

RECEIVED  
IDAHO SUPREME COURT  
COURT OF APPEALS

2018 MAY 25 AM 9:08

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE  
COUNTY OF KOOTENAI**

GORDON SYLTE, AN INDIVIDUAL, )  
SUSAN GOODRICH, AN INDIVIDUAL )  
JOHN SYLTE, AN INDIVIDUAL AND )  
SYLTE RANCH LIMITED LIABILITY )  
COMPANY, AN IDAHO LIMITED )  
LIABILITY COMPANY, )

Petitioners, )

v. )

IDAHO DEPARTMENT OF WATER )  
RESOURCES AND GARY SPACKMAN, IN )  
HIS CAPACITY AS THE DIRECTOR OF THE )  
IDAHO DEPARTMENT OF WATER )  
RESOURCES, )

Respondents, )

and )

TWIN LAKES IMPROVEMENT ASSOCIATION, )  
MARY A. ALICE, MARY F. ANDERSON, )  
MARY F. ANDERSON ET AL., DEBRA )  
ANDREWS, JOHN ANDREWS, MATTHEW A. )  
BAFUS, CHARLES AND RUTH BENAGE, )  
ARTHUR CHETLAIN JR., CLARENCE & KURT )  
GEIGER FAMILIES, MARY K. COLLINS / )  
BOSCH PROPERTIES, SANDRA COZZETTO, )  
WES CROSBY, JAMES CURB, MAUREEN )  
DEVITIS, DON ELLIS, SUSAN ELLIS, SCOTT )  
ERICKSON, JOAN FREIJE, AMBER HATROCK,) )  
BARBARA HERR, WENDY AND JAMES )  
HILLIARD, PAT & DENISE HOGAN, STEVEN )  
& ELIZABETH HOLMES, LEIF HOUKAM, )  
DONALD JAYNE, DOUGLAS I. & BERTHA )  
MARY JAYNE, TERRY KIEFER, MICHAEL )  
KNOWLES, ADAM KREMIN, ROBERT KUHN,) )

**Supreme Court**  
**Docket No. 46062**

**Case No. CV-2017-7491**

**CLERK'S CERTIFICATE  
OF APPEAL**

Clerk's Certificate of Appeal.CV-2017-7491.Sylte

**FILED - ORIGINAL**  
**MAY 25 2018**  
SUPREME COURT  
COURT OF APPEALS

RENE LACROIX, JOAN LAKE-OMMEN, )  
LARRY D. & JANICE A. FARIS LIVING )  
TRUST, TERRY LALIBERTE, PATRICK E. )  
MILLER, WILLIAM H. MINATRE, ANGELA )  
MURRAY, DAVID R. NIPP, JOHN NOONEY, )  
STEVE & PAM RODGERS, KIMBERLI ROTH, )  
DAVID & LORI SCHAFER, DARWIN R. )  
SCHULTZ, MOLLY SEABURG, HAL )  
SUNDAY, TCRV LLC, TWIN LAKES, LLC, )  
RICK & CORRINNE VAN ZANDT, GERALD J. )  
WELLER, BRUCE & JAMIE WILSON, DAVE )  
ZIUCHKOVSKI, PAUL FINMAN, AND TWIN )  
LAKES FLOOD CONTROL DISTRICT NO. 17, )  
 )  
Intervenors. )  
 )  
 )

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IN THE MATTER OF SYLTE'S PETITION FOR  
DECLARATORY RULING REGARDING  
DISTRIBUTION OF WATER TO WATER  
RIGHT NO. 95-0734

**APPEAL FROM:** Fifth Judicial District, Twin Falls County  
Honorable Eric J. Wildman, presiding<sup>1</sup>

**CASE NUMBER FROM COURT:** CV-2017-7491

**ORDER OR JUDGMENT  
APPEALED FROM:** *Memorandum Decision and Order*  
(filed April 11, 2018) and  
*Judgment* (filed April 11, 2018)

**APPEALED BY:** GORDON SYLTE, SUSAN GOODRICH,  
JOHN SYLTE and SYLTE RANCH LIMITED  
LIABILITY COMPANY

**ATTORNEYS FOR  
PETITIONERS:** Michael P. Lawrence  
Jack W. Relf  
GIVENS PURSLEY LLP  
PO Box 2720  
Boise, ID 83701-2720

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<sup>1</sup> This matter was reassigned to this Court on October 5, 2017, by the Clerk of the Court for Kootenai County, pursuant to *Idaho Supreme Court Administrative Order*, dated December 9, 2009.

**APPEALED AGAINST:** THE IDAHO DEPARTMENT OF WATER  
RESOURCES and GARY SPACKMAN, in his capacity as  
Director of the Idaho Department of Water Resources

**ATTORNEYS FOR RESPONDENTS:** Garrick Baxter, Deputy Attorney General  
Emmi L. Blades, Deputy Attorney General  
Idaho Department of Water Resources  
PO Box 83720  
Boise, ID 83720-0098

**ATTORNEY FOR INTERVENORS:** Norman M. Semanko  
**Twin Lakes Improvement**  
**Association, et al.** PARSONS BEHLE & LATIMER  
800 West Main Street, Suite 1300  
Boise, ID 83702

**ATTORNEY FOR INTERVENOR:** Albert P. Barker  
**Twin Lakes Flood Control District**  
**No. 17** BARKER ROSHOLT & SIMPSON LLP  
PO Box 2139  
Boise, ID 83701-2139

**NOTICE OF APPEAL FILED:** May 23, 2018

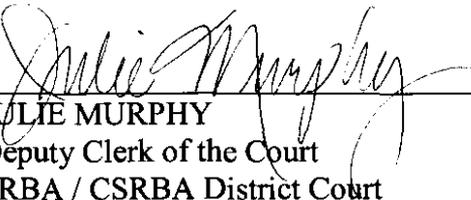
**APPELLATE FEE PAID:** \$129.00

**WAS A DISTRICT COURT**  
**REPORTER'S TRANSCRIPT**  
**REQUESTED?** Yes

**NUMBER OF PAGES:** Unknown

**COURT REPORTER:** Sabrina Vasquez  
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**DATED:** May 24, 2018.

  
\_\_\_\_\_  
JULIE MURPHY  
Deputy Clerk of the Court  
SRBA / CSRBA District Court  
PO Box 2707  
Twin Falls, ID 83303