

**DISTRICT COURT - CSRBA**  
**Fifth Judicial District**  
**County of Twin Falls - State of Idaho**

**MAR 03 2022**

By \_\_\_\_\_ Clerk  
 \_\_\_\_\_ Deputy Clerk

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. 91-07955K

**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 Big Creek subwatershed (HUC12 170103040602).

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

**PRIORITY DATE:** 12/22/1934

**POINT OF DIVERSION:** See Attachment 1, Columns C through G

**PURPOSE AND PERIOD OF USE:** PURPOSE OF USE PERIOD OF USE  
 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.

**RECOMMENDATION**

**MAR 03 2022**

*Eric J. Wildman*  
 \_\_\_\_\_  
**SPECIAL MASTER**

Eric J. Wildman  
 Presiding Judge of the  
 Coeur d'Alene-Spokane River Adjudication

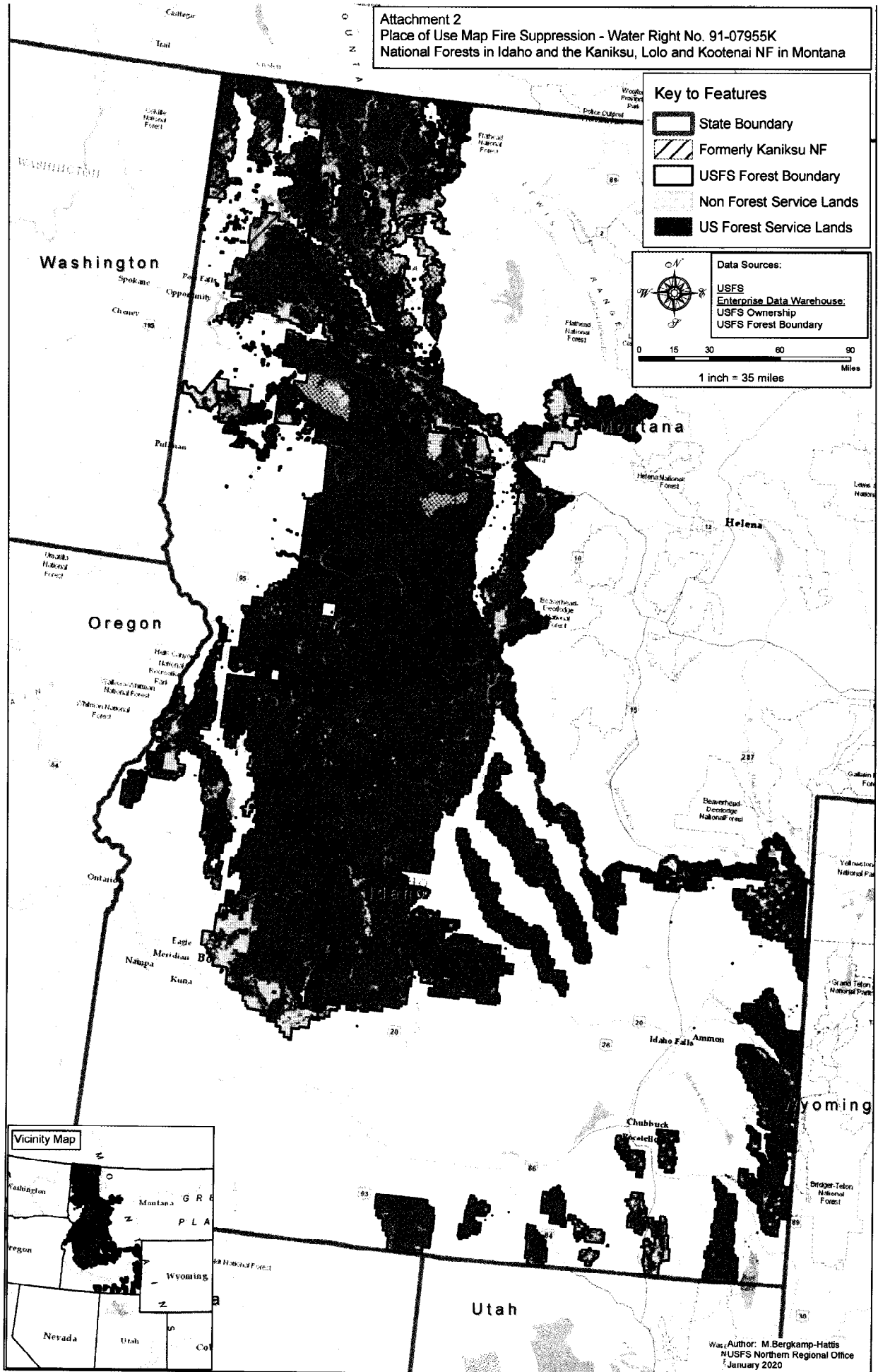
Attachment 1

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
2	Unnamed Stream	West Fork Big Creek	46N	02E	1	NENW	L 3
3	Unnamed Stream	West Fork Big Creek	46N	02E	1	NENW	L 3
4	Unnamed Stream	West Fork Big Creek	46N	02E	1	NWNW	L 4
5	Unnamed Stream	West Fork Big Creek	46N	02E	1	SENW	
6	Unnamed Stream	West Fork Big Creek	46N	02E	2	NENE	L 1
7	Pierce Creek	Big Creek	46N	02E	2	NESW	
8	Unnamed Stream	West Fork Big Creek	46N	02E	2	NWNE	L 2
9	Pierce Creek	Big Creek	46N	02E	2	NWSW	
10	Unnamed Stream	Pierce Creek	46N	02E	2	NWSW	
11	Unnamed Stream	Pierce Creek	46N	02E	2	NWSW	
12	Unnamed Stream	Pierce Creek	46N	02E	2	SWNW	
13	Unnamed Stream	Pierce Creek	46N	02E	3		
14	Unnamed Stream	Pierce Creek	46N	02E	11	NENE	
15	Unnamed Stream	Pierce Creek	46N	02E	11	NENE	
16	Flag Creek	Big Creek	46N	02E	13	NESW	
17	Flag Creek	Big Creek	46N	02E	13	SENW	
18	Unnamed Stream	Flag Creek	46N	02E	13	SENW	
19	Unnamed Stream	Flag Creek	46N	02E	13	SESW	
20	Unnamed Stream	Flag Creek	46N	02E	13	SWNE	
21	Flag Creek	Big Creek	46N	02E	13	SWNW	
22	Unnamed Stream	West Fork Big Creek	47N	02E	22		
23	Unnamed Stream	West Fork Big Creek	47N	02E	22		
24	West Fork Big Creek	Big Creek	47N	02E	22		
25	Unnamed Stream	West Fork Big Creek	47N	02E	23		
26	Unnamed Stream	West Fork Big Creek	47N	02E	23		
27	Unnamed Stream	West Fork Big Creek	47N	02E	23		
28	Unnamed Stream	West Fork Big Creek	47N	02E	23		
29	West Fork Big Creek	Big Creek	47N	02E	23		
30	Unnamed Stream	West Fork Big Creek	47N	02E	24	NWSW	
31	Unnamed Stream	West Fork Big Creek	47N	02E	24	NWSW	
32	Unnamed Stream	West Fork Big Creek	47N	02E	24	SESW	
33	Unnamed Stream	West Fork Big Creek	47N	02E	24	SESW	
34	West Fork Big Creek	Big Creek	47N	02E	24	SESW	
35	Unnamed Stream	West Fork Big Creek	47N	02E	24	SWNW	
36	Unnamed Stream	West Fork Big Creek	47N	02E	24	SWNW	
37	Unnamed Stream	West Fork Big Creek	47N	02E	24	SWSW	
38	West Fork Big Creek	Big Creek	47N	02E	24	SWSW	
39	Unnamed Stream	West Fork Big Creek	47N	02E	26	NWNW	
40	Unnamed Stream	West Fork Big Creek	47N	02E	26	NWNW	
41	Unnamed Stream	West Fork Big Creek	47N	02E	26	NWNW	
42	Unnamed Stream	West Fork Big Creek	47N	02E	26	NWSW	
43	Unnamed Stream	West Fork Big Creek	47N	02E	27	NENE	
44	Unnamed Stream	West Fork Big Creek	47N	02E	27	NESE	
45	Unnamed Stream	West Fork Big Creek	47N	02E	27	SENE	
46	Unnamed Stream	West Fork Big Creek	47N	02E	35	NESE	
47	Unnamed Stream	West Fork Big Creek	47N	02E	35	NESE	
48	Unnamed Stream	West Fork Big Creek	47N	02E	35	NWSE	
49	Unnamed Stream	West Fork Big Creek	47N	02E	35	NWSE	
50	Unnamed Stream	West Fork Big Creek	47N	02E	35	NWSE	
51	Unnamed Stream	West Fork Big Creek	47N	02E	35	NWSE	
52	Unnamed Stream	West Fork Big Creek	47N	02E	35	SENE	
53	Unnamed Stream	West Fork Big Creek	47N	02E	35	SESW	L 3
54	Unnamed Stream	West Fork Big Creek	47N	02E	35	SESW	L 3
55	Unnamed Stream	West Fork Big Creek	47N	02E	35	SESW	L 3
56	Unnamed Stream	West Fork Big Creek	47N	02E	35	SWNE	
57	Unnamed Stream	West Fork Big Creek	47N	02E	35	SWNE	
58	Unnamed Stream	West Fork Big Creek	47N	02E	35	SWSE	L 2
59	Unnamed Stream	West Fork Big Creek	47N	02E	36	NESE	
60	Unnamed Stream	West Fork Big Creek	47N	02E	36	NESW	

Attachment 1

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
61	Unnamed Stream	West Fork Big Creek	47N	02E	36	NESW	
62	Unnamed Stream	West Fork Big Creek	47N	02E	36	NWSE	
63	Unnamed Stream	West Fork Big Creek	47N	02E	36	NWSW	
64	Unnamed Stream	West Fork Big Creek	47N	02E	36	NWSW	
65	Unnamed Stream	West Fork Big Creek	47N	02E	36	NWSW	
66	Unnamed Stream	West Fork Big Creek	47N	02E	36	SESE	L 1
67	Unnamed Stream	West Fork Big Creek	47N	02E	36	SESE	L 1
68	Unnamed Stream	West Fork Big Creek	47N	02E	36	SESW	L 3
69	Unnamed Stream	West Fork Big Creek	47N	02E	36	SESW	L 3
70	Unnamed Stream	West Fork Big Creek	47N	02E	36	SESW	L 3
71	Unnamed Stream	West Fork Big Creek	47N	02E	36	SWSE	L 2
72	Unnamed Stream	West Fork Big Creek	47N	02E	36	SWSW	L 4

Attachment 2  
 Place of Use Map Fire Suppression - Water Right No. 91-07955K  
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana



**Key to Features**

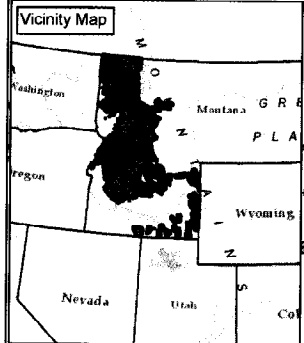
- State Boundary
- Formerly Kaniksu NF
- USFS Forest Boundary
- Non Forest Service Lands
- US Forest Service Lands

**Data Sources:**

- USFS
- Enterprise Data Warehouse:
- USFS Ownership
- USFS Forest Boundary

0 15 30 60 90 Miles

1 inch = 35 miles



Map Author: M. Bergkamp-Harris  
 USFS Northern Regional Office  
 January 2020