

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. 94-09521B

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 Flat Creek-Middle North Fork Coeur d'Alene River subwatershed (HUC12 170103010401).

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

PRIORITY DATE: 02/15/1989

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	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	03	NESW	
003	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	03	NESW	L 7
004	Flat Creek	North Fork Coeur d'Alene River	51N	03E	03	NWNW	
005	Flat Creek	North Fork Coeur d'Alene River	51N	03E	03	NWNW	L 4
006	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	03	NWNW	L 4
007	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	03	SENW	L 6
008	Unnamed Stream	North Fork Coeur d'Alene River	51N	03E	03	SENW	L 6
009	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	03	SESW	
010	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	03	SESW	L 10
011	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	03	SESW	L 9
012	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	03	SWNW	
013	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	03	SWNW	L 6
014	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	03	SWSW	
015	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	03	SWSW	L 9
016	Flat Creek	North Fork Coeur d'Alene River	51N	03E	04	SENE	
017	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	09	NENE	L 2
018	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	09	NESE	
019	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	09	NESE	L 4
020	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	09	NESE	L 5
021	Unnamed Stream	North Fork Coeur d'Alene River	51N	03E	09	NESE	L 5
022	Unnamed Stream	North Fork Coeur d'Alene River	51N	03E	09	NESE	L 5
023	Unnamed Stream	North Fork Coeur d'Alene River	51N	03E	09	NESE	L 5
024	Unnamed Stream	North Fork Coeur d'Alene River	51N	03E	09	NESE	L 5
025	Unnamed Stream	Flat Creek	51N	03E	09	NESW	
026	Unnamed Stream	Flat Creek	51N	03E	09	NWSE	
027	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	09	SENE	
028	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	09	SENE	L 3
029	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	10	NENW	
030	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	10	NENW	L 1
031	North Fork Coeur d'Alene River	Coeur d'Alene River	51N	03E	10	NENW	L 2

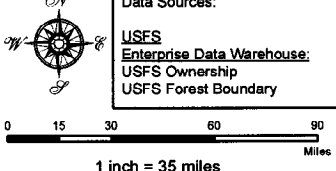
Attachment 2
 Place of Use Map Fire Suppression - Water Right No. 94-09521B
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

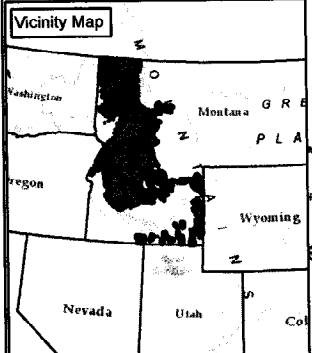
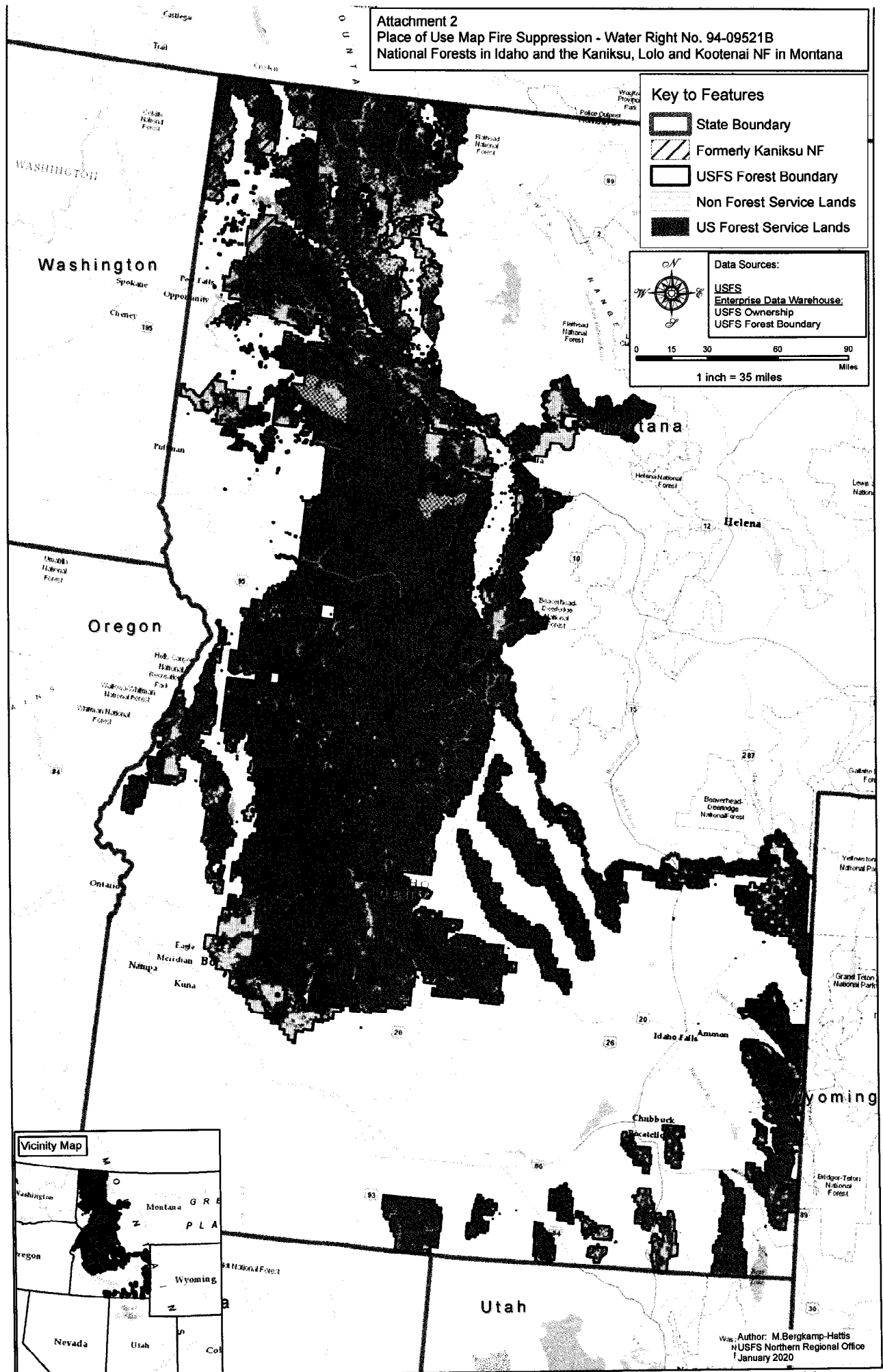
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

Data Sources:

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



0 15 30 60 90 Miles
 1 inch = 35 miles



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