

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. 91-07955N

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 Big Creek subwatershed (HUC12 170103040602).

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

PRIORITY DATE: 09/30/1976

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

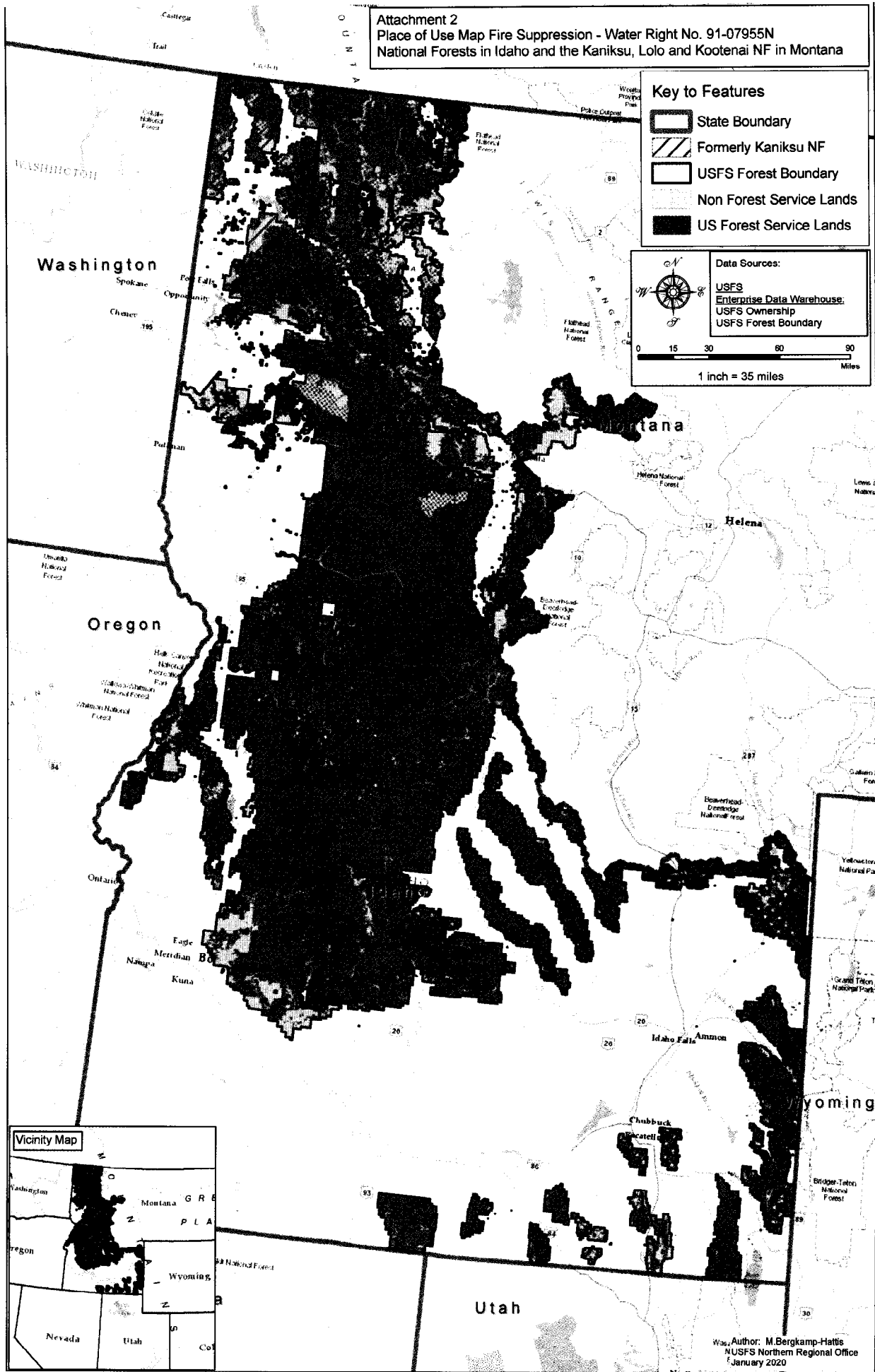
Attachment 1

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
2	Unnamed Stream	Donaldson Creek	46N	03E	3	NESE	
3	Unnamed Stream	Donaldson Creek	46N	03E	3	NESE	
4	Unnamed Stream	Donaldson Creek	46N	03E	3	NESE	
5	Donaldson Creek	East Fork Big Creek	46N	03E	3	NESW	
6	Unnamed Stream	Donaldson Creek	46N	03E	3	NESW	
7	Unnamed Stream	Donaldson Creek	46N	03E	3	NESW	
8	Unnamed Stream	Donaldson Creek	46N	03E	3	NWSE	
9	Unnamed Stream	Donaldson Creek	46N	03E	3	NWSE	
10	Unnamed Stream	Donaldson Creek	46N	03E	3	NWSE	
11	Donaldson Creek	East Fork Big Creek	46N	03E	3	NWSW	
12	Unnamed Stream	Donaldson Creek	46N	03E	3	NWSW	
13	Unnamed Stream	Hall Creek	46N	03E	3	NWSW	
14	Unnamed Stream	Donaldson Creek	46N	03E	3	SENE	
15	Donaldson Creek	East Fork Big Creek	46N	03E	3	SESW	
16	Unnamed Stream	Donaldson Creek	46N	03E	3	SESW	
17	Unnamed Stream	Donaldson Creek	46N	03E	3	SWNE	
18	Miles Creek	Middle Fork Big Creek	46N	03E	4	NWNE	L 2
19	Unnamed Stream	Miles Creek	46N	03E	4	NWNE	L 2
20	Unnamed Stream	Miles Creek	46N	03E	4	NWNE	L 2
21	Unnamed Stream	Miles Creek	46N	03E	4	NWNE	L 2
22	Unnamed Stream	Miles Creek	46N	03E	4	NWNE	L 2
23	Unnamed Stream	Miles Creek	46N	03E	4	SWNE	
24	Middle Fork Big Creek	Big Creek	46N	03E	5	NWNW	L 4
25	Unnamed Stream	Middle Fork Big Creek	46N	03E	5	NWNW	L 4
26	Unnamed Stream	Middle Fork Big Creek	46N	03E	5	SENE	
27	Unnamed Stream	Middle Fork Big Creek	46N	03E	5	SWNE	
28	Unnamed Stream	Middle Fork Big Creek	46N	03E	5	SWNW	
29	Cameron Creek	Big Creek	46N	03E	8	NENE	
30	Unnamed Stream	Cameron Creek	46N	03E	8	NENE	
31	Cameron Creek	Big Creek	46N	03E	8	NWNE	
32	Cabin Creek	Big Creek	46N	03E	8	SESW	
33	Unnamed Stream	Cameron Creek	46N	03E	8	SESW	
34	Cabin Creek	Big Creek	46N	03E	8	SWSE	
35	Cabin Creek	Big Creek	46N	03E	8	SWSW	
36	Cameron Creek	Big Creek	46N	03E	8	SWSW	
37	Unnamed Stream	Cameron Creek	46N	03E	8	SWSW	
38	Hall Creek	East Fork Big Creek	46N	03E	9	NWNE	
39	Unnamed Stream	Hall Creek	46N	03E	9	NWNE	
40	Unnamed Stream	Hall Creek	46N	03E	9	NWSE	
41	Hall Creek	East Fork Big Creek	46N	03E	9	SWNE	
42	Unnamed Stream	Hall Creek	46N	03E	9	SWNE	
43	Donaldson Creek	East Fork Big Creek	46N	03E	10	NENW	
44	Donaldson Creek	East Fork Big Creek	46N	03E	10	SENE	
45	Middle Fork Big Creek	Big Creek	47N	03E	20	NENW	
46	Middle Fork Big Creek	Big Creek	47N	03E	20	SENE	
47	Unnamed Stream	Middle Fork Big Creek	47N	03E	20	SENE	
48	Unnamed Stream	Middle Fork Big Creek	47N	03E	20	SENE	
49	Middle Fork Big Creek	Big Creek	47N	03E	21	NWSW	
50	Unnamed Stream	Middle Fork Big Creek	47N	03E	21	NWSW	
51	Unnamed Stream	Middle Fork Big Creek	47N	03E	21	NWSW	
52	Unnamed Stream	Middle Fork Big Creek	47N	03E	21	SENE	
53	Unnamed Stream	Middle Fork Big Creek	47N	03E	21	SENE	
54	Unnamed Stream	Middle Fork Big Creek	47N	03E	21	SENE	
55	McPhee Creek	Middle Fork Big Creek	47N	03E	22	NESW	
56	McPhee Creek	Middle Fork Big Creek	47N	03E	22	NWSW	
57	Unnamed Stream	McPhee Creek	47N	03E	22	NWSW	
58	McPhee Creek	Middle Fork Big Creek	47N	03E	22	SENE	
59	Unnamed Stream	McPhee Creek	47N	03E	22	SENE	
60	Unnamed Stream	Early Creek	47N	03E	22	SWNE	
61	Early Creek	Ames Creek	47N	03E	23	SWSW	
62	Unnamed Stream	Early Creek	47N	03E	23	SWSW	
63	Unnamed Stream	Early Creek	47N	03E	26	NENW	

Attachment 1

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
64	Unnamed Stream	Early Creek	47N	03E	26	NWNW	
65	Early Creek	Ames Creek	47N	03E	27	NENW	
66	Ames Creek	Middle Fork Big Creek	47N	03E	27	NESW	
67	Early Creek	Ames Creek	47N	03E	27	NWNE	
68	Ames Creek	Middle Fork Big Creek	47N	03E	27	NWSW	
69	Early Creek	Ames Creek	47N	03E	27	NWSW	
70	Early Creek	Ames Creek	47N	03E	27	SENW	
71	Early Creek	Ames Creek	47N	03E	27	SWNW	
72	Unnamed Stream	Early Creek	47N	03E	27	SWNW	
73	Ames Creek	Middle Fork Big Creek	47N	03E	27	SWSW	
74	McPhee Creek	Middle Fork Big Creek	47N	03E	28	NENW	
75	Middle Fork Big Creek	Big Creek	47N	03E	28	NENW	
76	Middle Fork Big Creek	Middle Fork Big Creek	47N	03E	28	NENW	
77	Unnamed Stream	Middle Fork Big Creek	47N	03E	28	NENW	
78	Unnamed Stream	Middle Fork Big Creek	47N	03E	28	NENW	
79	Unnamed Stream	Middle Fork Big Creek	47N	03E	28	NENW	
80	Ames Creek	Middle Fork Big Creek	47N	03E	28	NESW	
81	Middle Fork Big Creek	Big Creek	47N	03E	28	NESW	
82	Ames Creek	Middle Fork Big Creek	47N	03E	28	NWSE	
83	Dent Creek	Ames Creek	47N	03E	28	NWSE	
84	Unnamed Stream	Ames Creek	47N	03E	28	NWSE	
85	Middle Fork Big Creek	Big Creek	47N	03E	28	SENW	
86	Unnamed Stream	Middle Fork Big Creek	47N	03E	28	SENW	
87	Unnamed Stream	West Fork Big Creek	47N	03E	30	NESW	
88	Unnamed Stream	West Fork Big Creek	47N	03E	30	NWSW	L 3
89	Unnamed Stream	West Fork Big Creek	47N	03E	30	SESW	
90	Unnamed Stream	West Fork Big Creek	47N	03E	30	SWSW	L 4
91	Unnamed Stream	West Fork Big Creek	47N	03E	30	SWSW	L 4
92	Unnamed Stream	West Fork Big Creek	47N	03E	30	SWSW	L 4
93	West Fork Big Creek	Big Creek	47N	03E	30	SWSW	L 4
94	West Fork Big Creek	Big Creek	47N	03E	31	NESW	
95	Unnamed Pond	Middle Fork Big Creek	47N	03E	20	SENE	
96	Unnamed Pond	Ames Creek	47N	03E	27		
97	Unnamed Pond	Ames Creek	47N	03E	27		
98	Unnamed Pond	Ames Creek	47N	03E	27		
99	Unnamed Pond	Ames Creek	47N	03E	27		
100	Unnamed Pond	Ames Creek	47N	03E	27		
101	Unnamed Pond	Early Creek	47N	03E	27		
102	Unnamed Pond	Early Creek	47N	03E	27		
103	Unnamed Pond	McPhee Creek	47N	03E	28	NENW	
104	Unnamed Pond	Middle Fork Big Creek	47N	03E	28	NESW	
105	Unnamed Pond	Middle Fork Big Creek	47N	03E	28	SENW	

Attachment 2
 Place of Use Map Fire Suppression - Water Right No. 91-07955N
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana



Key to Features

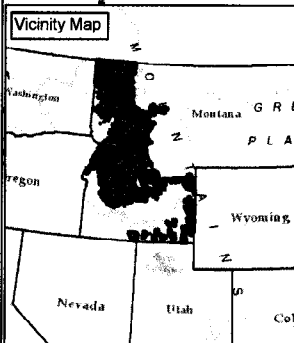
- State Boundary
- Formerly Kaniksu NF
- USFS Forest Boundary
- Non Forest Service Lands
- US Forest Service Lands

Data Sources:

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

0 15 30 60 90 Miles

1 inch = 35 miles



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