

DEPARTMENT OF
WATER RESOURCES

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

JAN 13 2021

By _____ Clerk

Deputy Clerk

WATER RIGHT NOS.: 95-731 and 95-7617

BRIGETTE BILYEU
Special Master
Coeur d'Alene-Spokane River Basin Adjudication

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

JAN 13 2021

By _____ Clerk
 _____ Deputy Clerk

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
 Case No. 49576)
)
) Water Right 95-00731

RECEIVED
JAN 15 2021
DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: LORNA FINMAN
 PAUL FINMAN
 764 S CLEARWATER LOOP
 POST FALLS, ID 83854

SOURCE: RATHDRUM CREEK TRIBUTARY: SINKS

QUANTITY: 0.03 CFS
 1.40 AFY

The quantity of water under this right shall not exceed 13,000
 gallons per day.

PRIORITY DATE: 10/01/1947

POINT OF DIVERSION: T52N R04W S19 NESE (Instream Beginning Point) Within Kootenai County
 S30 NWNE (Instream Ending Point)

PURPOSE AND
 PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
 Stockwater 01-01 TO 12-31 0.03 CFS
 1.40 AFY

Stockwater use is for the in-stream watering of livestock.

PLACE OF USE: Stockwater Within Kootenai County
 T52N R04W S19 NESE
 SESE
 S30 NWNE

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

RECOMMENDATION

JAN 13 2021

Donella Gibson
 SPECIAL MASTER

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.

Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication

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

JAN 13 2021

By _____ Clerk
 _____ Deputy Clerk

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
 Case No. 49576)
)
) Water Right 95-07617

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 DEPARTMENT OF
 WATER RESOURCES

NAME AND ADDRESS: LORNA FINMAN
 PAUL FINMAN
 764 S CLEARWATER LOOP
 POST FALLS, ID 83854

SOURCE: RATHDRUM CREEK TRIBUTARY: SINKS

QUANTITY: 1.55 CFS
 234.30 AFY

Right Nos. 95-7617, 95-8457 and 95-11768 are limited to a total
 combined diversion rate of 1.55 cfs and to a total combined
 annual diversion volume of 234.3 AF.

PRIORITY DATE: 04/30/1976

POINT OF DIVERSION: T52N R04W S19 NESE Within Kootenai County
 SESE
 SWSE
 S30 NWNE
 SENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		03-15 TO 11-15	1.55 CFS
			234.30 AFY
Fire Protection		01-01 TO 12-31	1.55 CFS

Water shall not be diverted for fire protection use under this
 right except to fight or repel an existing fire.

PLACE OF USE:	Irrigation		Within Kootenai County
	T52N R04W S19	NESE 9.0	SWSE 21.1
		SESE 13.3	
	S30	NWNE 12.7	NENW 15.0
		SENW 7.0	
	78.1 Acres Total		

Fire Protection		Within Kootenai County
T52N R04W S19	NESE	SWSE
	SESE	
S30	NWNE	NENW
	SENW	

Right Nos. 95-7617, 95-8457 and 95-11768 are limited to the
 irrigation of a combined total of 78.1 acres in a single
 irrigation season.

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

The remainder of this right was forfeited for non-use from 1997
 to 2008.
 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

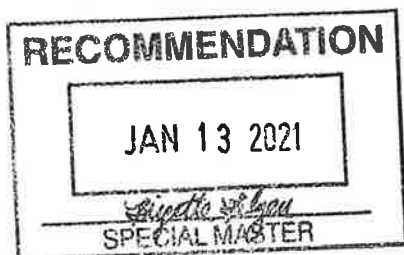
OTHER PROVISIONS (continued)

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. 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.



Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication

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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JAN 13 2021	
By _____	Clerk
_____	Deputy Clerk

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)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 95-00731
95-07617

On January 13, 2021, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to CSRBA Administrative Order 1 (A01), Section 18a.

Pursuant to CSRBA Administrative Order 1 (A01), Section 18a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED January 13, 2021.


JANET CONNELL
Deputy Clerk

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WATER RESOURCES

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 13 2021	
By _____	Clerk
Deputy Clerk	

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)

CERTIFICATE OF MAILING

Water Right(s): 95-00731
95-07617

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on January 13, 2021, with sufficient first-class postage prepaid to the following:

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

STATE OF IDAHO
Represented by:
CHIEF NATURAL RESOURCES DIV
OFFICE OF THE ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

CERTIFICATE OF MAILING

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01/13/21

JOHN C SYLTE & SYLTE RANCH
SYLTE, JOHN C & SYLTE RANCH

Represented by:

MICHAEL P LAWRENCE
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

LORNA FINMAN
PAUL FINMAN
764 S CLEARWATER LOOP
POST FALLS, ID 83854
Phone: 208-640-9412

GORDON SYLTE
8626 W SYLTE RANCH RD
RATHDRUM, ID 83858


JANET CONNELL
Deputy Clerk