

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. 91-07949A

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 Upper Marble Creek subwatershed (HUC12 170103040501).

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.

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	Marble Creek	St Joe River	42N	03E	01		
003	Unnamed Stream	Homestead Creek	44N	03E	23	SESW	
004	Unnamed Stream	Homestead Creek	44N	03E	23	SWSE	
005	Unnamed Stream	Homestead Creek	44N	03E	24		
006	Unnamed Stream	Homestead Creek	44N	03E	24		
007	Unnamed Stream	Homestead Creek	44N	03E	25	NENE	
008	Unnamed Stream	Homestead Creek	44N	03E	25	NENE	
009	Unnamed Stream	Homestead Creek	44N	03E	25	NWNE	
010	Unnamed Stream	Homestead Creek	44N	03E	25	NWNW	
011	Homestead Creek	Marble Creek	44N	03E	25	SENE	
012	Unnamed Stream	Homestead Creek	44N	03E	25	SENE	
013	Unnamed Stream	Homestead Creek	44N	03E	25	SENE	
014	Unnamed Stream	Homestead Creek	44N	03E	25	SWNE	
015	Unnamed Stream	Homestead Creek	44N	03E	25	SWNW	
016	Unnamed Stream	Homestead Creek	44N	03E	26	NENE	
017	Unnamed Stream	Homestead Creek	44N	03E	26	NENE	
018	Unnamed Stream	Homestead Creek	44N	03E	26	NENW	
019	Unnamed Stream	Homestead Creek	44N	03E	26	NWNE	
020	Unnamed Stream	Homestead Creek	44N	03E	26	NWNE	
021	Unnamed Stream	Homestead Creek	44N	03E	26	SENW	
022	Unnamed Stream	Homestead Creek	44N	04E	19		
023	Unnamed Stream	Homestead Creek	44N	04E	19		
024	Unnamed Stream	Homestead Creek	44N	04E	19		
025	Unnamed Stream	Homestead Creek	44N	04E	20		
026	Unnamed Stream	Homestead Creek	44N	04E	20		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
027	Unnamed Stream	Homestead Creek	44N	04E	21		
028	Homestead Creek	Marble Creek	44N	04E	28		
029	Unnamed Stream	Homestead Creek	44N	04E	28		
030	Unnamed Stream	Homestead Creek	44N	04E	28		
031	Unnamed Stream	Homestead Creek	44N	04E	28		
032	Homestead Creek	Marble Creek	44N	04E	29		
033	Unnamed Stream	Homestead Creek	44N	04E	29		
034	Unnamed Stream	Homestead Creek	44N	04E	29		
035	Unnamed Stream	Homestead Creek	44N	04E	29		
036	Unnamed Stream	Homestead Creek	44N	04E	29		
037	Unnamed Stream	Homestead Creek	44N	04E	29		
038	Homestead Creek	Marble Creek	44N	04E	30		
039	Unnamed Stream	Homestead Creek	44N	04E	30		
040	Unnamed Stream	Homestead Creek	44N	04E	30		
041	Unnamed Stream	Marble Creek	44N	04E	31	SENW	
042	Unnamed Stream	Duplex Creek	44N	04E	32		
043	Unnamed Stream	Homestead Creek	44N	04E	32		
044	Unnamed Stream	Homestead Creek	44N	04E	32		
045	Unnamed Stream	Homestead Creek	44N	04E	32		
046	Unnamed Stream	Homestead Creek	44N	04E	32		
047	Homestead Creek	Marble Creek	44N	04E	33		
048	Unnamed Stream	Homestead Creek	44N	04E	33		
049	Unnamed Stream	Homestead Creek	44N	04E	33		
050	Unnamed Stream	Homestead Creek	44N	04E	33		
051	Unnamed Spring	Homestead Creek	44N	04E	21	SESW	

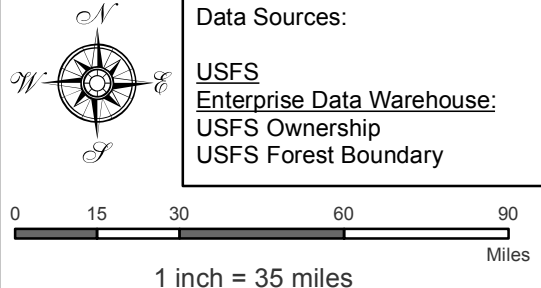
Attachment 2
 Place of Use Map Fire Suppression - Water Right No. 91-07949A
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

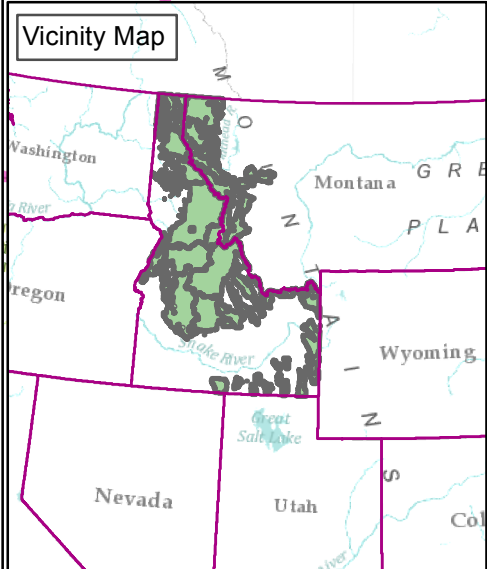
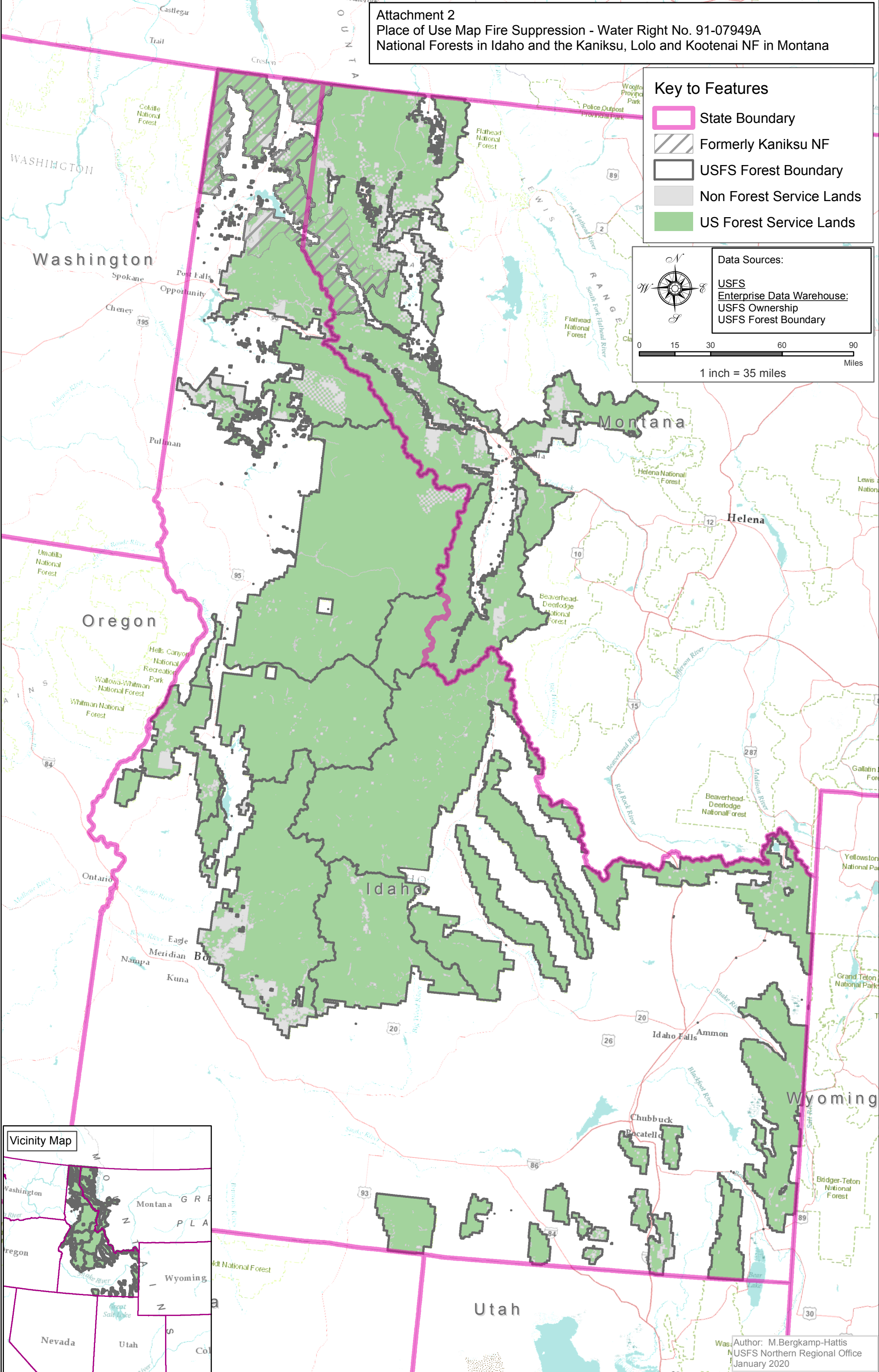
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

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