

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. 94-09560A

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 Eagle Creek subwatershed (HUC12 170103010501).

QUANTITY: 1.000 CFS
42.80 AFY

The quantity under this water right is limited to up to 42.80 acre feet per year, with a diversion rate never to exceed the lesser of 1.00 CFS or twenty-five (25) percent of the rate of flow then available at each point of diversion and, cumulatively, no more than twenty-five (25) percent at the furthest downstream point of diversion in use under water right nos. 94-09547A thru 94-09582E.

See Attachment 2.

Right nos. 94-09560A and 94-09560B are limited to a total combined annual diversion volume of 42.80 acre feet per year.

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>	<u>QUANTITY</u>
	ADMINISTRATIVE	01/01 - 12/31	1.000 CFS 42.80 AFY

Administrative use is for National Forest Administration.

The purpose of use includes, road construction, dust abatement, prescribed fire, vegetation establishment, maintaining riding and pack stock used for administrative purposes, and any other similar incidental administrative uses necessary to fulfill the purposes of the Organic Administration Act of 1897.

PLACE OF USE: National Forest System Land in the Eagle Creek subwatershed (HUC12 170103010501), Lost Creek subwatershed (HUC12 170103010402), Yellow Dog Creek-North Fork Coeur d'Alene River subwatershed (HUC12 170103010403), Butte Gulch-Prichard Creek subwatershed (HUC12 170103010502), Upper Trout Creek subwatershed (HUC12 170102131001), White Pine Creek subwatershed (HUC12 17010213703) and Upper Big Beaver Creek subwatershed (HUC12 170102130701).

See Attachment 3.

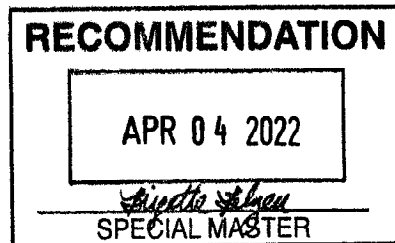
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is limited to the intermittent diversion and use of water for the stated purposes. This water right shall not be used as a basis to prevent the future appropriation of water or the basis to request or initiate a delivery call or otherwise have the Idaho Department of Water Resources, a Water District or a Court curtail or limit distribution in whole or in part, to existing legal uses of water to satisfy this water right. This provision shall not be construed as a basis to curtail the United States' use of water under this right to satisfy junior water rights.

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 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	West Fork Eagle Creek	50N	04E	12		
003	Unnamed Stream	West Fork Eagle Creek	50N	04E	12		
004	Unnamed Stream	West Fork Eagle Creek	50N	04E	12		
005	Unnamed Stream	West Fork Eagle Creek	50N	04E	13		
006	Unnamed Stream	West Fork Eagle Creek	50N	04E	13		
007	Unnamed Stream	West Fork Eagle Creek	50N	04E	13		
008	Unnamed Stream	West Fork Eagle Creek	50N	04E	13		
009	Unnamed Stream	West Fork Eagle Creek	50N	04E	13		
010	Unnamed Stream	West Fork Eagle Creek	50N	04E	13		
011	Unnamed Stream	West Fork Eagle Creek	50N	04E	13		
012	Unnamed Stream	West Fork Eagle Creek	50N	04E	13		
013	West Fork Eagle Creek	Eagle Creek	50N	04E	13		
014	Unnamed Stream	West Fork Eagle Creek	50N	04E	14		
015	Unnamed Stream	West Fork Eagle Creek	50N	04E	14		
016	Unnamed Stream	Eagle Creek	50N	04E	23		
017	Unnamed Stream	West Fork Eagle Creek	50N	04E	23		
018	Unnamed Stream	West Fork Eagle Creek	50N	04E	23		
019	Unnamed Stream	West Fork Eagle Creek	50N	04E	23		
020	Unnamed Stream	West Fork Eagle Creek	50N	04E	23		
021	Unnamed Stream	West Fork Eagle Creek	50N	04E	23		
022	East Fork Eagle Creek	Eagle Creek	50N	04E	24		
023	Unnamed Stream	West Fork Eagle Creek	50N	04E	24		
024	Unnamed Stream	West Fork Eagle Creek	50N	04E	24		
025	Unnamed Stream	West Fork Eagle Creek	50N	04E	24		
026	Unnamed Stream	West Fork Eagle Creek	50N	04E	24		
027	Unnamed Stream	West Fork Eagle Creek	50N	04E	24		
028	Unnamed Stream	West Fork Eagle Creek	50N	04E	24		
029	Unnamed Stream	West Fork Eagle Creek	50N	04E	24		
030	West Fork Eagle Creek	Eagle Creek	50N	04E	24		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
031	East Fork Eagle Creek	Eagle Creek	50N	04E	25		
032	Unnamed Stream	East Fork Eagle Creek	50N	04E	25		
033	Unnamed Stream	East Fork Eagle Creek	50N	04E	25		
034	Unnamed Stream	East Fork Eagle Creek	50N	04E	25		
035	Eagle Creek	Prichard Creek	50N	04E	26		
036	East Fork Eagle Creek	Eagle Creek	50N	04E	26		
037	Unnamed Stream	Eagle Creek	50N	04E	26		
038	Unnamed Stream	Eagle Creek	50N	04E	26		
039	Unnamed Stream	East Fork Eagle Creek	50N	04E	26		
040	Unnamed Stream	West Fork Eagle Creek	50N	04E	26		
041	West Fork Eagle Creek	Eagle Creek	50N	04E	26		
042	Unnamed Stream	Eagle Creek	50N	04E	35		
043	Casper Creek	East Fork Eagle Creek	50N	05E	01		
044	Silent Creek	East Fork Eagle Creek	50N	05E	01		
045	Unnamed Stream	Casper Creek	50N	05E	01		
046	Unnamed Stream	Casper Creek	50N	05E	01		
047	Cottonwood Creek	Blue Lake Creek	50N	05E	02		
048	Unnamed Stream	Casper Creek	50N	05E	02		
049	Unnamed Stream	Cottonwood Creek	50N	05E	02		
050	Cottonwood Creek	Blue Lake Creek	50N	05E	03	NESE	
051	Unnamed Stream	Cottonwood Creek	50N	05E	03	NESE	
052	Unnamed Stream	Cottonwood Creek	50N	05E	03	SENE	
053	Cottonwood Creek	Blue Lake Creek	50N	05E	03	SESE	
054	Unnamed Stream	Cottonwood Creek	50N	05E	03	SESE	
055	Cottonwood Creek	Blue Lake Creek	50N	05E	03	SESW	
056	Cottonwood Creek	Blue Lake Creek	50N	05E	03	SWSE	
057	West Fork Eagle Creek	Eagle Creek	50N	05E	04	NENE	L 1
058	Cottonwood Creek	Blue Lake Creek	50N	05E	04	NESE	
059	Cottonwood Creek	Blue Lake Creek	50N	05E	04	NESW	

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
060	West Fork Eagle Creek	Eagle Creek	50N	05E	04	NESW	
061	West Fork Eagle Creek	Eagle Creek	50N	05E	04	NWNE	L 2
062	Cottonwood Creek	Blue Lake Creek	50N	05E	04	NWSE	
063	West Fork Eagle Creek	Eagle Creek	50N	05E	04	NWSW	
064	West Fork Eagle Creek	Eagle Creek	50N	05E	04	SENW	
065	West Fork Eagle Creek	Eagle Creek	50N	05E	04	SWNE	
066	Unnamed Stream	West Fork Eagle Creek	50N	05E	05		
067	Unnamed Stream	West Fork Eagle Creek	50N	05E	05		
068	West Fork Eagle Creek	Eagle Creek	50N	05E	05		
069	Unnamed Stream	West Fork Eagle Creek	50N	05E	06		
070	Unnamed Stream	West Fork Eagle Creek	50N	05E	06		
071	West Fork Eagle Creek	Eagle Creek	50N	05E	06		
072	Unnamed Stream	West Fork Eagle Creek	50N	05E	07		
073	Unnamed Stream	West Fork Eagle Creek	50N	05E	07		
074	Unnamed Stream	West Fork Eagle Creek	50N	05E	07		
075	Unnamed Stream	West Fork Eagle Creek	50N	05E	07		
076	Unnamed Stream	West Fork Eagle Creek	50N	05E	07		
077	West Fork Eagle Creek	Eagle Creek	50N	05E	07		
078	Unnamed Stream	West Fork Eagle Creek	50N	05E	08		
079	Unnamed Stream	West Fork Eagle Creek	50N	05E	08		
080	Falls Creek	East Fork Eagle Creek	50N	05E	09		
081	Unnamed Stream	East Fork Eagle Creek	50N	05E	09		
082	Unnamed Stream	East Fork Eagle Creek	50N	05E	10		
083	Unnamed Stream	East Fork Eagle Creek	50N	05E	10		
084	East Fork Eagle Creek	Eagle Creek	50N	05E	11		
085	Tributary Creek	East Fork Eagle Creek	50N	05E	11		
086	Unnamed Stream	Casper Creek	50N	05E	11		
087	Unnamed Stream	East Fork Eagle Creek	50N	05E	11		
088	Casper Creek	East Fork Eagle Creek	50N	05E	12		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
089	Columbus Creek	East Fork Eagle Creek	50N	05E	12		
090	East Fork Eagle Creek	Eagle Creek	50N	05E	12		
091	Silent Creek	East Fork Eagle Creek	50N	05E	12		
092	Snowshoe Creek	East Fork Eagle Creek	50N	05E	12		
093	Unnamed Stream	Casper Creek	50N	05E	12		
094	Unnamed Stream	Casper Creek	50N	05E	12		
095	Columbus Creek	East Fork Eagle Creek	50N	05E	13		
096	Tributary Creek	East Fork Eagle Creek	50N	05E	13		
097	Unnamed Stream	Tributary Creek	50N	05E	13		
098	Unnamed Stream	Tributary Creek	50N	05E	13		
099	Unnamed Stream	Tributary Creek	50N	05E	13		
100	Unnamed Stream	Tributary Creek	50N	05E	13		
101	East Fork Eagle Creek	Eagle Creek	50N	05E	14		
102	Tributary Creek	East Fork Eagle Creek	50N	05E	14		
103	Unnamed Stream	East Fork Eagle Creek	50N	05E	14		
104	Unnamed Stream	East Fork Eagle Creek	50N	05E	14		
105	Unnamed Stream	East Fork Eagle Creek	50N	05E	14		
106	East Fork Eagle Creek	Eagle Creek	50N	05E	15		
107	Toboggan Creek	East Fork Eagle Creek	50N	05E	15		
108	Unnamed Stream	East Fork Eagle Creek	50N	05E	15		
109	Unnamed Stream	East Fork Eagle Creek	50N	05E	15		
110	Unnamed Stream	Toboggan Creek	50N	05E	15		
111	Cabin Creek	East Fork Eagle Creek	50N	05E	16		
112	East Fork Eagle Creek	Eagle Creek	50N	05E	16		
113	Falls Creek	East Fork Eagle Creek	50N	05E	16		
114	Niagara Creek	East Fork Eagle Creek	50N	05E	16		
115	Unnamed Stream	East Fork Eagle Creek	50N	05E	16		
116	Unnamed Stream	East Fork Eagle Creek	50N	05E	16		
117	East Fork Eagle Creek	Eagle Creek	50N	05E	17		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
118	Unnamed Stream	East Fork Eagle Creek	50N	05E	17		
119	Unnamed Stream	West Fork Eagle Creek	50N	05E	18		
120	Unnamed Stream	West Fork Eagle Creek	50N	05E	18		
121	Unnamed Stream	West Fork Eagle Creek	50N	05E	18		
122	West Fork Eagle Creek	Eagle Creek	50N	05E	18		
123	East Fork Eagle Creek	Eagle Creek	50N	05E	19		
124	Unnamed Stream	East Fork Eagle Creek	50N	05E	19		
125	Unnamed Stream	East Fork Eagle Creek	50N	05E	19		
126	Unnamed Stream	West Fork Eagle Creek	50N	05E	19		
127	Unnamed Stream	West Fork Eagle Creek	50N	05E	19		
128	East Fork Eagle Creek	Eagle Creek	50N	05E	20		
129	Unnamed Stream	East Fork Eagle Creek	50N	05E	20		
130	Niagara Creek	East Fork Eagle Creek	50N	05E	21		
131	Unnamed Stream	East Fork Eagle Creek	50N	05E	21		
132	Unnamed Stream	Niagara Creek	50N	05E	21		
133	Toboggan Creek	East Fork Eagle Creek	50N	05E	22		
134	Unnamed Stream	Toboggan Creek	50N	05E	22		
135	Unnamed Stream	Toboggan Creek	50N	05E	22		
136	Unnamed Stream	Toboggan Creek	50N	05E	22		
137	Unnamed Stream	Toboggan Creek	50N	05E	22		
138	Unnamed Stream	Toboggan Creek	50N	05E	22		
139	Unnamed Stream	Toboggan Creek	50N	05E	23		
140	Unnamed Stream	Toboggan Creek	50N	05E	23		
141	Unnamed Stream	Toboggan Creek	50N	05E	23		
142	Tributary Creek	East Fork Eagle Creek	50N	05E	24		
143	Unnamed Stream	Tributary Creek	50N	05E	24		
144	Unnamed Stream	Tributary Creek	50N	05E	24		
145	Unnamed Stream	Tributary Creek	50N	05E	24		
146	Unnamed Stream	Tributary Creek	50N	05E	24		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
147	Unnamed Stream	Toboggan Creek	50N	05E	26		
148	Unnamed Stream	Toboggan Creek	50N	05E	26		
149	Toboggan Creek	East Fork Eagle Creek	50N	05E	27		
150	Unnamed Stream	Toboggan Creek	50N	05E	27		
151	Niagara Creek	East Fork Eagle Creek	50N	05E	28		
152	Unnamed Stream	East Fork Eagle Creek	50N	05E	29		
153	Unnamed Stream	East Fork Eagle Creek	50N	05E	30		
154	Unnamed Stream	East Fork Eagle Creek	50N	05E	30		
155	Unnamed Stream	East Fork Eagle Creek	50N	05E	30		
156	Unnamed Stream	East Fork Eagle Creek	50N	05E	31		
157	Unnamed Stream	East Fork Eagle Creek	50N	05E	31		
158	Unnamed Stream	East Fork Eagle Creek	50N	06E	06		
159	East Fork Eagle Creek	Eagle Creek	50N	06E	07		
160	Snowshoe Creek	East Fork Eagle Creek	50N	06E	07		
161	Unnamed Stream	East Fork Eagle Creek	50N	06E	07		
162	Snowshoe Creek	East Fork Eagle Creek	50N	06E	18		
163	Unnamed Stream	Snowshoe Creek	50N	06E	18		
164	Unnamed Stream	Tributary Creek	50N	06E	18		
165	Unnamed Stream	Tributary Creek	50N	06E	18		
166	Tributary Creek	East Fork Eagle Creek	50N	06E	19		
167	Unnamed Stream	Tributary Creek	50N	06E	19		
168	Unnamed Stream	Tributary Creek	50N	06E	19		
169	Unnamed Stream	Tributary Creek	50N	06E	19		
170	Unnamed Stream	Tributary Creek	50N	06E	19		
171	Unnamed Stream	Tributary Creek	50N	06E	19		
172	Unnamed Stream	Tributary Creek	50N	06E	19		
173	Unnamed Stream	Tributary Creek	50N	06E	19		
174	Unnamed Stream	Tributary Creek	50N	06E	19		
175	Tributary Creek	East Fork Eagle Creek	50N	06E	30		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
176	West Fork Eagle Creek	Eagle Creek	51N	05E	21		
177	Unnamed Stream	West Fork Eagle Creek	51N	05E	22		
178	Unnamed Stream	West Fork Eagle Creek	51N	05E	22		
179	West Fork Eagle Creek	Eagle Creek	51N	05E	22		
180	Unnamed Stream	West Fork Eagle Creek	51N	05E	26		
181	Unnamed Stream	West Fork Eagle Creek	51N	05E	26		
182	Unnamed Stream	West Fork Eagle Creek	51N	05E	27		
183	Unnamed Stream	West Fork Eagle Creek	51N	05E	27		
184	Unnamed Stream	West Fork Eagle Creek	51N	05E	27		
185	Unnamed Stream	West Fork Eagle Creek	51N	05E	27		
186	Unnamed Stream	West Fork Eagle Creek	51N	05E	27		
187	West Fork Eagle Creek	Eagle Creek	51N	05E	27		
188	Unnamed Stream	West Fork Eagle Creek	51N	05E	28		
189	Unnamed Stream	West Fork Eagle Creek	51N	05E	28		
190	Unnamed Stream	West Fork Eagle Creek	51N	05E	28		
191	Unnamed Stream	West Fork Eagle Creek	51N	05E	31		
192	Bobtail Creek	East Fork Eagle Creek	51N	05E	32		
193	Bobtail Creek	West Fork Eagle Creek	51N	05E	32		
194	Unnamed Stream	West Fork Eagle Creek	51N	05E	32		
195	Unnamed Stream	West Fork Eagle Creek	51N	05E	32		
196	34 Creek	West Fork Eagle Creek	51N	05E	33		
197	Bobtail Creek	East Fork Eagle Creek	51N	05E	33		
198	Silver Creek	West Fork Eagle Creek	51N	05E	33		
199	West Fork Eagle Creek	Eagle Creek	51N	05E	33		
200	34 Creek	West Fork Eagle Creek	51N	05E	34		
201	Unnamed Stream	34 Creek	51N	05E	34		
202	West Fork Eagle Creek	Eagle Creek	51N	05E	34		
203	34 Creek	West Fork Eagle Creek	51N	05E	35		
204	Unnamed Spring	Sinks	50N	06E	06	NESW	L 2

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
205	Bloom Spring	West Fork Eagle Creek	51N	05E	28	NENE	
206	Bobtail Spring	Bobtail Creek	51N	05E	32	NESW	

Attachment 2

94-09547 A	94-09559 B	94-09565 G	94-09569 E
94-09547 B	94-09559 C	94-09565 H	94-09569 F
94-09548 A	94-09559 D	94-09565 I	94-09569 G
94-09548 B	94-09559 E	94-09565 J	94-09569 H
94-09549	94-09559 F	94-09565 K	94-09569 I
94-09550 A	94-09559 G	94-09565 L	94-09570 A
94-09550 B	94-09559 H	94-09565 M	94-09570 B
94-09551 A	94-09560 A	94-09565 N	94-09570 C
94-09551 B	94-09560 B	94-09565 O	94-09570 D
94-09551 C	94-09561 A	94-09565 P	94-09570 E
94-09551 D	94-09561 B	94-09565 Q	94-09570 F
94-09551 E	94-09561 C	94-09565 R	94-09570 G
94-09551 F	94-09562 A	94-09565 S	94-09571 A
94-09551 G	94-09562 B	94-09565 T	94-09571 B
94-09551 H	94-09562 C	94-09565 U	94-09571 C
94-09551 I	94-09563 A	94-09565 V	94-09572
94-09552 A	94-09563 B	94-09565 W	94-09573 A
94-09552 B	94-09563 C	94-09565 X	94-09573 B
94-09552 C	94-09563 D	94-09565 Y	94-09574
94-09552 D	94-09563 E	94-09566 A	94-09575 A
94-09552 E	94-09563 F	94-09566 B	94-09575 B
94-09552 F	94-09563 G	94-09566 C	94-09576
94-09552 G	94-09563 H	94-09567 A	94-09577 A
94-09552 H	94-09563 I	94-09567 B	94-09577 B
94-09552 I	94-09563 J	94-09567 C	94-09578 A
94-09552 J	94-09563 K	94-09567 D	94-09578 B
94-09553 A	94-09563 L	94-09567 E	94-09578 C
94-09553 B	94-09563 M	94-09567 F	94-09578 D
94-09553 C	94-09563 N	94-09567 G	94-09578 E
94-09553 D	94-09563 O	94-09567 H	94-09578 F
94-09553 E	94-09564 A	94-09567 I	94-09578 G
94-09553 F	94-09564 B	94-09567 J	94-09578 H
94-09553 G	94-09564 C	94-09567 K	94-09578 I
94-09553 H	94-09564 D	94-09567 L	94-09578 J
94-09553 I	94-09564 E	94-09567 M	94-09578 K
94-09554 A	94-09564 F	94-09567 N	94-09578 L
94-09554 B	94-09564 G	94-09567 O	94-09578 M
94-09554 C	94-09564 H	94-09567 P	94-09578 N
94-09554 D	94-09564 I	94-09568 A	94-09579 A
94-09555 A	94-09564 J	94-09568 B	94-09579 B
94-09555 B	94-09564 K	94-09568 C	94-09579 C
94-09555 C	94-09564 L	94-09568 D	94-09579 D
94-09556 A	94-09564 M	94-09568 E	94-09579 E
94-09556 B	94-09564 N	94-09568 F	94-09579 F
94-09556 C	94-09565 A	94-09568 G	94-09579 G
94-09557 A	94-09565 B	94-09568 H	94-09579 H
94-09557 B	94-09565 C	94-09569 A	94-09579 I
94-09558 A	94-09565 D	94-09569 B	94-09579 J
94-09558 B	94-09565 E	94-09569 C	94-09579 K
94-09559 A	94-09565 F	94-09569 D	94-09579 L

Attachment 2

94-09579 M
94-09580 A
94-09580 B
94-09580 C
94-09580 D
94-09580 E
94-09580 F
94-09580 G
94-09580 H
94-09580 I
94-09580 J
94-09580 K
94-09580 L
94-09581 A
94-09581 B
94-09581 C
94-09581 D
94-09582 A
94-09582 B
94-09582 C
94-09582 D
94-09582 E

