

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. 91-07953E

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 Lower Marble Creek subwatershed (HUC12 170103040505).

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

PRIORITY DATE: 08/01/1933

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.








 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	Marble Creek	St. Joe River	45N	03E	24	NESW	
3	Unnamed Stream	Marble Creek	45N	03E	24	SENE	
4	Canyon Creek	Little North Fork Coeur d'Alene River	45N	03E	24	SENW	
5	Marble Creek	St. Joe River	45N	03E	24	SENW	
6	Unnamed Stream	Canyon Creek	45N	03E	24	SENW	
7	Unnamed Stream	Marble Creek	45N	03E	24	SENW	
8	Unnamed Stream	Marble Creek	45N	03E	24	SENW	
9	Unnamed Stream	Marble Creek	45N	03E	24	SESW	
10	Canyon Creek	Little North Fork Coeur d'Alene River	45N	03E	24	SWNE	
11	Marble Creek	St. Joe River	45N	03E	24	SWNE	
12	Unnamed Stream	Marble Creek	45N	03E	24	SWNE	

Attachment 2
Place of Use Map Fire Suppression - Water Right No. 91-07953E
National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

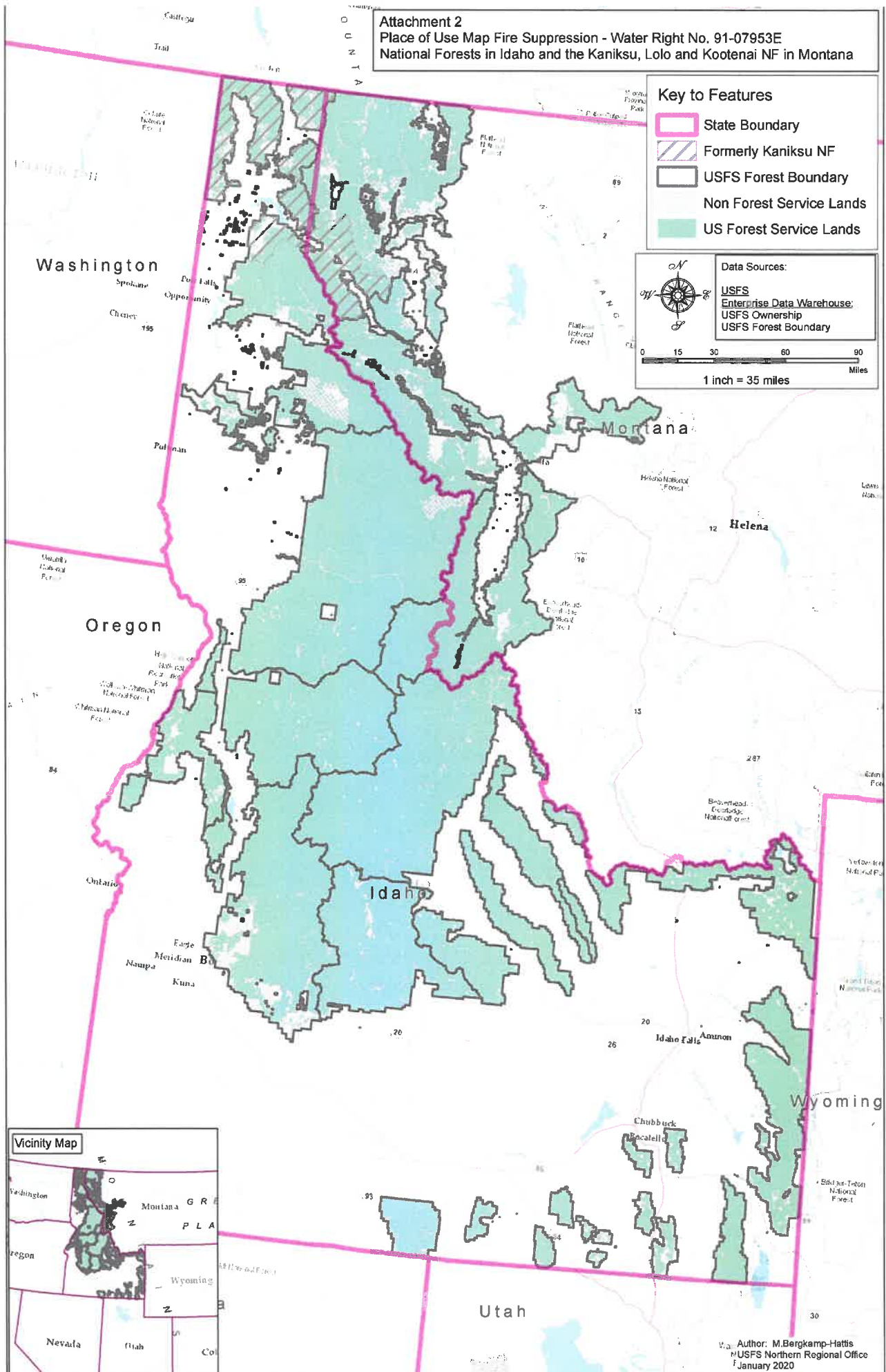
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

Data Sources:

- USFS Enterprise Data Warehouse:
- USFS Ownership
- USFS Forest Boundary

0 15 30 60 90 Miles

1 inch = 35 miles



Author: M. Bergkamp-Harris
 USFS Northern Regional Office
 January 2020