

**DISTRICT COURT - CSRBA**  
**Fifth Judicial District**  
**County of Twin Falls - State of Idaho**

**MAR 03 2022**

By \_\_\_\_\_  
Clerk

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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. 95-17400B

**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 Hayden Creek subwatershed (HUC12 170103050101).

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

**PRIORITY DATE:** 04/11/1969

**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	Unnamed Stream	East Fork Hayden Creek	51N	02W	04		
3	Unnamed Stream	Stump Creek	51N	03W	01		
4	Hollister Creek	North Fork Hayden Creek	52N	03W	11		
5	Hollister Creek	North Fork Hayden Creek	52N	03W	12	NWSW	
6	North Fork Hayden Creek	Hayden Creek	52N	03W	12	SESE	
7	Hollister Creek	North Fork Hayden Creek	52N	03W	12	SESW	
8	Hollister Creek	North Fork Hayden Creek	52N	03W	12	SWSW	
9	Buckles Creek	North Fork Hayden Creek	52N	03W	13		
10	Hollister Creek	North Fork Hayden Creek	52N	03W	13		
11	North Fork Hayden Creek	Hayden Creek	52N	03W	13		
12	Timber Creek	North Fork Hayden Creek	52N	03W	13		
13	Unnamed Stream	North Fork Hayden Creek	52N	03W	13		
14	Lancaster Creek	Hayden Creek	52N	03W	14		
15	Unnamed Stream	North Fork Hayden Creek	52N	03W	14		
16	Unnamed Stream	North Fork Hayden Creek	52N	03W	14		
17	Cherry Creek	Hayden Creek	52N	03W	23		
18	Unnamed Stream	Lancaster Creek	52N	03W	23		
19	Unnamed Stream	North Fork Hayden Creek	52N	03W	23		
20	Unnamed Stream	North Fork Hayden Creek	52N	03W	23		
21	Unnamed Stream	North Fork Hayden Creek	52N	03W	23		
22	Unnamed Stream	Hayden Creek	52N	03W	23		
23	North Fork Hayden Creek	Hayden Creek	52N	03W	24		
24	Shamrock Creek	North Fork Hayden Creek	52N	03W	24		
25	Unnamed Stream	North Fork Hayden Creek	52N	03W	24		
26	Unnamed Stream	North Fork Hayden Creek	52N	03W	24		
27	Unnamed Stream	North Fork Hayden Creek	52N	03W	24		

## Attachment 1






	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
28	Unnamed Stream	North Fork Hayden Creek	52N	03W	24		
29	Unnamed Stream	North Fork Hayden Creek	52N	03W	24		
30	Unnamed Stream	North Fork Hayden Creek	52N	03W	24		
31	Seventy-Five Creek	Hayden Creek	52N	03W	25	NENE	
32	North Fork Hayden Creek	Hayden Creek	52N	03W	25	NENW	
33	Unnamed Stream	North Fork Hayden Creek	52N	03W	25	NENW	
34	East Fork Hayden Creek	Hayden Creek	52N	03W	25	NESE	
35	East Fork Hayden Creek	Hayden Creek	52N	03W	25	NESW	
36	Seventy-Five Creek	Hayden Creek	52N	03W	25	NESW	
37	Unnamed Stream	North Fork Hayden Creek	52N	03W	25	NWNE	
38	East Fork Hayden Creek	Hayden Creek	52N	03W	25	NWSE	
39	Seventy-Five Creek	Hayden Creek	52N	03W	25	NWSE	
40	Hayden Creek	Lake Hayden	52N	03W	25	NWSW	
41	Unnamed Stream	Hayden Creek	52N	03W	25	NWSW	
42	Seventy-Five Creek	Hayden Creek	52N	03W	25	SENE	
43	East Fork Hayden Creek	Hayden Creek	52N	03W	25	SENW	
44	Hayden Creek	Lake Hayden	52N	03W	25	SENW	
45	North Fork Hayden Creek	Hayden Creek	52N	03W	25	SENW	
46	Seventy-Five Creek	Hayden Creek	52N	03W	25	SWNE	
47	Hayden Creek	Lake Hayden	52N	03W	25	SWNW	
48	Cherry Creek	Hayden Creek	52N	03W	26		
49	Hayden Creek	Lake Hayden	52N	03W	26		
50	Stump Creek	Hayden Creek	52N	03W	26		
51	Unnamed Stream	Hayden Creek	52N	03W	26		
52	Unnamed Stream	Hayden Creek	52N	03W	26		
53	Unnamed Stream	Hayden Creek	52N	03W	26		

Attachment 1

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
54	Stump Creek	Hayden Creek	52N	03W	35		

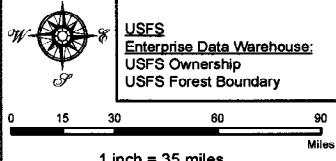
Attachment 2  
 Place of Use Map Fire Suppression - Water Right No. 95-17400B  
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

**Key to Features**

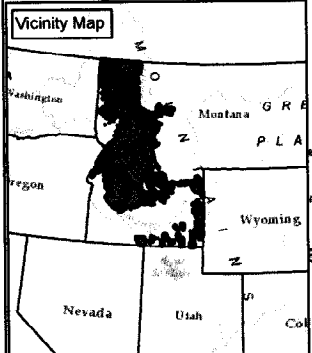
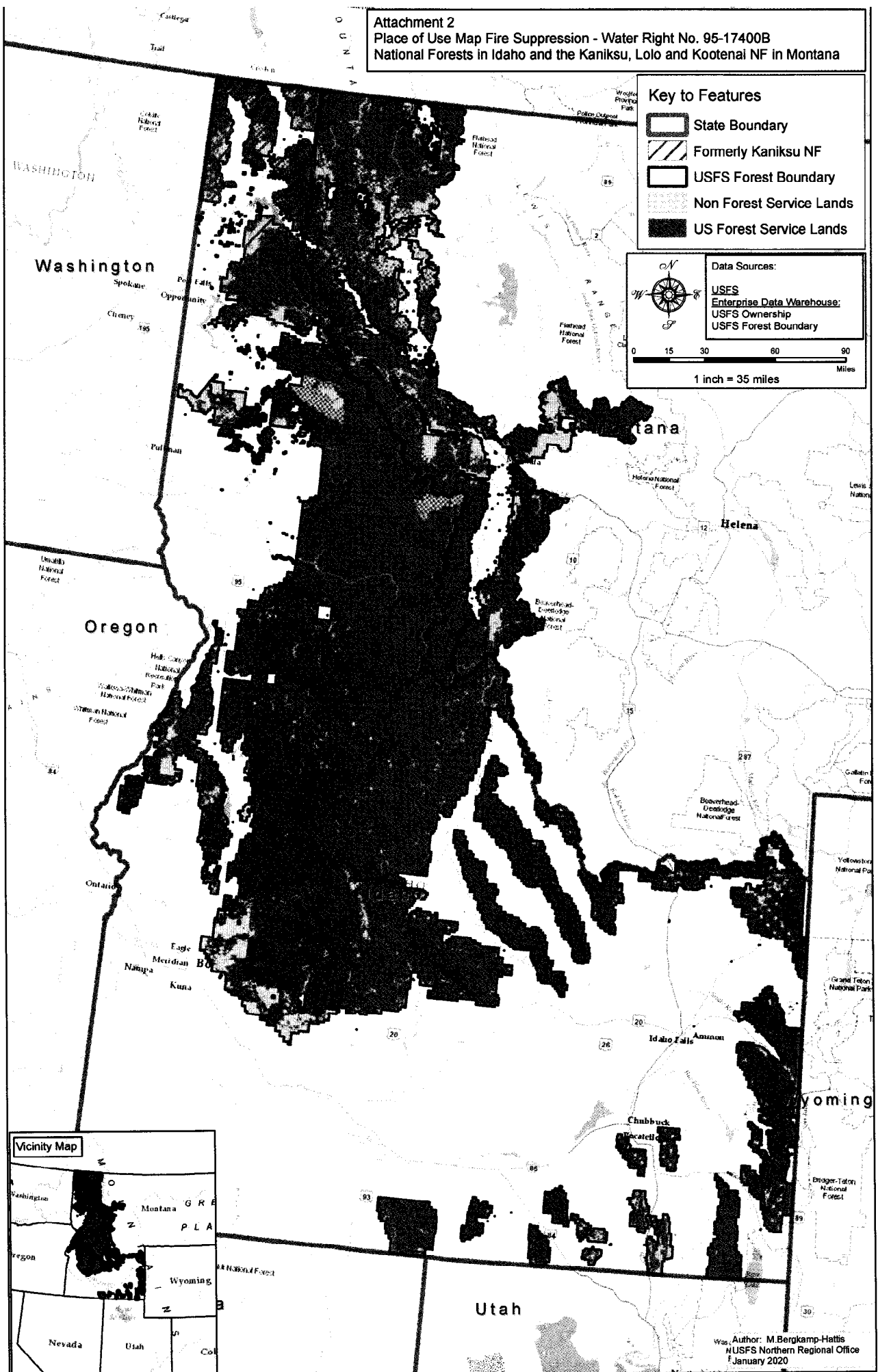
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

**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  
 USFS Northern Regional Office  
 January 2020