

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

**JUN 10 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. 91-07940

**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 Bluff Creek subwatershed (HUC12 170103040302).

**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.

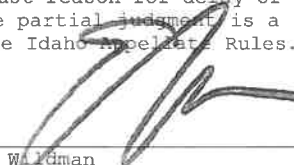
**OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:**

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. Waldman  
 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 Bluff Creek	43N	07E	06		
003	Unnamed Stream	West Fork Bluff Creek	44N	07E	10		
004	Unnamed Stream	West Fork Bluff Creek	44N	07E	11		
005	Unnamed Stream	West Fork Bluff Creek	44N	07E	11		
006	Unnamed Stream	West Fork Bluff Creek	44N	07E	11		
007	Unnamed Stream	Bluff Creek	44N	07E	12		
008	Unnamed Stream	West Fork Bluff Creek	44N	07E	12		
009	Unnamed Stream	West Fork Bluff Creek	44N	07E	12		
010	West Fork Bluff Creek	Bluff Creek	44N	07E	12		
011	Unnamed Stream	West Fork Bluff Creek	44N	07E	13		
012	Unnamed Stream	West Fork Bluff Creek	44N	07E	13		
013	Unnamed Stream	West Fork Bluff Creek	44N	07E	13		
014	Unnamed Stream	West Fork Bluff Creek	44N	07E	13		
015	Unnamed Stream	West Fork Bluff Creek	44N	07E	13		
016	West Fork Bluff Creek	Bluff Creek	44N	07E	13		
017	Unnamed Stream	West Fork Bluff Creek	44N	07E	14		
018	Unnamed Stream	West Fork Bluff Creek	44N	07E	14		
019	Unnamed Stream	West Fork Bluff Creek	44N	07E	14		
020	West Fork Bluff Creek	Bluff Creek	44N	07E	14		
021	Unnamed Stream	West Fork Bluff Creek	44N	07E	22		
022	Unnamed Stream	West Fork Bluff Creek	44N	07E	22		
023	Unnamed Stream	West Fork Bluff Creek	44N	07E	22		
024	Unnamed Stream	West Fork Bluff Creek	44N	07E	22		
025	Unnamed Stream	West Fork Bluff Creek	44N	07E	22		
026	West Fork Bluff Creek	Bluff Creek	44N	07E	22		
027	Unnamed Stream	West Fork Bluff Creek	44N	07E	28		
028	Unnamed Stream	West Fork Bluff Creek	44N	07E	28		
029	Unnamed Stream	West Fork Bluff Creek	44N	07E	28		
030	Unnamed Stream	West Fork Bluff Creek	44N	07E	28		

# Attachment 1






	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
031	Unnamed Stream	West Fork Bluff Creek	44N	07E	28		
032	Unnamed Stream	West Fork Bluff Creek	44N	07E	28		
033	West Fork Bluff Creek	Bluff Creek	44N	07E	28		
034	Whistling Creek	West Fork Bluff Creek	44N	07E	28		
035	Unnamed Stream	West Fork Bluff Creek	44N	07E	30		
036	Unnamed Stream	West Fork Bluff Creek	44N	07E	30		
037	Unnamed Stream	Whistling Creek	44N	07E	30		
038	Unnamed Stream	West Fork Bluff Creek	44N	07E	32		
039	Unnamed Stream	West Fork Bluff Creek	44N	07E	32		
040	Unnamed Stream	West Fork Bluff Creek	44N	07E	32		
041	Unnamed Stream	West Fork Bluff Creek	44N	07E	32		
042	Unnamed Stream	West Fork Bluff Creek	44N	07E	32		
043	Unnamed Stream	West Fork Bluff Creek	44N	07E	32		
044	Unnamed Stream	West Fork Bluff Creek	44N	07E	32		
045	West Fork Bluff Creek	Bluff Creek	44N	07E	32		
046	Bluff Creek	St Joe River	44N	08E	05		
047	Unnamed Stream	Bluff Creek	44N	08E	05		
048	Bluff Creek	St Joe River	44N	08E	06		
049	Unnamed Stream	Bluff Creek	44N	08E	06		
050	Unnamed Stream	Bluff Creek	44N	08E	06		
051	Unnamed Stream	Bluff Creek	44N	08E	06		
052	Bluff Creek	St Joe River	44N	08E	07		
053	East Fork Bluff Creek	Bluff Creek	44N	08E	07		
054	Unnamed Stream	Bluff Creek	44N	08E	07		
055	Unnamed Stream	Bluff Creek	44N	08E	07		
056	Unnamed Stream	Bluff Creek	44N	08E	07		
057	Unnamed Stream	Bluff Creek	44N	08E	07		
058	Unnamed Stream	Bluff Creek	44N	08E	07		
059	Unnamed Stream	Bluff Creek	44N	08E	07		

## Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
060	Unnamed Stream	Bluff Creek	44N	08E	07		
061	West Fork Bluff Creek	Bluff Creek	44N	08E	07		
062	Unnamed Stream	Bluff Creek	44N	08E	08		
063	Unnamed Stream	East Fork Bluff Creek	44N	08E	17		
064	Unnamed Stream	East Fork Bluff Creek	44N	08E	17		
065	East Fork Bluff Creek	Bluff Creek	44N	08E	18		
066	Unnamed Stream	East Fork Bluff Creek	44N	08E	18		
067	Unnamed Stream	East Fork Bluff Creek	44N	08E	18		
068	East Fork Bluff Creek	Bluff Creek	44N	08E	19		
069	Siamese Creek	East Fork Bluff Creek	44N	08E	19		
070	Unnamed Stream	East Fork Bluff Creek	44N	08E	19		
071	Unnamed Stream	Siamese Creek	44N	08E	19		
072	Unnamed Stream	Siamese Creek	44N	08E	19		
073	Unnamed Stream	Siamese Creek	44N	08E	19		
074	Siamese Creek	East Fork Bluff Creek	44N	08E	20		
075	Unnamed Stream	Siamese Creek	44N	08E	20		
076	Unnamed Stream	East Fork Bluff Creek	44N	08E	30		
077	Unnamed Stream	East Fork Bluff Creek	44N	08E	30		

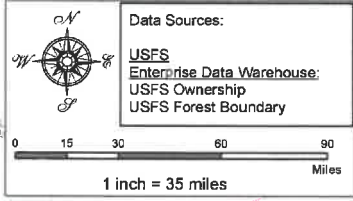
Attachment 2  
 Place of Use Map Fire Suppression - Water Right No. 91-07940  
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

**Key to Features**

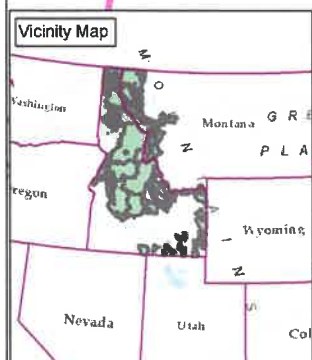
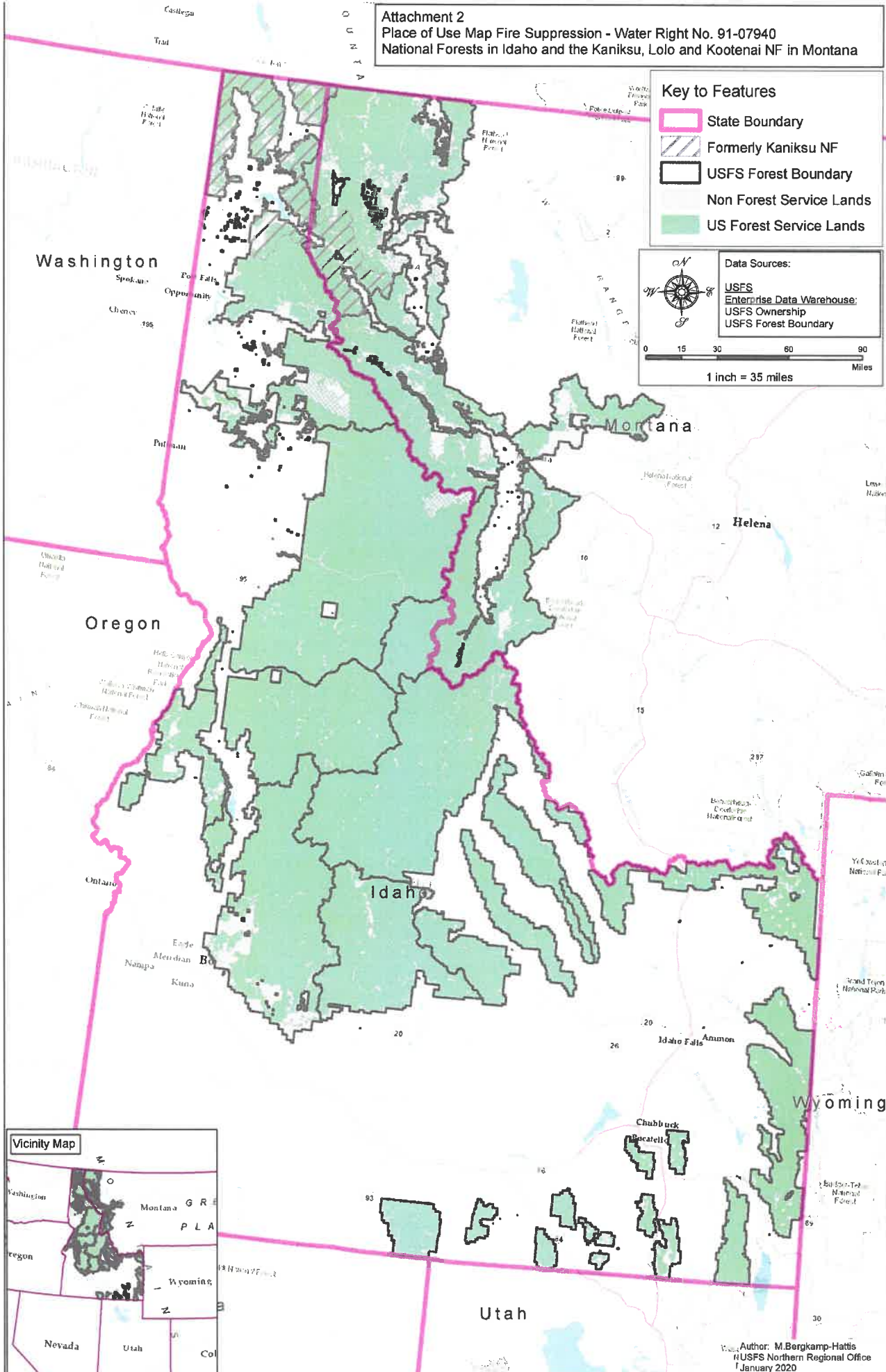
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

**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