

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. 92-11063B

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 Charlie Creek subwatershed (HUC12 170103040901).

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

PRIORITY DATE: 06/01/1925

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	Elip Creek	Eena Creek	43N	01W	7		
3	Unnamed Stream	Elip Creek	43N	01W	7		
4	Unnamed Stream	Elip Creek	43N	01W	7		
5	Katsuck Creek	Eena Creek	43N	01W	18	NENW	
6	Unnamed Stream	Elip Creek	43N	01W	18	NENW	
7	Kimta Creek	Eena Creek	43N	01W	18	NESW	
8	Unnamed Stream	Kimta Creek	43N	01W	18	NESW	
9	Unnamed Stream	Kimta Creek	43N	01W	18	NESW	
10	Kimta Creek	Eena Creek	43N	01W	18	NWSE	
11	Unnamed Stream	Kimta Creek	43N	01W	18	NWSE	
12	Katsuck Creek	Eena Creek	43N	01W	18	SEnw	
13	Unnamed Stream	Kimta Creek	43N	01W	18	SEnw	
14	Brown Creek	East Fork Charlie Creek	43N	02W	1		
15	Moolock Creek	East Fork Charlie Creek	43N	02W	1		
16	Pamas Creek	East Fork Charlie Creek	43N	02W	1		
17	East Fork Charlie Creek	Charlie Creek	43N	02W	13		
18	Eena Creek	East Fork Charlie Creek	43N	02W	13		
19	Elip Creek	Eena Creek	43N	02W	13		
20	Lacy Creek	East Fork Charlie Creek	43N	02W	13		
21	Moolock Creek	East Fork Charlie Creek	43N	02W	13		
22	Unnamed Stream	East Fork Charlie Creek	43N	02W	13		
23	Unnamed Stream	Eena Creek	43N	02W	13		
24	Unnamed Stream	Elip Creek	43N	02W	13		
25	Unnamed Stream	Elip Creek	43N	02W	13		
26	Unnamed Stream	Lacy Creek	43N	02W	13		
27	Unnamed Stream	Moolock Creek	43N	02W	13		
28	Unnamed Stream	Lacy Creek	43N	02W	23	NENE	
29	Unnamed Stream	Lacy Creek	43N	02W	23	NESE	
30	Fagan Creek	East Fork Charlie Creek	43N	02W	23	NWNW	
31	Fagan Creek	East Fork Charlie Creek	43N	02W	23	NWSE	
32	Preston Creek	Charlie Creek	43N	02W	23	NWSW	
33	Unnamed Stream	Lacy Creek	43N	02W	23	SESE	
34	Fagan Creek	East Fork Charlie Creek	43N	02W	23	SWNW	
35	Fagan Creek	East Fork Charlie Creek	43N	02W	23	SWSE	
36	Scurry Creek	East Fork Charlie Creek	43N	02W	25	NENE	
37	Lacy Creek	East Fork Charlie Creek	43N	02W	25	NENW	
38	Lacy Creek	East Fork Charlie Creek	43N	02W	25	NWNE	
39	Unnamed Stream	Lacy Creek	43N	02W	25	NWSW	

Attachment 2
 Place of Use Map Fire Suppression - Water Right No. 92-11063B
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

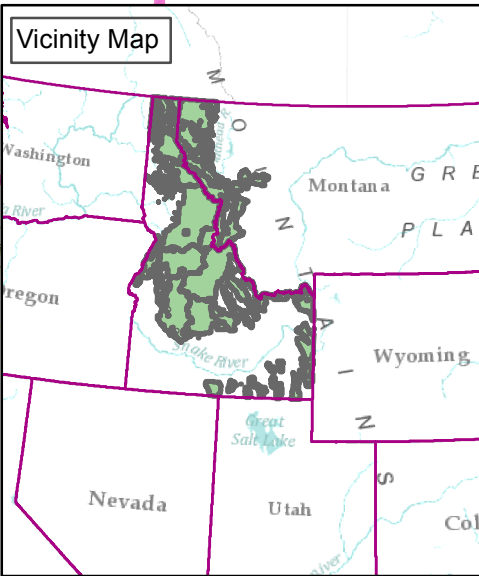
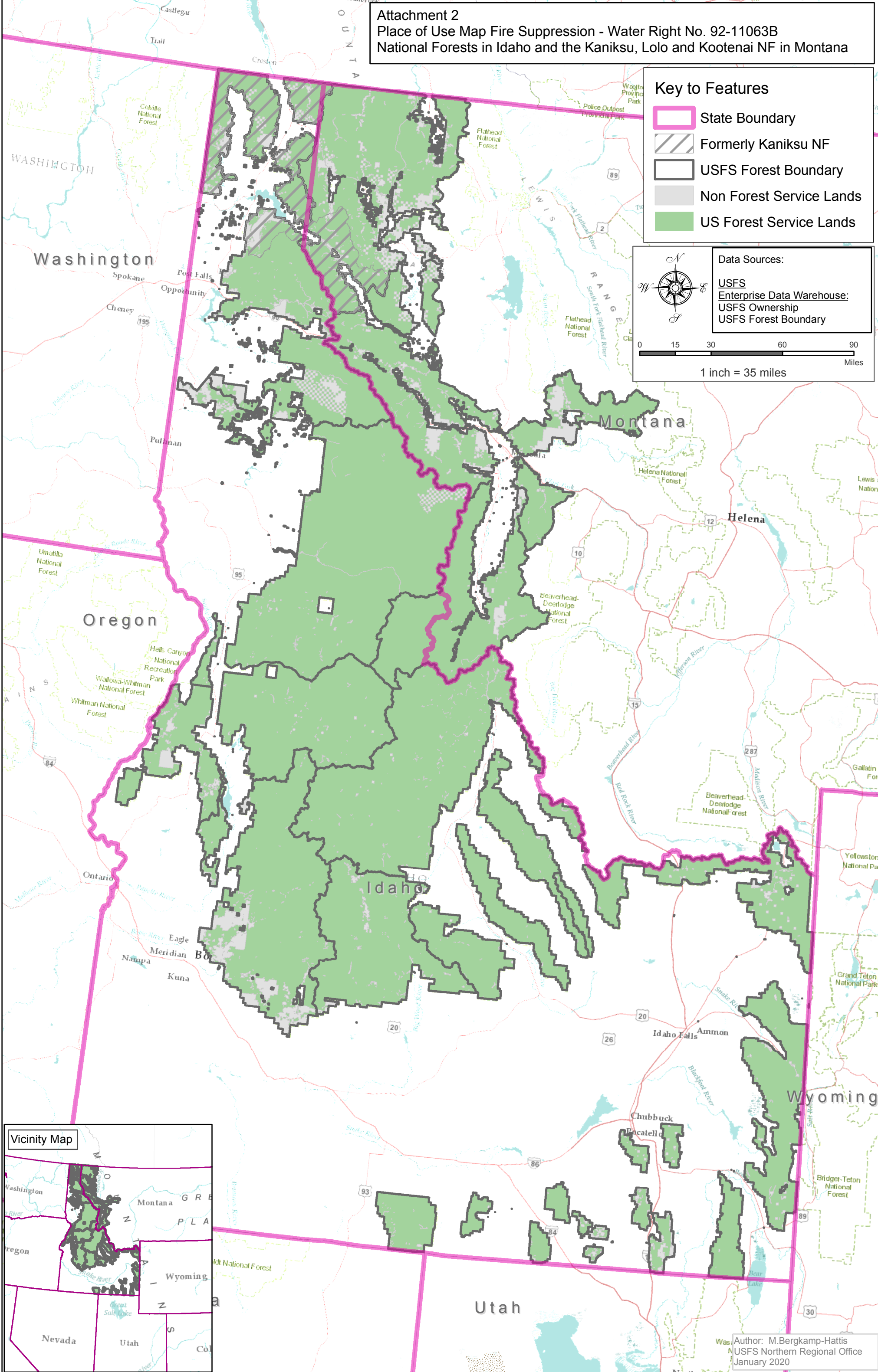
Key to Features

-  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