

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. 91-07942B

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 Bruin Creek-St Joe River subwatershed (HUC12 170103040304).

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

PRIORITY DATE: 08/12/1997

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

PURPOSE AND PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>
	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 DEFINITON 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	Mosquito Creek	St Joe River	43N	08E	05		
003	Unnamed Stream	Mosquito Creek	43N	08E	05		
004	Unnamed Stream	Mosquito Creek	43N	08E	05		
005	Unnamed Stream	Mosquito Creek	43N	08E	05		
006	Unnamed Stream	Mosquito Creek	43N	08E	05		
007	Mosquito Creek	St Joe River	43N	08E	07		
008	Unnamed Stream	Mosquito Creek	43N	08E	07		
009	Unnamed Stream	Mosquito Creek	44N	08E	27	SWSW	
010	Unnamed Stream	Mosquito Creek	44N	08E	27	SWSW	
011	Unnamed Stream	Mosquito Creek	44N	08E	29	NESE	
012	Unnamed Stream	Mosquito Creek	44N	08E	29	NESW	
013	Unnamed Stream	Mosquito Creek	44N	08E	29	NESW	
014	Unnamed Stream	Mosquito Creek	44N	08E	29	NESW	
015	Unnamed Stream	Mosquito Creek	44N	08E	29	NESW	
016	Unnamed Stream	Mosquito Creek	44N	08E	29	NESW	
017	Unnamed Stream	Mosquito Creek	44N	08E	29	NWSE	
018	Unnamed Stream	Mosquito Creek	44N	08E	29	NWSE	
019	Unnamed Stream	Mosquito Creek	44N	08E	29	NWSW	
020	Unnamed Stream	Mosquito Creek	44N	08E	29	NWSW	
021	Unnamed Stream	Mosquito Creek	44N	08E	29	NWSW	
022	Unnamed Stream	Mosquito Creek	44N	08E	29	SENW	
023	Unnamed Stream	Mosquito Creek	44N	08E	29	SENW	
024	Unnamed Stream	Mosquito Creek	44N	08E	29	SESE	
025	Unnamed Stream	Mosquito Creek	44N	08E	29	SESW	
026	Unnamed Stream	Mosquito Creek	44N	08E	29	SWNE	

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
027	Unnamed Stream	Mosquito Creek	44N	08E	29	SWNW	
028	Unnamed Stream	Mosquito Creek	44N	08E	29	SWSW	
029	Unnamed Stream	Mosquito Creek	44N	08E	31		
030	Unnamed Stream	Mosquito Creek	44N	08E	31		
031	Unnamed Stream	Mosquito Creek	44N	08E	31		
032	Unnamed Stream	Mosquito Creek	44N	08E	31		
033	Mosquito Creek	St Joe River	44N	08E	33		
034	Unnamed Stream	Mosquito Creek	44N	08E	33		
035	Unnamed Stream	Mosquito Creek	44N	08E	33		
036	Unnamed Stream	Mosquito Creek	44N	08E	33		
037	Unnamed Stream	Mosquito Creek	44N	08E	33		
038	Unnamed Stream	Mosquito Creek	44N	08E	33		
039	Unnamed Stream	Mosquito Creek	44N	08E	33		
040	Unnamed Stream	Mosquito Creek	44N	08E	33		
041	Unnamed Stream	Mosquito Creek	44N	08E	33		
042	Unnamed Stream	Mosquito Creek	44N	08E	33		
043	Unnamed Stream	Mosquito Creek	44N	08E	33		
044	Unnamed Stream	Mosquito Creek	44N	08E	33		
045	Unnamed Stream	Mosquito Creek	44N	08E	33		
046	Unnamed Lake	Mosquito Creek	43N	08E	07		



Attachment 2
 Place of Use Map Fire Suppression - Water Right No. 91-07942B
 National Forests in Idaho and the Kaniku, Lolo and Kootenai NF in Montana

Key to Features

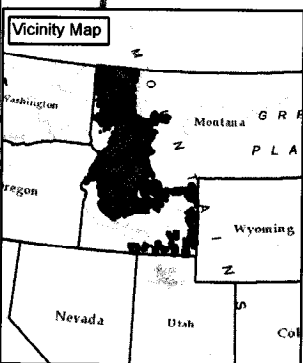
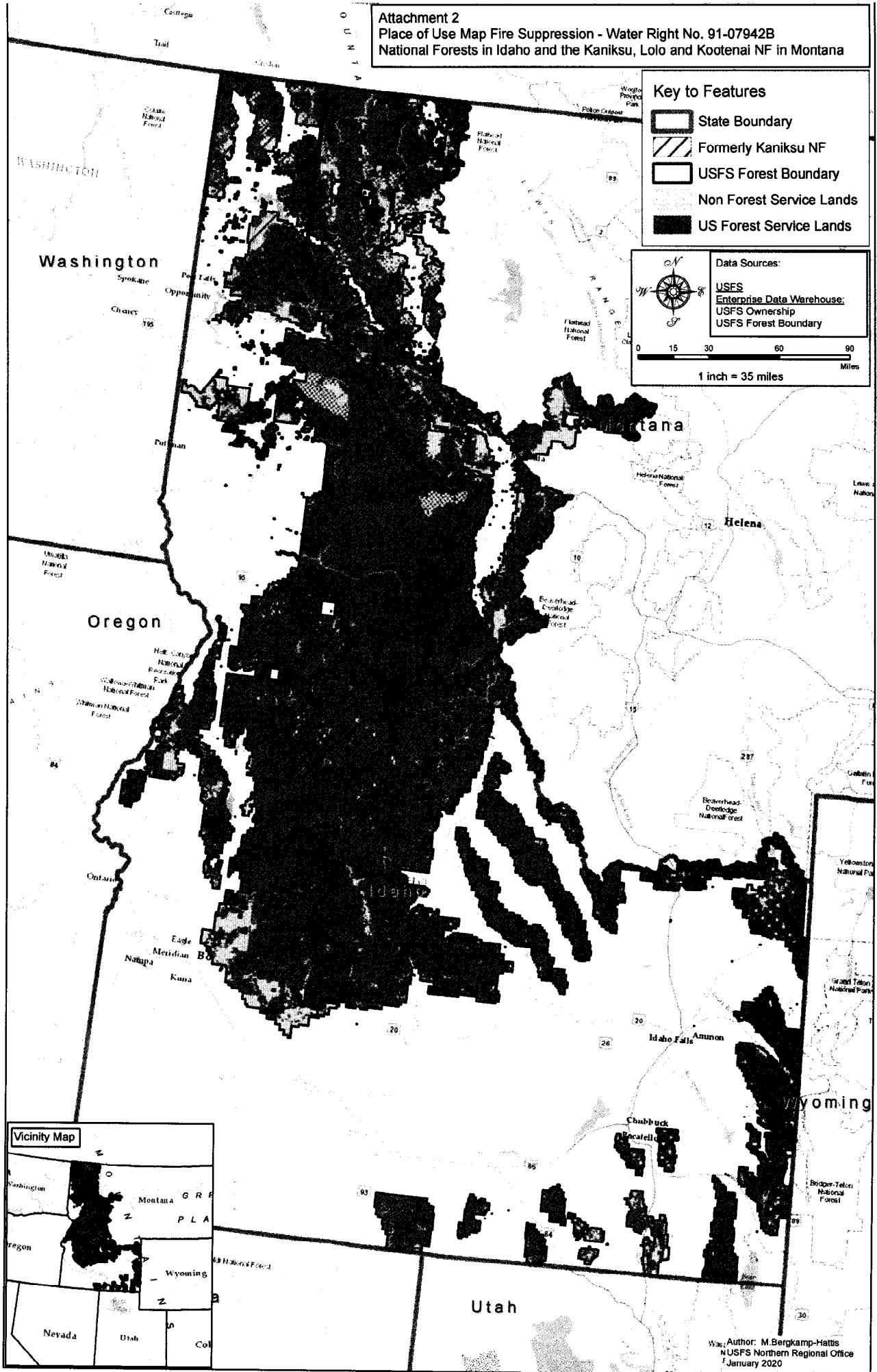
- State Boundary
- Formerly Kaniku NF
- USFS Forest Boundary
- Non Forest Service Lands
- US Forest Service Lands

Data Sources:

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

1 inch = 35 miles



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