

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

JUN 10 2022

By _____

Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Deputy Clerk

In Re CSRBA) PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Case No. 49576) FOR FEDERAL RESERVED
)
) WATER RIGHT NO. 91-07954C

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 Flemming Creek-St. Joe River subwatershed (HUC12 170103040601).

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

PRIORITY DATE: 11/13/1945

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. Waldman
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	Rock Creek	St Joe River	45N	04E	01		
3	Unnamed Stream	Hamilton Creek	45N	04E	01		
4	Unnamed Stream	Rock Creek	45N	04E	01		
5	Unnamed Stream	Rock Creek	45N	04E	01		
6	Unnamed Stream	Rock Creek	45N	04E	01		
7	Unnamed Stream	St Joe River	45N	04E	01		
8	Hamilton Creek	St Joe River	45N	04E	12	NWNW	
9	Unnamed Stream	Hamilton Creek	45N	04E	12	NWNW	
10	Unnamed Stream	St Joe River	45N	05E	05		
11	Unnamed Stream	St Joe River	45N	05E	05		
12	Unnamed Stream	Storm Creek	45N	05E	05		
13	St Joe River	Coeur d'Alene Lake	45N	05E	07		
14	Storm Creek	St Joe River	45N	05E	07		
15	Unnamed Stream	St Joe River	45N	05E	07		
16	Unnamed Stream	St Joe River	45N	05E	07		
17	Unnamed Stream	St Joe River	45N	05E	07		
18	Unnamed Stream	St Joe River	45N	05E	07		
19	Unnamed Stream	St Joe River	45N	05E	07		
20	Unnamed Stream	St Joe River	45N	05E	07		
21	Unnamed Stream	St Joe River	45N	05E	07		
22	Unnamed Stream	St Joe River	45N	05E	07		
23	Hamilton Creek	St Joe River	46N	04E	35		
24	Unnamed Stream	Storm Creek	46N	05E	19		
25	Storm Creek	St Joe River	46N	05E	29		
26	Unnamed Stream	Storm Creek	46N	05E	29		
27	Unnamed Stream	Storm Creek	46N	05E	29		
28	Rock Creek	St Joe River	46N	05E	31		
29	Storm Creek	St Joe River	46N	05E	31		
30	Unnamed Stream	Rock Creek	46N	05E	31		
31	Unnamed Stream	Storm Creek	46N	05E	31		
32	Unnamed Stream	Storm Creek	46N	05E	31		
33	Unnamed Stream	Storm Creek	46N	05E	31		

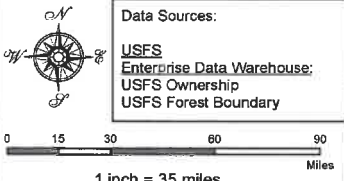
Attachment 2
Place of Use Map Fire Suppression - Water Right No. 91-07954C
National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

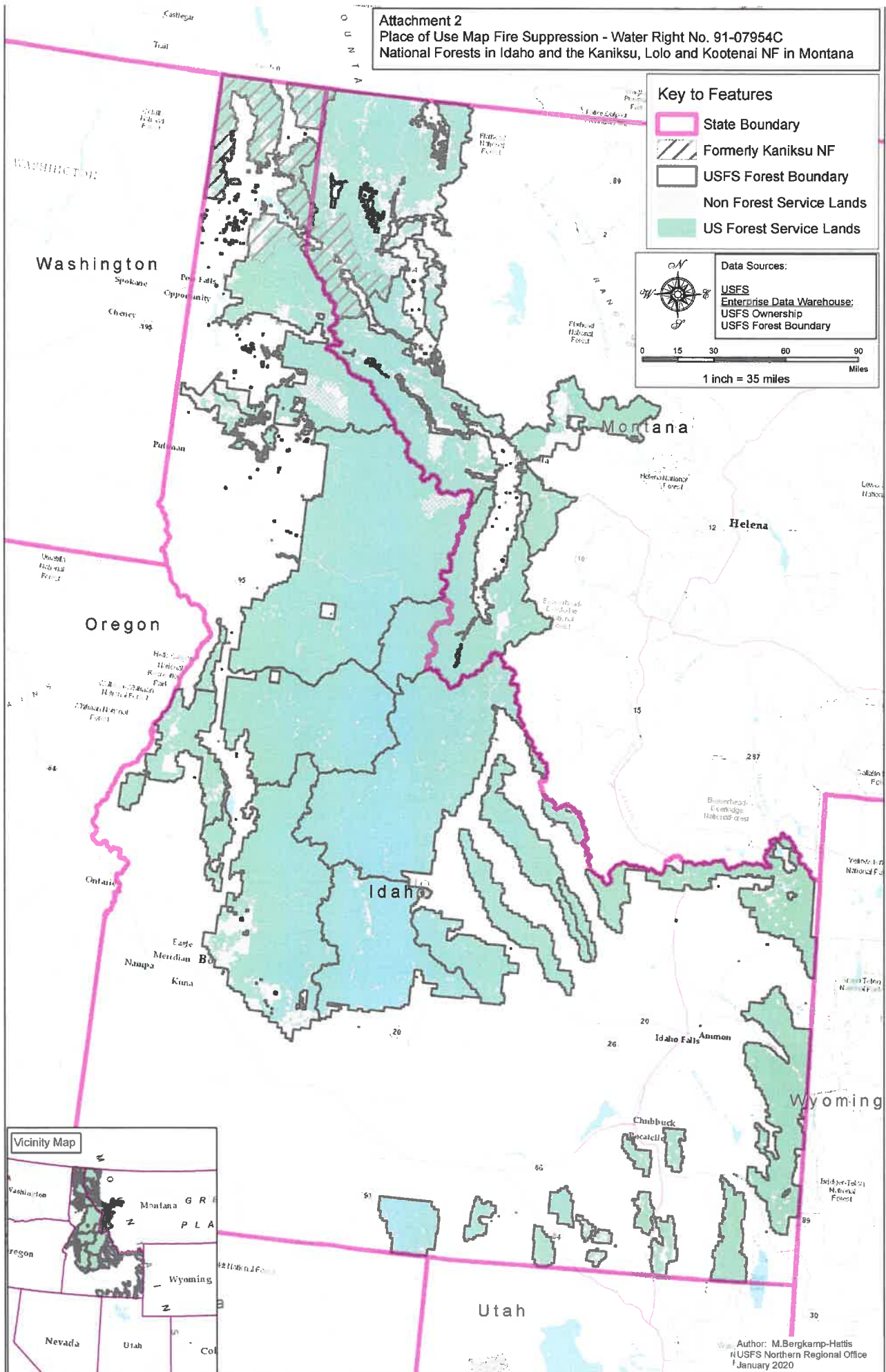
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

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