

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. 91-07946D

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 Siwash Creek-St. Joe River subwatershed (HUC12 170103040308).

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

PRIORITY DATE: 11/13/1945

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 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	Avery Creek	St Joe River	45N	05E	03		
003	Unnamed Stream	Avery Creek	45N	05E	03		
004	Unnamed Stream	Setzer Creek	45N	05E	03		
005	Unnamed Stream	Setzer Creek	45N	05E	03		
006	Unnamed Stream	Setzer Creek	45N	05E	05		
007	Unnamed Stream	St Joe River	45N	05E	09	NENW	
008	Unnamed Stream	St Joe River	45N	05E	09	NESE	
009	Unnamed Stream	St Joe River	45N	05E	09	NESE	
010	Unnamed Stream	St Joe River	45N	05E	09	NESW	
011	Unnamed Stream	St Joe River	45N	05E	09	NWNE	
012	Unnamed Stream	St Joe River	45N	05E	09	NWNE	
013	Setzer Creek	St Joe River	45N	05E	09	NWNW	
014	Unnamed Stream	St Joe River	45N	05E	09	NWSE	
015	Unnamed Stream	St Joe River	45N	05E	09	NWSE	
016	Unnamed Stream	St Joe River	45N	05E	09	NWSE	
017	Unnamed Stream	St Joe River	45N	05E	09	NWSE	
018	Unnamed Stream	St Joe River	45N	05E	09	NWSE	
019	Unnamed Stream	St Joe River	45N	05E	09	NWSW	
020	Unnamed Stream	St Joe River	45N	05E	09	SENE	
021	Unnamed Stream	St Joe River	45N	05E	09	SENW	
022	Unnamed Stream	St Joe River	45N	05E	09	SENW	
023	Unnamed Stream	St Joe River	45N	05E	09	SESW	
024	Unnamed Stream	St Joe River	45N	05E	09	SESW	
025	Unnamed Stream	St Joe River	45N	05E	09	SWNE	
026	Unnamed Stream	St Joe River	45N	05E	09	SWNE	
027	Unnamed Stream	St Joe River	45N	05E	09	SWNW	

Attachment 1






	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
028	St Joe River	Coeur d'Alene Lake	45N	05E	09	SWSW	L 1
029	Unnamed Stream	St Joe River	45N	05E	09	SWSW	L 1
030	St Joe River	Coeur d'Alene Lake	45N	05E	11	SESE	L 1
031	Unnamed Stream	Skookum Creek	45N	06E	01		
032	Red Cross Creek	Skookum Creek	45N	06E	03		
033	Skookum Creek	St Joe River	45N	06E	03		
034	Unnamed Stream	Red Cross Creek	45N	06E	03		
035	Unnamed Stream	Skookum Creek	45N	06E	03		
036	Packsaddle Creek	St Joe River	45N	06E	07	SENE	
037	Unnamed Stream	Red Cross Creek	45N	06E	09		
038	Unnamed Stream	Skookum Creek	45N	06E	09		
039	Unnamed Stream	Skookum Creek	45N	06E	09		
040	Unnamed Stream	Skookum Creek	45N	06E	09		
041	Unnamed Stream	Skookum Creek	45N	06E	09		
042	Coyote Creek	St Joe River	45N	06E	11		
043	Turner Creek	St Joe River	45N	06E	11		
044	Unnamed Stream	Coyote Creek	45N	06E	11		
045	Unnamed Stream	Skookum Creek	45N	06E	11		
046	Tourist Creek	St Joe River	45N	06E	15	SWNE	
047	Setzer Creek	St Joe River	46N	05E	33		
048	Unnamed Stream	Setzer Creek	46N	05E	33		
049	Unnamed Stream	Setzer Creek	46N	05E	33		
050	Unnamed Stream	Setzer Creek	46N	05E	33		
051	Unnamed Stream	Setzer Creek	46N	05E	33		
052	Unnamed Stream	Setzer Creek	46N	05E	33		
053	Unnamed Stream	Setzer Creek	46N	05E	33		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
054	Red Cross Creek	Skookum Creek	46N	06E	27		
055	Unnamed Stream	Red Cross Creek	46N	06E	33		
056	Skookum Creek	St Joe River	46N	06E	35		
057	Unnamed Stream	Skookum Creek	46N	06E	35		
058	Unnamed Stream	Skookum Creek	46N	06E	35		
059	Unnamed Stream	Skookum Creek	46N	06E	35		
060	Unnamed Stream	Skookum Creek	46N	06E	35		
061	Unnamed Stream	Skookum Creek	46N	06E	35		
062	Unnamed Stream	Skookum Creek	46N	06E	35		
063	Unnamed Stream	Skookum Creek	46N	06E	35		


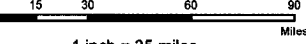
Attachment 2 - Water Right No. 91-07946D
 Place of Use Map Fire Suppression
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

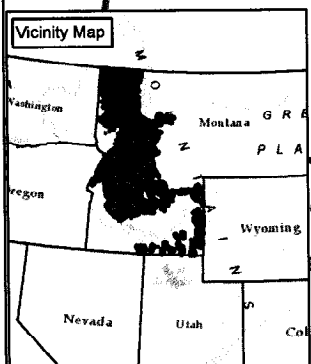
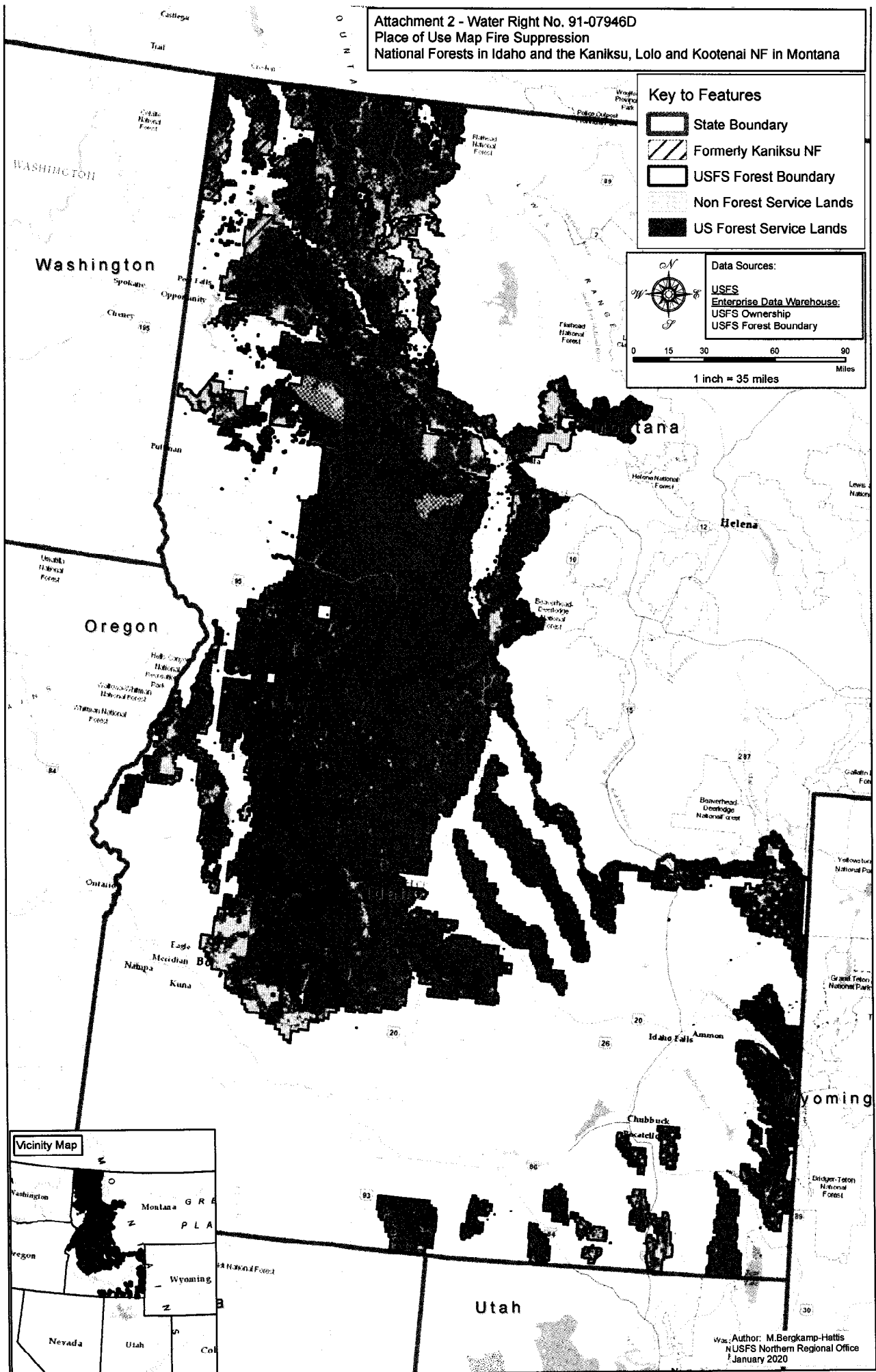
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

Data Sources:

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

1 inch = 35 miles



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