

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. 94-09531B

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 Graham Creek-Lower North Fork Coeur d'Alene River subwatershed (HUC12 170103010702).

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

PRIORITY DATE: 01/30/1928

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	Brown Creek	East Fork Charlie Creek	50N	03E	2	NESW	
3	Unnamed Stream	Brown Creek	50N	03E	2	NESW	
4	Unnamed Stream	Brown Creek	50N	03E	2	NESW	
5	Unnamed Stream	Brown Creek	50N	03E	2	NWSW	
6	Brown Creek	East Fork Charlie Creek	50N	03E	2	SESW	
7	Unnamed Stream	Brown Creek	50N	03E	2	SESW	
8	Unnamed Stream	Brown Creek	50N	03E	2	SWSW	
9	Brown Creek	East Fork Charlie Creek	50N	03E	11	NENW	
10	Unnamed Stream	Brown Creek	50N	03E	11	NENW	
11	Unnamed Stream	Brown Creek	50N	03E	11	NWNW	
12	Unnamed Stream	Brown Creek	50N	03E	11	NWNW	
13	Unnamed Stream	Brown Creek	50N	03E	11	NWNW	
14	Unnamed Stream	Brown Creek	50N	03E	11	NWNW	
15	Unnamed Stream	Brown Creek	50N	03E	11	NWNW	
16	Brown Creek	East Fork Charlie Creek	50N	03E	11	SENW	
17	Unnamed Stream	Brown Creek	50N	03E	11	SENW	
18	Unnamed Stream	Brown Creek	50N	03E	14	NENE	
19	Brown Creek	East Fork Charlie Creek	50N	03E	14	NENW	
20	Unnamed Stream	Brown Creek	50N	03E	14	NENW	
21	Unnamed Stream	Brown Creek	50N	03E	14	NWNE	
22	Unnamed Stream	Brown Creek	50N	03E	14	NWNE	
23	Brown Creek	East Fork Charlie Creek	50N	03E	14	SWNE	
24	Unnamed Stream	Brown Creek	50N	03E	14	SWNE	
25	Unnamed Stream	Brown Creek	50N	03E	14	SWNE	

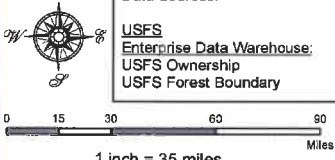
**Attachment 2**  
**Place of Use Map Fire Suppression - Water Right No. 94-09531B**  
**National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana**

**Key to Features**

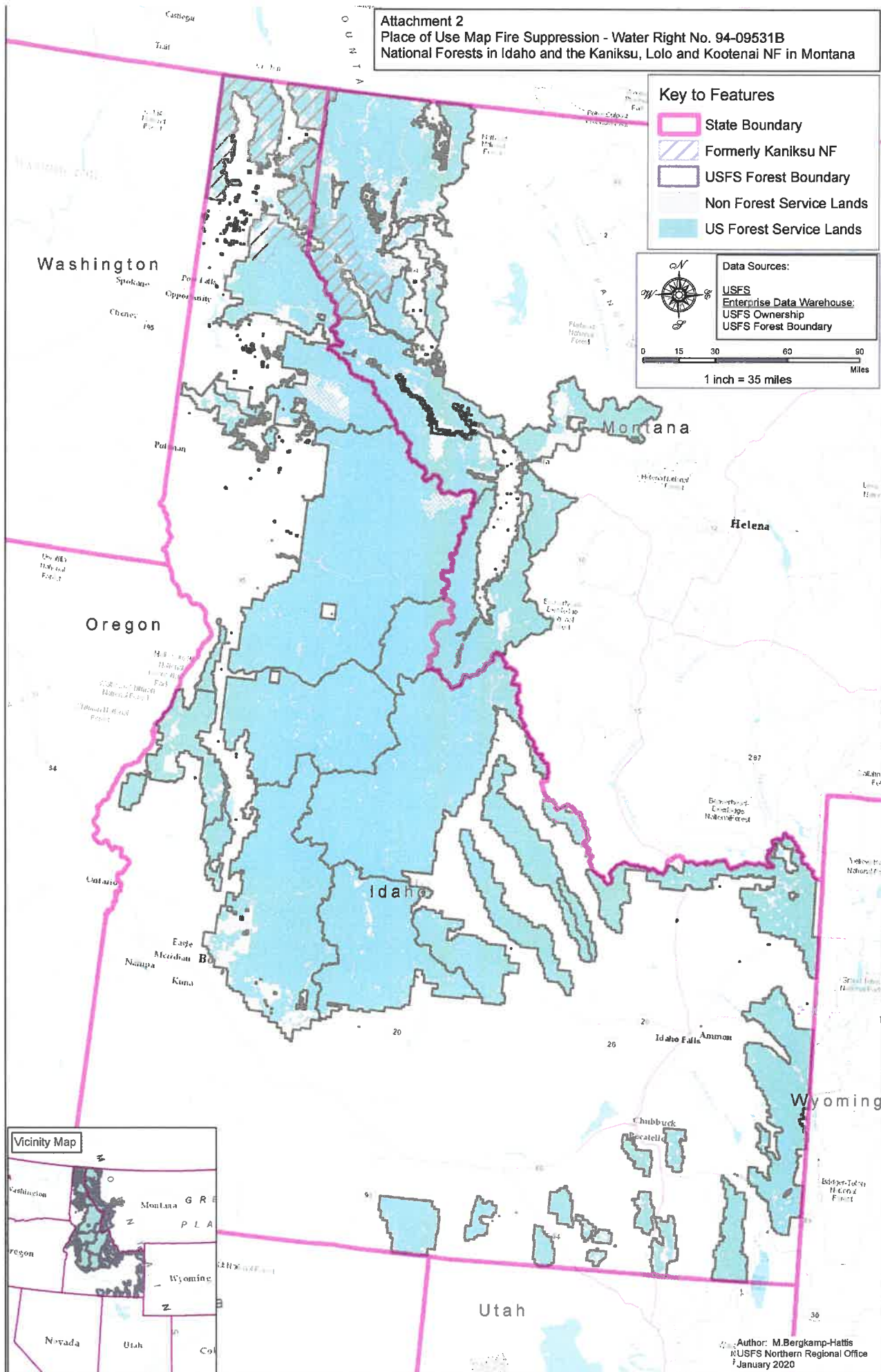
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

**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  
 RUSFS Northern Regional Office  
 January 2020