

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. 91-07931A

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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 Sherlock Creek-St. Joe River subwatershed (HUC12 170103040101).

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 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
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
002	Riley Creek	St Joe River	42N	10E	01	NESW	
003	Unnamed Stream	St Joe River	42N	10E	01	NWNW	L 4
004	Riley Creek	St Joe River	42N	10E	01	NWSW	
005	Unnamed Stream	St Joe River	42N	10E	01	SWNW	
006	Riley Creek	St Joe River	42N	10E	01	SWSW	
007	California Creek	St Joe River	42N	10E	02		
008	Riley Creek	St Joe River	42N	10E	02		
009	Unnamed Stream	California Creek	42N	10E	02		
010	California Creek	St Joe River	42N	10E	03		
011	Yankee Bar Creek	St Joe River	42N	10E	03		
012	California Creek	St Joe River	42N	10E	10		
013	St Joe River	Coeur d'Alene Lake	42N	10E	12		
014	St Joe River	Coeur d'Alene Lake	42N	11E	04		
015	St Joe River	Coeur d'Alene Lake	42N	11E	05		
016	St Joe River	Coeur d'Alene Lake	42N	11E	06		
017	Wisdom Creek	St Joe River	42N	11E	06		
018	St Joe River	Coeur d'Alene Lake	42N	11E	07		
019	Sherlock Creek	Heller Creek	43N	10E	01		
020	Unnamed Stream	Sherlock Creek	43N	10E	01		
021	Unnamed Stream	Sherlock Creek	43N	10E	01		
022	Unnamed Stream	Sherlock Creek	43N	10E	01		
023	Unnamed Stream	Heller Creek	43N	10E	02		
024	Unnamed Stream	Heller Creek	43N	10E	02		
025	Unnamed Stream	Sherlock Creek	43N	10E	02		
026	Unnamed Stream	Sherlock Creek	43N	10E	02		
027	Heller Creek	St Joe River	43N	10E	03		
028	Unnamed Stream	Heller Creek	43N	10E	03		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
029	Unnamed Stream	Heller Creek	43N	10E	03		
030	Unnamed Stream	Heller Creek	43N	10E	03		
031	Unnamed Stream	Heller Creek	43N	10E	03		
032	Unnamed Stream	Heller Creek	43N	10E	03		
033	Unnamed Stream	Heller Creek	43N	10E	03		
034	Heller Creek	St Joe River	43N	10E	04		
035	Unnamed Stream	Heller Creek	43N	10E	04		
036	Unnamed Stream	Heller Creek	43N	10E	04		
037	Unnamed Stream	Heller Creek	43N	10E	04		
038	Unnamed Stream	Heller Creek	43N	10E	05		
039	Unnamed Stream	Blackburn Creek	43N	10E	07		
040	Blackburn Creek	Heller Creek	43N	10E	08		
041	Unnamed Stream	Blackburn Creek	43N	10E	08		
042	Unnamed Stream	Blackburn Creek	43N	10E	08		
043	Unnamed Stream	Heller Creek	43N	10E	08		
044	Unnamed Stream	Heller Creek	43N	10E	08		
045	Heller Creek	St Joe River	43N	10E	09		
046	Unnamed Stream	Heller Creek	43N	10E	09		
047	Unnamed Stream	Heller Creek	43N	10E	09		
048	Unnamed Stream	Heller Creek	43N	10E	09		
049	Unnamed Stream	Heller Creek	43N	10E	09		
050	Unnamed Stream	Heller Creek	43N	10E	09		
051	Unnamed Stream	Heller Creek	43N	10E	09		
052	Unnamed Stream	Sherlock Creek	43N	10E	09		
053	Heller Creek	St Joe River	43N	10E	10		
054	Unnamed Stream	Heller Creek	43N	10E	10		
055	Unnamed Stream	Heller Creek	43N	10E	10		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
056	Unnamed Stream	Heller Creek	43N	10E	10		
057	Unnamed Stream	Sherlock Creek	43N	10E	10		
058	Unnamed Stream	Sherlock Creek	43N	10E	10		
059	Unnamed Stream	Sherlock Creek	43N	10E	10		
060	Heller Creek	St Joe River	43N	10E	11		
061	Sherlock Creek	Heller Creek	43N	10E	11		
062	Unnamed Stream	Sherlock Creek	43N	10E	11		
063	Unnamed Stream	Sherlock Creek	43N	10E	11		
064	Unnamed Stream	Sherlock Creek	43N	10E	11		
065	Unnamed Stream	Sherlock Creek	43N	10E	11		
066	Unnamed Stream	Sherlock Creek	43N	10E	11		
067	Sherlock Creek	Heller Creek	43N	10E	12		
068	Unnamed Stream	Sherlock Creek	43N	10E	12		
069	Unnamed Stream	Sherlock Creek	43N	10E	13		
070	Unnamed Stream	Sherlock Creek	43N	10E	13		
071	Unnamed Stream	Sherlock Creek	43N	10E	13		
072	Unnamed Stream	Sherlock Creek	43N	10E	13		
073	Unnamed Stream	Sherlock Creek	43N	10E	13		
074	Sherlock Creek	Heller Creek	43N	10E	14		
075	Unnamed Stream	Sherlock Creek	43N	10E	14		
076	Unnamed Stream	Sherlock Creek	43N	10E	14		
077	Unnamed Stream	Sherlock Creek	43N	10E	14		
078	Unnamed Stream	Sherlock Creek	43N	10E	14		
079	Unnamed Stream	Sherlock Creek	43N	10E	14		
080	Unnamed Stream	Sherlock Creek	43N	10E	14		
081	Sherlock Creek	Heller Creek	43N	10E	15		
082	Unnamed Stream	Sherlock Creek	43N	10E	15		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
083	Unnamed Stream	Sherlock Creek	43N	10E	15		
084	Unnamed Stream	Sherlock Creek	43N	10E	15		
085	Unnamed Stream	Sherlock Creek	43N	10E	15		
086	Unnamed Stream	Sherlock Creek	43N	10E	15		
087	Unnamed Stream	Sherlock Creek	43N	10E	15		
088	Unnamed Stream	Sherlock Creek	43N	10E	15		
089	Unnamed Stream	Sherlock Creek	43N	10E	15		
090	Unnamed Stream	Sherlock Creek	43N	10E	15		
091	Unnamed Stream	Sherlock Creek	43N	10E	15		
092	Unnamed Stream	Sherlock Creek	43N	10E	15		
093	Unnamed Stream	Sherlock Creek	43N	10E	15		
094	Unnamed Stream	Sherlock Creek	43N	10E	15		
095	Blackburn Creek	Heller Creek	43N	10E	16		
096	Heller Creek	St Joe River	43N	10E	16		
097	Unnamed Stream	Heller Creek	43N	10E	16		
098	Unnamed Stream	Heller Creek	43N	10E	16		
099	Unnamed Stream	Heller Creek	43N	10E	16		
100	Unnamed Stream	Heller Creek	43N	10E	16		
101	Unnamed Stream	Heller Creek	43N	10E	16		
102	Unnamed Stream	Sherlock Creek	43N	10E	16		
103	Unnamed Stream	Sherlock Creek	43N	10E	16		
104	Unnamed Stream	Sherlock Creek	43N	10E	16		
105	Unnamed Stream	Sherlock Creek	43N	10E	16		
106	Unnamed Stream	Sherlock Creek	43N	10E	16		
107	Blackburn Creek	Heller Creek	43N	10E	17		
108	Heller Creek	St Joe River	43N	10E	17		
109	Sherlock Creek	Heller Creek	43N	10E	17		

## Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
110	Unnamed Stream	Blackburn Creek	43N	10E	17		
111	Unnamed Stream	Blackburn Creek	43N	10E	17		
112	Unnamed Stream	Heller Creek	43N	10E	17		
113	Unnamed Stream	Heller Creek	43N	10E	17		
114	Unnamed Stream	Heller Creek	43N	10E	17		
115	Unnamed Stream	Heller Creek	43N	10E	17		
116	Unnamed Stream	Heller Creek	43N	10E	17		
117	Unnamed Stream	Heller Creek	43N	10E	17		
118	Blackburn Creek	Heller Creek	43N	10E	18		
119	Unnamed Stream	Blackburn Creek	43N	10E	18		
120	Unnamed Stream	Heller Creek	43N	10E	18		
121	Unnamed Stream	St Joe River	43N	10E	19		
122	Heller Creek	St Joe River	43N	10E	20		
123	St Joe River	Coeur d'Alene Lake	43N	10E	20		
124	St Joe River	St Joe River	43N	10E	20		
125	Sherlock Creek	Heller Creek	43N	10E	20		
126	Unnamed Stream	Heller Creek	43N	10E	20		
127	Unnamed Stream	St Joe River	43N	10E	20		
128	Unnamed Stream	St Joe River	43N	10E	20		
129	Sherlock Creek	Heller Creek	43N	10E	21	NENE	
130	Unnamed Stream	Sherlock Creek	43N	10E	21	NENE	
131	Sherlock Creek	Heller Creek	43N	10E	21	NENW	
132	Unnamed Stream	Sherlock Creek	43N	10E	21	NENW	
133	Unnamed Stream	St Joe River	43N	10E	21	NESE	
134	St Joe River	Coeur d'Alene Lake	43N	10E	21	NESW	
135	Unnamed Stream	Sherlock Creek	43N	10E	21	NWNE	
136	Sherlock Creek	Heller Creek	43N	10E	21	NWNW	

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
137	St Joe River	Coeur d'Alene Lake	43N	10E	21	NWSE	
138	Sherlock Creek	Heller Creek	43N	10E	21	SENE	
139	Sherlock Creek	Heller Creek	43N	10E	21	SENE	
140	Unnamed Stream	Sherlock Creek	43N	10E	21	SENE	
141	Sherlock Creek	Heller Creek	43N	10E	21	SWNE	
142	St Joe River	Coeur d'Alene Lake	43N	10E	21	SWNW	
143	Unnamed Stream	St Joe River	43N	10E	21	SWNW	
144	Unnamed Stream	St Joe River	43N	10E	21	SWSW	
145	Unnamed Stream	Sherlock Creek	43N	10E	22	NENE	
146	Unnamed Stream	Sherlock Creek	43N	10E	22	NENW	
147	Unnamed Stream	St Joe River	43N	10E	22	NESE	
148	Unnamed Stream	St Joe River	43N	10E	22	NESW	
149	Unnamed Stream	Sherlock Creek	43N	10E	22	NWNE	
150	Sherlock Creek	Heller Creek	43N	10E	22	NWNW	
151	Unnamed Stream	Sherlock Creek	43N	10E	22	NWNW	
152	Unnamed Stream	Sherlock Creek	43N	10E	22	NWNW	
153	Unnamed Stream	Sherlock Creek	43N	10E	22	NWNW	
154	Unnamed Stream	Sherlock Creek	43N	10E	22	NWNW	
155	Unnamed Stream	Sherlock Creek	43N	10E	22	NWNW	
156	Unnamed Stream	St Joe River	43N	10E	22	NWSE	
157	Unnamed Stream	St Joe River	43N	10E	22	NWSW	
158	Unnamed Stream	St Joe River	43N	10E	22	SESE	
159	Unnamed Stream	St Joe River	43N	10E	22	SESW	
160	Unnamed Stream	St Joe River	43N	10E	22	SWSE	
161	Unnamed Stream	St Joe River	43N	10E	22	SWSE	
162	Cascade Creek	St Joe River	43N	10E	23		
163	Unnamed Stream	Cascade Creek	43N	10E	23		

## Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
164	Unnamed Stream	Cascade Creek	43N	10E	23		
165	Bluebells Creek	St Joe River	43N	10E	24		
166	Medicine Creek	St Joe River	43N	10E	24		
167	Unnamed Stream	Medicine Creek	43N	10E	24		
168	Unnamed Stream	Sherlock Creek	43N	10E	24		
169	Bluebells Creek	St Joe River	43N	10E	25		
170	Medicine Creek	St Joe River	43N	10E	25		
171	Unnamed Stream	St Joe River	43N	10E	25		
172	Cascade Creek	St Joe River	43N	10E	26	NENW	
173	Cascade Creek	St Joe River	43N	10E	26	NWNW	
174	Unnamed Stream	St Joe River	43N	10E	26	NWNW	
175	Bluebells Creek	St Joe River	43N	10E	26	SENE	
176	Unnamed Stream	St Joe River	43N	10E	26	SESW	
177	California Creek	St Joe River	43N	10E	26	SWSE	
178	Unnamed Stream	St Joe River	43N	10E	26	SWSW	
179	Unnamed Stream	St Joe River	43N	10E	27	NESE	
180	Yankee Bar Creek	St Joe River	43N	10E	27	NESW	
181	Unnamed Stream	St Joe River	43N	10E	27	NWSE	
182	Yankee Bar Creek	St Joe River	43N	10E	27	NWSW	
183	Unnamed Stream	St Joe River	43N	10E	27	SENW	
184	Yankee Bar Creek	St Joe River	43N	10E	27	SENW	
185	Unnamed Stream	St Joe River	43N	10E	27	SESE	
186	Unnamed Stream	St Joe River	43N	10E	27	SWNE	
187	Yankee Bar Creek	St Joe River	43N	10E	27	SWSW	
188	Neversweat Creek	St Joe River	43N	10E	28		
189	Unnamed Stream	Neversweat Creek	43N	10E	28		
190	Unnamed Stream	St Joe River	43N	10E	28		



Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
191	Unnamed Stream	St Joe River	43N	10E	28		
192	Unnamed Stream	St Joe River	43N	10E	28		
193	St Joe River	St Joe River	43N	10E	29		
194	Unnamed Stream	St Joe River	43N	10E	29		
195	Unnamed Stream	St Joe River	43N	10E	29		
196	Unnamed Stream	St Joe River	43N	10E	29		
197	St Joe River	St Joe River	43N	10E	30		
198	Unnamed Stream	Yankee Bar Creek	43N	10E	33		
199	Unnamed Stream	Yankee Bar Creek	43N	10E	33		
200	Unnamed Stream	Yankee Bar Creek	43N	10E	33		
201	Unnamed Stream	Yankee Bar Creek	43N	10E	33		
202	Yankee Bar Creek	St Joe River	43N	10E	33		
203	Unnamed Stream	California Creek	43N	10E	34		
204	Unnamed Stream	Yankee Bar Creek	43N	10E	34		
205	Unnamed Stream	Yankee Bar Creek	43N	10E	34		
206	Unnamed Stream	Yankee Bar Creek	43N	10E	34		
207	Yankee Bar Creek	St Joe River	43N	10E	34		
208	Unnamed Stream	California Creek	43N	10E	35	NESW	
209	California Creek	St Joe River	43N	10E	35	NWNE	
210	California Creek	St Joe River	43N	10E	35	NWSE	
211	Unnamed Stream	California Creek	43N	10E	35	NWSE	
212	Unnamed Stream	California Creek	43N	10E	35	NWSW	
213	Unnamed Stream	California Creek	43N	10E	35	SESW	
214	California Creek	St Joe River	43N	10E	35	SWNE	
215	California Creek	St Joe River	43N	10E	35	SWSE	
216	Unnamed Stream	California Creek	43N	10E	35	SWSE	
217	Unnamed Stream	St Joe River	43N	10E	36	NESE	

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
218	Medicine Creek	St Joe River	43N	10E	36	NWNE	
219	Unnamed Stream	St Joe River	43N	10E	36	SENE	
220	Medicine Creek	St Joe River	43N	10E	36	SENE	
221	Medicine Creek	St Joe River	43N	10E	36	SWNE	
222	Unnamed Stream	St Joe River	43N	10E	36	SWNE	
223	Medicine Creek	St Joe River	43N	11E	19		
224	Unnamed Stream	Medicine Creek	43N	11E	19		
225	Unnamed Stream	Medicine Creek	43N	11E	19		
226	Unnamed Stream	Wisdom Creek	43N	11E	29		
227	Unnamed Stream	Wisdom Creek	43N	11E	29		
228	Wisdom Creek	St Joe River	43N	11E	29		
229	Medicine Creek	St Joe River	43N	11E	30		
230	Unnamed Stream	Medicine Creek	43N	11E	30		
231	Unnamed Stream	Medicine Creek	43N	11E	30		
232	Unnamed Stream	Wisdom Creek	43N	11E	30		
233	Unnamed Stream	Medicine Creek	43N	11E	31		
234	Unnamed Stream	Wisdom Creek	43N	11E	31		
235	Wisdom Creek	St Joe River	43N	11E	31		
236	Wisdom Creek	St Joe River	43N	11E	32		
237	Wisdom Creek	St Joe River	43N	11E	33		
238	St Joe Lake	St Joe River	42N	11E	4		
239	Unnamed Pond	St Joe River	42N	11E	4		
240	Frog Lake	Sherlock Creek	43N	10E	11		
241	Unnamed Pond	Sherlock Creek	43N	10E	13		
242	Unnamed Pond	Sherlock Creek	43N	10E	14		
243	Unnamed Pond	Sherlock Creek	43N	10E	15		
244	Unnamed Pond	Sherlock Creek	43N	10E	15		






# Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
245	Unnamed Pond	Sherlock Creek	43N	10E	22		
246	Unnamed Pond	Sherlock Creek	43N	10E	22		
247	Unnamed Pond	Yankee Bar Creek	43N	10E	33		

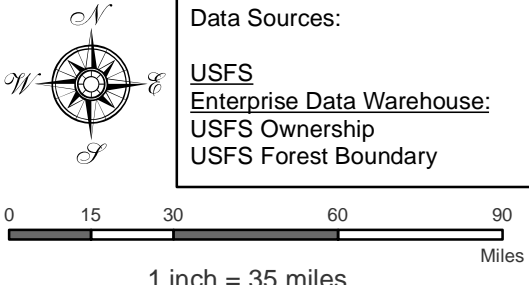


Attachment 2  
 Place of Use Map Fire Suppression - Water Right No. 91-07931A  
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

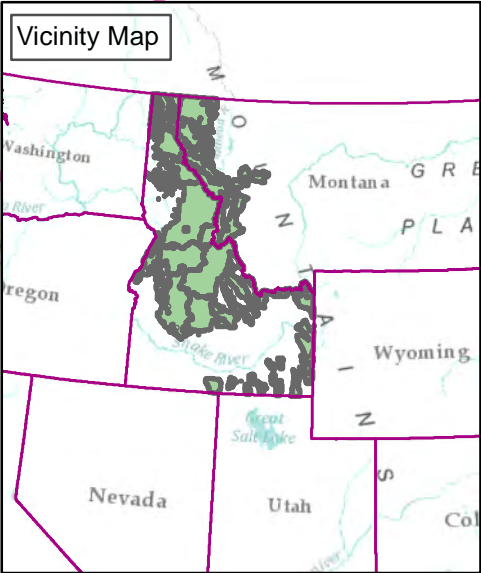
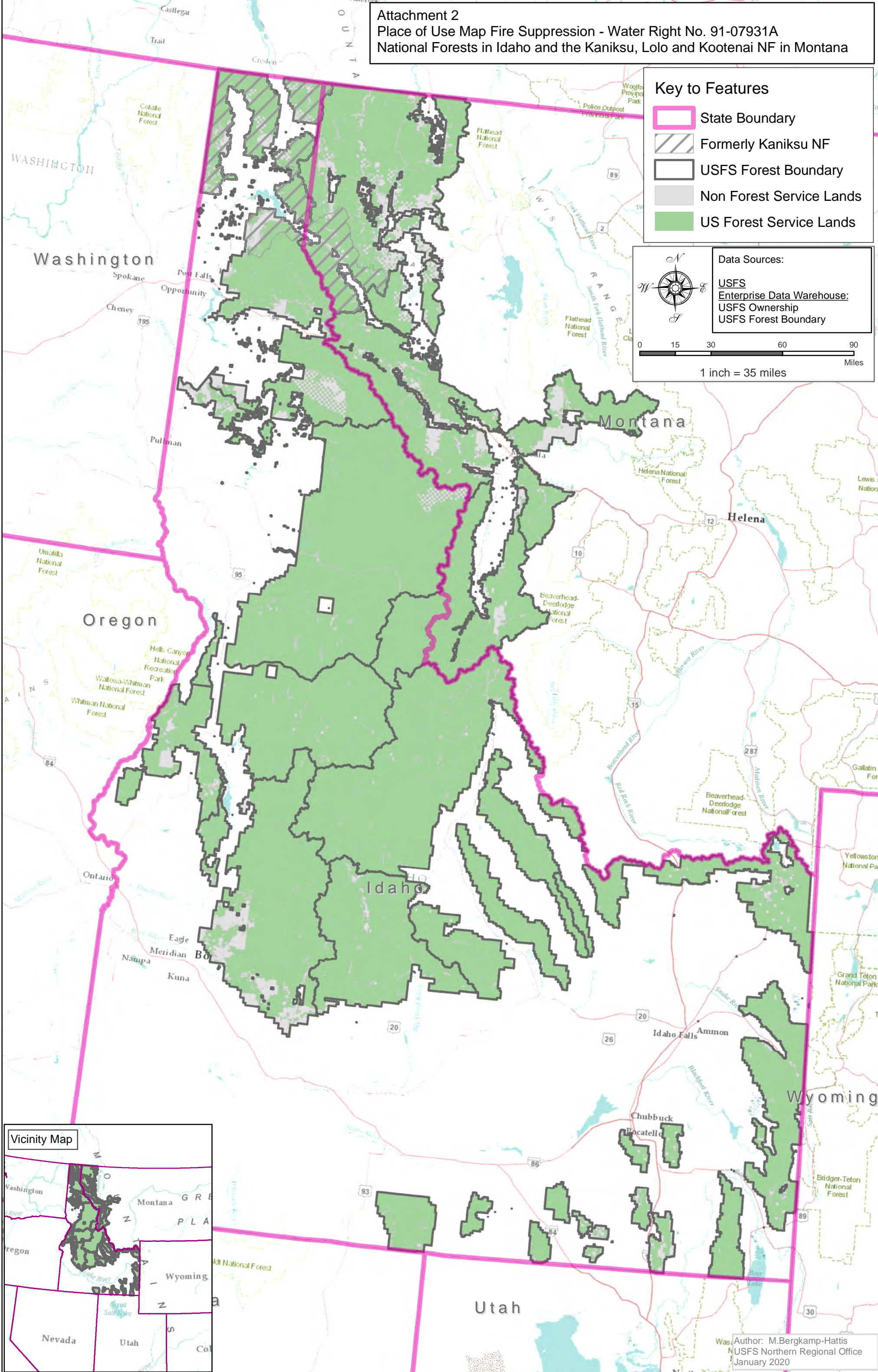
Key to Features

-  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