

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. 94-09528A

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 Leiberg Creek-Little North Fork Coeur d'Alene River subwatershed (HUC12 170103010603).

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

PRIORITY DATE: 11/06/1906

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.

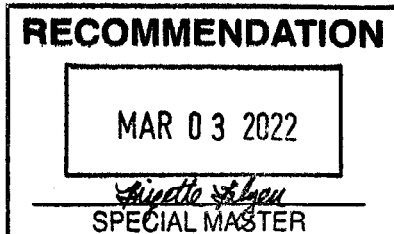
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.



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	Unnamed Stream	Laverne Creek	50N	01E	03		
003	Unnamed Stream	Laverne Creek	50N	01E	03		
004	Unnamed Stream	Laverne Creek	50N	01E	03		
005	Unnamed Stream	Laverne Creek	50N	01E	04		
006	Unnamed Stream	Laverne Creek	50N	01E	04		
007	Unnamed Stream	Laverne Creek	50N	01E	04		
008	Unnamed Stream	Laverne Creek	50N	01E	04		
009	Unnamed Stream	Laverne Creek	50N	01E	04		
010	Unnamed Stream	Laverne Creek	50N	01E	04		
011	Unnamed Stream	Laverne Creek	50N	01E	05	NENE	
012	Unnamed Stream	Laverne Creek	50N	01E	05	NENE	
013	Unnamed Stream	Laverne Creek	50N	01E	05	NESE	
014	Laverne Creek	Little North Fork Coeur d'Alene River	50N	01E	05	NESW	
015	Unnamed Stream	Laverne Creek	50N	01E	05	NWSE	
016	Laverne Creek	Little North Fork Coeur d'Alene River	50N	01E	05	NWSW	
017	Unnamed Stream	Laverne Creek	50N	01E	05	NWSW	
018	Unnamed Stream	Laverne Creek	50N	01E	05	SENE	
019	Unnamed Stream	Laverne Creek	50N	01E	05	SENE	
020	Unnamed Stream	Laverne Creek	50N	01E	05	SENE	
021	Unnamed Stream	Laverne Creek	50N	01E	05	SESE	
022	Unnamed Stream	Laverne Creek	50N	01E	05	SESE	
023	Laverne Creek	Little North Fork Coeur d'Alene River	50N	01E	05	SESW	
024	Unnamed Stream	Laverne Creek	50N	01E	05	SESW	
025	Laverne Creek	Little North Fork Coeur d'Alene River	50N	01E	05	SWSE	
026	Unnamed Stream	Laverne Creek	50N	01E	05	SWSE	
027	Unnamed Stream	Laverne Creek	50N	01E	05	SWSE	
028	Unnamed Stream	Little North Fork Coeur d'Alene River	50N	01E	06	NENE	MS 2766
029	Little North Fork Coeur d'Alene River	North Fork Coeur d'Alene River	50N	01E	06	NENW	
030	Unnamed Stream	Little North Fork Coeur d'Alene River	50N	01E	06	NENW	
031	Unnamed Stream	Little North Fork Coeur d'Alene River	50N	01E	06	NENW	
032	Unnamed Stream	Little North Fork Coeur d'Alene River	50N	01E	06	NESW	
033	Little North Fork Coeur d'Alene River	North Fork Coeur d'Alene River	50N	01E	06	NWNE	
034	Unnamed Stream	Little North Fork Coeur d'Alene River	50N	01E	06	NWNW	L 1
035	Little North Fork Coeur d'Alene River	North Fork Coeur d'Alene River	50N	01E	06	NWSE	
036	Unnamed Stream	Little North Fork Coeur d'Alene River	50N	01E	06	SENE	MS 2766
037	Laverne Creek	Little North Fork Coeur d'Alene River	50N	01E	06	SESE	
038	Unnamed Stream	Little North Fork Coeur d'Alene River	50N	01E	06	SESW	
039	Little North Fork Coeur d'Alene River	North Fork Coeur d'Alene River	50N	01E	06	SWNE	L 7
040	Unnamed Stream	Little North Fork Coeur d'Alene River	50N	01E	06	SWNE	L 7
041	Unnamed Stream	Little North Fork Coeur d'Alene River	50N	01E	06	SWNE	L 7
042	Laverne Creek	Little North Fork Coeur d'Alene River	50N	01E	06	SWSE	
043	Little North Fork Coeur d'Alene River	North Fork Coeur d'Alene River	50N	01E	06	SWSE	

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
044	Unnamed Stream	Little North Fork Coeur d'Alene River	50N	01E	06	SWSE	
045	Unnamed Stream	Little North Fork Coeur d'Alene River	50N	01E	06	SWSE	
046	Unnamed Stream	Little North Fork Coeur d'Alene River	50N	01E	06	SWSE	
047	Laverne Creek	Little North Fork Coeur d'Alene River	50N	01E	08		
048	Unnamed Stream	Laverne Creek	50N	01E	08		
049	Unnamed Stream	Laverne Creek	50N	01E	08		
050	Unnamed Stream	Little North Fork Coeur d'Alene River	50N	01E	08		
051	Laverne Creek	Little North Fork Coeur d'Alene River	50N	01E	09		
052	Unnamed Stream	Laverne Creek	50N	01E	09		
053	Unnamed Stream	Laverne Creek	50N	01E	09		
054	Unnamed Stream	Laverne Creek	50N	01E	09		
055	Unnamed Stream	Laverne Creek	50N	01E	09		
056	Unnamed Stream	Laverne Creek	50N	01E	09		
057	Laverne Creek	Little North Fork Coeur d'Alene River	50N	01E	10		
058	Unnamed Stream	Laverne Creek	50N	01E	10		
059	Unnamed Stream	Laverne Creek	50N	01E	10		
060	Unnamed Stream	Laverne Creek	50N	01E	10		
061	Unnamed Stream	Laverne Creek	50N	01E	10		
062	Unnamed Stream	Laverne Creek	50N	01E	10		
063	Unnamed Stream	Laverne Creek	50N	01E	10		
064	Unnamed Stream	Laverne Creek	50N	01E	10		
065	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	10		
066	Laverne Creek	Little North Fork Coeur d'Alene River	50N	01E	14		
067	Laverne Creek	Little North Fork Coeur d'Alene River	50N	01E	15		
068	Unnamed Stream	Laverne Creek	50N	01E	15		
069	Unnamed Stream	Laverne Creek	50N	01E	15		
070	Unnamed Stream	Laverne Creek	50N	01E	15		
071	Unnamed Stream	Laverne Creek	50N	01E	15		
072	Unnamed Stream	McMahon Creek	50N	01W	04	NENW	L 3
073	Unnamed Stream	Early Creek	50N	01W	04	NESE	
074	McMahon Creek	Skookum Creek	50N	01W	04	NESW	
075	Knight Creek	Skookum Creek	50N	01W	04	NWNW	L 4
076	Early Creek	Skookum Creek	50N	01W	04	NWSE	
077	McMahon Creek	Skookum Creek	50N	01W	04	NWSW	
078	McMahon Creek	Skookum Creek	50N	01W	04	SENW	
079	Unnamed Stream	McMahon Creek	50N	01W	04	SENW	
080	Unnamed Stream	Early Creek	50N	01W	04	SESE	
081	Unnamed Stream	McMahon Creek	50N	01W	04	SWNW	
082	Early Creek	Skookum Creek	50N	01W	04	SWSE	
083	McCauley Creek	Knight Creek	50N	01W	05	NENW	L 3
084	Knight Creek	Skookum Creek	50N	01W	05	NESW	
085	Knight Creek	Skookum Creek	50N	01W	05	NWNE	L 2

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
086	McCauley Creek	Knight Creek	50N	01W	05	NWNW	L 4
087	Knight Creek	Skookum Creek	50N	01W	05	SENW	
088	Early Creek	Skookum Creek	50N	01W	09		
089	Unnamed Stream	Skookum Creek	50N	01W	10		
090	Unnamed Stream	Skookum Creek	50N	01W	10		
091	Unnamed Stream	Bootjack Creek	51N	01E	07		
092	Leiberg Creek	Little North Fork Coeur d'Alene River	51N	01E	10		
093	Hump Creek	Leiberg Creek	51N	01E	15		
094	Leiberg Creek	Little North Fork Coeur d'Alene River	51N	01E	15		
095	Unnamed Stream	Leiberg Creek	51N	01E	15		
096	Unnamed Stream	Big Elk Creek	51N	01E	16		
097	Unnamed Stream	Leiberg Creek	51N	01E	16		
098	Unnamed Stream	Leiberg Creek	51N	01E	16		
099	Unnamed Stream	Leiberg Creek	51N	01E	16		
100	Lavin Creek	Leiberg Creek	51N	01E	17		
101	Unnamed Stream	Lavin Creek	51N	01E	17		
102	Unnamed Stream	Lavin Creek	51N	01E	17		
103	Bootjack Creek	Little North Fork Coeur d'Alene River	51N	01E	18		
104	Lavin Creek	Leiberg Creek	51N	01E	18		
105	Smith Creek	Bootjack Creek	51N	01E	18		
106	Unnamed Stream	Bootjack Creek	51N	01E	18		
107	Unnamed Stream	Bootjack Creek	51N	01E	18		
108	Smith Creek	Bootjack Creek	51N	01E	19		
109	Tie Creek	Leiberg Creek	51N	01E	19		
110	Unnamed Stream	Smith Creek	51N	01E	19		
111	Unnamed Stream	Tie Creek	51N	01E	19		
112	Lavin Creek	Leiberg Creek	51N	01E	20		
113	Tie Creek	Leiberg Creek	51N	01E	20		
114	Unnamed Stream	Lavin Creek	51N	01E	20		
115	Unnamed Stream	Lavin Creek	51N	01E	20		
116	Unnamed Stream	Tie Creek	51N	01E	20		
117	Unnamed Stream	Tie Creek	51N	01E	20		
118	Leiberg Creek	Little North Fork Coeur d'Alene River	51N	01E	21		
119	Stull Creek	Leiberg Creek	51N	01E	21		
120	Unnamed Stream	Leiberg Creek	51N	01E	21		
121	Unnamed Stream	Leiberg Creek	51N	01E	21		
122	Unnamed Stream	Leiberg Creek	51N	01E	21		
123	Leiberg Creek	Little North Fork Coeur d'Alene River	51N	01E	22		
124	Stull Creek	Leiberg Creek	51N	01E	22		
125	Unnamed Stream	Leiberg Creek	51N	01E	22		
126	Unnamed Stream	Stull Creek	51N	01E	22		
127	Unnamed Stream	Stull Creek	51N	01E	22		

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	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
128	Unnamed Stream	Stull Creek	51N	01E	22		
129	Unnamed Stream	Stull Creek	51N	01E	22		
130	Unnamed Stream	Stull Creek	51N	01E	23		
131	Unnamed Stream	Stull Creek	51N	01E	23		
132	Unnamed Stream	Stull Creek	51N	01E	26		
133	Hemlock Creek	Leiberg Creek	51N	01E	27		
134	Stull Creek	Leiberg Creek	51N	01E	27		
135	Unnamed Stream	Hemlock Creek	51N	01E	27		
136	Unnamed Stream	Hemlock Creek	51N	01E	27		
137	Unnamed Stream	Stull Creek	51N	01E	27		
138	Unnamed Stream	Stull Creek	51N	01E	27		
139	Unnamed Stream	Stull Creek	51N	01E	27		
140	Hemlock Creek	Leiberg Creek	51N	01E	28		
141	Lavin Creek	Leiberg Creek	51N	01E	28		
142	Leiberg Creek	Little North Fork Coeur d'Alene River	51N	01E	28		
143	Unnamed Stream	Hemlock Creek	51N	01E	28		
144	Unnamed Stream	Hemlock Creek	51N	01E	28		
145	Unnamed Stream	Hemlock Creek	51N	01E	28		
146	Unnamed Stream	Hemlock Creek	51N	01E	28		
147	Unnamed Stream	Hemlock Creek	51N	01E	28		
148	Unnamed Stream	Leiberg Creek	51N	01E	28		
149	Unnamed Stream	White Creek	51N	01E	28		
150	Lavin Creek	Leiberg Creek	51N	01E	29		
151	Leiberg Creek	Little North Fork Coeur d'Alene River	51N	01E	29		
152	Tie Creek	Leiberg Creek	51N	01E	29		
153	Unnamed Stream	Leiberg Creek	51N	01E	29		
154	Unnamed Stream	Leiberg Creek	51N	01E	29		
155	Unnamed Stream	Tie Creek	51N	01E	29		
156	Unnamed Stream	Tie Creek	51N	01E	29		
157	Unnamed Stream	Leiberg Creek	51N	01E	30		
158	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01E	30		
159	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01E	30		
160	Unnamed Stream	Tie Creek	51N	01E	30		
161	Leiberg Creek	Little North Fork Coeur d'Alene River	51N	01E	31		
162	Little North Fork Coeur d'Alene River	North Fork Coeur d'Alene River	51N	01E	31		
163	Unnamed Stream	Leiberg Creek	51N	01E	31		
164	Unnamed Stream	Leiberg Creek	51N	01E	31		
165	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01E	31		
166	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01E	31		
167	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01E	31		
168	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01E	31		
169	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01E	31		

Attachment 1






	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
170	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01E	31		
171	Leiberg Creek	Little North Fork Coeur d'Alene River	51N	01E	32	NENW	
172	Unnamed Stream	Leiberg Creek	51N	01E	32	NENW	
173	Leiberg Creek	Little North Fork Coeur d'Alene River	51N	01E	32	NWNE	
174	Unnamed Stream	Leiberg Creek	51N	01E	32	NWSE	
175	Unnamed Stream	Leiberg Creek	51N	01E	32	NWSE	MS 2797
176	Leiberg Creek	Little North Fork Coeur d'Alene River	51N	01E	32	NWSW	MS 2797
177	Unnamed Stream	Leiberg Creek	51N	01E	32	NWSW	
178	Unnamed Stream	Leiberg Creek	51N	01E	32	SENE	
179	Unnamed Stream	Leiberg Creek	51N	01E	32	SENW	
180	Unnamed Stream	Leiberg Creek	51N	01E	32	SENW	
181	Unnamed Stream	Leiberg Creek	51N	01E	32	SENW	MS 2797
182	Unnamed Stream	Laverne Creek	51N	01E	32	SESE	
183	Unnamed Stream	Leiberg Creek	51N	01E	32	SESW	
184	Unnamed Stream	Leiberg Creek	51N	01E	32	SWNE	
185	Unnamed Stream	Leiberg Creek	51N	01E	32	SWNE	
186	Unnamed Stream	Leiberg Creek	51N	01E	32	SWNE	
187	Unnamed Stream	Leiberg Creek	51N	01E	32	SWSE	
188	Unnamed Stream	Leiberg Creek	51N	01E	32	SWSW	
189	Unnamed Stream	Hemlock Creek	51N	01E	33		
190	Unnamed Stream	Hemlock Creek	51N	01E	33		
191	Unnamed Stream	Hemlock Creek	51N	01E	33		
192	Unnamed Stream	Hemlock Creek	51N	01E	33		
193	Unnamed Stream	Laverne Creek	51N	01E	33		
194	Unnamed Stream	Laverne Creek	51N	01E	33		
195	Unnamed Stream	Leiberg Creek	51N	01E	33		
196	Hemlock Creek	Leiberg Creek	51N	01E	34		
197	Unnamed Stream	Bootjack Creek	51N	01W	14		
198	Unnamed Stream	Trestle Creek	51N	01W	14		
199	Lavoie Creek	Little North Fork Coeur d'Alene River	51N	01W	22		
200	Unnamed Stream	Smith Creek	51N	01W	24	NENE	
201	Smith Creek	Bootjack Creek	51N	01W	24	NESE	
202	Unnamed Stream	Smith Creek	51N	01W	24	NESE	
203	Unnamed Stream	Smith Creek	51N	01W	24	NESE	
204	Smith Creek	Bootjack Creek	51N	01W	24	NRSW	
205	Unnamed Stream	Bootjack Creek	51N	01W	24	NWNE	
206	Smith Creek	Bootjack Creek	51N	01W	24	NWSE	
207	Bootjack Creek	Little North Fork Coeur d'Alene River	51N	01W	24	NWSW	
208	Smith Creek	Bootjack Creek	51N	01W	24	NWSW	
209	Unnamed Stream	Smith Creek	51N	01W	24	SENE	
210	Unnamed Stream	Smith Creek	51N	01W	24	SESE	
211	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01W	26	NESE	

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
212	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01W	26	NESE	MS 2605
213	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01W	26	NESE	
214	Little North Fork Coeur d'Alene River	North Fork Coeur d'Alene River	51N	01W	26	NWSE	
215	Skookum Creek	Little North Fork Coeur d'Alene River	51N	01W	28	NWSE	
216	Little North Fork Coeur d'Alene River	North Fork Coeur d'Alene River	51N	01W	28	SENE	
217	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01W	28	SENE	
218	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01W	28	SENE	
219	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01W	28	SENE	
220	Little North Fork Coeur d'Alene River	North Fork Coeur d'Alene River	51N	01W	28	SWNE	
221	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01W	28	SWNE	
222	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01W	28	SWNE	
223	McCauley Creek	Knight Creek	51N	01W	32	NWSE	
224	Unnamed Stream	McCauley Creek	51N	01W	32	SESE	L 1
225	McCauley Creek	Knight Creek	51N	01W	32	SESW	L 3
226	McCauley Creek	Knight Creek	51N	01W	32	SWSE	L 2
227	Unnamed Stream	Skookum Creek	51N	01W	33	SENE	
228	Unnamed Stream	Skookum Creek	51N	01W	33	SENE	
229	Knight Creek	Skookum Creek	51N	01W	33	SENW	
230	McCauley Creek	Knight Creek	51N	01W	33	SENW	
231	Knight Creek	Skookum Creek	51N	01W	33	SWNE	
232	Skookum Creek	Little North Fork Coeur d'Alene River	51N	01W	33	SWNE	
233	McCauley Creek	Knight Creek	51N	01W	33	SWNW	
234	Unnamed Stream	McCauley Creek	51N	01W	33	SWNW	
235	Unnamed Stream	Skookum Creek	51N	01W	34	NESW	
236	Unnamed Stream	Skookum Creek	51N	01W	34	NWNW	
237	Unnamed Stream	Skookum Creek	51N	01W	34	SWNW	
238	Unnamed Stream	Skookum Creek	51N	01W	34	SWNW	
239	Unnamed Stream	Skookum Creek	51N	01W	34	SWSE	L 2
240	Skookum Creek	Little North Fork Coeur d'Alene River	51N	01W	34	SWSW	L 4
241	Unnamed Stream	Skookum Creek	51N	01W	34	SWSW	L 4
242	Little North Fork Coeur d'Alene River	North Fork Coeur d'Alene River	51N	01W	36	NENE	
243	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01W	36	NENE	
244	Lindberg Creek	Little North Fork Coeur d'Alene River	51N	01W	36	NWNW	
245	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01W	36	SENW	
246	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01W	36	SWNE	
247	Lindberg Creek	Little North Fork Coeur d'Alene River	51N	01W	36	SWNW	
248	Unnamed Pond	Little North Fork Coeur d'Alene River	51N	01E	31		
249	Unnamed Pond	Little North Fork Coeur d'Alene River	51N	01E	31		
250	Unnamed Pond	Little North Fork Coeur d'Alene River	51N	01W	28		
251	Unnamed Pond	Little North Fork Coeur d'Alene River	51N	01W	28		



Attachment 2
Place of Use Map Fire Suppression - Water Right No. 94-09528A
National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

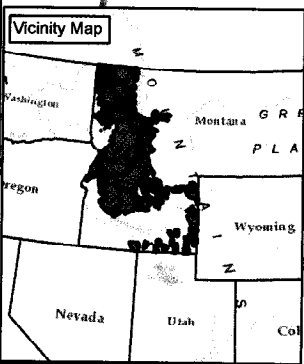
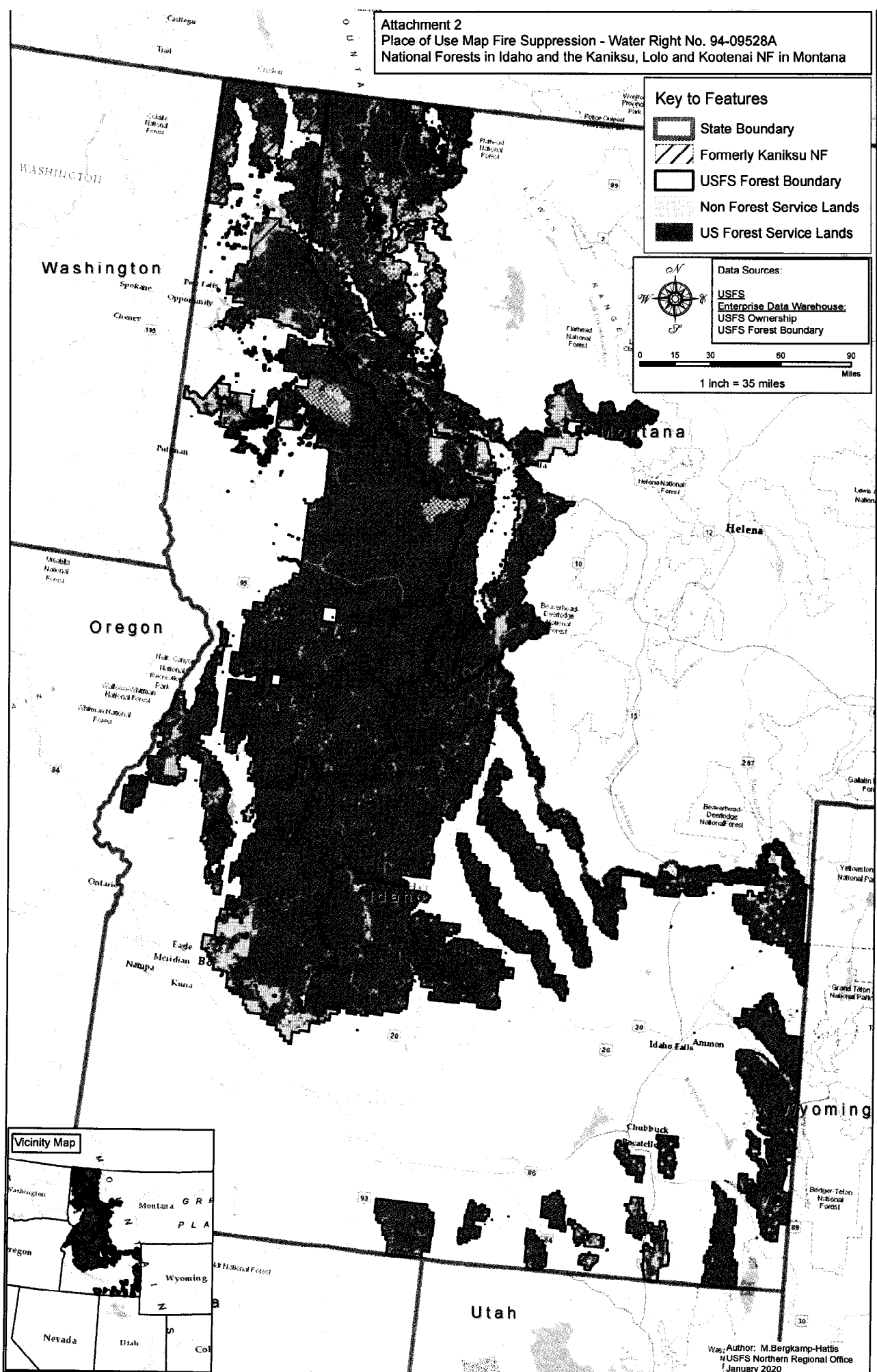
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

Data Sources:

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

1 inch = 35 miles



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