

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. 94-09511A

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 Spruce Creek-N. Fork Coeur d'Alene River subwatershed (HUC12 170103010101).

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:	<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.

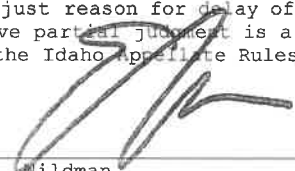
OTHER PROVISIONS NECESSARY FOR DEFINITON OR ADMINISTRATION OF THIS WATER RIGHT:

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	Spruce Creek	53N	01E	01		
3	Unnamed Stream	Spruce Creek	53N	01E	01		
4	Unnamed Stream	Spruce Creek	53N	01E	02		
5	Unnamed Stream	Spruce Creek	53N	01E	02		
6	Unnamed Stream	Spruce Creek	53N	02E	06		
7	Unnamed Stream	Spruce Creek	53N	02E	06		
8	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	01		
9	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	01		
10	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	11		
11	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	11		
12	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	11		
13	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	12		
14	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	12		
15	North Fork Coeur d'Alene River	Coeur d'Alene River	54N	01E	13		
16	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	13		
17	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	13		
18	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	13		
19	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	13		
20	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	13		
21	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	13		
22	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	13		
23	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	13		
24	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	13		
25	North Fork Coeur d'Alene River	Coeur d'Alene River	54N	01E	14		
26	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	14		
27	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	14		
28	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	14		
29	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	14		
30	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	14		
31	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	14		
32	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	14		
33	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	14		
34	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	15		
35	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	15		
36	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	22		
37	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	22		
38	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	22		
39	North Fork Coeur d'Alene River	Coeur d'Alene River	54N	01E	23		
40	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	23		
41	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	23		
42	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	23		

Attachment 1

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
43	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	23		
44	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	23		
45	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	23		
46	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	23		
47	Larch Creek	Spruce Creek	54N	01E	24		
48	Unnamed Stream	Larch Creek	54N	01E	24		
49	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	24		
50	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	24		
51	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	24		
52	Larch Creek	Spruce Creek	54N	01E	25		
53	Powder Creek	Spruce Creek	54N	01E	25		
54	Unnamed Stream	Larch Creek	54N	01E	25		
55	Unnamed Stream	Larch Creek	54N	01E	25		
56	Unnamed Stream	Larch Creek	54N	01E	25		
57	Unnamed Stream	Larch Creek	54N	01E	25		
58	North Fork Coeur d'Alene River	Coeur d'Alene River	54N	01E	26		
59	Powder Creek	Spruce Creek	54N	01E	26		
60	Unnamed Stream	Larch Creek	54N	01E	26		
61	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	26		
62	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	26		
63	Unnamed Stream	Powder Creek	54N	01E	26		
64	Unnamed Stream	Spruce Creek	54N	01E	26		
65	Spruce Creek	North Fork Coeur d'Alene River	54N	01E	27		
66	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	27		
67	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	27		
68	Unnamed Stream	Spruce Creek	54N	01E	27		
69	Unnamed Stream	Spruce Creek	54N	01E	27		
70	Spruce Creek	North Fork Coeur d'Alene River	54N	01E	28		
71	Unnamed Stream	North Fork Coeur d'Alene River	54N	01E	28		
72	Unnamed Stream	Spruce Creek	54N	01E	28		
73	Unnamed Stream	Spruce Creek	54N	01E	33		
74	Unnamed Stream	Spruce Creek	54N	01E	33		
75	Unnamed Stream	Spruce Creek	54N	01E	33		
76	Unnamed Stream	Spruce Creek	54N	01E	33		
77	Spruce Creek	North Fork Coeur d'Alene River	54N	01E	34		
78	Unnamed Stream	Spruce Creek	54N	01E	34		
79	Unnamed Stream	Spruce Creek	54N	01E	34		
80	Unnamed Stream	Spruce Creek	54N	01E	34		
81	Unnamed Stream	Spruce Creek	54N	01E	34		
82	Unnamed Stream	Spruce Creek	54N	01E	34		
83	Unnamed Stream	Spruce Creek	54N	01E	34		

Attachment 1

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
84	Spruce Creek	North Fork Coeur d'Alene River	54N	01E	35		
85	Unnamed Stream	Powder Creek	54N	01E	35		
86	Unnamed Stream	Spruce Creek	54N	01E	35		
87	Unnamed Stream	Spruce Creek	54N	01E	35		
88	Unnamed Stream	Spruce Creek	54N	01E	35		
89	Larch Creek	Spruce Creek	54N	01E	36		
90	Powder Creek	Spruce Creek	54N	01E	36		
91	Spruce Creek	North Fork Coeur d'Alene River	54N	01E	36		
92	Unnamed Stream	Powder Creek	54N	01E	36		
93	Unnamed Stream	Spruce Creek	54N	01E	36		
94	Unnamed Stream	Spruce Creek	54N	01E	36		
95	Unnamed Stream	Spruce Creek	54N	01E	36		
96	Unnamed Stream	Spruce Creek	54N	01E	36		
97	Unnamed Stream	Mosquito Creek	54N	02E	04		
98	Mosquito Creek	North Fork Coeur d'Alene River	54N	02E	05		
99	Unnamed Stream	Mosquito Creek	54N	02E	05		
100	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	05		
101	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	05		
102	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	05		
103	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	06		
104	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	06		
105	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	06		
106	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	07		
107	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	07		
108	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	07		
109	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	07		
110	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	07		
111	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	07		
112	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	07		
113	Mosquito Creek	North Fork Coeur d'Alene River	54N	02E	08		
114	Unnamed Stream	Mosquito Creek	54N	02E	08		
115	Unnamed Stream	Mosquito Creek	54N	02E	08		
116	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	08		
117	Dahlman Creek	North Fork Coeur d'Alene River	54N	02E	09		
118	Unnamed Stream	Mosquito Creek	54N	02E	09		
119	Unnamed Stream	Mosquito Creek	54N	02E	09		
120	Buckskin Creek	North Fork Coeur d'Alene River	54N	02E	10		
121	Unnamed Stream	Buckskin Creek	54N	02E	14		
122	Buckskin Creek	North Fork Coeur d'Alene River	54N	02E	15		
123	Unnamed Stream	Buckskin Creek	54N	02E	15		
124	Unnamed Stream	Buckskin Creek	54N	02E	15		

Attachment 1

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
125	Unnamed Stream	Buckskin Creek	54N	02E	15		
126	Dahlman Creek	North Fork Coeur d'Alene River	54N	02E	16		
127	Unnamed Stream	Buckskin Creek	54N	02E	16		
128	Unnamed Stream	Buckskin Creek	54N	02E	16		
129	Mosquito Creek	North Fork Coeur d'Alene River	54N	02E	17		
130	Unnamed Stream	Mosquito Creek	54N	02E	17		
131	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	17		
132	North Fork Coeur d'Alene River	Coeur d'Alene River	54N	02E	18		
133	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	18		
134	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	18		
135	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	18		
136	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	18		
137	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	18		
138	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	18		
139	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	18		
140	North Fork Coeur d'Alene River	Coeur d'Alene River	54N	02E	19		
141	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	19		
142	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	19		
143	Dahlman Creek	North Fork Coeur d'Alene River	54N	02E	20	NESE	
144	North Fork Coeur d'Alene River	Coeur d'Alene River	54N	02E	20	NESW	
145	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	20	NESW	
146	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	20	NESW	
147	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	20	NESW	
148	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	20	NWNE	
149	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	20	NWSW	
150	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	20	NWSW	
151	Dahlman Creek	North Fork Coeur d'Alene River	54N	02E	20	SESE	
152	Unnamed Stream	Dahlman Creek	54N	02E	20	SESE	
153	North Fork Coeur d'Alene River	Coeur d'Alene River	54N	02E	20	SESW	
154	North Fork Coeur d'Alene River	Coeur d'Alene River	54N	02E	20	SWNW	
155	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	20	SWNW	
156	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	20	SWSW	
157	Buckskin Creek	North Fork Coeur d'Alene River	54N	02E	21		
158	Dahlman Creek	North Fork Coeur d'Alene River	54N	02E	21		
159	Unnamed Stream	Buckskin Creek	54N	02E	21		
160	Unnamed Stream	Dahlman Creek	54N	02E	21		
161	Buckskin Creek	North Fork Coeur d'Alene River	54N	02E	22		
162	Unnamed Stream	Buckskin Creek	54N	02E	22		
163	Unnamed Stream	Buckskin Creek	54N	02E	22		
164	Unnamed Stream	Buckskin Creek	54N	02E	23		
165	Unnamed Stream	Buckskin Creek	54N	02E	23		

Attachment 1






	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QC	SURVEY CODE AND NUMBER
166	Unnamed Stream	Buckskin Creek	54N	02E	23		
167	Unnamed Stream	Buckskin Creek	54N	02E	26		
168	Unnamed Stream	Buckskin Creek	54N	02E	26		
169	Unnamed Stream	Buckskin Creek	54N	02E	27		
170	Unnamed Stream	Buckskin Creek	54N	02E	27		
171	Unnamed Stream	Buckskin Creek	54N	02E	27		
172	Unnamed Stream	Buckskin Creek	54N	02E	27		
173	Unnamed Stream	Buckskin Creek	54N	02E	27		
174	Unnamed Stream	Marten Creek	54N	02E	27		
175	Buckskin Creek	North Fork Coeur d'Alene River	54N	02E	28	NENE	
176	Unnamed Stream	Buckskin Creek	54N	02E	28	NESE	
177	Buckskin Creek	North Fork Coeur d'Alene River	54N	02E	28	NWNE	
178	Unnamed Stream	Buckskin Creek	54N	02E	28	NWNE	
179	Buckskin Creek	North Fork Coeur d'Alene River	54N	02E	28	NWSE	
180	Unnamed Stream	Buckskin Creek	54N	02E	28	NWSE	
181	Unnamed Stream	Buckskin Creek	54N	02E	28	SENE	
182	Unnamed Stream	Buckskin Creek	54N	02E	28	SESE	
183	Buckskin Creek	North Fork Coeur d'Alene River	54N	02E	28	SESW	
184	Unnamed Stream	Buckskin Creek	54N	02E	28	SESW	
185	Unnamed Stream	Buckskin Creek	54N	02E	28	SESW	
186	Buckskin Creek	North Fork Coeur d'Alene River	54N	02E	28	SWNE	
187	Unnamed Stream	Buckskin Creek	54N	02E	28	SWSE	
188	Unnamed Stream	Buckskin Creek	54N	02E	28	SWSE	
189	Dahlman Creek	North Fork Coeur d'Alene River	54N	02E	29	NENE	
190	North Fork Coeur d'Alene River	Coeur d'Alene River	54N	02E	29	NENE	
191	North Fork Coeur d'Alene River	Coeur d'Alene River	54N	02E	29	NESE	
192	North Fork Coeur d'Alene River	Coeur d'Alene River	54N	02E	29	NWNE	
193	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	29	SENE	
194	North Fork Coeur d'Alene River	Coeur d'Alene River	54N	02E	29	SESE	
195	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	29	SESE	
196	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	29	SWNE	
197	Barren Creek	Spruce Creek	54N	02E	30		
198	Unnamed Stream	Larch Creek	54N	02E	30		
199	Barren Creek	Spruce Creek	54N	02E	31	NENE	
200	Spruce Creek	North Fork Coeur d'Alene River	54N	02E	31	NWNE	
201	Buckskin Creek	North Fork Coeur d'Alene River	54N	02E	32	NENE	
202	North Fork Coeur d'Alene River	Coeur d'Alene River	54N	02E	32	NENE	
203	Unnamed Stream	North Fork Coeur d'Alene River	54N	02E	32	NENE	
204	Barren Creek	Spruce Creek	54N	02E	32	NWNW	
205	Buckskin Creek	North Fork Coeur d'Alene River	54N	02E	32	SENE	
206	North Fork Coeur d'Alene River	Coeur d'Alene River	54N	02E	32	SENE	

Attachment 1

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
207	Spruce Creek	North Fork Coeur d'Alene River	54N	02E	32	SWNE	
208	Buckskin Creek	North Fork Coeur d'Alene River	54N	02E	33		
209	Unnamed Stream	North Fork Coeur d'Alene River	55N	02E	32		
210	Freezeout Spring	North Fork Coeur d'Alene River	54N	01E	15	SENE	
211	Unnamed Marsh	Spruce Creek	54N	01E	36		

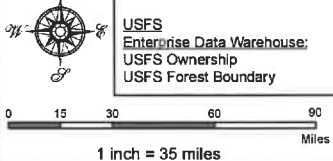
Attachment 2
 Place of Use Map Fire Suppression - Water Right No. 94-09511A
 National Forests in Idaho and the Kaniku, Lolo and Kootenai NF in Montana

Key to Features

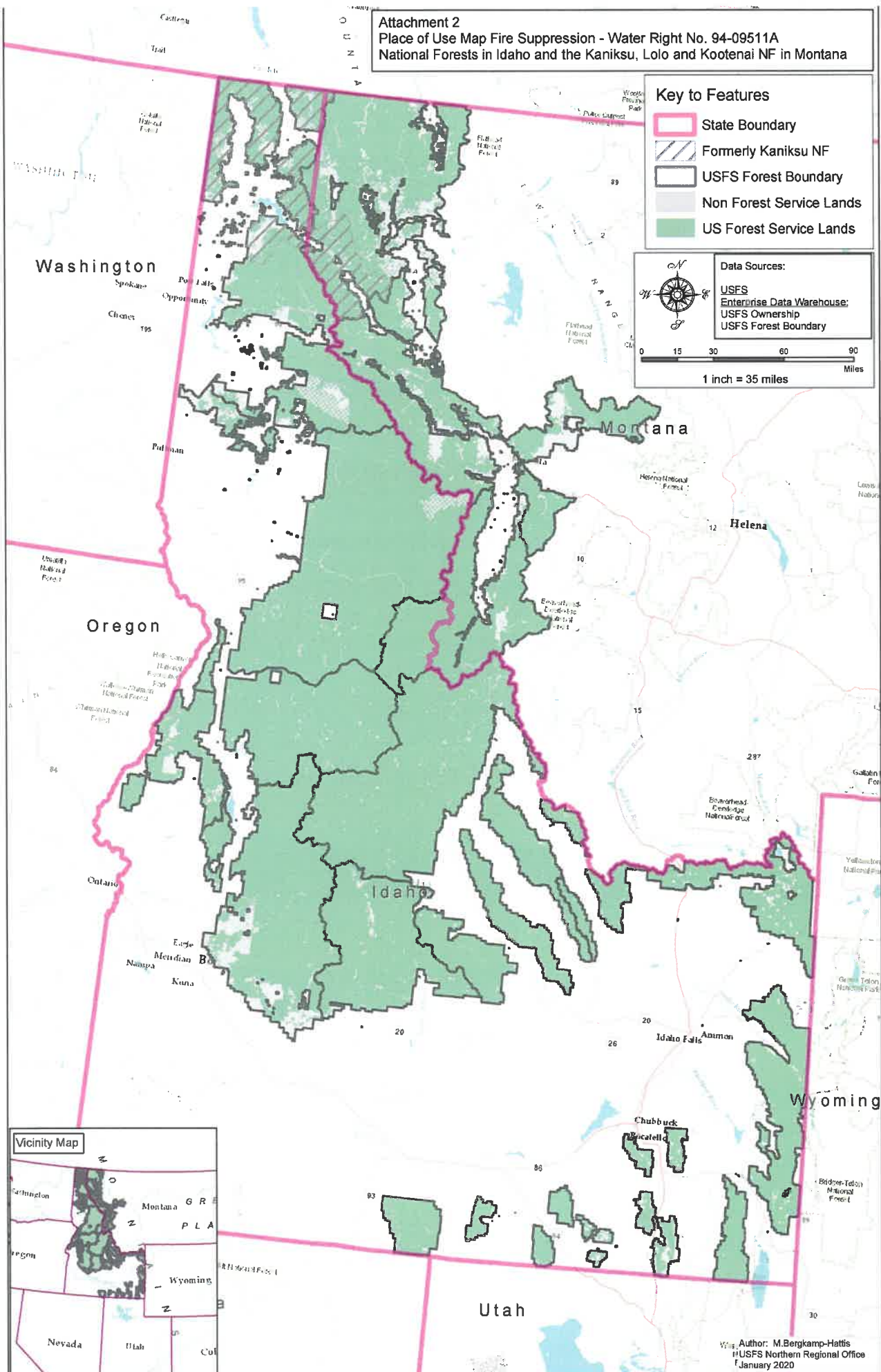
-  State Boundary
-  Formerly Kaniku NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

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