

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)  
) FOR FEDERAL RESERVED  
Case No. 49576 )  
) WATER RIGHT NO. 94-09520C

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 Shoshone Creek subwatershed (HUC12 170103010302).

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

PRIORITY DATE: 01/03/1929

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.

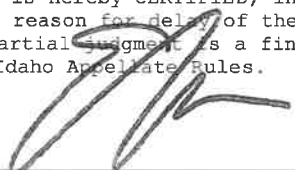
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.






  
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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	Falls Creek	Shoshone Creek	51N	04E	2	NENW	L 3
3	Snow Creek	Falls Creek	51N	04E	2	NESW	
4	Cascade Creek	Falls Creek	51N	04E	2	NWNE	L 2
5	Falls Creek	Shoshone Creek	51N	04E	2	NWNE	L 2
6	Falls Creek	Shoshone Creek	51N	04E	2	NWNW	L 4
7	Snow Creek	Falls Creek	51N	04E	2	NWNW	L 4
8	Unnamed Stream	Falls Creek	51N	04E	2	NWNW	L 4
9	Snow Creek	Falls Creek	51N	04E	2	SENW	
10	Snow Creek	Falls Creek	51N	04E	2	SWNW	
11	Falls Creek	Shoshone Creek	51N	04E	3	NENE	L 1
12	Unnamed Stream	Falls Creek	51N	04E	3	NESE	
13	Falls Creek	Shoshone Creek	51N	04E	3	NESW	
14	Falls Creek	Shoshone Creek	51N	04E	3	NWSW	
15	Falls Creek	Shoshone Creek	51N	04E	3	SENE	
16	Unnamed Stream	Falls Creek	51N	04E	3	SENE	
17	Falls Creek	Shoshone Creek	51N	04E	3	SENW	
18	Unnamed Stream	Falls Creek	51N	04E	3	SENW	
19	Unnamed Stream	Falls Creek	51N	04E	3	SESE	
20	Falls Creek	Shoshone Creek	51N	04E	3	SWNE	
21	Unnamed Stream	Falls Creek	51N	04E	3	SWNE	
22	Unnamed Stream	Falls Creek	51N	04E	3	SWNW	
23	North Fork Haystack Creek	Haystack Creek	51N	04E	15	NENW	
24	Unnamed Stream	North Fork Haystack Creek	51N	04E	15	NENW	
25	Haystack Creek	Shoshone Creek	51N	04E	15	NESE	
26	Haystack Creek	Shoshone Creek	51N	04E	15	NESW	
27	Unnamed Stream	Haystack Creek	51N	04E	15	NWNW	
28	Haystack Creek	Shoshone Creek	51N	04E	15	NWSE	
29	Haystack Creek	Shoshone Creek	51N	04E	15	SENE	
30	Haystack Creek	Shoshone Creek	51N	04E	15	SENW	
31	North Fork Haystack Creek	Haystack Creek	51N	04E	15	SENW	
32	Unnamed Stream	North Fork Haystack Creek	51N	04E	15	SENW	
33	Unnamed Stream	North Fork Haystack Creek	51N	04E	15	SWNE	
34	Haystack Creek	Shoshone Creek	51N	04E	15	SWNW	
35	North Fork Haystack Creek	Haystack Creek	51N	04E	15	SWNW	
36	South Fork Falls Creek	Falls Creek	51N	05E	6	NESE	
37	Unnamed Stream	South Fork Falls Creek	51N	05E	6	NESE	
38	South Fork Falls Creek	Falls Creek	51N	05E	6	NWNE	L 2
39	Unnamed Stream	South Fork Falls Creek	51N	05E	6	SENE	
40	Unnamed Stream	South Fork Falls Creek	51N	05E	6	SENW	
41	Unnamed Stream	South Fork Falls Creek	51N	05E	6	SENW	
42	South Fork Falls Creek	Falls Creek	51N	05E	6	SESE	
43	South Fork Falls Creek	Falls Creek	51N	05E	6	SWNE	
44	Unnamed Stream	South Fork Falls Creek	51N	05E	6	SWNE	
45	Unnamed Stream	South Fork Falls Creek	51N	05E	6	SWNE	
46	Unnamed Stream	South Fork Falls Creek	51N	05E	6	SWNE	
47	Unnamed Stream	Falls Creek	52N	04E	34		
48	Falls Creek	Shoshone Creek	52N	04E	35	SESE	
49	Hulliman Creek	Falls Creek	52N	04E	35	SESE	
50	Unnamed Stream	South Fork Falls Creek	52N	05E	31	NESE	
51	South Fork Falls Creek	Falls Creek	52N	05E	31	NESW	
52	Unnamed Stream	South Fork Falls Creek	52N	05E	31	NESW	
53	Unnamed Stream	South Fork Falls Creek	52N	05E	31	NWSE	
54	Unnamed Stream	South Fork Falls Creek	52N	05E	31	SESE	

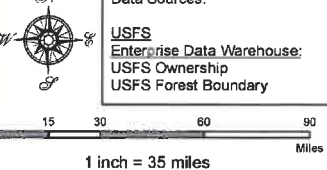
**Attachment 2**  
**Place of Use Map Fire Suppression -Water Right No. 94-09520C**  
**National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana**

**Key to Features**

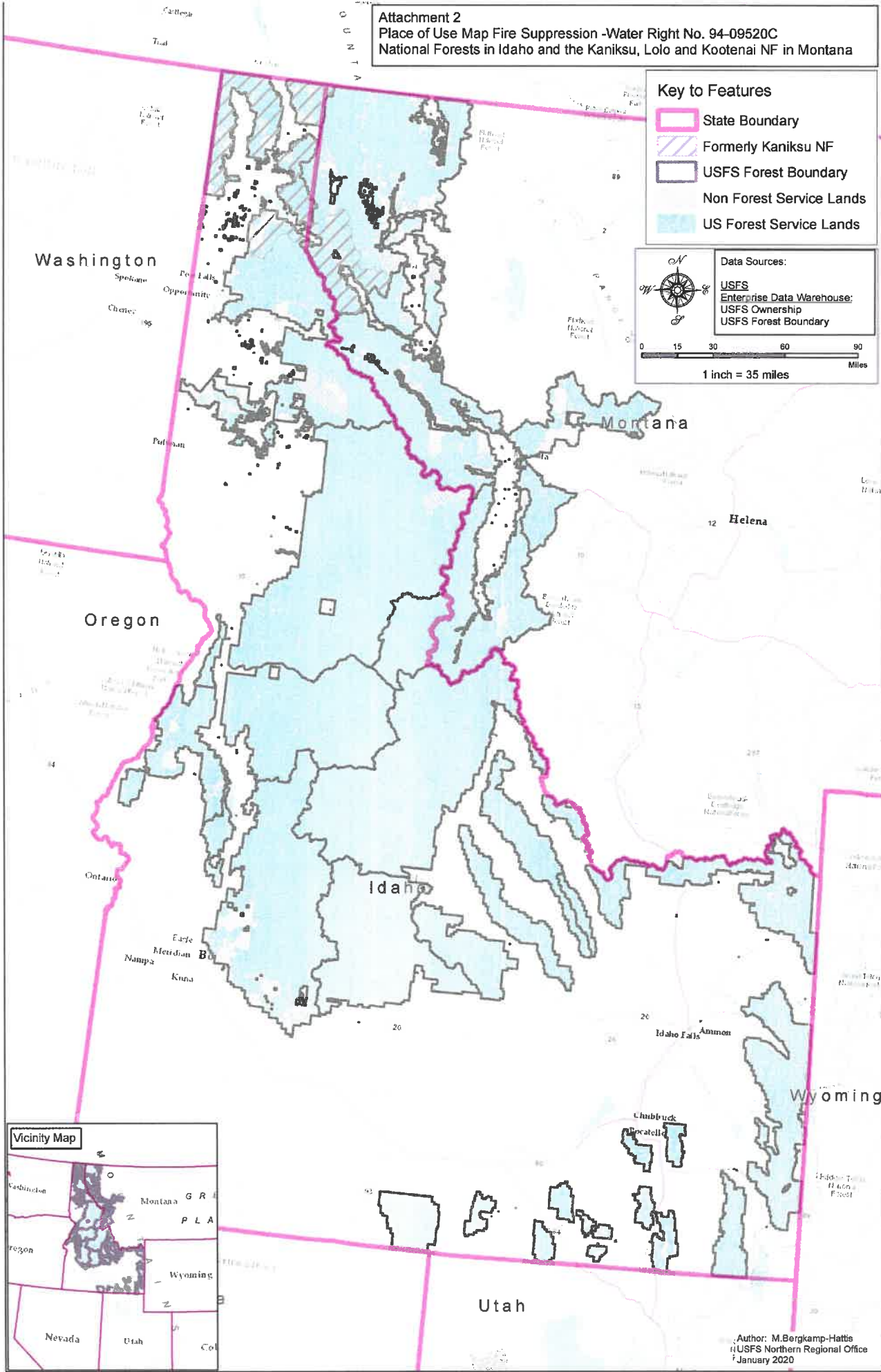
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

**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