

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. 92-11067I

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 West Fork St Maries River subwatershed (HUC12 170103040703).

QUANTITY: 1.000 CFS
19.40 AFY

The quantity under this water right is limited to up to 19.400 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. 92-11067A thru 92-11075 and 92-11080A thru 92-11081D.

See Attachment 2.

Right nos. 92-11067A, 92-11067B, 92-11067C, 92-11067D, 92-11067E, 92-11067F, 92-11067G, 92-11067H, 92-11067I, 92-11067J, 92-11067K, 92-11067L, 92-11067M, 92-11067N, 92-11067O and 92-11067P are limited to a total combined annual diversion volume of 19.40 acre feet.

PRIORITY DATE: 07/19/1971

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 19.40 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 West Fork St Maries River subwatershed (HUC12 170103040703), Emerald Creek subwatershed (HUC12 170103040801), Olson Creek-St Maries River subwatershed (HUC12 170103040802), Merry Creek-Middle Fork St Maries River subwatershed (HUC12 170103040702), Middle Fork St Maries River subwatershed (HUC12 170103040701), West Fork Potlatch River-Potlatch River subwatershed (HUC12 170603060802) and East Fork Potlatch River subwatershed (HUC12 170603060801).

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	Hidden Creek	42N	01E	22	SESE	
003	Unnamed Stream	Hidden Creek	42N	01E	22	SESE	
004	Unnamed Stream	Hidden Creek	42N	01E	22	SESE	
005	Unnamed Stream	Hidden Creek	42N	01E	22	SESE	
006	Unnamed Stream	Wood Creek	42N	01E	22	SESE	
007	Unnamed Stream	Wood Creek	42N	01E	22	SESE	
008	Unnamed Stream	Wood Creek	42N	01E	22	SESE	
009	Unnamed Stream	Wood Creek	42N	01E	22	SESE	
010	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
011	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
012	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
013	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
014	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
015	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
016	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
017	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
018	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
019	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
020	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
021	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
022	Unnamed Stream	Wood Creek	42N	01E	23	SWSW	
023	Unnamed Stream	Wood Creek	42N	01E	23	SWSW	
024	Unnamed Stream	Wood Creek	42N	01E	23	SWSW	
025	Unnamed Stream	Wood Creek	42N	01E	23	SWSW	
026	Unnamed Stream	Wood Creek	42N	01E	23	SWSW	
027	Wood Creek	West Fork Saint Maries River	42N	01E	23	SWSW	
028	Unnamed Stream	Hidden Creek	42N	01E	26	NWNW	
029	Unnamed Stream	Hidden Creek	42N	01E	26	NWNW	
030	Unnamed Stream	Hidden Creek	42N	01E	26	NWNW	

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	Hidden Creek	42N	01E	22	SESE	
003	Unnamed Stream	Hidden Creek	42N	01E	22	SESE	
004	Unnamed Stream	Hidden Creek	42N	01E	22	SESE	
005	Unnamed Stream	Hidden Creek	42N	01E	22	SESE	
006	Unnamed Stream	Wood Creek	42N	01E	22	SESE	
007	Unnamed Stream	Wood Creek	42N	01E	22	SESE	
008	Unnamed Stream	Wood Creek	42N	01E	22	SESE	
009	Unnamed Stream	Wood Creek	42N	01E	22	SESE	
010	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
011	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
012	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
013	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
014	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
015	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
016	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
017	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
018	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
019	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
020	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
021	Unnamed Stream	Hidden Creek	42N	01E	22	SWSE	
022	Unnamed Stream	Wood Creek	42N	01E	23	SWSW	
023	Unnamed Stream	Wood Creek	42N	01E	23	SWSW	
024	Unnamed Stream	Wood Creek	42N	01E	23	SWSW	
025	Unnamed Stream	Wood Creek	42N	01E	23	SWSW	
026	Unnamed Stream	Wood Creek	42N	01E	23	SWSW	
027	Wood Creek	West Fork Saint Maries River	42N	01E	23	SWSW	
028	Unnamed Stream	Hidden Creek	42N	01E	26	NWNW	
029	Unnamed Stream	Hidden Creek	42N	01E	26	NWNW	
030	Unnamed Stream	Hidden Creek	42N	01E	26	NWNW	

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	Wood Creek	42N	01E	26	NWNW	
032	Unnamed Stream	Wood Creek	42N	01E	26	NWNW	
033	Unnamed Stream	Wood Creek	42N	01E	26	NWNW	
034	Unnamed Stream	Wood Creek	42N	01E	26	NWNW	
035	Unnamed Stream	Hidden Creek	42N	01E	26	SWNW	
036	Unnamed Stream	Hidden Creek	42N	01E	26	SWNW	
037	Unnamed Stream	Hidden Creek	42N	01E	26	SWNW	
038	Unnamed Stream	Hidden Creek	42N	01E	26	SWNW	
039	Unnamed Stream	Wood Creek	42N	01E	26	SWNW	
040	Unnamed Stream	Wood Creek	42N	01E	26	SWNW	
041	Unnamed Stream	Hidden Creek	42N	01E	27	NENE	
042	Unnamed Stream	Hidden Creek	42N	01E	27	NENE	
043	Unnamed Stream	Hidden Creek	42N	01E	27	NENE	
044	Unnamed Stream	Hidden Creek	42N	01E	27	NENE	
045	Unnamed Stream	Hidden Creek	42N	01E	27	NENE	
046	Unnamed Stream	Hidden Creek	42N	01E	27	NENE	
047	Unnamed Stream	Hidden Creek	42N	01E	27	NENE	
048	Hidden Creek	West Fork Saint Maries River	42N	01E	27	NENW	
049	Unnamed Stream	Hidden Creek	42N	01E	27	NENW	
050	Unnamed Stream	Hidden Creek	42N	01E	27	NENW	
051	Unnamed Stream	Hidden Creek	42N	01E	27	NENW	
052	Unnamed Stream	Hidden Creek	42N	01E	27	NENW	
053	Unnamed Stream	Hidden Creek	42N	01E	27	NENW	
054	Hidden Creek	West Fork Saint Maries River	42N	01E	27	NWNE	
055	Unnamed Stream	Hidden Creek	42N	01E	27	NWNE	
056	Unnamed Stream	Hidden Creek	42N	01E	27	NWNE	
057	Unnamed Stream	Hidden Creek	42N	01E	27	NWNE	
058	Unnamed Stream	Hidden Creek	42N	01E	27	NWNE	
059	Unnamed Stream	Hidden Creek	42N	01E	27	NWNE	

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	Hidden Creek	42N	01E	27	NWNE	
061	Hidden Creek	West Fork Saint Maries River	42N	01E	27	SENE	
062	Unnamed Stream	Hidden Creek	42N	01E	27	SENE	
063	Unnamed Stream	Hidden Creek	42N	01E	27	SENE	
064	Unnamed Stream	Hidden Creek	42N	01E	27	SENE	
065	Unnamed Stream	Hidden Creek	42N	01E	27	SENE	
066	Unnamed Stream	Hidden Creek	42N	01E	27	SENE	
067	Unnamed Stream	Hidden Creek	42N	01E	27	SENE	
068	Unnamed Stream	Hidden Creek	42N	01E	27	SENE	
069	Unnamed Stream	Hidden Creek	42N	01E	27	SENE	
070	Unnamed Stream	Hidden Creek	42N	01E	27	SENE	
071	Unnamed Stream	Hidden Creek	42N	01E	27	SENE	
072	Unnamed Stream	West Fork Saint Maries River	42N	01E	27	SENE	
073	Hidden Creek	West Fork Saint Maries River	42N	01E	27	SENE	
074	Unnamed Stream	Hidden Creek	42N	01E	27	SENE	
075	Unnamed Stream	Hidden Creek	42N	01E	27	SENE	
076	Unnamed Stream	Hidden Creek	42N	01E	27	SENE	
077	Unnamed Stream	Hidden Creek	42N	01E	27	SENE	
078	Unnamed Stream	Hidden Creek	42N	01E	27	SENE	
079	Unnamed Stream	Hidden Creek	42N	01E	27	SENE	
080	Unnamed Stream	West Fork Saint Maries River	42N	01E	27	SENE	

Attachment 2

92-11067	A	92-11072	E
92-11067	B	92-11072	F
92-11067	C	92-11072	G
92-11067	D	92-11072	H
92-11067	E	92-11072	I
92-11067	F	92-11072	J
92-11067	G	92-11072	K
92-11067	H	92-11072	L
92-11067	I	92-11073	A
92-11067	J	92-11073	B
92-11067	K	92-11073	C
92-11067	L	92-11073	D
92-11067	M	92-11073	E
92-11067	N	92-11074	
92-11067	O	92-11075	
92-11067	P	92-11080	A
92-11068	A	92-11080	B
92-11068	B	92-11080	C
92-11068	C	92-11080	D
92-11068	D	92-11080	E
92-11068	E	92-11080	F
92-11068	F	92-11080	G
92-11068	G	92-11080	H
92-11068	H	92-11080	I
92-11068	I	92-11080	J
92-11068	J	92-11081	A
92-11068	K	92-11081	B
92-11068	L	92-11081	C
92-11068	M	92-11081	D
92-11068	N		
92-11068	O		
92-11069	A		
92-11069	B		
92-11069	C		
92-11069	D		
92-11069	E		
92-11069	F		
92-11069	G		
92-11070	A		
92-11070	B		
92-11071	A		
92-11071	B		
92-11071	C		
92-11071	D		
92-11071	E		
92-11071	F		
92-11072	A		
92-11072	B		
92-11072	C		
92-11072	D		

