

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. 94-09541A

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 Bear Creek-South Fork
Coeur d'Alene River subwatershed (HUC12 170103020303).

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.

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	West Fork Moon Creek	49N	03E	14		
3	West Fork Moon Creek	Moon Creek	49N	03E	14		
4	Montgomery Creek	South Fork Coeur d'Alene River	49N	03E	15		
5	Unnamed Stream	Montgomery Creek	49N	03E	15		
6	Unnamed Stream	Montgomery Creek	49N	03E	15		
7	Unnamed Stream	West Fork Moon Creek	49N	03E	15		
8	Unnamed Stream	West Fork Montgomery Creek	49N	03E	16		
9	Bear Creek	South Fork Coeur d'Alene River	49N	03E	18		
10	Unnamed Stream	Bear Creek	49N	03E	18		
11	Unnamed Stream	Bear Creek	49N	03E	18		
12	Unnamed Stream	Bear Creek	49N	03E	18		
13	Unnamed Stream	Bear Creek	49N	03E	18		
14	Jackass Creek	South Fork Coeur d'Alene River	49N	03E	19		
15	Unnamed Stream	Bear Creek	49N	03E	19		
16	Unnamed Stream	Bear Creek	49N	03E	19		
17	Unnamed Stream	Montgomery Creek	49N	03E	21		
18	Unnamed Stream	West Fork Montgomery Creek	49N	03E	21		
19	West Fork Montgomery Creek	Montgomery Creek	49N	03E	21		
20	Montgomery Creek	South Fork Coeur d'Alene River	49N	03E	22		
21	Unnamed Stream	Montgomery Creek	49N	03E	22		
22	Unnamed Stream	Montgomery Creek	49N	03E	22		
23	Unnamed Stream	Montgomery Creek	49N	03E	22		
24	Unnamed Stream	West Fork Moon Creek	49N	03E	23		
25	Unnamed Stream	West Fork Moon Creek	49N	03E	23		
26	Unnamed Stream	West Fork Moon Creek	49N	03E	23		
27	Unnamed Stream	West Fork Moon Creek	49N	03E	23		
28	Unnamed Stream	West Fork Moon Creek	49N	03E	23		
29	West Fork Moon Creek	Moon Creek	49N	03E	23		
30	Moon Creek	South Fork Coeur d'Alene River	49N	03E	24		
31	Unnamed Stream	West Fork Moon Creek	49N	03E	24		
32	Moon Creek	South Fork Coeur d'Alene River	49N	03E	25		
33	Unnamed Stream	Moon Creek	49N	03E	25		
34	Unnamed Stream	Moon Creek	49N	03E	25		
35	Unnamed Stream	Moon Creek	49N	03E	25		
36	Unnamed Stream	Moon Creek	49N	03E	25		
37	Unnamed Stream	West Fork Moon Creek	49N	03E	25		
38	Unnamed Stream	West Fork Moon Creek	49N	03E	26	NENE	
39	Unnamed Stream	West Fork Moon Creek	49N	03E	26	NENE	
40	Unnamed Stream	West Fork Moon Creek	49N	03E	26	NENW	
41	Unnamed Stream	West Fork Moon Creek	49N	03E	26	NESE	
42	Unnamed Stream	West Fork Moon Creek	49N	03E	26	NWNE	
43	Unnamed Stream	West Fork Moon Creek	49N	03E	26	NWNE	
44	Unnamed Stream	West Fork Moon Creek	49N	03E	26	NWNE	
45	West Fork Moon Creek	Moon Creek	49N	03E	26	NWNE	
46	Unnamed Stream	West Fork Moon Creek	49N	03E	26	NWNW	
47	Unnamed Stream	West Fork Moon Creek	49N	03E	26	NWSE	
48	West Fork Moon Creek	Moon Creek	49N	03E	26	NWSE	
49	Unnamed Stream	West Fork Moon Creek	49N	03E	26	SWNE	
50	West Fork Moon Creek	Moon Creek	49N	03E	26	SWNE	
51	Unnamed Stream	West Fork Moon Creek	49N	03E	26	SWSE	
52	Unnamed Stream	Bear Creek	49N	03E	30		
53	Unnamed Stream	Moon Creek	49N	03E	34		
54	Unnamed Stream	Moon Creek	49N	03E	34		
55	Unnamed Stream	South Fork Coeur d'Alene River	49N	03E	34		
56	Moon Creek	South Fork Coeur d'Alene River	49N	03E	35	NENE	L 1
57	West Fork Moon Creek	Moon Creek	49N	03E	35	NWNE	L 2
58	Unnamed Stream	Moon Creek	49N	03E	35	SENE	L 6
59	Unnamed Stream	Moon Creek	49N	03E	35	SENE	L 6
60	Unnamed Stream	Moon Creek	49N	03E	35	SENE	L 6
61	Moon Creek	South Fork Coeur d'Alene River	49N	03E	35	SWNE	L 4
62	Unnamed Stream	Moon Creek	49N	03E	35	SWNE	L 4
63	Unnamed Stream	Moon Creek	49N	03E	36	NENE	
64	Unnamed Stream	Moon Creek	49N	03E	36	NENW	
65	Unnamed Stream	Moon Creek	49N	03E	36	NESW	
66	Moon Creek	South Fork Coeur d'Alene River	49N	03E	36	NWNW	
67	Unnamed Stream	Moon Creek	49N	03E	36	NWNW	

Attachment 1

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
68	Unnamed Stream	Moon Creek	49N	03E	36	NWSW	
69	Unnamed Stream	Moon Creek	49N	03E	36	SENE	
70	Unnamed Stream	Moon Creek	49N	03E	36	SENW	
71	Unnamed Stream	Moon Creek	49N	03E	36	SWNE	
72	Unnamed Stream	Moon Creek	49N	03E	36	SWNW	
73	Unnamed Stream	Moon Creek	49N	04E	30		
74	Unnamed Stream	Moon Creek	49N	04E	30		
75	Unnamed Stream	Moon Creek	49N	04E	31		

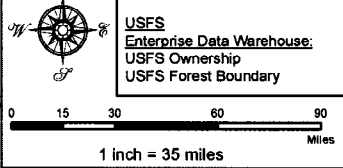
Attachment 2
Place of Use Map Fire Suppression - Water Right No. 94-09541A
National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

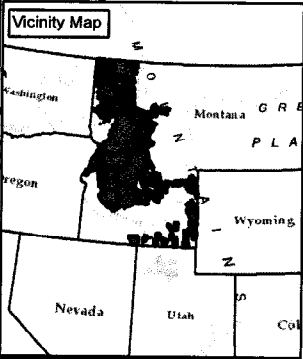
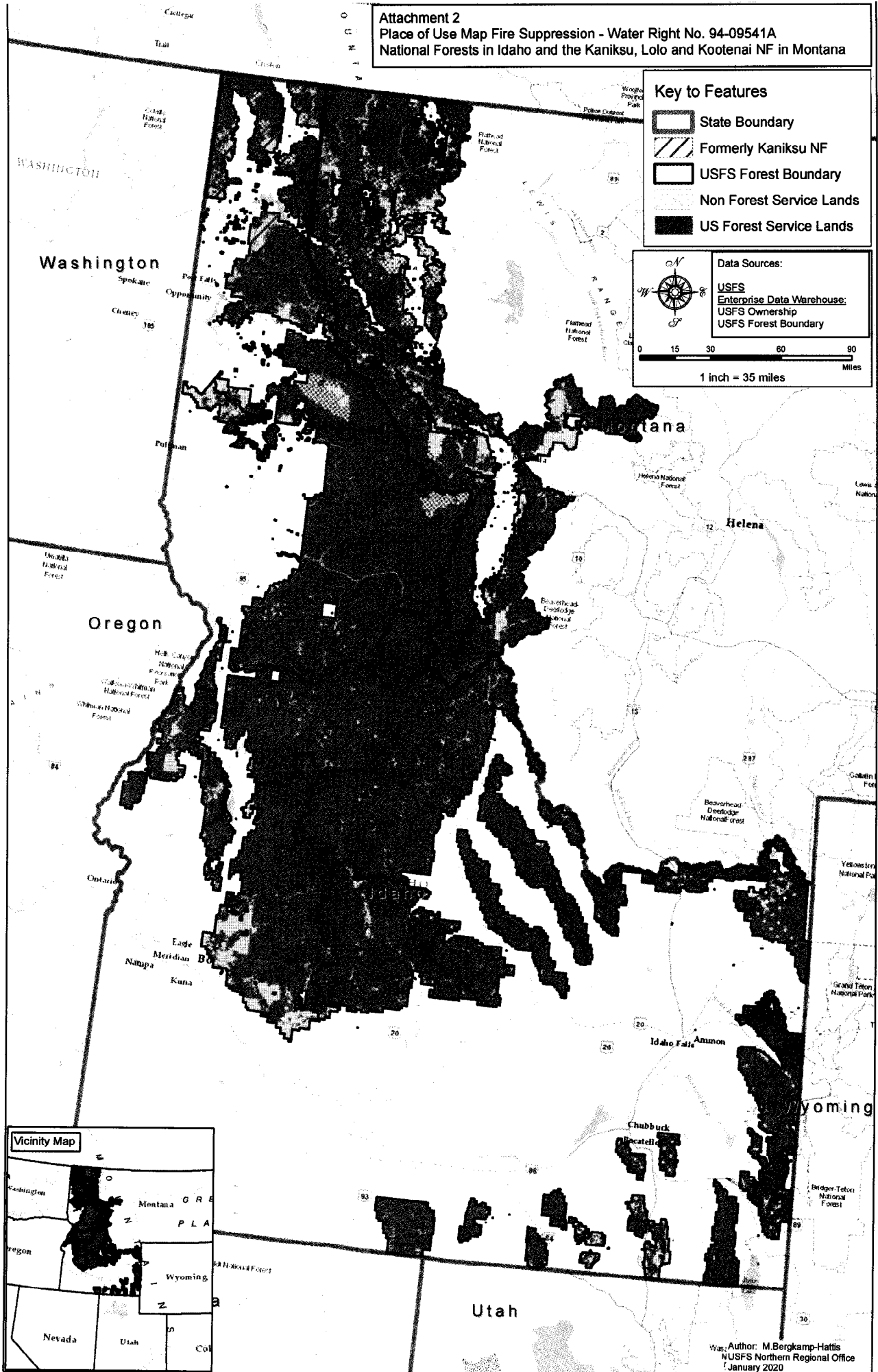
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

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-Hattis
 NUSFS Northern Regional Office
 January 2020