

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. 91-07973

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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 Quartz Creek subwatershed (HUC12 170103040303).

QUANTITY: 1.000 CFS  
22.80 AFY

The quantity under this water right is limited to up to 22.800 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 22.80 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 Quartz Creek subwatershed (HUC12 170103040303), Eagle Creek-St Joe River subwatershed (HUC12 170103040305), Bruin Creek-St Joe River subwatershed (HUC12 170103040304), Gold Creek subwatershed (HUC12 170103040301), Big Creek subwatershed (HUC12 170102040704), Deer Creek subwatershed (HUC12 170102040706) and Ward Creek subwatershed (HUC12 170102040709).

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.

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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	Aspen Creek	Entente Creek	45N	08E	03		
003	Aspen Creek	Entente Creek	45N	08E	04		
004	Aspen Creek	Entente Creek	45N	08E	07		
005	Aspen Creek	Entente Creek	45N	08E	08		
006	Aspen Creek	Entente Creek	45N	08E	09		
007	Entente Creek	Quartz Creek	45N	07E	13		
008	Entente Creek	Quartz Creek	45N	07E	24		
009	Entente Creek	Quartz Creek	45N	08E	05		
010	Entente Creek	Quartz Creek	45N	08E	07		
011	Entente Creek	Quartz Creek	45N	08E	08		
012	Entente Creek	Quartz Creek	45N	08E	18		
013	Entente Creek	Quartz Creek	45N	08E	19		
014	Quartz Creek	St Joe River	45N	07E	25		
015	Quartz Creek	St Joe River	45N	07E	36		
016	Quartz Creek	St Joe River	45N	08E	12		
017	Quartz Creek	St Joe River	45N	08E	13		
018	Quartz Creek	St Joe River	45N	08E	14		
019	Quartz Creek	St Joe River	45N	08E	15		
020	Quartz Creek	St Joe River	45N	08E	16		
021	Quartz Creek	St Joe River	45N	08E	17		
022	Quartz Creek	St Joe River	45N	08E	18		
023	Quartz Creek	St Joe River	45N	08E	19		
024	Quartz Creek	St Joe River	45N	08E	30		
025	St Joe River	Coeur d'Alene Lake	45N	07E	36		
026	Unnamed Stream	Entente Creek	45N	07E	13		
027	Unnamed Stream	Entente Creek	45N	07E	13		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
028	Unnamed Stream	Entente Creek	45N	07E	24		
029	Unnamed Stream	Quartz Creek	45N	07E	24		
030	Unnamed Stream	Quartz Creek	45N	07E	24		
031	Unnamed Stream	Quartz Creek	45N	07E	25		
032	Unnamed Stream	Quartz Creek	45N	07E	25		
033	Unnamed Stream	Quartz Creek	45N	07E	25		
034	Unnamed Stream	Quartz Creek	45N	07E	25		
035	Unnamed Stream	Quartz Creek	45N	07E	25		
036	Unnamed Stream	Quartz Creek	45N	07E	25		
037	Unnamed Stream	Quartz Creek	45N	07E	36		
038	Unnamed Stream	Quartz Creek	45N	07E	36		
039	Unnamed Stream	Quartz Creek	45N	08E	03		
040	Unnamed Stream	Entente Creek	45N	08E	05		
041	Unnamed Stream	Entente Creek	45N	08E	05		
042	Unnamed Stream	Entente Creek	45N	08E	06		
043	Unnamed Stream	Entente Creek	45N	08E	07		
044	Unnamed Stream	Entente Creek	45N	08E	07		
045	Unnamed Stream	Entente Creek	45N	08E	07		
046	Unnamed Stream	Entente Creek	45N	08E	08		
047	Unnamed Stream	Quartz Creek	45N	08E	09		
048	Unnamed Stream	Quartz Creek	45N	08E	09		
049	Unnamed Stream	Quartz Creek	45N	08E	09		
050	Unnamed Stream	Quartz Creek	45N	08E	09		
051	Unnamed Stream	Quartz Creek	45N	08E	10		
052	Unnamed Stream	Quartz Creek	45N	08E	10		
053	Unnamed Stream	Quartz Creek	45N	08E	10		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
054	Unnamed Stream	Quartz Creek	45N	08E	10		
055	Unnamed Stream	Quartz Creek	45N	08E	10		
056	Unnamed Stream	Quartz Creek	45N	08E	11		
057	Unnamed Stream	Quartz Creek	45N	08E	12		
058	Unnamed Stream	Quartz Creek	45N	08E	12		
059	Unnamed Stream	Quartz Creek	45N	08E	12		
060	Unnamed Stream	Quartz Creek	45N	08E	13		
061	Unnamed Stream	Quartz Creek	45N	08E	14		
062	Unnamed Stream	Quartz Creek	45N	08E	14		
063	Unnamed Stream	Quartz Creek	45N	08E	14		
064	Unnamed Stream	Quartz Creek	45N	08E	14		
065	Unnamed Stream	Quartz Creek	45N	08E	14		
066	Unnamed Stream	Quartz Creek	45N	08E	14		
067	Unnamed Stream	Quartz Creek	45N	08E	14		
068	Unnamed Stream	Quartz Creek	45N	08E	15		
069	Unnamed Stream	Quartz Creek	45N	08E	15		
070	Unnamed Stream	Quartz Creek	45N	08E	15		
071	Unnamed Stream	Quartz Creek	45N	08E	15		
072	Unnamed Stream	Quartz Creek	45N	08E	15		
073	Unnamed Stream	Quartz Creek	45N	08E	15		
074	Unnamed Stream	Quartz Creek	45N	08E	15		
075	Unnamed Stream	Quartz Creek	45N	08E	15		
076	Unnamed Stream	Quartz Creek	45N	08E	15		
077	Unnamed Stream	Quartz Creek	45N	08E	15		
078	Unnamed Stream	Quartz Creek	45N	08E	15		
079	Unnamed Stream	Quartz Creek	45N	08E	15		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
080	Unnamed Stream	Quartz Creek	45N	08E	15		
081	Unnamed Stream	Quartz Creek	45N	08E	16		
082	Unnamed Stream	Quartz Creek	45N	08E	16		
083	Unnamed Stream	Quartz Creek	45N	08E	16		
084	Unnamed Stream	Quartz Creek	45N	08E	16		
085	Unnamed Stream	Quartz Creek	45N	08E	16		
086	Unnamed Stream	Quartz Creek	45N	08E	16		
087	Unnamed Stream	Entente Creek	45N	08E	17		
088	Unnamed Stream	Quartz Creek	45N	08E	17		
089	Unnamed Stream	Quartz Creek	45N	08E	17		
090	Unnamed Stream	Quartz Creek	45N	08E	17		
091	Unnamed Stream	Quartz Creek	45N	08E	17		
092	Unnamed Stream	Quartz Creek	45N	08E	17		
093	Unnamed Stream	Entente Creek	45N	08E	18		
094	Unnamed Stream	Entente Creek	45N	08E	18		
095	Unnamed Stream	Entente Creek	45N	08E	18		
096	Unnamed Stream	Entente Creek	45N	08E	18		
097	Unnamed Stream	Quartz Creek	45N	08E	18		
098	Unnamed Stream	Quartz Creek	45N	08E	19		
099	Unnamed Stream	Quartz Creek	45N	08E	19		
100	Unnamed Stream	Quartz Creek	45N	08E	19		
101	Unnamed Stream	Quartz Creek	45N	08E	19		
102	Unnamed Stream	Quartz Creek	45N	08E	19		
103	Unnamed Stream	Quartz Creek	45N	08E	19		
104	Unnamed Stream	Quartz Creek	45N	08E	19		
105	Unnamed Stream	Quartz Creek	45N	08E	20		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
106	Unnamed Stream	Quartz Creek	45N	08E	20		
107	Unnamed Stream	Quartz Creek	45N	08E	20		
108	Unnamed Stream	Quartz Creek	45N	08E	20		
109	Unnamed Stream	Quartz Creek	45N	08E	20		
110	Unnamed Stream	Quartz Creek	45N	08E	20		
111	Unnamed Stream	Quartz Creek	45N	08E	20		
112	Unnamed Stream	Quartz Creek	45N	08E	20		
113	Unnamed Stream	Quartz Creek	45N	08E	20		
114	Unnamed Stream	Quartz Creek	45N	08E	20		
115	Unnamed Stream	Quartz Creek	45N	08E	20		
116	Unnamed Stream	Quartz Creek	45N	08E	20		
117	Unnamed Stream	Quartz Creek	45N	08E	20		
118	Unnamed Stream	Quartz Creek	45N	08E	20		
119	Unnamed Stream	Quartz Creek	45N	08E	21		
120	Unnamed Stream	Quartz Creek	45N	08E	21		
121	Unnamed Stream	Quartz Creek	45N	08E	21		
122	Unnamed Stream	Quartz Creek	45N	08E	21		
123	Unnamed Stream	Quartz Creek	45N	08E	21		
124	Unnamed Stream	Quartz Creek	45N	08E	21		
125	Unnamed Stream	Quartz Creek	45N	08E	21		
126	Unnamed Stream	Quartz Creek	45N	08E	21		
127	Unnamed Stream	Quartz Creek	45N	08E	21		
128	Unnamed Stream	Quartz Creek	45N	08E	21		
129	Unnamed Stream	Quartz Creek	45N	08E	22		
130	Unnamed Stream	Quartz Creek	45N	08E	22		
131	Unnamed Stream	Quartz Creek	45N	08E	22		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
132	Unnamed Stream	Quartz Creek	45N	08E	22		
133	Unnamed Stream	Quartz Creek	45N	08E	22		
134	Unnamed Stream	Quartz Creek	45N	08E	22		
135	Unnamed Stream	Quartz Creek	45N	08E	22		
136	Unnamed Stream	Quartz Creek	45N	08E	22		
137	Unnamed Stream	Quartz Creek	45N	08E	22		
138	Unnamed Stream	Quartz Creek	45N	08E	22		
139	Unnamed Stream	Quartz Creek	45N	08E	22		
140	Unnamed Stream	Quartz Creek	45N	08E	22		
141	Unnamed Stream	Quartz Creek	45N	08E	22		
142	Unnamed Stream	Quartz Creek	45N	08E	22		
143	Unnamed Stream	Quartz Creek	45N	08E	22		
144	Unnamed Stream	Quartz Creek	45N	08E	22		
145	Unnamed Stream	Quartz Creek	45N	08E	23		
146	Unnamed Stream	Quartz Creek	45N	08E	23		
147	Unnamed Stream	Quartz Creek	45N	08E	27		
148	Unnamed Stream	Quartz Creek	45N	08E	29		
149	Unnamed Stream	Quartz Creek	45N	08E	29		
150	Unnamed Stream	Quartz Creek	45N	08E	29		
151	Unnamed Stream	Quartz Creek	45N	08E	29		
152	Unnamed Stream	Quartz Creek	45N	08E	29		
153	Unnamed Stream	Quartz Creek	45N	08E	29		
154	Unnamed Stream	Quartz Creek	45N	08E	29		
155	Unnamed Stream	Quartz Creek	45N	08E	30		
156	Unnamed Stream	Quartz Creek	45N	08E	30		
157	Unnamed Stream	Quartz Creek	45N	08E	30		



# Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
158	Unnamed Stream	Quartz Creek	45N	08E	30		
159	Unnamed Stream	Quartz Creek	45N	08E	30		
160	Unnamed Stream	Quartz Creek	45N	08E	31		

## 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		

