

**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)  
 ) FOR FEDERAL RESERVED  
 Case No. 49576 )  
 ) WATER RIGHT NO. 92-11063E

**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 Charlie Creek subwatershed (HUC12 170103040901).

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

**PRIORITY DATE:** 12/19/1932

**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
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
2	Hume Creek	Charlie Creek	43N	02W	9	NESW	
3	Unnamed Stream	Charlie Creek	43N	02W	9	SESE	
4	Unnamed Stream	Charlie Creek	43N	02W	9	SESE	L 8
5	Hume Creek	Charlie Creek	43N	02W	9	SESW	
6	Hume Creek	Charlie Creek	43N	02W	9	SWSW	
7	Charlie Creek	Santa Creek	43N	02W	15	NENW	L 3
8	Preston Creek	Charlie Creek	43N	02W	15	NENW	L 3
9	Unnamed Stream	Charlie Creek	43N	02W	15	NENW	L 3
10	Charlie Creek	Santa Creek	43N	02W	15	NESW	
11	Charlie Creek	Santa Creek	43N	02W	15	NWSW	
12	Unnamed Stream	Charlie Creek	43N	02W	15	NWSW	
13	Fagan Creek	East Fork Charlie Creek	43N	02W	15	SENE	
14	Preston Creek	Charlie Creek	43N	02W	15	SENW	
15	Charlie Creek	Santa Creek	43N	02W	15	SESW	
16	Preston Creek	Charlie Creek	43N	02W	15	SWNE	
17	Charlie Creek	Santa Creek	43N	02W	15	SWNW	
18	Unnamed Stream	Charlie Creek	43N	02W	15	SWNW	
19	Unnamed Stream	Charlie Creek	43N	02W	15	SWNW	
20	Unnamed Stream	Charlie Creek	43N	02W	15	SWSW	
21	Unnamed Stream	Charlie Creek	43N	02W	15	SWSW	
22	Unnamed Stream	Charlie Creek	43N	02W	15	SWSW	
23	Unnamed Stream	Charlie Creek	43N	02W	15	SWSW	
24	Unnamed Stream	Charlie Creek	43N	02W	15	SWSW	
25	Hume Creek	Charlie Creek	43N	02W	16		
26	Unnamed Stream	Charlie Creek	43N	02W	16		
27	Unnamed Stream	Charlie Creek	43N	02W	16		
28	Unnamed Stream	Charlie Creek	43N	02W	16		
29	Hume Creek	Charlie Creek	43N	02W	17		
30	Unnamed Stream	Charlie Creek	43N	02W	20		
31	Charlie Creek	Santa Creek	43N	02W	21		
32	Unnamed Stream	Charlie Creek	43N	02W	21		
33	Unnamed Stream	Charlie Creek	43N	02W	21		
34	Unnamed Stream	Charlie Creek	43N	02W	21		
35	Charlie Creek	Santa Creek	43N	02W	22	NENW	
36	Charlie Creek	Santa Creek	43N	02W	22	NWNW	
37	Unnamed Stream	Charlie Creek	43N	02W	22	NWNW	
38	Charlie Creek	Santa Creek	43N	02W	22	NWSW	
39	Unnamed Stream	Charlie Creek	43N	02W	22	NWSW	
40	Unnamed Stream	Charlie Creek	43N	02W	22	NWSW	
41	Unnamed Stream	Charlie Creek	43N	02W	22	SESW	
42	Unnamed Stream	Charlie Creek	43N	02W	22	SESW	
43	Charlie Creek	Santa Creek	43N	02W	22	SWNW	
44	Charlie Creek	Santa Creek	43N	02W	22	SWSW	
45	Unnamed Stream	Charlie Creek	43N	02W	22	SWSW	
46	Unnamed Stream	Charlie Creek	43N	02W	22	SWSW	
47	Unnamed Stream	Charlie Creek	43N	02W	22	SWSW	
48	Unnamed Stream	Charlie Creek	43N	02W	22	SWSW	



**Attachment 2**  
**Place of Use Map Fire Suppression - Water Right No. 92-11063E**  
**National Forests in Idaho and the Kaniku, Lolo and Kootenai NF in Montana**

**Key to Features**

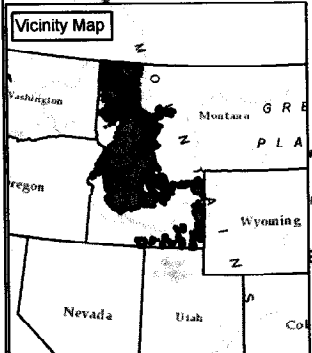
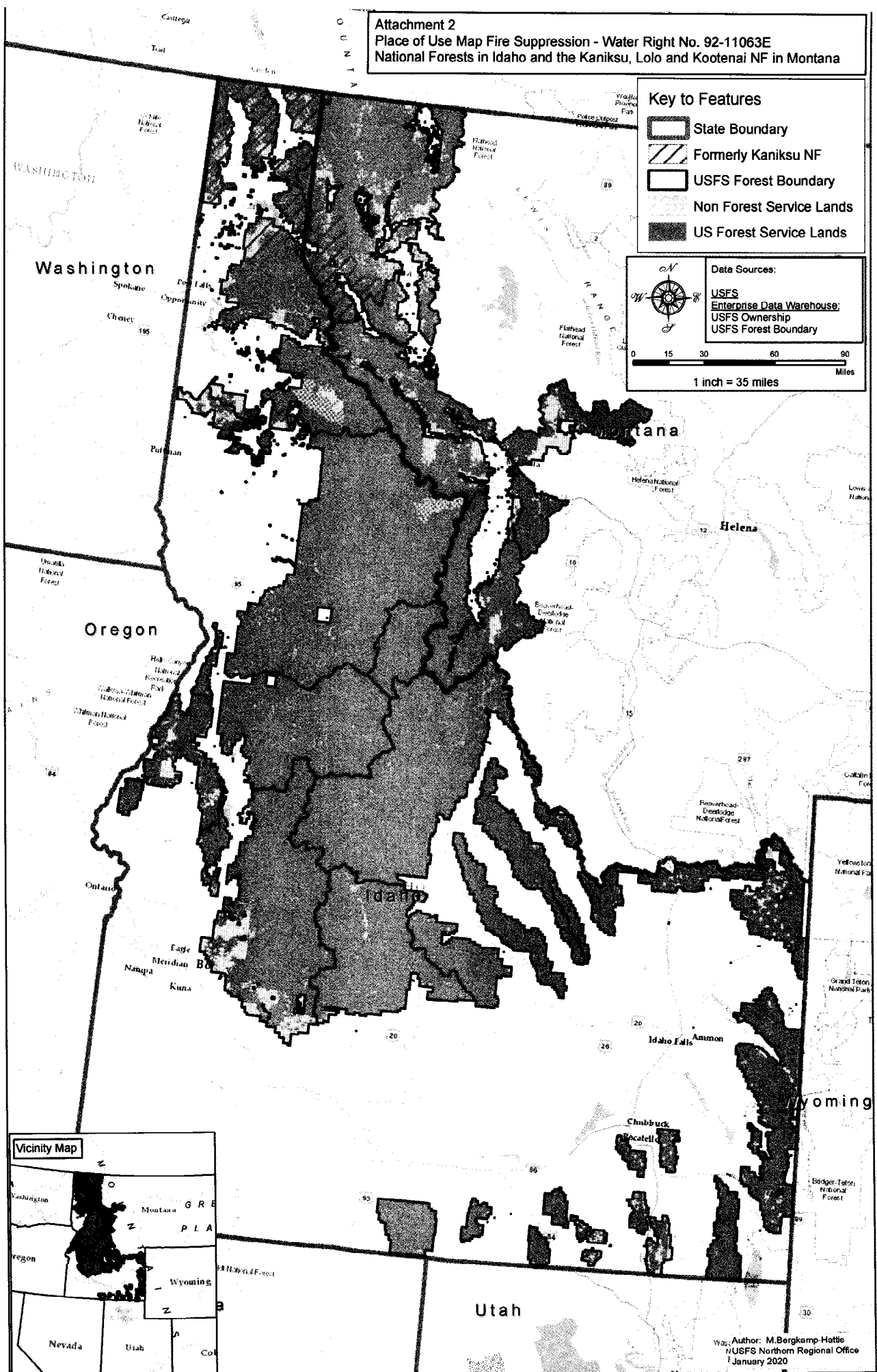
-  State Boundary
-  Formerly Kaniku NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

**Data Sources:**

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

1 inch = 35 miles



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