

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

MAR 03 2022

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)
Case No. 49576) FOR FEDERAL RESERVED
))
) WATER RIGHT NO. 91-07937A

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724

SOURCE: See Attachment 1, Column A TRIBUTARY: See Attachment 1, Column B

Sources are located on National Forest System Land in the Upper North Fork St Joe River subwatershed (HUC12 170103040202).

QUANTITY: The amount of water necessary to control and suppress forest fires.

PRIORITY DATE: 11/06/1906

POINT OF DIVERSION: See Attachment 1, Columns C through G

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE
Administrative-Fire Suppression 01/01 - 12/31

PLACE OF USE: National Forests in Idaho and the Kaniksu, Lolo and Kootenai National Forests in Montana.

See Attachment 2.

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

This right is limited to the intermittent diversion and use of water for the purpose of suppressing wildfires. This water right shall not be used as a basis to prevent the future appropriation of water.

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. Idaho Code § 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above partial judgment 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 partial judgment is a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

RECOMMENDATION

MAR 03 2022

Eric J. Wildman

SPECIAL MASTER

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

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
002	Mozier Creek	North Fork St Joe River	46N	05E	02		
003	Unnamed Stream	Mozier Creek	46N	05E	02		
004	Unnamed Stream	Ramsey Creek	46N	05E	02		
005	Unnamed Stream	Ramsey Creek	46N	05E	02		
006	Unnamed Stream	Ramsey Creek	46N	05E	02		
007	Glen Creek	Ramsey Creek	46N	05E	04		
008	Ramsey Creek	North Fork St Joe River	46N	05E	04		
009	Unnamed Stream	Glen Creek	46N	05E	04		
010	Unnamed Stream	Railroad Creek	46N	05E	04		
011	Unnamed Stream	North Fork St Joe River	46N	06E	05		
012	Unnamed Stream	North Fork St Joe River	46N	06E	06	NENE	L 1
013	Mozier Creek	North Fork St Joe River	46N	06E	06	NENW	L 3
014	North Fork St Joe River	St Joe River	46N	06E	06	NENW	L 3
015	North Fork St Joe River	St Joe River	46N	06E	06	NESE	
016	North Fork St Joe River	St Joe River	46N	06E	06	NWNE	L 2
017	Mozier Creek	North Fork St Joe River	46N	06E	06	NWNW	L 4
018	Unnamed Stream	Mozier Creek	46N	06E	06	NWNW	L 4
019	Unnamed Stream	Mozier Creek	46N	06E	06	NWSW	L 6
020	Unnamed Stream	Mozier Creek	46N	06E	06	NWSW	L 6
021	North Fork St Joe River	St Joe River	46N	06E	06	SENE	
022	Unnamed Stream	North Fork St Joe River	46N	06E	06	SENE	
023	North Fork St Joe River	St Joe River	46N	06E	06	SESE	
024	North Fork St Joe River	St Joe River	46N	06E	06	SWNE	
025	Unnamed Stream	North Fork St Joe River	46N	06E	06	SWNE	
026	Unnamed Stream	Mozier Creek	46N	06E	06	SWNW	L 5
027	Unnamed Stream	Mozier Creek	46N	06E	06	SWNW	L 5
028	Unnamed Stream	Mozier Creek	46N	06E	06	SWNW	L 5
029	Unnamed Stream	North Fork St Joe River	47N	05E	09		
030	Champion Creek	North Fork St Joe River	47N	05E	13		
031	Unnamed Stream	Champion Creek	47N	05E	13		
032	Park Creek	Champion Creek	47N	05E	14		
033	Unnamed Stream	Champion Creek	47N	05E	14		
034	Unnamed Stream	Park Creek	47N	05E	14		

Attachment 1

	A	B	C	D	E	F	G
035	Unnamed Stream	Park Creek	47N	05E	14		
036	Unnamed Stream	Park Creek	47N	05E	14		
037	Unnamed Stream	Park Creek	47N	05E	14		
038	Park Creek	Champion Creek	47N	05E	15		
039	Rougin Creek	North Fork St Joe River	47N	05E	15		
040	Unnamed Stream	Park Creek	47N	05E	15		
041	Unnamed Stream	Park Creek	47N	05E	15		
042	Unnamed Stream	Park Creek	47N	05E	15		
043	Unnamed Stream	Park Creek	47N	05E	15		
044	Unnamed Stream	Park Creek	47N	05E	15		
045	Unnamed Stream	Park Creek	47N	05E	15		
046	Unnamed Stream	Rougin Creek	47N	05E	15		
047	Unnamed Stream	Rougin Creek	47N	05E	15		
048	Unnamed Stream	Rougin Creek	47N	05E	15		
049	North Fork St Joe River	St Joe River	47N	05E	17		
050	North Fork St Joe River	St Joe River	47N	05E	19		
051	Unnamed Stream	Moon Creek	47N	05E	19		
052	Unnamed Stream	Moon Creek	47N	05E	19		
053	Unnamed Stream	Moon Creek	47N	05E	19		
054	Moon Creek	North Fork St Joe River	47N	05E	20		
055	North Fork St Joe River	St Joe River	47N	05E	20		
056	Unnamed Stream	Moon Creek	47N	05E	20		
057	Unnamed Stream	Moon Creek	47N	05E	20		
058	Unnamed Stream	Moon Creek	47N	05E	20		
059	Unnamed Stream	Moon Creek	47N	05E	20		
060	Unnamed Stream	North Fork St Joe River	47N	05E	20		
061	Unnamed Stream	North Fork St Joe River	47N	05E	20		
062	North Fork St Joe River	St Joe River	47N	05E	21		
063	Rougin Creek	North Fork St Joe River	47N	05E	21		
064	Unnamed Stream	North Fork St Joe River	47N	05E	21		
065	Unnamed Stream	North Fork St Joe River	47N	05E	21		
066	Unnamed Stream	North Fork St Joe River	47N	05E	21		
067	Unnamed Stream	Rougin Creek	47N	05E	21		
068	Unnamed Stream	Rougin Creek	47N	05E	21		

Attachment 1

	A	B	C	D	E	F	G
069	Park Creek	Champion Creek	47N	05E	22		
070	Unnamed Stream	North Fork St Joe River	47N	05E	22		
071	Unnamed Stream	North Fork St Joe River	47N	05E	22		
072	Unnamed Stream	Park Creek	47N	05E	22		
073	Unnamed Stream	Park Creek	47N	05E	22		
074	Unnamed Stream	Park Creek	47N	05E	22		
075	Unnamed Stream	Park Creek	47N	05E	22		
076	Unnamed Stream	Park Creek	47N	05E	22		
077	Champion Creek	North Fork St Joe River	47N	05E	23		
078	Unnamed Stream	Champion Creek	47N	05E	23		
079	Unnamed Stream	Park Creek	47N	05E	23		
080	Champion Creek	North Fork St Joe River	47N	05E	24		
081	Unnamed Stream	Bullion Creek	47N	05E	24		
082	Unnamed Stream	Bullion Creek	47N	05E	24		
083	Unnamed Stream	Champion Creek	47N	05E	24		
084	Unnamed Stream	Champion Creek	47N	05E	24		
085	Unnamed Stream	North Fork St Joe River	47N	05E	24		
086	Unnamed Stream	Wonderful Creek	47N	05E	24		
087	Bullion Creek	North Fork St Joe River	47N	05E	25		
088	North Fork St Joe River	St Joe River	47N	05E	25		
089	Unnamed Stream	Bullion Creek	47N	05E	25		
090	Unnamed Stream	Bullion Creek	47N	05E	25		
091	Unnamed Stream	Bullion Creek	47N	05E	25		
092	Unnamed Stream	North Fork St Joe River	47N	05E	25		
093	Unnamed Stream	North Fork St Joe River	47N	05E	25		
094	Unnamed Stream	North Fork St Joe River	47N	05E	25		
095	Champion Creek	North Fork St Joe River	47N	05E	26		
096	North Fork St Joe River	St Joe River	47N	05E	26		
097	Ramsey Creek	North Fork St Joe River	47N	05E	26		
098	Unnamed Stream	North Fork St Joe River	47N	05E	26		
099	Unnamed Stream	North Fork St Joe River	47N	05E	26		
100	Unnamed Stream	North Fork St Joe River	47N	05E	26		
101	Unnamed Stream	North Fork St Joe River	47N	05E	26		
102	Unnamed Stream	North Fork St Joe River	47N	05E	26		

Attachment 1

	A	B	C	D	E	F	G
103	Unnamed Stream	North Fork St Joe River	47N	05E	26		
104	Unnamed Stream	North Fork St Joe River	47N	05E	26		
105	Unnamed Stream	North Fork St Joe River	47N	05E	26		
106	Unnamed Stream	North Fork St Joe River	47N	05E	26		
107	Champion Creek	North Fork St Joe River	47N	05E	27		
108	North Fork St Joe River	St Joe River	47N	05E	27		
109	Park Creek	Champion Creek	47N	05E	27		
110	Unnamed Stream	North Fork St Joe River	47N	05E	27		
111	Unnamed Stream	North Fork St Joe River	47N	05E	27		
112	Unnamed Stream	North Fork St Joe River	47N	05E	27		
113	Unnamed Stream	North Fork St Joe River	47N	05E	27		
114	Unnamed Stream	North Fork St Joe River	47N	05E	27		
115	Unnamed Stream	North Fork St Joe River	47N	05E	27		
116	Unnamed Stream	North Fork St Joe River	47N	05E	27		
117	Unnamed Stream	North Fork St Joe River	47N	05E	27		
118	Unnamed Stream	North Fork St Joe River	47N	05E	27		
119	Unnamed Stream	North Fork St Joe River	47N	05E	27		
120	Unnamed Stream	North Fork St Joe River	47N	05E	27		
121	Callahan Creek	North Fork St Joe River	47N	05E	28		
122	Moon Creek	North Fork St Joe River	47N	05E	28		
123	North Fork St Joe River	St Joe River	47N	05E	28		
124	Railroad Creek	North Fork St Joe River	47N	05E	28		
125	Unnamed Stream	North Fork St Joe River	47N	05E	28		
126	Unnamed Stream	North Fork St Joe River	47N	05E	28		
127	Unnamed Stream	North Fork St Joe River	47N	05E	28		
128	Unnamed Stream	Railroad Creek	47N	05E	28		
129	Callahan Creek	North Fork St Joe River	47N	05E	29		
130	Moon Creek	North Fork St Joe River	47N	05E	29		
131	Unnamed Stream	Callahan Creek	47N	05E	29		
132	Unnamed Stream	Callahan Creek	47N	05E	29		
133	Unnamed Stream	Callahan Creek	47N	05E	29		
134	Unnamed Stream	Callahan Creek	47N	05E	29		
135	Unnamed Stream	Moon Creek	47N	05E	29		
136	Unnamed Stream	Moon Creek	47N	05E	29		

Attachment 1

	A	B	C	D	E	F	G
137	Unnamed Stream	Railroad Creek	47N	05E	29		
138	Unnamed Stream	Callahan Creek	47N	05E	30		
139	Railroad Creek	North Fork St Joe River	47N	05E	32		
140	Unnamed Stream	Callahan Creek	47N	05E	32		
141	Unnamed Stream	Railroad Creek	47N	05E	32		
142	Unnamed Stream	Railroad Creek	47N	05E	32		
143	Unnamed Stream	Railroad Creek	47N	05E	32		
144	Unnamed Stream	Railroad Creek	47N	05E	32		
145	Unnamed Stream	Railroad Creek	47N	05E	32		
146	Unnamed Stream	Railroad Creek	47N	05E	32		
147	Railroad Creek	North Fork St Joe River	47N	05E	33		
148	Unnamed Stream	North Fork St Joe River	47N	05E	33		
149	Unnamed Stream	Railroad Creek	47N	05E	33		
150	Unnamed Stream	Railroad Creek	47N	05E	33		
151	Unnamed Stream	Railroad Creek	47N	05E	33		
152	Unnamed Stream	Railroad Creek	47N	05E	33		
153	Ramsey Creek	North Fork St Joe River	47N	05E	34		
154	Unnamed Stream	North Fork St Joe River	47N	05E	34		
155	Unnamed Stream	North Fork St Joe River	47N	05E	34		
156	Unnamed Stream	North Fork St Joe River	47N	05E	34		
157	Unnamed Stream	Ramsey Creek	47N	05E	34		
158	Unnamed Stream	Ramsey Creek	47N	05E	34		
159	North Fork St Joe River	St Joe River	47N	05E	35		
160	Ramsey Creek	North Fork St Joe River	47N	05E	35		
161	Unnamed Stream	North Fork St Joe River	47N	05E	35		
162	Unnamed Stream	North Fork St Joe River	47N	05E	35		
163	Unnamed Stream	North Fork St Joe River	47N	05E	35		
164	Unnamed Stream	North Fork St Joe River	47N	05E	35		
165	Unnamed Stream	North Fork St Joe River	47N	05E	35		
166	Unnamed Stream	North Fork St Joe River	47N	05E	35		
167	Unnamed Stream	Ramsey Creek	47N	05E	35		
168	Unnamed Stream	Ramsey Creek	47N	05E	35		
169	Unnamed Stream	Ramsey Creek	47N	05E	35		
170	Unnamed Stream	Ramsey Creek	47N	05E	35		

Attachment 1

	A	B	C	D	E	F	G
171	Unnamed Stream	Ramsey Creek	47N	05E	35		
172	Unnamed Stream	Wonderful Creek	47N	06E	17		
173	Unnamed Stream	Wonderful Creek	47N	06E	17		
174	Unnamed Stream	Wonderful Creek	47N	06E	17		
175	Unnamed Stream	Wonderful Creek	47N	06E	17		
176	Unnamed Stream	Wonderful Creek	47N	06E	17		
177	Unnamed Stream	Wonderful Creek	47N	06E	18		
178	Unnamed Stream	Wonderful Creek	47N	06E	18		
179	Unnamed Stream	Wonderful Creek	47N	06E	18		
180	Unnamed Stream	Wonderful Creek	47N	06E	18		
181	Unnamed Stream	Wonderful Creek	47N	06E	18		
182	Unnamed Stream	Wonderful Creek	47N	06E	18		
183	Wonderful Creek	Bullion Creek	47N	06E	19	NENE	
184	Unnamed Stream	Wonderful Creek	47N	06E	19	NENW	
185	Unnamed Stream	Wonderful Creek	47N	06E	19	NENW	
186	Unnamed Stream	Wonderful Creek	47N	06E	19	NENW	
187	Wonderful Creek	Bullion Creek	47N	06E	19	NENW	
188	Wonderful Creek	Bullion Creek	47N	06E	19	NWNE	
189	Unnamed Stream	Wonderful Creek	47N	06E	19	NWNW	L 1
190	Unnamed Stream	Wonderful Creek	47N	06E	19	NWNW	L 1
191	Wonderful Creek	Bullion Creek	47N	06E	19	SENE	
192	Unnamed Stream	Wonderful Creek	47N	06E	19	SENW	
193	Unnamed Stream	Wonderful Creek	47N	06E	19	SENW	
194	Wonderful Creek	Bullion Creek	47N	06E	19	SESE	
195	Unnamed Stream	Wonderful Creek	47N	06E	19	SWNE	
196	Wonderful Creek	Bullion Creek	47N	06E	19	SWNE	
197	Unnamed Stream	Bullion Creek	47N	06E	19	SWSW	L 4
198	Unnamed Stream	Wonderful Creek	47N	06E	20	NESW	
199	Unnamed Stream	Wonderful Creek	47N	06E	20	NWNE	
200	Unnamed Stream	Wonderful Creek	47N	06E	20	NWNW	
201	Unnamed Stream	Wonderful Creek	47N	06E	20	NWSW	
202	Wonderful Creek	Bullion Creek	47N	06E	20	NWSW	
203	Unnamed Stream	Wonderful Creek	47N	06E	20	SENW	
204	Unnamed Stream	Wonderful Creek	47N	06E	20	SENW	

Attachment 1

	A	B	C	D	E	F	G
205	Unnamed Stream	Wonderful Creek	47N	06E	20	SENW	
206	Unnamed Stream	Wonderful Creek	47N	06E	20	SESW	
207	Unnamed Stream	Wonderful Creek	47N	06E	20	SWNE	
208	Unnamed Stream	Wonderful Creek	47N	06E	20	SWNW	
209	Wonderful Creek	Bullion Creek	47N	06E	20	SWNW	
210	Unnamed Stream	Wonderful Creek	47N	06E	20	SWSE	
211	Unnamed Stream	Wonderful Creek	47N	06E	20	SWSW	
212	Wonderful Creek	Bullion Creek	47N	06E	20	SWSW	
213	Bullion Creek	North Fork St Joe River	47N	06E	21		
214	Unnamed Stream	Bullion Creek	47N	06E	21		
215	Unnamed Stream	Bullion Creek	47N	06E	21		
216	Unnamed Stream	Bullion Creek	47N	06E	21		
217	Unnamed Stream	Bullion Creek	47N	06E	21		
218	Unnamed Stream	Bullion Creek	47N	06E	21		
219	Bullion Creek	North Fork St Joe River	47N	06E	22		
220	Bullion Creek	North Fork St Joe River	47N	06E	28		
221	Unnamed Stream	Bullion Creek	47N	06E	28		
222	Unnamed Stream	North Fork St Joe River	47N	06E	28		
223	Bullion Creek	North Fork St Joe River	47N	06E	29		
224	Unnamed Stream	Bullion Creek	47N	06E	29		
225	Bullion Creek	North Fork St Joe River	47N	06E	30		
226	Unnamed Stream	Bullion Creek	47N	06E	30		
227	Unnamed Stream	Bullion Creek	47N	06E	30		
228	Unnamed Stream	Bullion Creek	47N	06E	30		
229	Wonderful Creek	Bullion Creek	47N	06E	30		
230	Bullion Creek	North Fork St Joe River	47N	06E	31	NENW	
231	Bullion Creek	North Fork St Joe River	47N	06E	31	NWNE	
232	Bullion Creek	North Fork St Joe River	47N	06E	31	NWNW	L 1
233	Unnamed Stream	Bullion Creek	47N	06E	31	NWNW	L 1
234	North Fork St Joe River	St Joe River	47N	06E	31	NWSW	L 3
235	Unnamed Stream	North Fork St Joe River	47N	06E	31	NWSW	L 3
236	Unnamed Stream	North Fork St Joe River	47N	06E	31	NWSW	L 3
237	Mozier Creek	North Fork St Joe River	47N	06E	31	SESW	
238	North Fork St Joe River	St Joe River	47N	06E	31	SWSE	

Attachment 1

	A	B	C	D	E	F	G
239	North Fork St Joe River	St Joe River	47N	06E	31	SWSW	L 4
240	Unnamed Stream	North Fork St Joe River	47N	06E	31	SWSW	L 4
241	Unnamed Stream	North Fork St Joe River	47N	06E	32		
242	Unnamed Stream	North Fork St Joe River	47N	06E	32		
243	Unnamed Stream	North Fork St Joe River	47N	06E	33		
244	Unnamed Stream	North Fork St Joe River	47N	06E	33		
245	Unnamed Stream	North Fork St Joe River	47N	06E	33		
246	Unnamed Stream	North Fork St Joe River	47N	06E	33		
247	Unnamed Pond	Mozier Creek	46N	06E	06		
248	Unnamed Pond	North Fork St Joe River	46N	06E	06		
249	Unnamed Pond	Moon Creek	47N	05E	20		
250	Unnamed Pond	Moon Creek	47N	05E	20		
251	Unnamed Pond	Moon Creek	47N	05E	20		
252	Unnamed Pond	Moon Creek	47N	05E	20		
253	Unnamed Pond	Moon Creek	47N	05E	20		
254	Unnamed Pond	Moon Creek	47N	05E	20		
255	Unnamed Pond	North Fork St Joe River	47N	05E	26		
256	Unnamed Pond	North Fork St Joe River	47N	05E	26		
257	Unnamed Pond	North Fork St Joe River	47N	05E	26		
258	Unnamed Pond	North Fork St Joe River	47N	05E	27		
259	Unnamed Pond	North Fork St Joe River	47N	05E	27		
260	Unnamed Pond	North Fork St Joe River	47N	05E	27		
261	Unnamed Pond	North Fork St Joe River	47N	05E	27		
262	Unnamed Pond	North Fork St Joe River	47N	05E	28		
263	Unnamed Pond	North Fork St Joe River	47N	05E	28		
264	Unnamed Pond	Bullion Creek	47N	06E	29		
265	Unnamed Pond	Bullion Creek	47N	06E	30		



Attachment 2
Place of Use Map Fire Suppression - Water Right No. 91-07937A
National Forests in Idaho and the Kaniku, Lolo and Kootenai NF in Montana

Key to Features

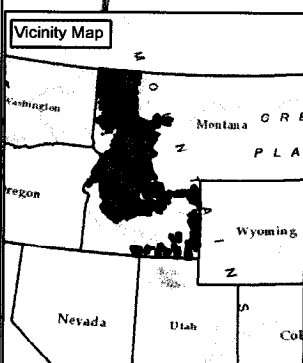
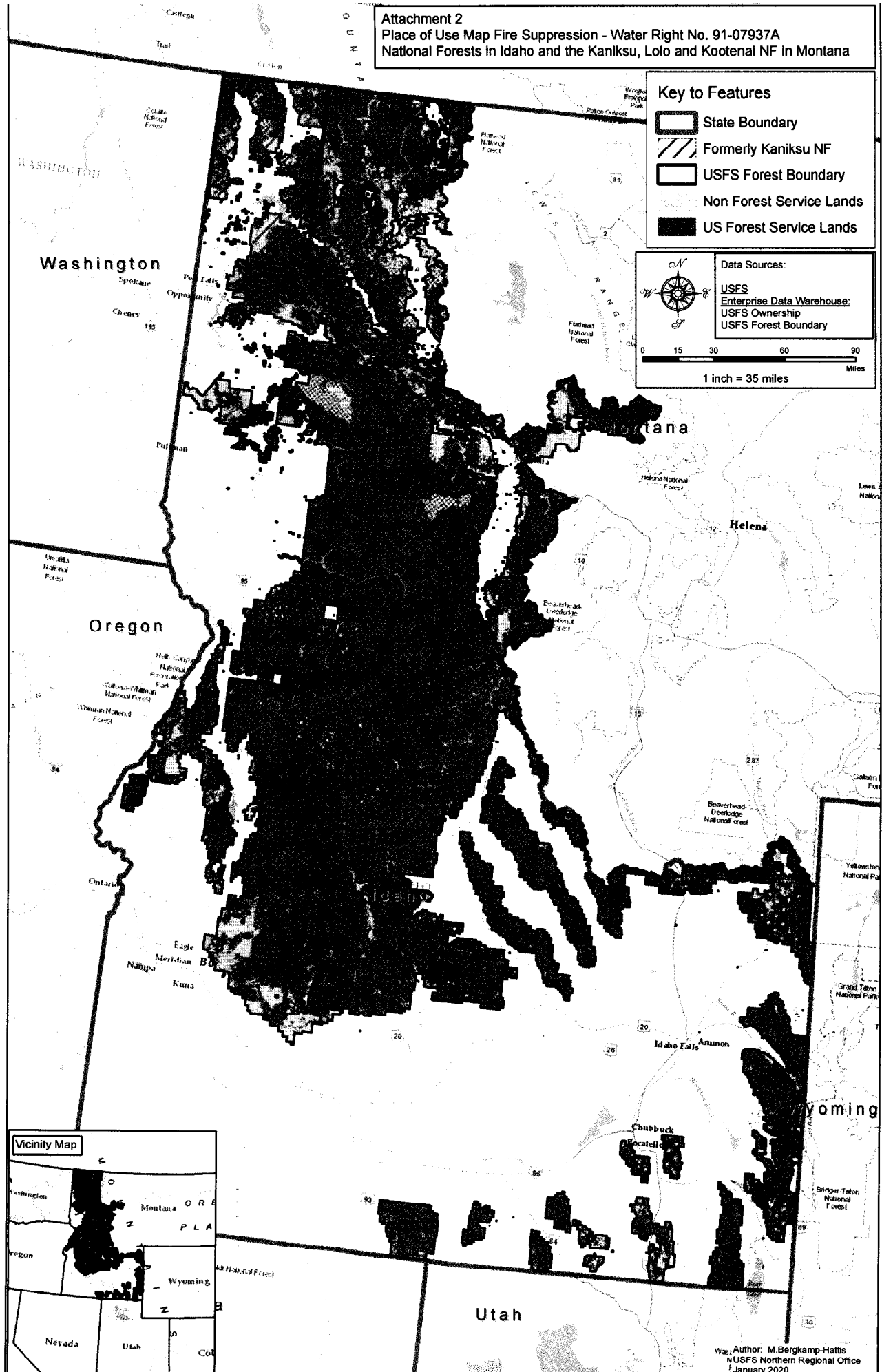
- State Boundary
- Formerly Kaniku NF
- USFS Forest Boundary
- Non Forest Service Lands
- US Forest Service Lands

Data Sources:

- USFS
- Enterprise Data Warehouse:
- USFS Ownership
- USFS Forest Boundary

1 inch = 35 miles



Author: M. Bergkamp-Harris
 USFS Northern Regional Office
 January 2020