30 Lot 4	SWSW 12.00	T52N R04W S30	SESW 8.00

STOCKWATER in KOOTENAI County

T52N R04W S30	NESW	T52N R04W S30 Lot 3	NWSW
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T52N R04W S30 Lot 4 SWSW T52N R04W S30 SESW
STOCKWATER STORAGE in KOOTENAI County
T52N R04W S30 Lot 3 NWSW
STOCKWATER FROM STORAGE in KOOTENAI County
T52N R04W S30 NESW T52N R04W S30 Lot 3 NWSW
T52N R04W S30 Lot 4 SWSW T52N R04W S30 SESW
RECREATION in KOOTENAI County
T52N R04W S30 Lot 3 NWSW
RECREATION STORAGE in KOOTENAI County
T52N R04W S30 Lot 3 NWSW
DIVERSION TO STORAGE in KOOTENAI County
T52N R04W S30 Lot 3 NWSW

MPL
NMS
JW
CLS

33 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.

This right is limited to the irrigation of 33 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 - License

~~Stockwater use is for 200 range cattle.~~

Stockwater use under rights 95-733, 95-944, 95-7604, and 95-8858 is for a combined 300 head of cattle.

Recreation use is for fish.

When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

Right Nos. 95-944 is also diverted from Unnamed Stream through the point of diversion described above in T52N R04W S30 NWSW Lot 3.

Right Nos. 95-733, 95-7604, and 95-7630 are also diverted from Rathdrum Creek through the point of diversion described above in T52N R04W S30 NWSW Lot 3.

This claim was renumbered from former claim 95-10723.

~~The following rights are diverted through points of diversion described above: 95-733, 95-734, 95-7604, 95-7630 and 95-8858.~~

~~Parcel Nos. 52N04W305500 & 52N04W306100~~

Point of Diversion Parcel Nos. 52N04W305500 & 52N04W306100; Place of Use Parcel Nos. 52N04W305500, 52N04W306100, 52N04W306370, 52N04W306460, and R00000306475