

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. 91-07955I

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 Big Creek subwatershed (HUC12 170103040602).

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: 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.

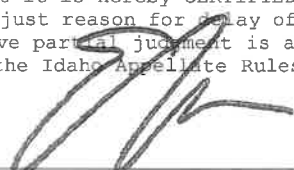
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
2	Unnamed Stream	West Fork Big Creek	46N	02E	1	NENE	L 1
3	Unnamed Stream	West Fork Big Creek	46N	02E	1	NENE	L 1
4	Unnamed Stream	West Fork Big Creek	46N	02E	1	NENE	L 1
5	Unnamed Stream	Big Creek	46N	02E	1	NESE	
6	Unnamed Stream	Big Creek	46N	02E	1	NESE	
7	Unnamed Stream	West Fork Big Creek	46N	02E	1	NWNE	L 2
8	Unnamed Stream	West Fork Big Creek	46N	02E	1	NWNE	L 2
9	Unnamed Stream	Big Creek	46N	02E	1	SENE	
10	Pierce Creek	Big Creek	46N	02E	1	SESW	
11	Unnamed Stream	Pierce Creek	46N	02E	1	SESW	
12	Unnamed Stream	West Fork Big Creek	46N	02E	1	SWNE	
13	Pierce Creek	Big Creek	46N	02E	1	SWSW	
14	Unnamed Stream	Pierce Creek	46N	02E	1	SWSW	
15	Unnamed Stream	Pierce Creek	46N	02E	1	SWSW	
16	Pierce Creek	Big Creek	46N	02E	2	NWSE	
17	Unnamed Stream	Pierce Creek	46N	02E	2	NWSE	
18	Pierce Creek	Big Creek	46N	02E	2	SESE	
19	Unnamed Stream	Pierce Creek	46N	02E	2	SESE	
20	Unnamed Stream	Pierce Creek	46N	02E	2	SESE	
21	Unnamed Stream	Pierce Creek	46N	02E	2	SESW	
22	Unnamed Stream	Pierce Creek	46N	02E	2	SWSE	
23	Unnamed Stream	Pierce Creek	46N	02E	2	SWSE	
24	Unnamed Stream	Pierce Creek	46N	02E	11	SENE	
25	Pierce Creek	Big Creek	46N	02E	12	NENW	
26	Unnamed Stream	Pierce Creek	46N	02E	12	NESW	
27	Unnamed Stream	Pierce Creek	46N	02E	12	NESW	
28	Unnamed Stream	Pierce Creek	46N	02E	12	NESW	
29	Pierce Creek	Big Creek	46N	02E	12	NWNE	
30	Unnamed Stream	Pierce Creek	46N	02E	12	NWNW	
31	Unnamed Stream	Pierce Creek	46N	02E	12	NWSE	
32	Unnamed Stream	Pierce Creek	46N	02E	12	NWSW	
33	Unnamed Stream	Pierce Creek	46N	02E	12	NWSW	
34	Unnamed Stream	Pierce Creek	46N	02E	12	SENW	
35	Unnamed Stream	Pierce Creek	46N	02E	12	SESW	
36	Unnamed Stream	Pierce Creek	46N	02E	12	SWNE	
37	Unnamed Stream	Pierce Creek	46N	02E	12	SWNE	
38	Unnamed Stream	Pierce Creek	46N	02E	12	SWNE	
39	Unnamed Stream	Pierce Creek	46N	02E	12	SWSE	
40	Unnamed Stream	Pierce Creek	46N	02E	12	SWSW	
41	Flag Creek	Big Creek	46N	02E	13	NESE	
42	Unnamed Stream	Flag Creek	46N	02E	13	NESE	
43	Unnamed Stream	Flag Creek	46N	02E	13	NESE	
44	Flag Creek	Big Creek	46N	02E	13	NWSE	
45	Unnamed Stream	Flag Creek	46N	02E	13	NWSE	
46	Unnamed Stream	Flag Creek	46N	02E	13	NWSE	
47	Unnamed Stream	Flag Creek	46N	02E	13	SESE	

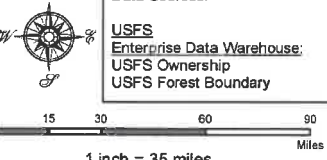
**Attachment 2**  
**Place of Use Map Fire Suppression - Water Right No. 91-079551**  
**National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana**

**Key to Features**

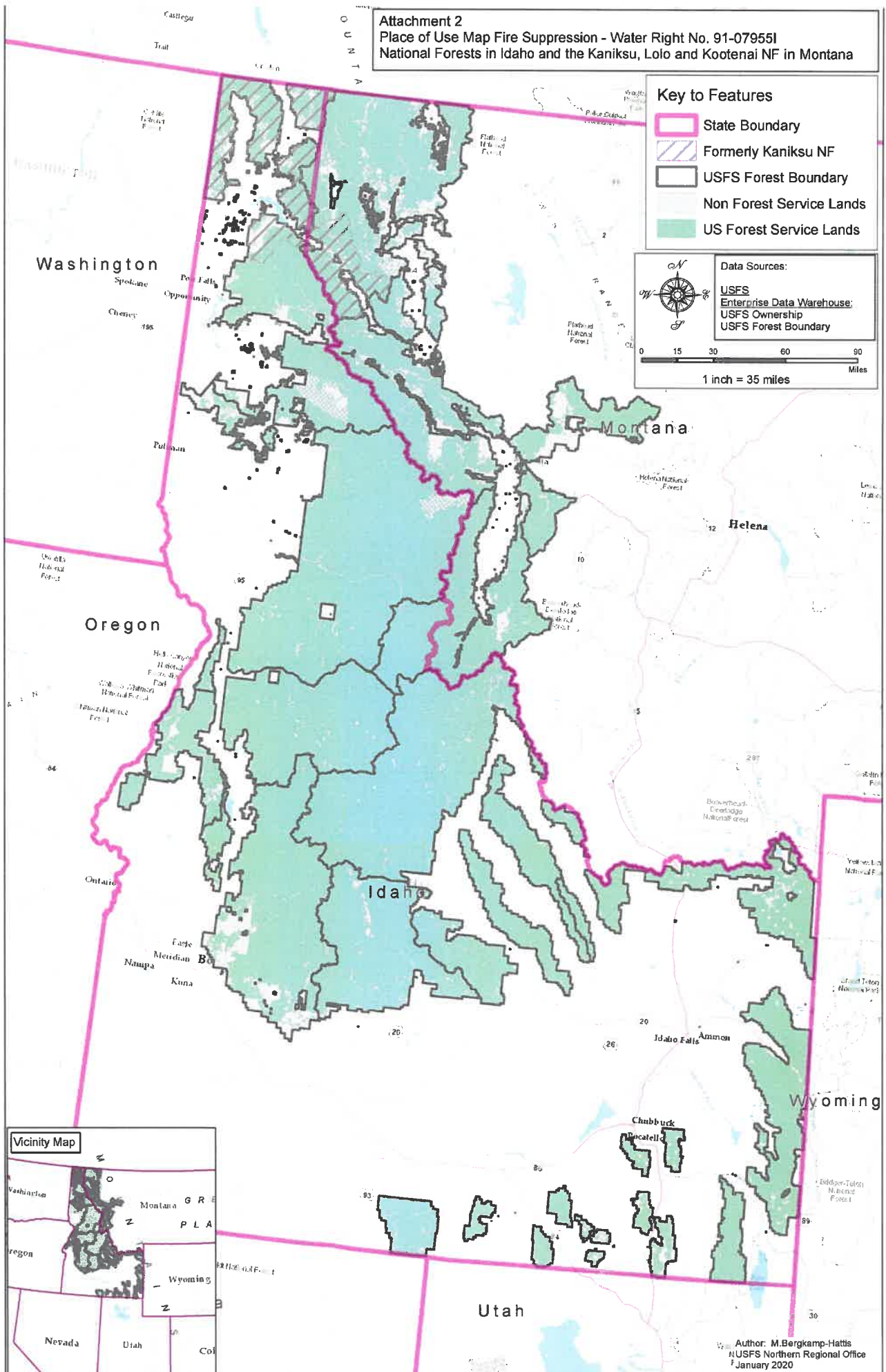
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

**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  
 NUSFS Northern Regional Office  
 January 2020