

DEPARTMENT OF  
WATER RESOURCES

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

JAN 13 2021

~~IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE~~

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

**Clerk**

Deputy Clerk

In Re CSRBA

Case No. 49576

**SPECIAL MASTER’S REPORT AND  
RECOMMENDATION; FINDINGS OF  
FACT AND CONCLUSIONS OF LAW**

**WATER RIGHT NO.: 95-4730**

## I. FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

The claimant, John C. Sylte, filed an *Objection* and a *Motion to File Amended Notice of Claim* on July 15, 2019. A hearing was held on September 17, 2019. No parties to the CSRBA opposed the *Motion*. The *Motion* was **granted. (Order Granting Motion to File Amended Claim and Setting Deadlines)** (September 27, 2019). An *Amended Director's Report* was filed on October 31, 2019. An *Objection* was filed to the *Amended Director's Report* by John C. Sylte. The *Objection* was resolved on November 19, 2020 by the filing of a *Standard Form 5*. There are no unresolved objections remaining.

## II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be **decreed** with the elements set forth in the attached *Special Master's Recommendation for Partial Decree*.

DATED: January 13, 2021.

*Brigitte Bilyeu*  
BRIGITTE BILYEU  
Special Master

Special Master  
Coeur d'Alene-Spokane River Basin Adjudication

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

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

In Re CSRBA )  
Case No. 49576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 95-04730

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DEPARTMENT OF  
WATER RESOURCES

NAME AND ADDRESS: JOHN C SYLTE  
8626 W SYLTE RANCH RD  
RATHDRUM, ID 83858

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/31/1999

POINT OF DIVERSION: T52N R04W S30 LOT 3 (NWSW ) Within Kootenai County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Domestic       | 01-01 TO 12-31 | 0.04 CFS |

Domestic use is for 1 home.

PLACE OF USE: Domestic Within Kootenai County  
T52N R04W S30 LOT 3 (NWSW)

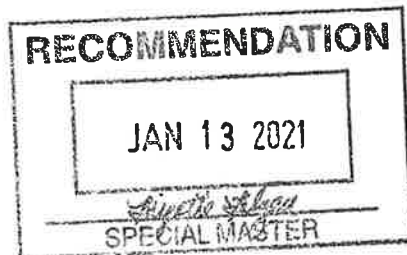
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a  
determination of historical beneficial use.

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<br>Fifth Judicial District<br>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): 95-04730

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 29th 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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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

CERTIFICATE OF MAILING

Water Right(s): 95-04730

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 93720  
BOISE, ID 83720-0098

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

  
JANET CONNELL  
Deputy Clerk

CERTIFICATE OF MAILING

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