

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. 91-07950C

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 Bussel Creek subwatershed (HUC12 170103040502).

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

PRIORITY DATE: 10/20/1932

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
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
2	Bussel Creek	Marble Creek	43N	02E	2		
3	Unnamed Stream	Lines Creek	43N	02E	3		
4	Unnamed Stream	Lines Creek	43N	02E	3		
5	Unnamed Stream	Lines Creek	43N	02E	3		
6	Unnamed Stream	Lines Creek	43N	02E	3		
7	Unnamed Stream	Lines Creek	43N	02E	4		
8	Unnamed Stream	Lines Creek	43N	02E	4		
9	Unnamed Stream	Lines Creek	43N	02E	4		
10	Toles Creek	Bussel Creek	44N	02E	15		
11	Unnamed Stream	Toles Creek	44N	02E	15		
12	Unnamed Stream	Toles Creek	44N	02E	15		
13	Unnamed Stream	Toles Creek	44N	02E	15		
14	Unnamed Stream	Toles Creek	44N	02E	15		
15	Unnamed Stream	Toles Creek	44N	02E	15		
16	Unnamed Stream	Toles Creek	44N	02E	16		
17	Unnamed Stream	Toles Creek	44N	02E	16		
18	Unnamed Stream	Norton Creek	44N	02E	20	SESW	
19	Unnamed Stream	Norton Creek	44N	02E	21		
20	Unnamed Stream	Norton Creek	44N	02E	21		
21	Unnamed Stream	Toles Creek	44N	02E	21		
22	Unnamed Stream	Toles Creek	44N	02E	21		
23	Unnamed Stream	Toles Creek	44N	02E	21		
24	Unnamed Stream	Toles Creek	44N	02E	21		
25	Unnamed Stream	Toles Creek	44N	02E	21		
26	Toles Creek	Bussel Creek	44N	02E	22		
27	Unnamed Stream	Toles Creek	44N	02E	22		
28	Unnamed Stream	Toles Creek	44N	02E	22		
29	Unnamed Stream	Toles Creek	44N	02E	22		
30	Unnamed Stream	Toles Creek	44N	02E	22		
31	Unnamed Stream	Toles Creek	44N	02E	22		
32	Unnamed Stream	Toles Creek	44N	02E	22		
33	Unnamed Stream	Toles Creek	44N	02E	22		
34	Unnamed Stream	Bear Creek	44N	02E	23	NENE	
35	Bear Creek	Bussel Creek	44N	02E	23	NENW	
36	Bear Creek	Bussel Creek	44N	02E	23	NESE	
37	Unnamed Stream	Bear Creek	44N	02E	23	NESE	
38	Bear Creek	Bussel Creek	44N	02E	23	NWNE	
39	Unnamed Stream	Toles Creek	44N	02E	23	NWNW	
40	Unnamed Stream	Bear Creek	44N	02E	23	NWSE	
41	Unnamed Stream	Bear Creek	44N	02E	23	NWSE	
42	Bear Creek	Bussel Creek	44N	02E	23	SENE	
43	Unnamed Stream	Bear Creek	44N	02E	23	SENE	
44	Unnamed Stream	Bear Creek	44N	02E	23	SENE	
45	Unnamed Stream	Bear Creek	44N	02E	23	SENE	
46	Unnamed Stream	Bear Creek	44N	02E	23	SENE	
47	Bear Creek	Bussel Creek	44N	02E	23	SESE	
48	Unnamed Stream	Bear Creek	44N	02E	23	SESW	
49	Bear Creek	Bussel Creek	44N	02E	23	SWNE	
50	Unnamed Stream	Bear Creek	44N	02E	23	SWSE	
51	Unnamed Stream	Bear Creek	44N	02E	23	SWSE	
52	Toles Creek	Bussel Creek	44N	02E	23	SWSW	
53	Unnamed Stream	Little Bear Creek	44N	02E	24	NENW	
54	Unnamed Stream	Bear Creek	44N	02E	24	NWNW	
55	Bear Creek	Bussel Creek	44N	02E	24	NWSW	

Attachment 1






	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
56	Unnamed Stream	Bear Creek	44N	02E	24	NWSW	
57	Little Bear Creek	Bussel Creek	44N	02E	24	SWNE	
58	Unnamed Stream	Little Bear Creek	44N	02E	24	SWNE	
59	Unnamed Stream	Little Bear Creek	44N	02E	24	SWNE	
60	Unnamed Stream	Little Bear Creek	44N	02E	24	SWNE	
61	Unnamed Stream	Bear Creek	44N	02E	24	SWNW	
62	Unnamed Stream	Bear Creek	44N	02E	24	SWNW	
63	Bear Creek	Bussel Creek	44N	02E	24	SWSW	
64	Bear Creek	Bussel Creek	44N	02E	25	NESW	
65	Bussel Creek	Marble Creek	44N	02E	25	NESW	
66	Bear Creek	Bussel Creek	44N	02E	25	NWNW	
67	Bear Creek	Bussel Creek	44N	02E	25	NWSE	
68	Bussel Creek	Marble Creek	44N	02E	25	NWSE	
69	Unnamed Stream	Bussel Creek	44N	02E	25	NWSE	
70	Bussel Creek	Marble Creek	44N	02E	25	NWSW	
71	Toles Creek	Bussel Creek	44N	02E	25	NWSW	
72	Bear Creek	Bussel Creek	44N	02E	25	SENW	
73	Bear Creek	Bussel Creek	44N	02E	25	SWNW	
74	Unnamed Stream	Bear Creek	44N	02E	25	SWNW	
75	Unnamed Stream	Bussel Creek	44N	02E	25	SWSE	
76	Bussel Creek	Marble Creek	44N	02E	25	SWSW	
77	Bear Creek	Bussel Creek	44N	02E	26		
78	Bussel Creek	Marble Creek	44N	02E	26		
79	Norton Creek	Bussel Creek	44N	02E	26		
80	Toles Creek	Bussel Creek	44N	02E	26		
81	Unnamed Stream	Bear Creek	44N	02E	26		
82	Unnamed Stream	Bear Creek	44N	02E	26		
83	Unnamed Stream	Bear Creek	44N	02E	26		
84	Unnamed Stream	Toles Creek	44N	02E	26		
85	Norton Creek	Bussel Creek	44N	02E	27		
86	Unnamed Stream	Lines Creek	44N	02E	27		
87	Unnamed Stream	Lines Creek	44N	02E	27		
88	Unnamed Stream	Toles Creek	44N	02E	27		
89	Norton Creek	Bussel Creek	44N	02E	28		
90	Unnamed Stream	Norton Creek	44N	02E	28		
91	Unnamed Stream	Norton Creek	44N	02E	28		
92	Unnamed Stream	Norton Creek	44N	02E	28		
93	Unnamed Stream	Norton Creek	44N	02E	28		
94	Unnamed Stream	Toles Creek	44N	02E	28		
95	Unnamed Stream	Norton Creek	44N	02E	29	NENE	
96	Unnamed Stream	Norton Creek	44N	02E	29	NENE	
97	Norton Creek	Bussel Creek	44N	02E	29	NESE	
98	Unnamed Stream	Norton Creek	44N	02E	29	NESW	
99	Unnamed Stream	Norton Creek	44N	02E	29	NWNE	
100	Unnamed Stream	Norton Creek	44N	02E	29	NWNE	
101	Unnamed Stream	Norton Creek	44N	02E	29	NWSW	
102	Unnamed Stream	Norton Creek	44N	02E	29	SENW	
103	Norton Creek	Bussel Creek	44N	02E	29	SESE	
104	Unnamed Stream	Norton Creek	44N	02E	29	SESE	
105	Unnamed Stream	Norton Creek	44N	02E	29	SESW	
106	Unnamed Stream	Norton Creek	44N	02E	29	SESW	
107	Unnamed Stream	Norton Creek	44N	02E	29	SESW	
108	Unnamed Stream	Norton Creek	44N	02E	29	SWNW	
109	Unnamed Stream	Norton Creek	44N	02E	29	SWSE	

Attachment 1

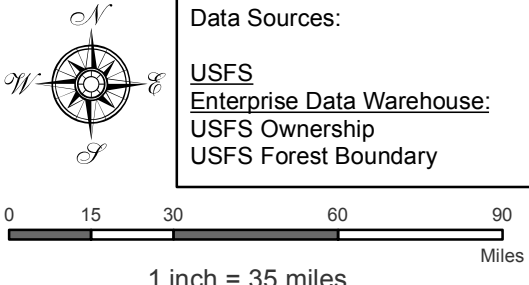
	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
110	Norton Creek	Bussel Creek	44N	02E	32		
111	Unnamed Stream	Norton Creek	44N	02E	32		
112	Unnamed Stream	Norton Creek	44N	02E	32		
113	Unnamed Stream	Norton Creek	44N	02E	32		
114	Unnamed Stream	Lines Creek	44N	02E	33	NENE	
115	Unnamed Stream	Lines Creek	44N	02E	33	NESW	
116	Unnamed Stream	Norton Creek	44N	02E	33	NWNW	
117	Unnamed Stream	Lines Creek	44N	02E	33	NWSE	
118	Unnamed Stream	Lines Creek	44N	02E	33	SENE	
119	Unnamed Stream	Lines Creek	44N	02E	33	SENE	
120	Unnamed Stream	Lines Creek	44N	02E	33	SENE	
121	Unnamed Stream	Lines Creek	44N	02E	33	SENE	
122	Lines Creek	Bussel Creek	44N	02E	33	SESE	
123	Lines Creek	Bussel Creek	44N	02E	33	SESW	
124	Unnamed Stream	Lines Creek	44N	02E	33	SWNE	
125	Unnamed Stream	Lines Creek	44N	02E	33	SWNE	
126	Lines Creek	Bussel Creek	44N	02E	33	SWSE	
127	Lines Creek	Bussel Creek	44N	02E	34		
128	Unnamed Stream	Lines Creek	44N	02E	34		
129	Unnamed Stream	Lines Creek	44N	02E	34		
130	Unnamed Stream	Lines Creek	44N	02E	34		
131	Unnamed Stream	Lines Creek	44N	02E	34		
132	Unnamed Stream	Lines Creek	44N	02E	34		
133	Unnamed Stream	Lines Creek	44N	02E	34		
134	Unnamed Stream	Lines Creek	44N	02E	34		
135	Unnamed Stream	Lines Creek	44N	02E	34		
136	Bussel Creek	Marble Creek	44N	02E	35		
137	Lines Creek	Bussel Creek	44N	02E	35		
138	Norton Creek	Bussel Creek	44N	02E	35		
139	Unnamed Stream	Bussel Creek	44N	02E	35		
140	Unnamed Stream	Bussel Creek	44N	02E	36		
141	Unnamed Stream	Bussel Creek	44N	02E	36		
142	Unnamed Swamp	Lines Creek	43N	02E	3		

Attachment 2
 Place of Use Map Fire Suppression - Water Right No. 91-07950C
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

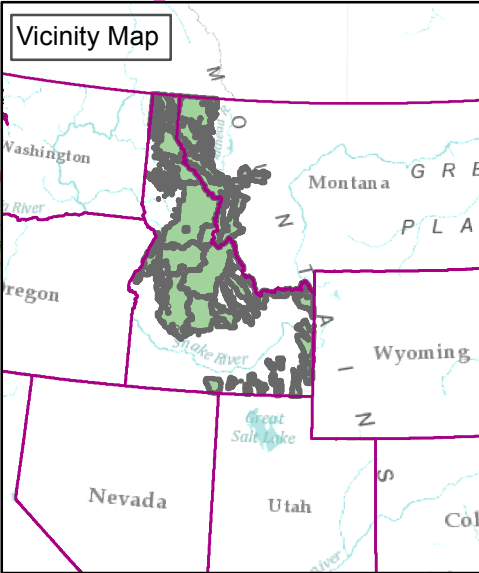
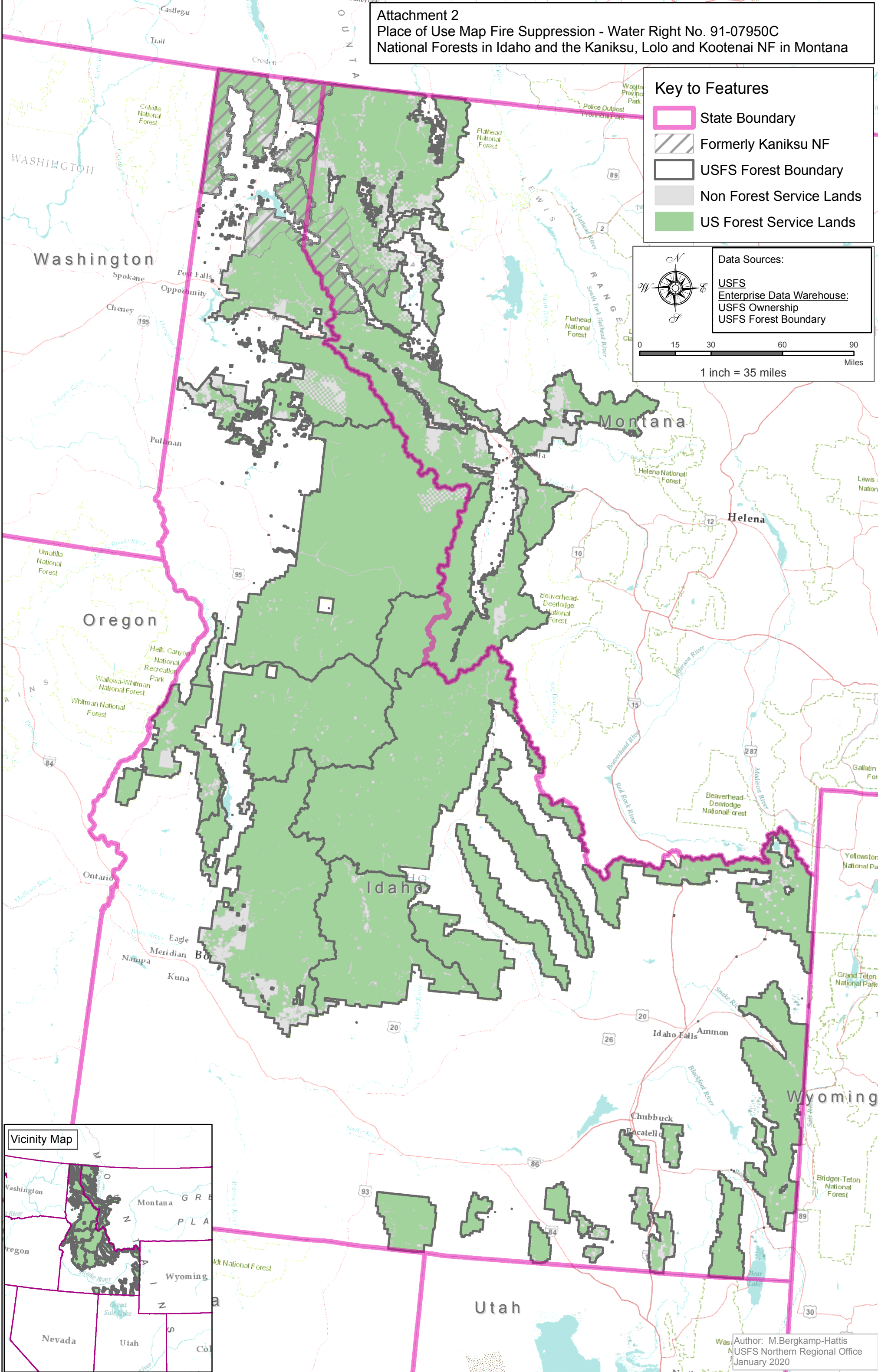
Key to Features

-  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