

**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. 91-07959B

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 Trout Creek subwatershed (HUC12 170103040606).

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

PRIORITY DATE: 12/22/1934

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.

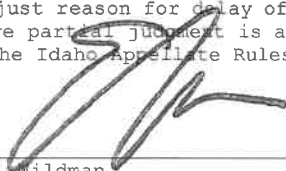
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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	Unnamed Stream	Trout Creek	46N	02E	3	NWNE	L 2
3	Unnamed Stream	Trout Creek	46N	02E	3	SENE	
4	Unnamed Stream	Trout Creek	46N	02E	3	SENE	
5	Unnamed Stream	Burnt Fork	46N	02E	3	SESE	
6	Unnamed Stream	Trout Creek	46N	02E	3	SWNE	
7	Burnt Fork	Trout Creek	46N	02E	3	SWSE	
8	Unnamed Stream	Burnt Fork	46N	02E	3	SWSE	
9	Unnamed Stream	Burnt Fork	46N	02E	3	SWSW	
10	Unnamed Stream	Trout Creek	46N	02E	4	NWNW	L 4
11	Unnamed Stream	Trout Creek	46N	02E	4	SWNW	
12	Unnamed Stream	Trout Creek	46N	02E	4	SWNW	
13	Stansbury Creek	Trout Creek	46N	02E	5	NENE	L 1
14	Trout Creek	St Joe River	46N	02E	5	NENE	L 1
15	Unnamed Stream	Trout Creek	46N	02E	5	NENE	L 1
16	Unnamed Stream	Trout Creek	46N	02E	5	SESE	
17	Unnamed Stream	Trout Creek	46N	02E	8	SESE	
18	Unnamed Stream	Burnt Fork	46N	02E	9	NESE	
19	Unnamed Stream	Trout Creek	46N	02E	9	NESW	
20	Unnamed Stream	Trout Creek	46N	02E	9	NWSE	
21	Unnamed Stream	Burnt Fork	46N	02E	9	SESE	
22	Unnamed Stream	Trout Creek	46N	02E	9	SESE	
23	Unnamed Stream	Burnt Fork	46N	02E	9	SWSE	
24	Unnamed Stream	Trout Creek	46N	02E	9	SWSW	
25	Unnamed Stream	Trout Creek	46N	02E	9	SWSW	
26	Burnt Fork	Trout Creek	46N	02E	10		
27	Unnamed Stream	Burnt Fork	46N	02E	10		
28	Unnamed Stream	Burnt Fork	46N	02E	10		
29	Unnamed Stream	Burnt Fork	46N	02E	10		
30	Unnamed Stream	Burnt Fork	46N	02E	10		
31	Unnamed Stream	Burnt Fork	46N	02E	10		
32	Unnamed Stream	Burnt Fork	46N	02E	10		
33	Unnamed Stream	Burnt Fork	46N	02E	10		
34	Unnamed Stream	Burnt Fork	46N	02E	10		
35	Unnamed Stream	Burnt Fork	46N	02E	10		
36	Burnt Fork	Trout Creek	46N	02E	15		
37	Unnamed Stream	Burnt Fork	46N	02E	15		
38	Unnamed Stream	Burnt Fork	46N	02E	15		
39	Unnamed Stream	Burnt Fork	46N	02E	15		
40	Unnamed Stream	Burnt Fork	46N	02E	15		
41	Unnamed Stream	Burnt Fork	46N	02E	15		
42	Unnamed Stream	Burnt Fork	46N	02E	15		
43	Unnamed Stream	Burnt Fork	46N	02E	15		

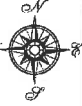
Attachment 2  
 Place of Use Map Fire Suppression - Water Right No. 91-07959B  
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

**Key to Features**

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

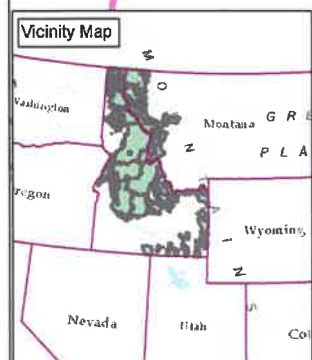
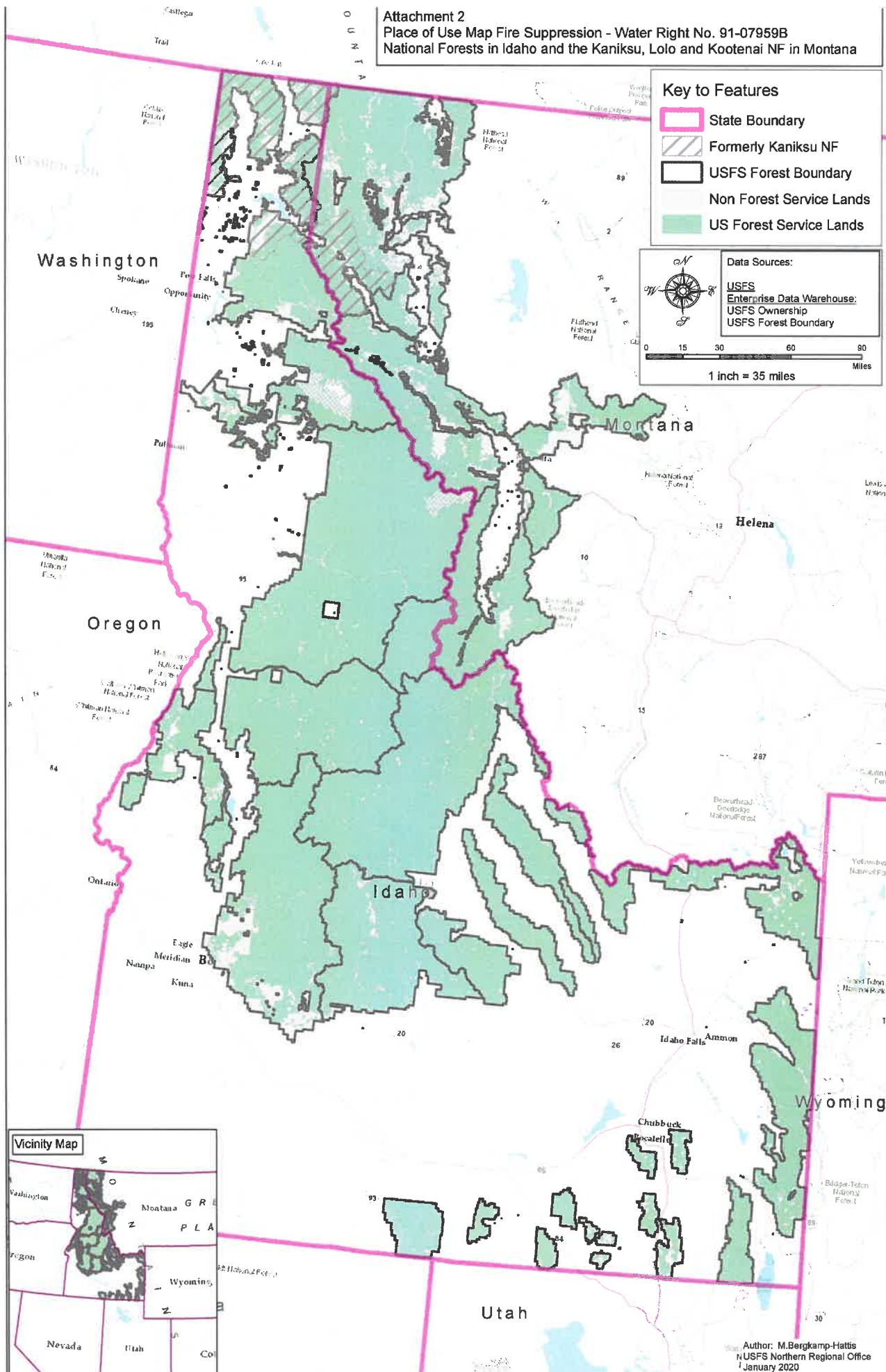
**Data Sources:**

- 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