

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. 94-09582A

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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 Anderson Lake-Coeur d'Alene River subwatershed (East) (HUC12 170103030203).

QUANTITY: 1.000 CFS  
8.000 AFY

The quantity under this water right is limited to up to 8.000 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. 94-09547A thru 94-09582E.

See Attachment 2.

Right nos. 94-09582A, 94-09582B, 94-09582C, 94-09582D and 94-09582E are limited to a total combined annual diversion volume of 8.00 acre feet.

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 8.000 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 Anderson Lake-Coeur d'Alene River subwatershed (HUC12 170103030203), Coeur d'Alene Lake subwatershed (HUC12 170103030406), Killarney Lake-Coeur d'Alene River subwatershed (HUC12 170103030201) and Black Lake-Coeur d'Alene River subwatershed (HUC12 170103030202).

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	Cottonwood Creek	Blue Lake Creek	48N	02W	05		
003	Unnamed Stream	Cottonwood Creek	48N	02W	05		
004	Blue Lake Creek	Coeur d'Alene River	48N	02W	06		
005	Cottonwood Creek	Blue Lake Creek	48N	02W	06		
006	Unnamed Stream	Blue Lake Creek	48N	02W	06		
007	Unnamed Stream	Blue Lake Creek	48N	02W	06		
008	Unnamed Stream	Blue Lake Creek	48N	02W	06		
009	Unnamed Stream	Cottonwood Creek	48N	02W	06		
010	Cottonwood Creek	Blue Lake Creek	48N	02W	07		
011	Unnamed Stream	Cottonwood Creek	48N	02W	07		
012	Unnamed Stream	Cottonwood Creek	48N	02W	07		
013	Unnamed Stream	Cottonwood Creek	48N	02W	07		
014	Cottonwood Creek	Blue Lake Creek	48N	02W	08		
015	Unnamed Stream	Blue Lake Creek	48N	02W	18		
016	Unnamed Stream	Blue Lake Creek	48N	02W	18		
017	Unnamed Stream	Cottonwood Creek	48N	02W	18		
018	Unnamed Stream	Cottonwood Creek	48N	02W	18		
019	Blue Lake Creek	Coeur d'Alene River	48N	03W	01		
020	Unnamed Stream	Blue Lake Creek	48N	03W	01		
021	Unnamed Stream	Blue Lake Creek	48N	03W	01		
022	Unnamed Stream	Blue Lake Creek	48N	03W	01		
023	Unnamed Stream	Blue Lake Creek	48N	03W	02		
024	Unnamed Stream	Blue Lake Creek	48N	03W	11	NENE	
025	Blue Lake Creek	Coeur d'Alene River	48N	03W	12	NENW	
026	Unnamed Stream	Blue Lake Creek	48N	03W	12	NENW	
027	Unnamed Stream	Cottonwood Creek	48N	03W	12	NESE	L 3
028	Blue Lake Creek	Coeur d'Alene River	48N	03W	12	NESW	

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
029	Blue Lake Creek	Coeur d'Alene River	48N	03W	12	NWNE	
030	Unnamed Stream	Blue Lake Creek	48N	03W	12	NWNE	
031	Unnamed Stream	Blue Lake Creek	48N	03W	12	NWNW	
032	Unnamed Stream	Blue Lake Creek	48N	03W	12	NWNW	
033	Unnamed Stream	Blue Lake Creek	48N	03W	12	NWNW	
034	Cottonwood Creek	Blue Lake Creek	48N	03W	12	SENE	L 2
035	Unnamed Stream	Cottonwood Creek	48N	03W	12	SENE	L 2
036	Blue Lake Creek	Coeur d'Alene River	48N	03W	12	SENE	
037	Cottonwood Creek	Blue Lake Creek	48N	03W	12	SENE	
038	Unnamed Stream	Cottonwood Creek	48N	03W	12	SESE	L 4
039	Cottonwood Creek	Blue Lake Creek	48N	03W	12	SWNE	
040	Unnamed Stream	Blue Lake Creek	48N	03W	12	SWNW	
041	Unnamed Stream	Cottonwood Creek	48N	03W	13	NENE	L 1
042	Unnamed Stream	Blue Lake Creek	48N	03W	13	SENE	L 2
043	Unnamed Stream	Blue Lake Creek	48N	03W	13	SENE	
044	Unnamed Stream	Blue Lake Creek	48N	03W	13	SWNE	
045	Unnamed Stream	Blue Lake Creek	48N	03W	13	SWNE	
046	Unnamed Stream	Blue Lake Creek	48N	03W	13	SWSW	
047	Unnamed Stream	Blue Lake Creek	48N	03W	13	SWSW	
048	Blue Lake Creek	Coeur d'Alene River	49N	02W	31		
049	Unnamed Stream	Blue Lake Creek	49N	02W	31		
050	Unnamed Stream	Blue Lake Creek	49N	02W	31		

Attachment 2

94-09547 A	94-09559 B	94-09565 G	94-09569 E
94-09547 B	94-09559 C	94-09565 H	94-09569 F
94-09548 A	94-09559 D	94-09565 I	94-09569 G
94-09548 B	94-09559 E	94-09565 J	94-09569 H
94-09549	94-09559 F	94-09565 K	94-09569 I
94-09550 A	94-09559 G	94-09565 L	94-09570 A
94-09550 B	94-09559 H	94-09565 M	94-09570 B
94-09551 A	94-09560 A	94-09565 N	94-09570 C
94-09551 B	94-09560 B	94-09565 O	94-09570 D
94-09551 C	94-09561 A	94-09565 P	94-09570 E
94-09551 D	94-09561 B	94-09565 Q	94-09570 F
94-09551 E	94-09561 C	94-09565 R	94-09570 G
94-09551 F	94-09562 A	94-09565 S	94-09571 A
94-09551 G	94-09562 B	94-09565 T	94-09571 B
94-09551 H	94-09562 C	94-09565 U	94-09571 C
94-09551 I	94-09563 A	94-09565 V	94-09572
94-09552 A	94-09563 B	94-09565 W	94-09573 A
94-09552 B	94-09563 C	94-09565 X	94-09573 B
94-09552 C	94-09563 D	94-09565 Y	94-09574
94-09552 D	94-09563 E	94-09566 A	94-09575 A
94-09552 E	94-09563 F	94-09566 B	94-09575 B
94-09552 F	94-09563 G	94-09566 C	94-09576
94-09552 G	94-09563 H	94-09567 A	94-09577 A
94-09552 H	94-09563 I	94-09567 B	94-09577 B
94-09552 I	94-09563 J	94-09567 C	94-09578 A
94-09552 J	94-09563 K	94-09567 D	94-09578 B
94-09553 A	94-09563 L	94-09567 E	94-09578 C
94-09553 B	94-09563 M	94-09567 F	94-09578 D
94-09553 C	94-09563 N	94-09567 G	94-09578 E
94-09553 D	94-09563 O	94-09567 H	94-09578 F
94-09553 E	94-09564 A	94-09567 I	94-09578 G
94-09553 F	94-09564 B	94-09567 J	94-09578 H
94-09553 G	94-09564 C	94-09567 K	94-09578 I
94-09553 H	94-09564 D	94-09567 L	94-09578 J
94-09553 I	94-09564 E	94-09567 M	94-09578 K
94-09554 A	94-09564 F	94-09567 N	94-09578 L
94-09554 B	94-09564 G	94-09567 O	94-09578 M
94-09554 C	94-09564 H	94-09567 P	94-09578 N
94-09554 D	94-09564 I	94-09568 A	94-09579 A
94-09555 A	94-09564 J	94-09568 B	94-09579 B
94-09555 B	94-09564 K	94-09568 C	94-09579 C
94-09555 C	94-09564 L	94-09568 D	94-09579 D
94-09556 A	94-09564 M	94-09568 E	94-09579 E
94-09556 B	94-09564 N	94-09568 F	94-09579 F
94-09556 C	94-09565 A	94-09568 G	94-09579 G
94-09557 A	94-09565 B	94-09568 H	94-09579 H
94-09557 B	94-09565 C	94-09569 A	94-09579 I
94-09558 A	94-09565 D	94-09569 B	94-09579 J
94-09558 B	94-09565 E	94-09569 C	94-09579 K
94-09559 A	94-09565 F	94-09569 D	94-09579 L

## Attachment 2

94-09579 M  
94-09580 A  
94-09580 B  
94-09580 C  
94-09580 D  
94-09580 E  
94-09580 F  
94-09580 G  
94-09580 H  
94-09580 I  
94-09580 J  
94-09580 K  
94-09580 L  
94-09581 A  
94-09581 B  
94-09581 C  
94-09581 D  
94-09582 A  
94-09582 B  
94-09582 C  
94-09582 D  
94-09582 E

