

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. 91-07934

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 Simmons Creek subwatershed (HUC12 170103040104).

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: 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.

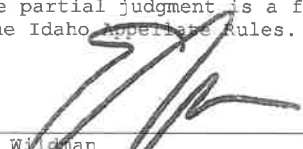
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.


 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	Wampus Creek	43N	09E	01		
003	Unnamed Stream	Wampus Creek	43N	09E	01		
004	Unnamed Stream	Wampus Creek	43N	09E	01		
005	Wampus Creek	Simmons Creek	43N	09E	01		
006	Three Lakes Creek	Simmons Creek	43N	09E	02		
007	Unnamed Stream	Three Lakes Creek	43N	09E	02		
008	Unnamed Stream	Three Lakes Creek	43N	09E	02		
009	Unnamed Stream	Three Lakes Creek	43N	09E	02		
010	Unnamed Stream	Three Lakes Creek	43N	09E	03		
011	Goat Creek	Simmons Creek	43N	09E	12		
012	Unnamed Stream	Goat Creek	43N	09E	12		
013	Unnamed Stream	Washout Creek	43N	10E	04		
014	Goat Creek	Simmons Creek	43N	10E	05		
015	Simmons Creek	St Joe River	43N	10E	05		
016	Unnamed Stream	Simmons Creek	43N	10E	05		
017	Unnamed Stream	Simmons Creek	43N	10E	05		
018	Unnamed Stream	Simmons Creek	43N	10E	05		
019	Unnamed Stream	Simmons Creek	43N	10E	05		
020	Unnamed Stream	Simmons Creek	43N	10E	05		
021	Unnamed Stream	Simmons Creek	43N	10E	05		
022	Unnamed Stream	Washout Creek	43N	10E	05		
023	Unnamed Stream	Washout Creek	43N	10E	05		
024	Goat Creek	Simmons Creek	43N	10E	06		
025	Simmons Creek	St Joe River	43N	10E	06		
026	Unnamed Stream	Simmons Creek	43N	10E	06		
027	Unnamed Stream	Simmons Creek	43N	10E	06		
028	Unnamed Stream	Wampus Creek	43N	10E	06		
029	Wampus Creek	Simmons Creek	43N	10E	06		
030	Goat Creek	Simmons Creek	43N	10E	07		
031	Unnamed Stream	Goat Creek	43N	10E	07		
032	Unnamed Stream	Simmons Creek	43N	10E	07		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
033	Simmons Creek	St Joe River	43N	10E	08		
034	Unnamed Stream	Simmons Creek	43N	10E	08		
035	Unnamed Stream	Simmons Creek	43N	10E	08		
036	St Joe River	St Joe River	44N	08E	24		
037	Simmons Creek	St Joe River	44N	08E	24		
038	Unnamed Stream	Simmons Creek	44N	08E	24		
039	Unnamed Stream	Simmons Creek	44N	08E	24		
040	Unnamed Stream	Simmons Creek	44N	08E	24		
041	Unnamed Stream	Simmons Creek	44N	08E	25		
042	Unnamed Stream	North Fork Simmons Creek	44N	09E	02		
043	Unnamed Stream	North Fork Simmons Creek	44N	09E	02		
044	Unnamed Stream	North Fork Simmons Creek	44N	09E	09		
045	Unnamed Stream	North Fork Simmons Creek	44N	09E	09		
046	Unnamed Stream	North Fork Simmons Creek	44N	09E	09		
047	Unnamed Stream	North Fork Simmons Creek	44N	09E	09		
048	Unnamed Stream	North Fork Simmons Creek	44N	09E	09		
049	Unnamed Stream	North Fork Simmons Creek	44N	09E	10		
050	Unnamed Stream	North Fork Simmons Creek	44N	09E	10		
051	Unnamed Stream	North Fork Simmons Creek	44N	09E	10		
052	Unnamed Stream	North Fork Simmons Creek	44N	09E	10		
053	North Fork Simmons Creek	Simmons Creek	44N	09E	11		
054	Unnamed Stream	North Fork Simmons Creek	44N	09E	11		
055	Unnamed Stream	North Fork Simmons Creek	44N	09E	11		
056	Unnamed Stream	North Fork Simmons Creek	44N	09E	11		
057	North Fork Simmons Creek	Simmons Creek	44N	09E	12		
058	Unnamed Stream	North Fork Simmons Creek	44N	09E	12		
059	Spruce Creek	Simmons Creek	44N	09E	13		
060	Unnamed Stream	Simmons Creek	44N	09E	13		
061	Unnamed Stream	Simmons Creek	44N	09E	13		
062	Unnamed Stream	Simmons Creek	44N	09E	13		
063	Unnamed Stream	Simmons Creek	44N	09E	13		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
064	Unnamed Stream	Spruce Creek	44N	09E	13		
065	North Fork Simmons Creek	Simmons Creek	44N	09E	14		
066	Unnamed Stream	North Fork Simmons Creek	44N	09E	14		
067	Unnamed Stream	North Fork Simmons Creek	44N	09E	14		
068	Unnamed Stream	North Fork Simmons Creek	44N	09E	14		
069	Unnamed Stream	North Fork Simmons Creek	44N	09E	14		
070	Unnamed Stream	North Fork Simmons Creek	44N	09E	14		
071	Unnamed Stream	North Fork Simmons Creek	44N	09E	14		
072	Unnamed Stream	Simmons Creek	44N	09E	14		
073	Unnamed Stream	Simmons Creek	44N	09E	14		
074	Unnamed Stream	Simmons Creek	44N	09E	14		
075	Unnamed Stream	Simmons Creek	44N	09E	14		
076	Unnamed Stream	Simmons Creek	44N	09E	14		
077	Unnamed Stream	Simmons Creek	44N	09E	14		
078	North Fork Simmons Creek	Simmons Creek	44N	09E	15		
079	Unnamed Stream	North Fork Simmons Creek	44N	09E	15		
080	Unnamed Stream	North Fork Simmons Creek	44N	09E	15		
081	Unnamed Stream	North Fork Simmons Creek	44N	09E	15		
082	Unnamed Stream	North Fork Simmons Creek	44N	09E	15		
083	Unnamed Stream	North Fork Simmons Creek	44N	09E	15		
084	Unnamed Stream	North Fork Simmons Creek	44N	09E	15		
085	Unnamed Stream	North Fork Simmons Creek	44N	09E	15		
086	North Fork Simmons Creek	Simmons Creek	44N	09E	16		
087	Unnamed Stream	North Fork Simmons Creek	44N	09E	16		
088	Unnamed Stream	North Fork Simmons Creek	44N	09E	16		
089	Unnamed Stream	North Fork Simmons Creek	44N	09E	16		
090	Unnamed Stream	North Fork Simmons Creek	44N	09E	16		
091	Unnamed Stream	North Fork Simmons Creek	44N	09E	16		
092	Unnamed Stream	North Fork Simmons Creek	44N	09E	16		
093	Unnamed Stream	North Fork Simmons Creek	44N	09E	16		
094	Unnamed Stream	North Fork Simmons Creek	44N	09E	16		

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	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
095	Unnamed Stream	North Fork Simmons Creek	44N	09E	16		
096	Unnamed Stream	Simmons Creek	44N	09E	16		
097	North Fork Simmons Creek	Simmons Creek	44N	09E	17		
098	Unnamed Stream	North Fork Simmons Creek	44N	09E	17		
099	Unnamed Stream	Simmons Creek	44N	09E	17		
100	Simmons Creek	St Joe River	44N	09E	19		
101	Unnamed Stream	Simmons Creek	44N	09E	19		
102	Unnamed Stream	Simmons Creek	44N	09E	19		
103	Unnamed Stream	Simmons Creek	44N	09E	19		
104	North Fork Simmons Creek	Simmons Creek	44N	09E	20		
105	Simmons Creek	St Joe River	44N	09E	20		
106	Unnamed Stream	Simmons Creek	44N	09E	20		
107	Unnamed Stream	Simmons Creek	44N	09E	20		
108	Unnamed Stream	Simmons Creek	44N	09E	20		
109	Unnamed Stream	Simmons Creek	44N	09E	20		
110	Simmons Creek	St Joe River	44N	09E	21		
111	Unnamed Stream	Simmons Creek	44N	09E	21		
112	Unnamed Stream	Simmons Creek	44N	09E	21		
113	Unnamed Stream	Simmons Creek	44N	09E	21		
114	Unnamed Stream	Simmons Creek	44N	09E	21		
115	Unnamed Stream	Simmons Creek	44N	09E	21		
116	Unnamed Stream	Simmons Creek	44N	09E	21		
117	Unnamed Stream	Simmons Creek	44N	09E	21		
118	Unnamed Stream	Simmons Creek	44N	09E	21		
119	Simmons Creek	St Joe River	44N	09E	22		
120	Unnamed Stream	Simmons Creek	44N	09E	22		
121	Unnamed Stream	Simmons Creek	44N	09E	22		
122	Unnamed Stream	Simmons Creek	44N	09E	22		
123	Unnamed Stream	Simmons Creek	44N	09E	22		
124	Unnamed Stream	Simmons Creek	44N	09E	22		
125	Unnamed Stream	Simmons Creek	44N	09E	22		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
126	Simmons Creek	St Joe River	44N	09E	23		
127	Unnamed Stream	Simmons Creek	44N	09E	23		
128	Unnamed Stream	Simmons Creek	44N	09E	23		
129	Unnamed Stream	Simmons Creek	44N	09E	23		
130	Unnamed Stream	Simmons Creek	44N	09E	23		
131	Unnamed Stream	Simmons Creek	44N	09E	23		
132	Unnamed Stream	Simmons Creek	44N	09E	23		
133	Unnamed Stream	Simmons Creek	44N	09E	23		
134	Unnamed Stream	Simmons Creek	44N	09E	23		
135	Unnamed Stream	Simmons Creek	44N	09E	23		
136	Unnamed Stream	Simmons Creek	44N	09E	23		
137	Unnamed Stream	Simmons Creek	44N	09E	23		
138	Unnamed Stream	Simmons Creek	44N	09E	23		
139	Unnamed Stream	Simmons Creek	44N	09E	23		
140	Unnamed Stream	Simmons Creek	44N	09E	23		
141	Unnamed Stream	Simmons Creek	44N	09E	23		
142	Unnamed Stream	Simmons Creek	44N	09E	23		
143	Unnamed Stream	Simmons Creek	44N	09E	23		
144	Unnamed Stream	Simmons Creek	44N	09E	23		
145	Unnamed Stream	Simmons Creek	44N	09E	23		
146	Unnamed Stream	Simmons Creek	44N	09E	23		
147	Simmons Creek	St Joe River	44N	09E	24		
148	Spruce Creek	Simmons Creek	44N	09E	24		
149	Unnamed Stream	Simmons Creek	44N	09E	24		
150	Unnamed Stream	Simmons Creek	44N	09E	24		
151	Unnamed Stream	Simmons Creek	44N	09E	24		
152	Unnamed Stream	Simmons Creek	44N	09E	24		
153	Unnamed Stream	Simmons Creek	44N	09E	24		
154	Unnamed Stream	Simmons Creek	44N	09E	24		
155	Unnamed Stream	Simmons Creek	44N	09E	24		
156	Unnamed Stream	Simmons Creek	44N	09E	24		

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	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
157	Unnamed Stream	Simmons Creek	44N	09E	24		
158	Unnamed Stream	Simmons Creek	44N	09E	24		
159	Unnamed Stream	Simmons Creek	44N	09E	24		
160	Unnamed Stream	Simmons Creek	44N	09E	24		
161	Unnamed Stream	Simmons Creek	44N	09E	24		
162	Unnamed Stream	Simmons Creek	44N	09E	24		
163	Unnamed Stream	Simmons Creek	44N	09E	24		
164	Unnamed Stream	Spruce Creek	44N	09E	24		
165	Unnamed Stream	Spruce Creek	44N	09E	24		
166	Unnamed Stream	Spruce Creek	44N	09E	24		
167	Unnamed Stream	Spruce Creek	44N	09E	24		
168	Unnamed Stream	Spruce Creek	44N	09E	24		
169	Simmons Creek	St Joe River	44N	09E	25		
170	Spruce Creek	Simmons Creek	44N	09E	25		
171	Unnamed Stream	Simmons Creek	44N	09E	25		
172	Unnamed Stream	Simmons Creek	44N	09E	25		
173	Unnamed Stream	Simmons Creek	44N	09E	25		
174	Unnamed Stream	Simmons Creek	44N	09E	25		
175	Unnamed Stream	Simmons Creek	44N	09E	25		
176	Unnamed Stream	Simmons Creek	44N	09E	25		
177	Unnamed Stream	Simmons Creek	44N	09E	25		
178	Unnamed Stream	Simmons Creek	44N	09E	25		
179	Unnamed Stream	Simmons Creek	44N	09E	25		
180	Unnamed Stream	Simmons Creek	44N	09E	25		
181	Unnamed Stream	Simmons Creek	44N	09E	25		
182	Three Lakes Creek	Simmons Creek	44N	09E	26		
183	Unnamed Stream	Simmons Creek	44N	09E	26		
184	Unnamed Stream	Simmons Creek	44N	09E	26		
185	Unnamed Stream	Three Lakes Creek	44N	09E	26		
186	Unnamed Stream	Three Lakes Creek	44N	09E	26		
187	Simmons Creek	St Joe River	44N	09E	27		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
188	Three Lakes Creek	Simmons Creek	44N	09E	27		
189	Unnamed Stream	Simmons Creek	44N	09E	27		
190	Unnamed Stream	Simmons Creek	44N	09E	27		
191	Unnamed Stream	Three Lakes Creek	44N	09E	27		
192	Unnamed Stream	Three Lakes Creek	44N	09E	27		
193	Unnamed Stream	Three Lakes Creek	44N	09E	27		
194	Unnamed Stream	Three Lakes Creek	44N	09E	27		
195	Unnamed Stream	Three Lakes Creek	44N	09E	27		
196	Simmons Creek	St Joe River	44N	09E	28		
197	Unnamed Stream	Simmons Creek	44N	09E	28		
198	Unnamed Stream	Simmons Creek	44N	09E	28		
199	Unnamed Stream	Simmons Creek	44N	09E	28		
200	Unnamed Stream	Simmons Creek	44N	09E	28		
201	Unnamed Stream	Simmons Creek	44N	09E	28		
202	Unnamed Stream	Simmons Creek	44N	09E	29		
203	Unnamed Stream	Simmons Creek	44N	09E	29		
204	Unnamed Stream	Simmons Creek	44N	09E	30		
205	Unnamed Stream	Simmons Creek	44N	09E	30		
206	Unnamed Stream	Three Lakes Creek	44N	09E	34		
207	Unnamed Stream	Three Lakes Creek	44N	09E	34		
208	Unnamed Stream	Three Lakes Creek	44N	09E	34		
209	Unnamed Stream	Three Lakes Creek	44N	09E	34		
210	Three Lakes Creek	Simmons Creek	44N	09E	35		
211	Unnamed Stream	Three Lakes Creek	44N	09E	35		
212	Unnamed Stream	Three Lakes Creek	44N	09E	35		
213	Unnamed Stream	Three Lakes Creek	44N	09E	35		
214	Unnamed Stream	Three Lakes Creek	44N	09E	35		
215	Unnamed Stream	Three Lakes Creek	44N	09E	35		
216	Unnamed Stream	Simmons Creek	44N	09E	36		
217	Unnamed Stream	Three Lakes Creek	44N	09E	36		
218	Unnamed Stream	Three Lakes Creek	44N	09E	36		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
219	Unnamed Stream	Wampus Creek	44N	09E	36		
220	Unnamed Stream	Wampus Creek	44N	09E	36		
221	Unnamed Stream	Wampus Creek	44N	09E	36		
222	Unnamed Stream	Wampus Creek	44N	09E	36		
223	Unnamed Stream	Wampus Creek	44N	09E	36		
224	Unnamed Stream	Wampus Creek	44N	09E	36		
225	Dolly Creek	Simmons Creek	44N	10E	19		
226	Unnamed Stream	Dolly Creek	44N	10E	19		
227	Unnamed Stream	Dolly Creek	44N	10E	19		
228	Unnamed Stream	Simmons Creek	44N	10E	19		
229	Unnamed Stream	Spruce Creek	44N	10E	19		
230	Unnamed Stream	Spruce Creek	44N	10E	19		
231	Dolly Creek	Simmons Creek	44N	10E	20		
232	Unnamed Stream	Dolly Creek	44N	10E	20		
233	Unnamed Stream	Dolly Creek	44N	10E	20		
234	Unnamed Stream	Washout Creek	44N	10E	20		
235	Unnamed Stream	Washout Creek	44N	10E	21		
236	Unnamed Stream	Washout Creek	44N	10E	27		
237	Unnamed Stream	Washout Creek	44N	10E	28		
238	Unnamed Stream	Washout Creek	44N	10E	28		
239	Unnamed Stream	Washout Creek	44N	10E	28		
240	Washout Creek	Simmons Creek	44N	10E	28		
241	Unnamed Stream	Dolly Creek	44N	10E	29		
242	Unnamed Stream	Simmons Creek	44N	10E	29		
243	Unnamed Stream	Washout Creek	44N	10E	29		
244	Unnamed Stream	Washout Creek	44N	10E	29		
245	Washout Creek	Simmons Creek	44N	10E	29		
246	Dolly Creek	Simmons Creek	44N	10E	30		
247	Simmons Creek	St Joe River	44N	10E	30		
248	Unnamed Stream	Dolly Creek	44N	10E	30		
249	Unnamed Stream	Dolly Creek	44N	10E	30		

Attachment 1






	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
250	Unnamed Stream	Dolly Creek	44N	10E	30		
251	Unnamed Stream	Dolly Creek	44N	10E	30		
252	Unnamed Stream	Dolly Creek	44N	10E	30		
253	Unnamed Stream	Dolly Creek	44N	10E	30		
254	Unnamed Stream	Simmons Creek	44N	10E	30		
255	Unnamed Stream	Simmons Creek	44N	10E	30		
256	Unnamed Stream	Simmons Creek	44N	10E	30		
257	Unnamed Stream	Simmons Creek	44N	10E	30		
258	Unnamed Stream	Simmons Creek	44N	10E	30		
259	Simmons Creek	St Joe River	44N	10E	31		
260	Unnamed Stream	Simmons Creek	44N	10E	31		
261	Unnamed Stream	Simmons Creek	44N	10E	31		
262	Unnamed Stream	Simmons Creek	44N	10E	31		
263	Unnamed Stream	Wampus Creek	44N	10E	31		
264	Wampus Creek	Simmons Creek	44N	10E	31		
265	Washout Creek	Simmons Creek	44N	10E	31		
266	Unnamed Stream	Simmons Creek	44N	10E	32		
267	Unnamed Stream	Washout Creek	44N	10E	32		
268	Unnamed Stream	Washout Creek	44N	10E	32		
269	Unnamed Stream	Washout Creek	44N	10E	32		
270	Unnamed Stream	Washout Creek	44N	10E	32		
271	Unnamed Stream	Washout Creek	44N	10E	32		
272	Washout Creek	Simmons Creek	44N	10E	32		
273	Unnamed Stream	Washout Creek	44N	10E	33		
274	Unnamed Stream	Washout Creek	44N	10E	33		
275	Unnamed Stream	Washout Creek	44N	10E	33		
276	Unnamed Stream	Washout Creek	44N	10E	33		
277	Unnamed Stream	Washout Creek	44N	10E	33		
278	Unnamed Stream	Washout Creek	44N	10E	34		
279	Unnamed Stream	Washout Creek	44N	10E	34		
280	Unnamed Swamp	Three Lakes Creek	43N	09E	02		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
281	Unnamed Pond	Three Lakes Creek	43N	09E	02		
282	Unnamed Pond	Three Lakes Creek	43N	09E	02		
283	Unnamed Pond	Three Lakes Creek	43N	09E	02		
284	Unnamed Pond	Simmons Creek	44N	09E	23		
285	Unnamed Pond	Simmons Creek	44N	09E	23		
286	Unnamed Pond	Simmons Creek	44N	09E	23		
287	Swimming Bear Lake	Three Lakes Creek	44N	09E	34		
288	Unnamed Pond	Simmons Creek	44N	10E	34		
289	Unnamed Pond	Simmons Creek	44N	10E	34		

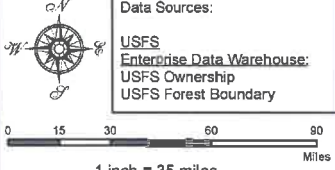
Attachment 2
 Place of Use Map Fire Suppression - Water Right No. 91-07934
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

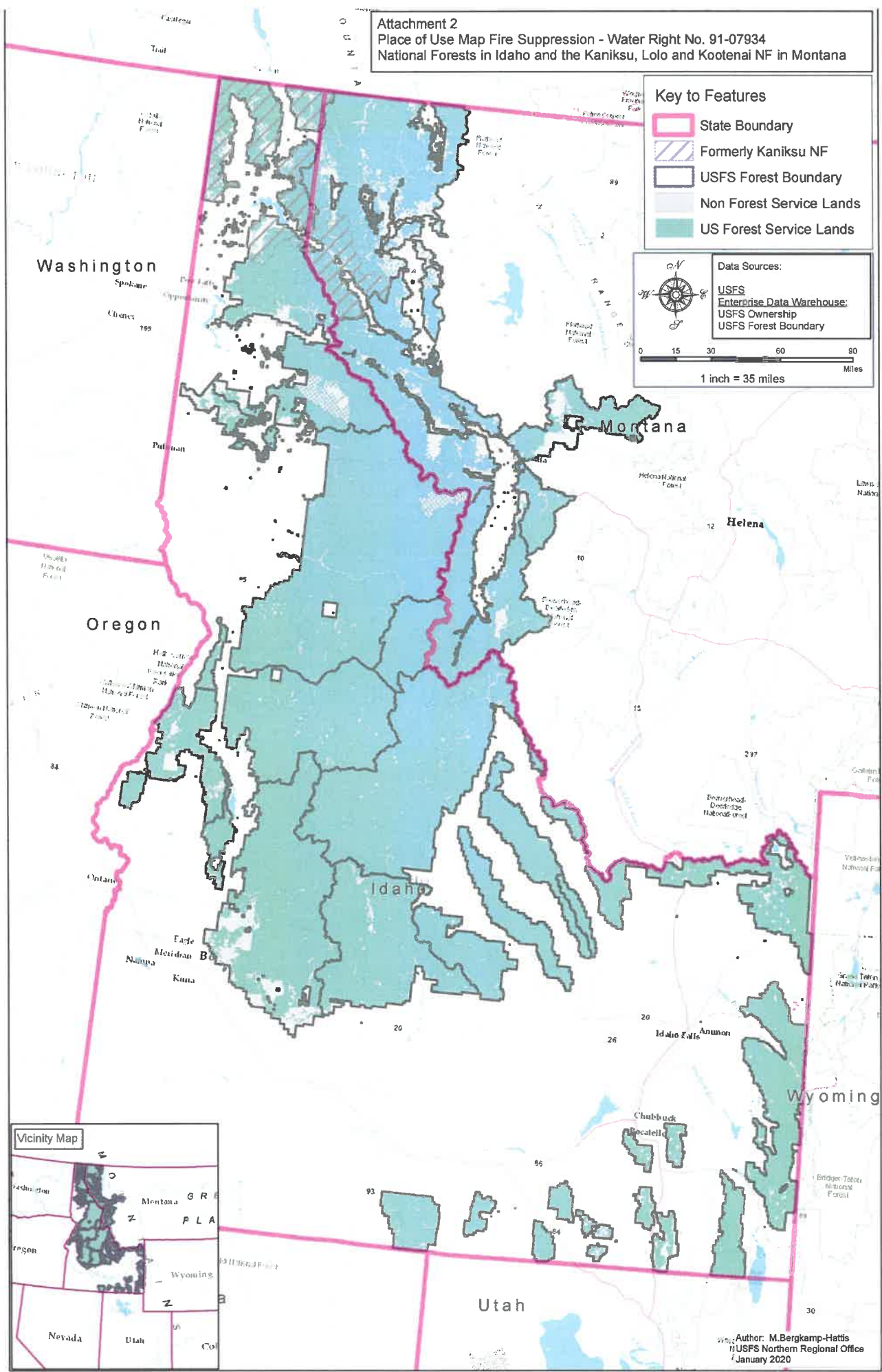
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

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