

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. 91-07947D

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 Slate Creek subwatershed (HUC12 170103040401).

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	Cairn Creek	Slate Creek	46N	04E	01		
003	Rover Creek	Slate Creek	46N	04E	01		
004	Slate Creek	St Joe River	46N	04E	01		
005	Unnamed Stream	Slate Creek	46N	04E	01		
006	Unnamed Stream	Slate Creek	46N	04E	01		
007	Unnamed Stream	Slate Creek	46N	04E	01		
008	Unnamed Stream	Slate Creek	46N	04E	01		
009	Unnamed Stream	Slate Creek	46N	04E	01		
010	Unnamed Stream	Slate Creek	46N	04E	01		
011	Foolhen Creek	Flume Creek	46N	04E	03		
012	Unnamed Stream	Foolhen Creek	46N	04E	03		
013	Dam Creek	Slate Creek	46N	04E	05		
014	Unnamed Stream	Dam Creek	46N	04E	05		
015	Unnamed Stream	Dam Creek	46N	04E	05		
016	Unnamed Stream	Dam Creek	46N	04E	05		
017	Unnamed Stream	Dam Creek	46N	04E	05		
018	Unnamed Stream	Dam Creek	46N	04E	05		
019	Unnamed Stream	Slate Creek	46N	04E	11		
020	Cedar Creek	Slate Creek	46N	04E	13		
021	Unnamed Stream	Cedar Creek	46N	04E	13		
022	Binney Creek	Slate Creek	46N	05E	05		
023	Unnamed Stream	Binney Creek	46N	05E	05		
024	Unnamed Stream	Slate Creek	46N	05E	05		
025	Binney Creek	Slate Creek	46N	05E	07		
026	Unnamed Stream	Cedar Creek	46N	05E	07		

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	Slate Creek	46N	05E	07		
028	Cedar Creek	Slate Creek	46N	05E	17		
029	Unnamed Stream	Cedar Creek	46N	05E	17		
030	Unnamed Stream	Cedar Creek	46N	05E	17		
031	Unnamed Stream	Cedar Creek	46N	05E	17		
032	Unnamed Stream	Cedar Creek	46N	05E	17		
033	Unnamed Stream	Cedar Creek	46N	05E	17		
034	Unnamed Stream	Cedar Creek	46N	05E	17		
035	Unnamed Stream	Cedar Creek	46N	05E	19	NESE	
036	Unnamed Stream	Cedar Creek	46N	05E	19	NWNE	
037	Unnamed Stream	Cedar Creek	46N	05E	19	NWSE	
038	Unnamed Stream	Cedar Creek	46N	05E	19	SENE	
039	Unnamed Stream	Cedar Creek	46N	05E	19	SWNE	
040	Dam Creek	Slate Creek	47N	04E	21		
041	Slate Creek	St Joe River	47N	04E	21		
042	Unnamed Stream	Slate Creek	47N	04E	21		
043	Unnamed Stream	Slate Creek	47N	04E	21		
044	Unnamed Stream	Slate Creek	47N	04E	21		
045	Unnamed Stream	Slate Creek	47N	04E	21		
046	Unnamed Stream	Slate Creek	47N	04E	21		
047	Red Top Creek	Slate Creek	47N	04E	23		
048	Unnamed Stream	Red Top Creek	47N	04E	23		
049	Unnamed Stream	Red Top Creek	47N	04E	23		
050	Unnamed Stream	Red Top Creek	47N	04E	23		
051	Unnamed Stream	Red Top Creek	47N	04E	23		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
052	Unnamed Stream	Red Top Creek	47N	04E	23		
053	Unnamed Stream	Red Top Creek	47N	04E	23		
054	Unnamed Stream	Red Top Creek	47N	04E	23		
055	Unnamed Stream	Red Top Creek	47N	04E	23		
056	Unnamed Stream	Red Top Creek	47N	04E	23		
057	Unnamed Stream	Red Top Creek	47N	04E	23		
058	Unnamed Stream	Slate Creek	47N	04E	23		
059	Unnamed Stream	Slate Creek	47N	04E	23		
060	Unnamed Stream	Slate Creek	47N	04E	23		
061	Unnamed Stream	Slate Creek	47N	04E	23		
062	Corvus Creek	Slate Creek	47N	04E	25		
063	Horseshoe Creek	Slate Creek	47N	04E	25		
064	Slate Creek	St Joe River	47N	04E	25		
065	Summit Creek	Slate Creek	47N	04E	25		
066	Unnamed Stream	Slate Creek	47N	04E	25		
067	Unnamed Stream	Slate Creek	47N	04E	25		
068	Unnamed Stream	Slate Creek	47N	04E	25		
069	Unnamed Stream	Slate Creek	47N	04E	25		
070	Unnamed Stream	Summit Creek	47N	04E	25		
071	Unnamed Stream	Summit Creek	47N	04E	25		
072	Unnamed Stream	Summit Creek	47N	04E	25		
073	Flume Creek	Slate Creek	47N	04E	27		
074	Foolhen Creek	Flume Creek	47N	04E	27		
075	Murray Creek	Slate Creek	47N	04E	27		
076	Slate Creek	St Joe River	47N	04E	27		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
077	Unnamed Stream	Flume Creek	47N	04E	27		
078	Unnamed Stream	Slate Creek	47N	04E	27		
079	Dam Creek	Slate Creek	47N	04E	29		
080	Unnamed Stream	Dam Creek	47N	04E	29		
081	Unnamed Stream	Dam Creek	47N	04E	29		
082	Unnamed Stream	Dam Creek	47N	04E	29		
083	Unnamed Stream	Dam Creek	47N	04E	29		
084	Unnamed Stream	Dam Creek	47N	04E	31		
085	Unnamed Stream	Dam Creek	47N	04E	31		
086	Unnamed Stream	Dam Creek	47N	04E	31		
087	Unnamed Stream	Dam Creek	47N	04E	31		
088	Unnamed Stream	Dam Creek	47N	04E	31		
089	Unnamed Stream	Dam Creek	47N	04E	31		
090	Flume Creek	Slate Creek	47N	04E	33		
091	Unnamed Stream	Dam Creek	47N	04E	33		
092	Unnamed Stream	Flume Creek	47N	04E	33		
093	Unnamed Stream	Flume Creek	47N	04E	33		
094	Unnamed Stream	Flume Creek	47N	04E	33		
095	Unnamed Stream	Flume Creek	47N	04E	33		
096	Unnamed Stream	Flume Creek	47N	04E	33		
097	Corvus Creek	Slate Creek	47N	04E	35		
098	Unnamed Stream	Corvus Creek	47N	04E	35		
099	Unnamed Stream	Corvus Creek	47N	04E	35		
100	Unnamed Stream	Corvus Creek	47N	04E	35		
101	Unnamed Stream	Corvus Creek	47N	04E	35		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
102	Unnamed Stream	Corvus Creek	47N	04E	35		
103	Unnamed Stream	Foolhen Creek	47N	04E	35		
104	Unnamed Stream	Slate Creek	47N	04E	35		
105	Unnamed Stream	Slate Creek	47N	04E	35		
106	Unnamed Stream	Slate Creek	47N	04E	35		
107	Unnamed Pond	Dam Creek	47N	04E	31		
108	Unnamed Marsh	Slate Creek	47N	04E	25		



Attachment 2
 Place of Use Map Fire Suppression - Water Right No. 91-07947D
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

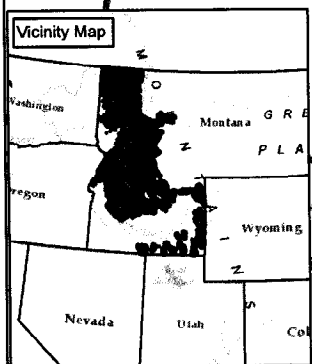
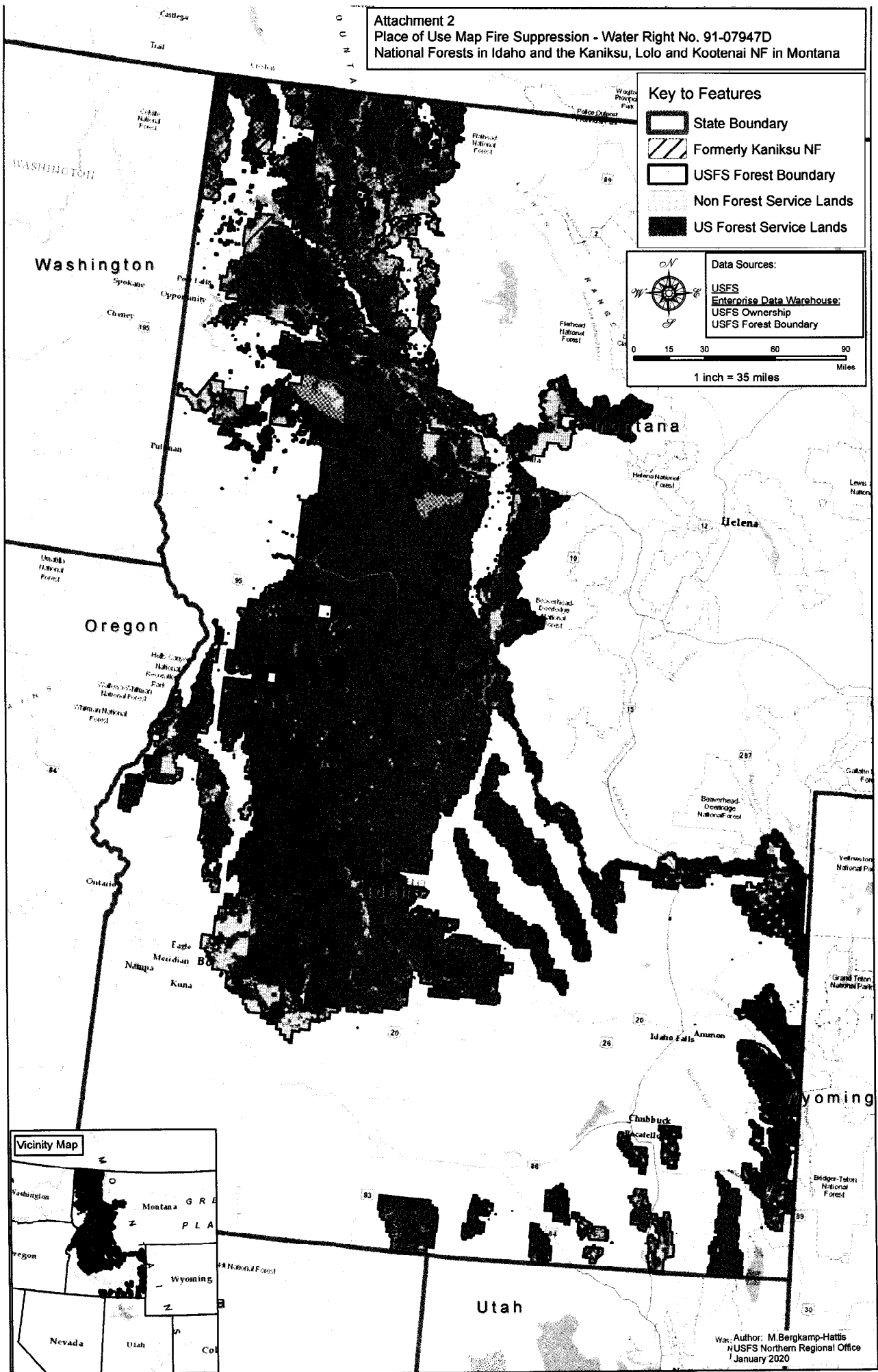
- State Boundary
- Formerly Kaniksu NF
- USFS Forest Boundary
- Non Forest Service Lands
- US Forest Service Lands

Data Sources:

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

1 inch = 35 miles



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