

**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

**SUBCASE: 95-16503
STANDARD FORM 5**

**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:

Michael Strong

OBJECTOR:

State of Idaho

Attorney General's Office

Michael Strong 10-5-2020
Michael Strong, Pro Se Date

Shantel Chappel Knowlton 10/6/20
Shantel Chappel Knowlton Date
Deputy Attorney General
Attorney General's Office

IDWR Concurrence:

Craig Saxton 10/6/2020
Craig Saxton Date
Manager, Water Rights Adjudication

Jennifer Wendel 10/6/20
Jennifer Wendel Date
Deputy Attorney General
Attorney for IDWR

10/05/2020

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

RIGHT NUMBER: 95-16503
NAME AND ADDRESS: MICHAEL M STRONG
E 14626 BREVIER RD
SPOKANE WA 99217

SOURCE: UNNAMED STREAM TRIBUTARY: TWIN LAKES

QUANTITY: 0.130 CFS
36.00 AFY

PRIORITY DATE: 06/01/1950

POINT OF DIVERSION: T52N R04W S17 NWNW Lot 3 Within KOOTENAI County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.130 CFS 36.00 AFY

Domestic use is for external use only.
Domestic use is for 39 homes.

PLACE OF USE:

<u>DOMESTIC in KOOTENAI County</u>			
T52N R04W S17	NENW	T52N R04W S17 Lot 3	NENW
T52N R04W S17 Lot 3	NWNW	T52N R04W S17	SWNW

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.

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

This right originated as all or part of Right No. 95-4257 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).

Place of Use Properties are also known as Lots 1, 2, 3, 4, 5, & 6-7, Block 1, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9-10, 11-12 & 13-14, Block 2, Lots 1, 2, 3, 4-5, 6-7, 8, 9, 10, 11, 12, 13-14, 15-16 & 17, Block 3, and Lots 1, 2, 3 & 4, Block 4, Gunning Subdivision 1st Addition.

Point of Diversion Parcel No. 52N04W173150. Place of Use also includes Parcel Nos. 52N04W173655, 52N04W173635 and 52N04W173625.

Right includes accomplished change in place of use pursuant to Idaho Code § 42-1425.

Use of this right may be combined with water from North Kootenai Water District.

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of October, 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
Coeur d'Alene-Spokane River Basin Adj.
PO Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-delivered
☐ Facsimile

2. Copies to:

IDWR Document Depository
322 East Front St.
PO Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-delivered
☐ Facsimile

Michael Strong
14626 E Brevier Road
Spokane, WA 99217

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

State of Idaho
Represented by:
Chief Natural Resources Div
Office of the Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010

☐ Overnight Mail
☒ Regular Mail
☐ Hand-delivered
☐ Facsimile

United States of America
Represented by:
US Department of Justice
Environment & Nat'l Resources
550 West Fort Street, MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Signature of person delivering this form

Fiori Harris