

**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: 95-734
	)	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

 10/5/2020

Michael Lawrence, Attorney at Law Date

OBJECTOR:

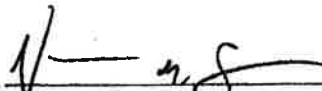
State of Idaho

 10/6/20

Shantel Chapple Knowlton Date
Deputy Attorney General

OBJECTOR:

Twin Lakes Improvement Association

 10-14-20

Norman Semanko, Attorney at Law Date

OBJECTOR:

Paul Finman

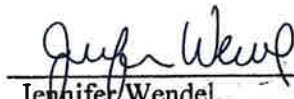
 12/2/20

Paul Finman, Pro Se Date

IDWR Concurrence:

 12/8/2020

Date
Craig Saxton
Manager, Water Rights Adjudication

 12/8/2020

Date
Jennifer Wendel
Deputy Attorney General
Attorney for IDWR

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

09/23/2020

RIGHT NUMBER: 95-734
NAME AND ADDRESS: SYLTE RANCH LLC LIMITED LIABILITY COMPANY
8626 W SYLTE RANCH RD
RATHDRUM ID 83858-6820

SOURCE: RATHDRUM CREEK

TRIBUTARY: SINKS

QUANTITY: 0.070 CFS
4.10 AFY

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

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.

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.

PRIORITY DATE: 05/01/1875

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

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.070 CFS 4.10 AFY

PLACE OF USE:

STOCKWATER in KOOTENAI County
T52N R04W S30 Lot 4 SWSW

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 downstream water rights, with the exception of this water right. When this occurs, this water right and other 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.

With respect to this water right, the unnamed stream that flows east through the southern half of Lot 3, T52N, R04W, S17, and is currently tributary immediately above the outlet at the lower end of Lower Twin Lake will be administered as if the stream were tributary to Rathdrum Creek immediately below the outlet.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed
Parcel No. ~~52N04W306100~~ 52N04W306370

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

Right No. 95-733 is also diverted through the point of diversion described above.

This claim was renumbered from former claim 95-10721.

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

Stockwater use under rights 95-733, 95-734, 95-944, and 95-8858 is for a combined 300 head of cattle.

~~This right originated as all or part of Right No. 95-0734 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).~~

MPL

[Handwritten signature]

NARS

[Handwritten signature]

JW

624

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of December, 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	

State of Idaho	☐ Overnight Mail
Represented by:	☒ Regular Mail
Chief Natural Resources Div	☐ Hand-Delivered
Office of the Attorney General	☐ Facsimile
State of Idaho	
PO Box 83720	
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	

Paul Finman	☐ Overnight Mail
764 South Clearwater Loop	☒ Regular Mail
Post Falls, ID 83854	☐ 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

Tori Harris