

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)
) FOR FEDERAL RESERVED
Case No. 49576)
) WATER RIGHT NO. 92-11063A

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 Charlie Creek subwatershed (HUC12 170103040901).

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

PRIORITY DATE: 03/02/1907

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>
	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

Bridgette St. Louis

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	Elip Creek	Eena Creek	43N	01W	6		
3	Unnamed Stream	Eena Creek	43N	01W	17		
4	Unnamed Stream	Eena Creek	43N	01W	17		
5	Unnamed Stream	Eena Creek	43N	01W	17		
6	Unnamed Stream	Eena Creek	43N	01W	17		
7	Unnamed Stream	Elip Creek	43N	01W	18	NWNW	L 1
8	Unnamed Stream	Elip Creek	43N	01W	18	NWNW	L 2
9	Eena Creek	East Fork Charlie Creek	43N	01W	18	NWSW	L 5
10	Eena Creek	East Fork Charlie Creek	43N	01W	18	NWSW	L 6
11	Katsuck Creek	Eena Creek	43N	01W	18	NWSW	L 5
12	Katsuck Creek	Eena Creek	43N	01W	18	NWSW	L 6
13	Kimta Creek	Eena Creek	43N	01W	18	NWSW	L 5
14	Unnamed Stream	Kimta Creek	43N	01W	18	NWSW	L 5
15	Unnamed Stream	Eena Creek	43N	01W	18	SESE	
16	Unnamed Stream	Eena Creek	43N	01W	18	SESE	
17	Unnamed Stream	Eena Creek	43N	01W	18	SESE	
18	Eena Creek	East Fork Charlie Creek	43N	01W	18	SESW	
19	Katsuck Creek	Eena Creek	43N	01W	18	SWNW	L 4
20	Unnamed Stream	Elip Creek	43N	01W	18	SWNW	L 3
21	Eena Creek	East Fork Charlie Creek	43N	01W	18	SWSW	L 8
22	Unnamed Stream	Eena Creek	43N	01W	18	SWSW	L 7
23	Corto Creek	East Fork Charlie Creek	43N	01W	19		
24	East Fork Charlie Creek	Charlie Creek	43N	01W	19		
25	Eena Creek	East Fork Charlie Creek	43N	01W	19		
26	Lemoosh Creek	East Fork Charlie Creek	43N	01W	19		
27	Melakwa Creek	East Fork Charlie Creek	43N	01W	19		
28	Scurry Creek	East Fork Charlie Creek	43N	01W	19		
29	Unnamed Stream	East Fork Charlie Creek	43N	01W	19		
30	Unnamed Stream	East Fork Charlie Creek	43N	01W	19		
31	Unnamed Stream	Eena Creek	43N	01W	19		
32	Unnamed Stream	Eena Creek	43N	01W	19		
33	Unnamed Stream	Lemoosh Creek	43N	01W	19		
34	Eena Creek	East Fork Charlie Creek	43N	01W	20		
35	Lemoosh Creek	East Fork Charlie Creek	43N	01W	20		
36	Unnamed Stream	East Fork Charlie Creek	43N	01W	20		
37	Unnamed Stream	Eena Creek	43N	01W	20		
38	Unnamed Stream	Eena Creek	43N	01W	20		
39	Unnamed Stream	Lemoosh Creek	43N	01W	20		
40	Unnamed Stream	Lemoosh Creek	43N	01W	20		
41	East Fork Charlie Creek	Charlie Creek	43N	01W	29		
42	Unnamed Stream	East Fork Charlie Creek	43N	01W	29		
43	Unnamed Stream	East Fork Charlie Creek	43N	01W	29		
44	Unnamed Stream	Lemoosh Creek	43N	01W	29		
45	Corto Creek	East Fork Charlie Creek	43N	01W	30		
46	East Fork Charlie Creek	Charlie Creek	43N	01W	30		
47	Melakwa Creek	East Fork Charlie Creek	43N	01W	30		
48	Scurry Creek	East Fork Charlie Creek	43N	01W	30		
49	Unnamed Stream	Lemoosh Creek	43N	01W	30		
50	Unnamed Stream	East Fork Charlie Creek	43N	01W	31		
51	East Fork Charlie Creek	Charlie Creek	43N	01W	32		
52	Unnamed Stream	East Fork Charlie Creek	43N	01W	32		
53	Ells Creek	Charlie Creek	43N	02W	2	NENE	L 1
54	Ells Creek	Charlie Creek	43N	02W	2	NWNE	L 2
55	Ells Creek	Charlie Creek	43N	02W	2	SWNE	
56	Moolock Creek	East Fork Charlie Creek	43N	02W	12	NENW	
57	Elip Creek	Eena Creek	43N	02W	12	NESE	
58	Unnamed Stream	Moolock Creek	43N	02W	12	NESE	
59	Brown Creek	East Fork Charlie Creek	43N	02W	12	NWNW	
60	Moolock Creek	East Fork Charlie Creek	43N	02W	12	NWNW	
61	Unnamed Stream	Moolock Creek	43N	02W	12	NWSE	
62	Unnamed Stream	Moolock Creek	43N	02W	12	NWSE	
63	Unnamed Stream	Moolock Creek	43N	02W	12	SENE	
64	Elip Creek	Eena Creek	43N	02W	12	SESE	

Attachment 1

1	A	B	C	D	E	F	G
	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
65	Unnamed Stream	Elip Creek	43N	02W	12	SESE	
66	Moolock Creek	East Fork Charlie Creek	43N	02W	12	SESW	
67	Unnamed Stream	Moolock Creek	43N	02W	12	SESW	
68	Unnamed Stream	Moolock Creek	43N	02W	12	SWNE	
69	Unnamed Stream	Moolock Creek	43N	02W	12	SWSE	
70	Unnamed Stream	Lacy Creek	43N	02W	14	SESE	
71	Fagan Creek	East Fork Charlie Creek	43N	02W	14	SWSW	
72	Preston Creek	Charlie Creek	43N	02W	22	NESE	
73	Preston Creek	Charlie Creek	43N	02W	22	NWNE	
74	Preston Creek	Charlie Creek	43N	02W	22	SENE	
75	Unnamed Stream	Preston Creek	43N	02W	22	SESE	
76	Preston Creek	Charlie Creek	43N	02W	22	SWNE	
77	Unnamed Stream	Charlie Creek	43N	02W	22	SWSE	
78	Unnamed Stream	Lacy Creek	43N	02W	23	SENE	
79	Fagan Creek	East Fork Charlie Creek	43N	02W	23	SENW	
80	Fagan Creek	East Fork Charlie Creek	43N	02W	23	SWNE	
81	East Fork Charlie Creek	Charlie Creek	43N	02W	24		
82	Lacy Creek	East Fork Charlie Creek	43N	02W	24		
83	Unnamed Stream	East Fork Charlie Creek	43N	02W	24		
84	Unnamed Stream	East Fork Charlie Creek	43N	02W	24		
85	Unnamed Stream	Lacy Creek	43N	02W	24		
86	Unnamed Stream	Lacy Creek	43N	02W	24		
87	Unnamed Stream	Lacy Creek	43N	02W	24		
88	Wadi Creek	East Fork Charlie Creek	43N	02W	24		
89	Unnamed Stream	Lacy Creek	43N	02W	26	NENE	
90	Preston Creek	Charlie Creek	43N	02W	26	NENW	
91	Unnamed Stream	Lacy Creek	43N	02W	26	NWNE	
92	Preston Creek	Charlie Creek	43N	02W	26	NWSE	
93	Unnamed Stream	Preston Creek	43N	02W	26	NWSW	
94	Unnamed Stream	Lacy Creek	43N	02W	26	SENE	
95	Preston Creek	Charlie Creek	43N	02W	26	SENW	
96	Preston Creek	Charlie Creek	43N	02W	26	SWNE	
97	Unnamed Stream	Preston Creek	43N	02W	26	SWNW	
98	Preston Creek	Charlie Creek	43N	02W	26	SWSE	
99	Unnamed Stream	Preston Creek	43N	02W	27	SWSE	

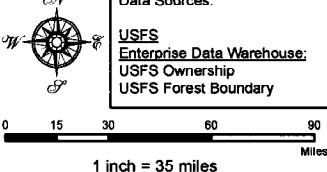
Attachment 2
Place of Use Map Fire Suppression - Water Right No. 92-11063A
National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

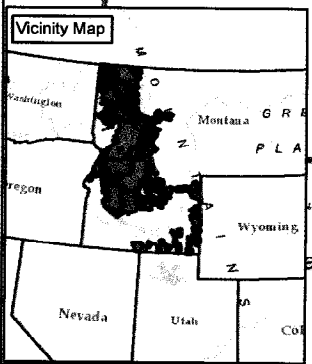
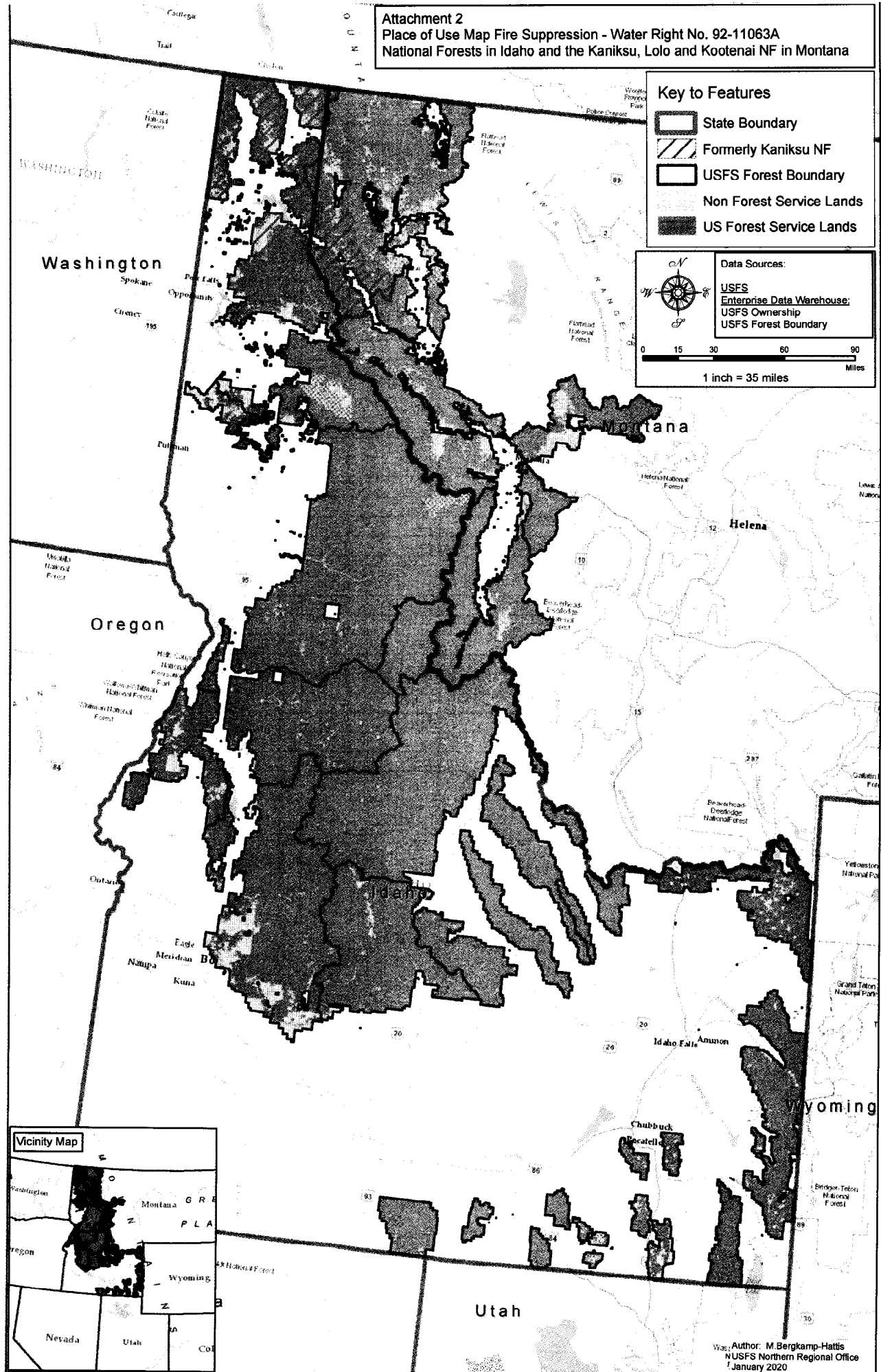
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

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-Hattis
 USFS Northern Regional Office
 January 2020