

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. 94-09514A

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 Cataract Creek-North Fork
Coeur d'Alene River subwatershed (HUC12 170103010104).

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

PRIORITY DATE: 11/06/1906

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

Brietta Styan

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	North Fork Coeur d'Alene River	52N	02E	1		
3	Unnamed Stream	North Fork Coeur d'Alene River	52N	03E	6	NENE	L 1
4	North Fork Coeur d'Alene River	Coeur d'Alene River	52N	03E	6	NENW	L 3
5	North Fork Coeur d'Alene River	Coeur d'Alene River	52N	03E	6	NWNE	L 2
6	Unnamed Stream	North Fork Coeur d'Alene River	52N	03E	6	NWNE	L 2
7	North Fork Coeur d'Alene River	Coeur d'Alene River	52N	03E	6	NWSW	L 6
8	Unnamed Stream	North Fork Coeur d'Alene River	52N	03E	6	NWSW	L 6
9	Unnamed Stream	North Fork Coeur d'Alene River	52N	03E	6	SENE	
10	North Fork Coeur d'Alene River	Coeur d'Alene River	52N	03E	6	SWNE	
11	Unnamed Stream	North Fork Coeur d'Alene River	52N	03E	6	SWNE	
12	Unnamed Stream	North Fork Coeur d'Alene River	52N	03E	6	SWNE	
13	Unnamed Stream	North Fork Coeur d'Alene River	52N	03E	6	SWNE	
14	North Fork Coeur d'Alene River	Coeur d'Alene River	52N	03E	6	SWSW	L 7
15	Unnamed Stream	West Elk Creek	53N	02E	13		
16	Unnamed Stream	West Elk Creek	53N	02E	13		
17	Unnamed Stream	West Elk Creek	53N	02E	13		
18	Unnamed Stream	West Elk Creek	53N	02E	14		
19	Unnamed Stream	West Elk Creek	53N	02E	14		
20	Unnamed Stream	West Elk Creek	53N	02E	14		
21	Unnamed Stream	West Elk Creek	53N	02E	14		
22	Unnamed Stream	West Elk Creek	53N	02E	14		
23	Unnamed Stream	West Elk Creek	53N	02E	14		
24	Unnamed Stream	West Elk Creek	53N	02E	14		
25	West Elk Creek	Cataract Creek	53N	02E	14		
26	Unnamed Stream	West Elk Creek	53N	02E	15		
27	Unnamed Stream	West Elk Creek	53N	02E	15		
28	Unnamed Stream	West Elk Creek	53N	02E	15		
29	West Elk Creek	Cataract Creek	53N	02E	15		
30	Cataract Creek	North Fork Coeur d'Alene River	53N	02E	22		
31	Unnamed Stream	Cataract Creek	53N	02E	22		
32	Unnamed Stream	West Elk Creek	53N	02E	22		
33	Cataract Creek	North Fork Coeur d'Alene River	53N	02E	23		
34	Unnamed Stream	Cataract Creek	53N	02E	23		
35	Unnamed Stream	Cataract Creek	53N	02E	23		
36	Unnamed Stream	West Elk Creek	53N	02E	23		
37	Unnamed Stream	West Elk Creek	53N	02E	23		
38	Unnamed Stream	West Elk Creek	53N	02E	23		
39	Unnamed Stream	West Elk Creek	53N	02E	23		
40	Unnamed Stream	West Elk Creek	53N	02E	23		
41	West Elk Creek	Cataract Creek	53N	02E	23		
42	Unnamed Stream	Cataract Creek	53N	02E	24		
43	Unnamed Stream	West Elk Creek	53N	02E	24		
44	Unnamed Stream	West Elk Creek	53N	02E	24		
45	Unnamed Stream	West Elk Creek	53N	02E	24		
46	Unnamed Stream	West Elk Creek	53N	02E	24		
47	Unnamed Stream	West Elk Creek	53N	02E	24		
48	West Elk Creek	Cataract Creek	53N	02E	24		
49	Burnt Creek	North Fork Coeur d'Alene River	53N	02E	25		
50	Cataract Creek	North Fork Coeur d'Alene River	53N	02E	25		
51	Unnamed Stream	Cataract Creek	53N	02E	25		
52	West Elk Creek	Cataract Creek	53N	02E	25		
53	Cataract Creek	North Fork Coeur d'Alene River	53N	02E	26		
54	Unnamed Stream	Cataract Creek	53N	02E	26		
55	Unnamed Stream	Cataract Creek	53N	02E	26		
56	Unnamed Stream	Cataract Creek	53N	02E	26		
57	Unnamed Stream	Cataract Creek	53N	02E	27		
58	Burnt Creek	North Fork Coeur d'Alene River	53N	02E	36		
59	North Fork Coeur d'Alene River	Coeur d'Alene River	53N	02E	36		
60	Unnamed Stream	Coeur d'Alene River	53N	02E	36		
61	East Alden Creek	Alden Creek	53N	03E	3		
62	Unnamed Stream	East Alden Creek	53N	03E	3		
63	Unnamed Stream	East Alden Creek	53N	03E	3		
64	Unnamed Stream	East Alden Creek	53N	03E	3		
65	Unnamed Stream	East Alden Creek	53N	03E	3		
66	Alden Creek	North Fork Coeur d'Alene River	53N	03E	4		
67	East Alden Creek	Alden Creek	53N	03E	4		
68	Unnamed Stream	East Alden Creek	53N	03E	4		
69	Unnamed Stream	Alden Creek	53N	03E	4		
70	Alden Creek	North Fork Coeur d'Alene River	53N	03E	5		
71	Unnamed Stream	Alden Creek	53N	03E	5		
72	Alden Creek	North Fork Coeur d'Alene River	53N	03E	8		

Attachment 1

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
73	Falls Creek	North Fork Coeur d'Alene River	53N	03E	8		
74	North Fork Coeur d'Alene River	Coeur d'Alene River	53N	03E	8		
75	North Fork Coeur d'Alene River	Coeur d'Alene River	53N	03E	8		
76	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	8		
77	Falls Creek	North Fork Coeur d'Alene River	53N	03E	9		
78	Unnamed Stream	Falls Creek	53N	03E	9		
79	Unnamed Stream	Falls Creek	53N	03E	9		
80	Unnamed Stream	Falls Creek	53N	03E	9		
81	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	9		
82	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	16		
83	North Fork Coeur d'Alene River	Coeur d'Alene River	53N	03E	17		
84	Tsuga Creek	North Fork Coeur d'Alene River	53N	03E	17		
85	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	17		
86	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	17		
87	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	17		
88	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	17		
89	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	17		
90	Cathedral Creek	North Fork Coeur d'Alene River	53N	03E	18		
91	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	18		
92	Cathedral Creek	North Fork Coeur d'Alene River	53N	03E	19		
93	North Fork Coeur d'Alene River	Coeur d'Alene River	53N	03E	19		
94	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	19		
95	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	19		
96	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	19		
97	Unnamed Stream	West Elk Creek	53N	03E	19		
98	North Fork Coeur d'Alene River	Coeur d'Alene River	53N	03E	20		
99	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	20		
100	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	20		
101	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	20		
102	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	20		
103	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	29		
104	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	29		
105	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	29		
106	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	29		
107	Cataract Creek	North Fork Coeur d'Alene River	53N	03E	30		
108	North Fork Coeur d'Alene River	Coeur d'Alene River	53N	03E	30		
109	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	30		
110	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	30		
111	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	30		
112	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	30		
113	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	30		
114	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	30		
115	West Elk Creek	Cataract Creek	53N	03E	30		
116	Burnt Creek	North Fork Coeur d'Alene River	53N	03E	31		
117	North Fork Coeur d'Alene River	Coeur d'Alene River	53N	03E	31		
118	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	31		
119	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	31		
120	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	31		
121	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	32		
122	Unnamed Stream	North Fork Coeur d'Alene River	53N	03E	32		
123	Alden Creek	North Fork Coeur d'Alene River	54N	03E	20		
124	Sheep Stream	East Alden Creek	54N	03E	27		
125	Alden Creek	North Fork Coeur d'Alene River	54N	03E	28		
126	Unnamed Stream	Alden Creek	54N	03E	28		
127	Unnamed Stream	Alden Creek	54N	03E	28		
128	Alden Creek	North Fork Coeur d'Alene River	54N	03E	29		
129	Unnamed Stream	Alden Creek	54N	03E	32		
130	Alden Creek	North Fork Coeur d'Alene River	54N	03E	33		
131	Unnamed Stream	East Alden Creek	54N	03E	33		
132	Unnamed Stream	Alden Creek	54N	03E	33		
133	Unnamed Stream	Alden Creek	54N	03E	33		
134	Unnamed Stream	Alden Creek	54N	03E	33		
135	Unnamed Stream	Alden Creek	54N	03E	33		
136	Unnamed Stream	East Alden Creek	54N	03E	34		
137	Unnamed Stream	East Alden Creek	54N	03E	34		
138	Unnamed Stream	East Alden Creek	54N	03E	34		
139	Unnamed Stream	East Alden Creek	54N	03E	34		

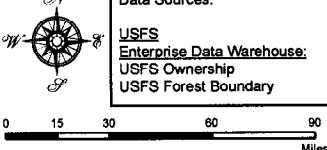
Attachment 2
 Place of Use Map Fire Suppression - Water Right No. 94-09514A
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

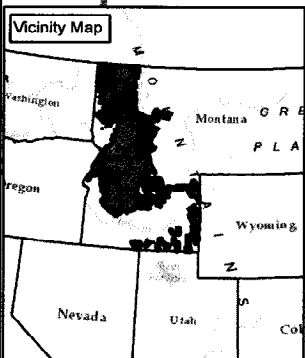
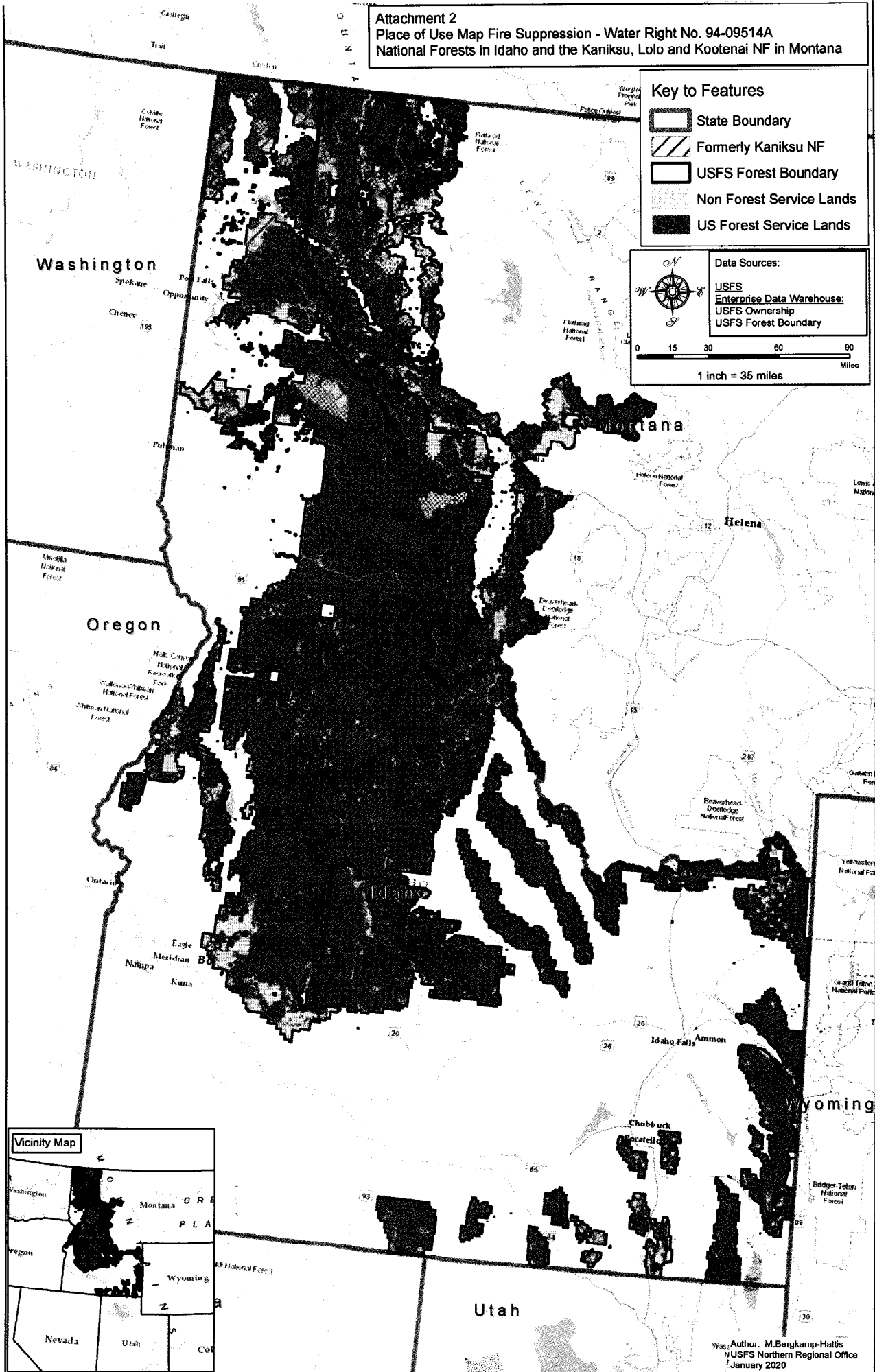
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

Data Sources:

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



0 15 30 60 90
Miles
1 inch = 35 miles



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