

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. 91-07971

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 Gold Creek subwatershed (HUC12 170103040301).

QUANTITY: 1.000 CFS
27.70 AFY

The quantity under this water right is limited to up to 27.700 acre feet per year, with a diversion rate never to exceed the lesser of 1.00 CFS or twenty-five (25) percent of the rate of flow then available at each point of diversion and, cumulatively, no more than twenty-five (25) percent at the furthest downstream point of diversion in use under water right nos. 91-07963A through 91-07994D.

See Attachment 2.

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>	<u>QUANTITY</u>
	ADMINISTRATIVE	01/01 - 12/31	1.000 CFS 27.70 AFY

Administrative use is for National Forest Administration.

The purpose of use includes, road construction, dust abatement, prescribed fire, vegetation establishment, maintaining riding and pack stock used for administrative purposes, and any other similar incidental administrative uses necessary to fulfill the purposes of the Organic Administration Act of 1897.

PLACE OF USE: National Forest System Land in the Gold Creek (HUC12 170103040301), Quartz Creek subwatershed (HUC12 170103040303), Bruin Creek-St Joe River subwatershed (HUC12 170103040304), Simmons Creek subwatershed (HUC12 170103040104), Ward Creek subwatershed (HUC12 170102040709), Twomile Creek subwatershed (HUC12 170102040710) and Little Joe Creek subwatershed (HUC12 170102040711).

See Attachment 3.

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 stated purposes. This water right shall not be used as a basis to prevent the future appropriation of water or the basis to request or initiate a delivery call or otherwise have the Idaho Department of Water Resources, a Water District or a Court curtail or limit distribution in whole or in part, to existing legal uses of water to satisfy this water right. This provision shall not be construed as a basis to curtail the United States' use of water under this right to satisfy junior water rights.

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 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	Unnamed Stream	Gold Creek	44N	08E	01		
003	Unnamed Stream	Gold Creek	44N	08E	01		
004	Unnamed Stream	Gold Creek	44N	08E	12		
005	Unnamed Stream	Gold Creek	44N	08E	12		
006	Unnamed Stream	Gold Creek	44N	08E	12		
007	Unnamed Stream	Gold Creek	44N	08E	12		
008	Unnamed Stream	Gold Creek	44N	08E	12		
009	Unnamed Stream	Gold Creek	44N	08E	12		
010	Unnamed Stream	Gold Creek	44N	08E	12		
011	Gold Creek	Saint Joe River	44N	08E	13		
012	Unnamed Stream	Gold Creek	44N	08E	13		
013	Unnamed Stream	Gold Creek	44N	08E	13		
014	Unnamed Stream	Gold Creek	44N	08E	13		
015	Unnamed Stream	Gold Creek	44N	08E	13		
016	Unnamed Stream	Gold Creek	44N	08E	13		
017	Unnamed Stream	Gold Creek	44N	08E	13		
018	Unnamed Stream	Gold Creek	44N	08E	13		
019	Unnamed Stream	Gold Creek	44N	08E	13		
020	Unnamed Stream	Gold Creek	44N	08E	13		
021	Gold Creek	Saint Joe River	44N	08E	14		
022	Unnamed Stream	Gold Creek	44N	08E	24		
023	Broadaxe Creek	Gold Creek	44N	09E	03		
024	East Fork Gold Creek	Gold Creek	44N	09E	03		
025	Unnamed Stream	East Fork Gold Creek	44N	09E	03		
026	Berge Creek	Gold Creek	44N	09E	04		
027	East Fork Gold Creek	Gold Creek	44N	09E	04		
028	Unnamed Stream	Berge Creek	44N	09E	04		
029	Unnamed Stream	East Fork Gold Creek	44N	09E	04		
030	Unnamed Stream	East Fork Gold Creek	44N	09E	04		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
031	Unnamed Stream	East Fork Gold Creek	44N	09E	04		
032	Unnamed Stream	East Fork Gold Creek	44N	09E	04		
033	Berge Creek	Gold Creek	44N	09E	05		
034	Gold Creek	Saint Joe River	44N	09E	05		
035	Unnamed Stream	Berge Creek	44N	09E	05		
036	Unnamed Stream	Berge Creek	44N	09E	05		
037	Unnamed Stream	Berge Creek	44N	09E	05		
038	Unnamed Stream	Berge Creek	44N	09E	05		
039	Unnamed Stream	Berge Creek	44N	09E	05		
040	Unnamed Stream	Gold Creek	44N	09E	05		
041	Unnamed Stream	Gold Creek	44N	09E	05		
042	Unnamed Stream	Gold Creek	44N	09E	05		
043	Unnamed Stream	Gold Creek	44N	09E	05		
044	Berge Creek	Gold Creek	44N	09E	06		
045	Gold Creek	Saint Joe River	44N	09E	06		
046	Unnamed Stream	Gold Creek	44N	09E	06		
047	Unnamed Stream	Gold Creek	44N	09E	06		
048	Unnamed Stream	Gold Creek	44N	09E	06		
049	Unnamed Stream	Gold Creek	44N	09E	06		
050	Unnamed Stream	Gold Creek	44N	09E	06		
051	Unnamed Stream	Gold Creek	44N	09E	06		
052	East Fork Gold Creek	Gold Creek	44N	09E	07		
053	Gold Creek	Saint Joe River	44N	09E	07		
054	Unnamed Stream	Gold Creek	44N	09E	07		
055	Unnamed Stream	Gold Creek	44N	09E	07		
056	Unnamed Stream	Gold Creek	44N	09E	07		
057	Unnamed Stream	Gold Creek	44N	09E	07		
058	Unnamed Stream	Gold Creek	44N	09E	07		
059	Unnamed Stream	Gold Creek	44N	09E	07		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
060	Unnamed Stream	Gold Creek	44N	09E	07		
061	Unnamed Stream	Gold Creek	44N	09E	07		
062	Unnamed Stream	Gold Creek	44N	09E	07		
063	Unnamed Stream	Gold Creek	44N	09E	07		
064	East Fork Gold Creek	Gold Creek	44N	09E	08		
065	Unnamed Stream	Berge Creek	44N	09E	08		
066	Unnamed Stream	Berge Creek	44N	09E	08		
067	Unnamed Stream	Berge Creek	44N	09E	08		
068	Unnamed Stream	East Fork Gold Creek	44N	09E	08		
069	Unnamed Stream	East Fork Gold Creek	44N	09E	08		
070	Unnamed Stream	East Fork Gold Creek	44N	09E	08		
071	Unnamed Stream	East Fork Gold Creek	44N	09E	08		
072	Unnamed Stream	Gold Creek	44N	09E	08		
073	Unnamed Stream	Gold Creek	44N	09E	08		
074	East Fork Gold Creek	Gold Creek	44N	09E	09		
075	Unnamed Stream	East Fork Gold Creek	44N	09E	09		
076	Unnamed Stream	East Fork Gold Creek	44N	09E	09		
077	Unnamed Stream	East Fork Gold Creek	44N	09E	09		
078	Unnamed Stream	East Fork Gold Creek	44N	09E	09		
079	Unnamed Stream	East Fork Gold Creek	44N	09E	09		
080	Unnamed Stream	East Fork Gold Creek	44N	09E	09		
081	Unnamed Stream	East Fork Gold Creek	44N	09E	09		
082	Unnamed Stream	East Fork Gold Creek	44N	09E	09		
083	East Fork Gold Creek	Gold Creek	44N	09E	17		
084	Unnamed Stream	East Fork Gold Creek	44N	09E	17		
085	Unnamed Stream	East Fork Gold Creek	44N	09E	17		
086	Unnamed Stream	East Fork Gold Creek	44N	09E	17		
087	East Fork Gold Creek	Gold Creek	44N	09E	18		
088	Gold Creek	Saint Joe River	44N	09E	18		

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	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
089	Unnamed Stream	East Fork Gold Creek	44N	09E	18		
090	Unnamed Stream	Gold Creek	44N	09E	18		
091	Gold Creek	Saint Joe River	45N	08E	12		
092	Float Creek	Gold Creek	45N	08E	13		
093	Unnamed Stream	Float Creek	45N	08E	13		
094	Unnamed Stream	Float Creek	45N	08E	13		
095	Unnamed Stream	Float Creek	45N	08E	13		
096	Unnamed Stream	Float Creek	45N	08E	13		
097	Unnamed Stream	Float Creek	45N	08E	13		
098	Unnamed Stream	Float Creek	45N	08E	13		
099	Unnamed Stream	Float Creek	45N	08E	13		
100	Unnamed Stream	Gold Creek	45N	08E	13		
101	Bear Spring Creek	Gold Creek	45N	08E	23		
102	Bear Spring Creek	Gold Creek	45N	08E	24		
103	Float Creek	Gold Creek	45N	08E	24		
104	Unnamed Stream	Bear Spring Creek	45N	08E	24		
105	Unnamed Stream	Bear Spring Creek	45N	08E	24		
106	Unnamed Stream	Bear Spring Creek	45N	08E	24		
107	Unnamed Stream	Bear Spring Creek	45N	08E	24		
108	Unnamed Stream	Bear Spring Creek	45N	08E	24		
109	Unnamed Stream	Bear Spring Creek	45N	08E	24		
110	Unnamed Stream	Float Creek	45N	08E	24		
111	Unnamed Stream	Float Creek	45N	08E	24		
112	Bear Spring Creek	Gold Creek	45N	08E	25		
113	Unnamed Stream	Bear Spring Creek	45N	08E	25		
114	Unnamed Stream	Bear Spring Creek	45N	08E	25		
115	Unnamed Stream	Bear Spring Creek	45N	08E	25		
116	Unnamed Stream	Bear Spring Creek	45N	08E	25		
117	Unnamed Stream	Bear Spring Creek	45N	08E	25		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
118	Unnamed Stream	Bear Spring Creek	45N	08E	25		
119	Unnamed Stream	Bear Spring Creek	45N	08E	25		
120	Unnamed Stream	Gold Creek	45N	08E	25		
121	Unnamed Stream	Gold Creek	45N	08E	25		
122	Unnamed Stream	Gold Creek	45N	08E	36		
123	Unnamed Stream	Gold Creek	45N	08E	36		
124	Unnamed Stream	Gold Creek	45N	08E	36		
125	Unnamed Stream	Gold Creek	45N	08E	36		
126	Unnamed Stream	Gold Creek	45N	08E	36		
127	Unnamed Stream	Gold Creek	45N	08E	36		
128	Unnamed Stream	Gold Creek	45N	08E	36		
129	Gold Creek	Saint Joe River	45N	09E	07		
130	Unnamed Stream	Gold Creek	45N	09E	07		
131	Unnamed Stream	Gold Creek	45N	09E	07		
132	Unnamed Stream	Gold Creek	45N	09E	07		
133	Unnamed Stream	Gold Creek	45N	09E	07		
134	Unnamed Stream	Gold Creek	45N	09E	07		
135	Unnamed Stream	Gold Creek	45N	09E	07		
136	Unnamed Stream	Gold Creek	45N	09E	08		
137	Unnamed Stream	Gold Creek	45N	09E	08		
138	Unnamed Stream	Gold Creek	45N	09E	08		
139	Unnamed Stream	Gold Creek	45N	09E	08		
140	Unnamed Stream	Gold Creek	45N	09E	09		
141	Unnamed Stream	Gold Creek	45N	09E	16		
142	Unnamed Stream	Gold Creek	45N	09E	16		
143	Unnamed Stream	Gold Creek	45N	09E	16		
144	Unnamed Stream	Gold Creek	45N	09E	16		
145	Gold Creek	Saint Joe River	45N	09E	17		
146	Unnamed Stream	Gold Creek	45N	09E	17		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
147	Unnamed Stream	Gold Creek	45N	09E	17		
148	Unnamed Stream	Gold Creek	45N	09E	17		
149	Unnamed Stream	Gold Creek	45N	09E	17		
150	Unnamed Stream	Gold Creek	45N	09E	17		
151	Unnamed Stream	Gold Creek	45N	09E	17		
152	Unnamed Stream	Gold Creek	45N	09E	17		
153	Unnamed Stream	Gold Creek	45N	09E	17		
154	Gold Creek	Saint Joe River	45N	09E	18		
155	Unnamed Stream	Float Creek	45N	09E	18		
156	Unnamed Stream	Float Creek	45N	09E	18		
157	Unnamed Stream	Float Creek	45N	09E	18		
158	Unnamed Stream	Gold Creek	45N	09E	18		
159	Unnamed Stream	Gold Creek	45N	09E	18		
160	Bear Spring Creek	Gold Creek	45N	09E	19		
161	Float Creek	Gold Creek	45N	09E	19		
162	Gold Creek	Saint Joe River	45N	09E	19		
163	Unnamed Stream	Bear Spring Creek	45N	09E	19		
164	Unnamed Stream	Float Creek	45N	09E	19		
165	Unnamed Stream	Float Creek	45N	09E	19		
166	Unnamed Stream	Float Creek	45N	09E	19		
167	Unnamed Stream	Float Creek	45N	09E	19		
168	Unnamed Stream	Float Creek	45N	09E	19		
169	Unnamed Stream	Float Creek	45N	09E	19		
170	Unnamed Stream	Gold Creek	45N	09E	19		
171	Unnamed Stream	Gold Creek	45N	09E	19		
172	Gold Creek	Saint Joe River	45N	09E	20		
173	Unnamed Stream	Gold Creek	45N	09E	20		
174	Unnamed Stream	Gold Creek	45N	09E	20		
175	Unnamed Stream	Gold Creek	45N	09E	20		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
176	Unnamed Stream	Gold Creek	45N	09E	20		
177	Unnamed Stream	Gold Creek	45N	09E	20		
178	Unnamed Stream	Gold Creek	45N	09E	20		
179	Unnamed Stream	Gold Creek	45N	09E	20		
180	Unnamed Stream	Gold Creek	45N	09E	20		
181	Unnamed Stream	Gold Creek	45N	09E	20		
182	Unnamed Stream	Broadaxe Creek	45N	09E	21		
183	Unnamed Stream	Gold Creek	45N	09E	21		
184	Unnamed Stream	Gold Creek	45N	09E	21		
185	Unnamed Stream	Gold Creek	45N	09E	21		
186	Unnamed Stream	Gold Creek	45N	09E	21		
187	Unnamed Stream	Broadaxe Creek	45N	09E	22		
188	Unnamed Stream	Broadaxe Creek	45N	09E	27		
189	Unnamed Stream	Broadaxe Creek	45N	09E	27		
190	Unnamed Stream	Broadaxe Creek	45N	09E	27		
191	Unnamed Stream	Broadaxe Creek	45N	09E	27		
192	Broadaxe Creek	Gold Creek	45N	09E	28		
193	Unnamed Stream	Broadaxe Creek	45N	09E	28		
194	Unnamed Stream	Broadaxe Creek	45N	09E	28		
195	Unnamed Stream	Broadaxe Creek	45N	09E	28		
196	Unnamed Stream	Broadaxe Creek	45N	09E	28		
197	Unnamed Stream	Broadaxe Creek	45N	09E	28		
198	Unnamed Stream	Broadaxe Creek	45N	09E	28		
199	Unnamed Stream	Broadaxe Creek	45N	09E	28		
200	Unnamed Stream	Broadaxe Creek	45N	09E	28		
201	Unnamed Stream	Broadaxe Creek	45N	09E	28		
202	Unnamed Stream	Broadaxe Creek	45N	09E	28		
203	Unnamed Stream	Broadaxe Creek	45N	09E	28		
204	Broadaxe Creek	Gold Creek	45N	09E	29		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
205	Unnamed Stream	Broadaxe Creek	45N	09E	29		
206	Unnamed Stream	Broadaxe Creek	45N	09E	29		
207	Unnamed Stream	Broadaxe Creek	45N	09E	29		
208	Unnamed Stream	Broadaxe Creek	45N	09E	29		
209	Unnamed Stream	Broadaxe Creek	45N	09E	29		
210	Unnamed Stream	Gold Creek	45N	09E	29		
211	Bear Spring Creek	Gold Creek	45N	09E	30		
212	Broadaxe Creek	Gold Creek	45N	09E	30		
213	Gold Creek	Saint Joe River	45N	09E	30		
214	Unnamed Stream	Bear Spring Creek	45N	09E	30		
215	Unnamed Stream	Bear Spring Creek	45N	09E	30		
216	Unnamed Stream	Bear Spring Creek	45N	09E	30		
217	Unnamed Stream	Broadaxe Creek	45N	09E	30		
218	Unnamed Stream	Gold Creek	45N	09E	30		
219	Unnamed Stream	Gold Creek	45N	09E	30		
220	Unnamed Stream	Gold Creek	45N	09E	30		
221	Unnamed Stream	Gold Creek	45N	09E	30		
222	Gold Creek	Saint Joe River	45N	09E	31		
223	Pretty Creek	Gold Creek	45N	09E	31		
224	Unnamed Stream	Broadaxe Creek	45N	09E	31		
225	Unnamed Stream	Gold Creek	45N	09E	31		
226	Unnamed Stream	Gold Creek	45N	09E	31		
227	Unnamed Stream	Gold Creek	45N	09E	31		
228	Unnamed Stream	Gold Creek	45N	09E	31		
229	Unnamed Stream	Gold Creek	45N	09E	31		
230	Unnamed Stream	Gold Creek	45N	09E	31		
231	Unnamed Stream	Gold Creek	45N	09E	31		
232	Berge Creek	Gold Creek	45N	09E	32		
233	Pretty Creek	Gold Creek	45N	09E	32		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
234	Unnamed Stream	Broadaxe Creek	45N	09E	32		
235	Unnamed Stream	Broadaxe Creek	45N	09E	32		
236	Berge Creek	Gold Creek	45N	09E	33		
237	Broadaxe Creek	Gold Creek	45N	09E	33		
238	Unnamed Stream	Broadaxe Creek	45N	09E	33		
239	Unnamed Stream	Broadaxe Creek	45N	09E	33		
240	Unnamed Stream	Broadaxe Creek	45N	09E	33		
241	Broadaxe Creek	Gold Creek	45N	09E	34		
242	Unnamed Stream	Broadaxe Creek	45N	09E	34		
243	Unnamed Stream	Broadaxe Creek	45N	09E	34		
244	Bear Spring	Bear Spring Creek	45N	08E	23	NESE	
245	Bed Springs	Gold Creek	45N	09E	08	NESE	L 2

Attachment 2

91-07963	A	91-07981	D	91-07985	K	91-07993	E
91-07963	B	91-07981	E	91-07985	L	91-07993	F
91-07964		91-07981	F	91-07985	M	91-07993	G
91-07965	A	91-07981	G	91-07986	A	91-07994	A
91-07965	B	91-07981	H	91-07986	B	91-07994	B
91-07966		91-07981	I	91-07986	C	91-07994	C
91-07967	A	91-07981	J	91-07986	D	91-07994	D
91-07967	B	91-07981	K	91-07986	E		
91-07967	C	91-07981	L	91-07986	F		
91-07968	A	91-07981	M	91-07986	G		
91-07968	B	91-07981	N	91-07987	A		
91-07968	C	91-07981	O	91-07987	B		
91-07968	D	91-07981	P	91-07987	C		
91-07969	A	91-07981	Q	91-07987	D		
91-07969	B	91-07982	A	91-07987	E		
91-07969	C	91-07982	B	91-07987	F		
91-07969	D	91-07982	C	91-07987	G		
91-07969	E	91-07982	D	91-07987	H		
91-07970	A	91-07982	E	91-07987	I		
91-07970	B	91-07982	F	91-07987	J		
91-07970	C	91-07982	G	91-07987	K		
91-07970	D	91-07982	H	91-07987	L		
91-07971		91-07982	I	91-07987	M		
91-07972		91-07982	J	91-07987	N		
91-07973		91-07983	A	91-07987	O		
91-07974	A	91-07983	B	91-07987	P		
91-07974	B	91-07983	C	91-07987	Q		
91-07975	A	91-07983	D	91-07987	R		
91-07975	B	91-07983	E	91-07987	S		
91-07976		91-07983	F	91-07987	T		
91-07977	A	91-07983	G	91-07988	A		
91-07977	B	91-07983	H	91-07988	B		
91-07978	A	91-07983	I	91-07988	C		
91-07978	B	91-07983	J	91-07988	D		
91-07978	C	91-07983	K	91-07988	E		
91-07978	D	91-07983	L	91-07988	F		
91-07979	A	91-07983	M	91-07988	G		
91-07979	B	91-07984	A	91-07989			
91-07979	C	91-07984	B	91-07990	A		
91-07979	D	91-07984	C	91-07990	B		
91-07979	E	91-07985	A	91-07990	C		
91-07980	A	91-07985	B	91-07991	A		
91-07980	B	91-07985	C	91-07991	B		
91-07980	C	91-07985	D	91-07991	C		
91-07980	D	91-07985	E	91-07992	A		
91-07980	E	91-07985	F	91-07992	B		
91-07980	F	91-07985	G	91-07993	A		
91-07981	A	91-07985	H	91-07993	B		
91-07981	B	91-07985	I	91-07993	C		
91-07981	C	91-07985	J	91-07993	D		

