

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. 94-09531H

**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 Graham Creek-Lower North Fork Coeur d'Alene River subwatershed (HUC12 170103010702).

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

**PRIORITY DATE:** 06/22/1944

**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.

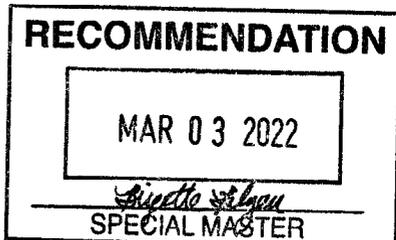
**OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:**

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.



\_\_\_\_\_  
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	Cinnabar Creek	North Fork Coeur d'Alene River	50N	03E	27		
3	Grizzly Creek	North Fork Coeur d'Alene River	50N	03E	27		
4	North Fork Coeur d'Alene River	Coeur d'Alene River	50N	03E	27		
5	Unnamed Stream	Grizzly Creek	50N	03E	27		
6	Unnamed Stream	North Fork Coeur d'Alene River	50N	03E	27		
7	Unnamed Stream	North Fork Coeur d'Alene River	50N	03E	27		
8	Unnamed Stream	North Fork Coeur d'Alene River	50N	03E	27		
9	Unnamed Stream	North Fork Coeur d'Alene River	50N	03E	27		
10	Unnamed Stream	North Fork Coeur d'Alene River	50N	03E	27		
11	Unnamed Stream	North Fork Coeur d'Alene River	50N	03E	27		
12	Unnamed Stream	North Fork Coeur d'Alene River	50N	03E	27		
13	Unnamed Stream	North Fork Coeur d'Alene River	50N	03E	27		
14	Unnamed Stream	North Fork Coeur d'Alene River	50N	03E	27		
15	Unnamed Stream	North Fork Coeur d'Alene River	50N	03E	27		
16	Unnamed Stream	North Fork Coeur d'Alene River	50N	03E	27		
17	Cinnabar Creek	North Fork Coeur d'Alene River	50N	03E	35		
18	Unnamed Stream	Cedar Creek	50N	03E	35		
19	Unnamed Stream	Cinnabar Creek	50N	03E	35		
20	Unnamed Stream	North Fork Coeur d'Alene River	50N	03E	35		
21	Unnamed Stream	North Fork Coeur d'Alene River	50N	03E	35		
22	Unnamed Stream	North Fork Coeur d'Alene River	50N	03E	35		
23	Unnamed Stream	North Fork Coeur d'Alene River	50N	03E	35		
24	Unnamed Pond	North Fork Coeur d'Alene River	50N	03E	27		
25	Unnamed Marsh	North Fork Coeur d'Alene River	50N	03E	27		
26	Unnamed Marsh	Sink	50N	03E	27		
27	Unnamed Marsh	Sink	50N	03E	27		

**Attachment 2**  
**Place of Use Map Fire Suppression - Water Right No. 94-09531H**  
**National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana**

**Key to Features**

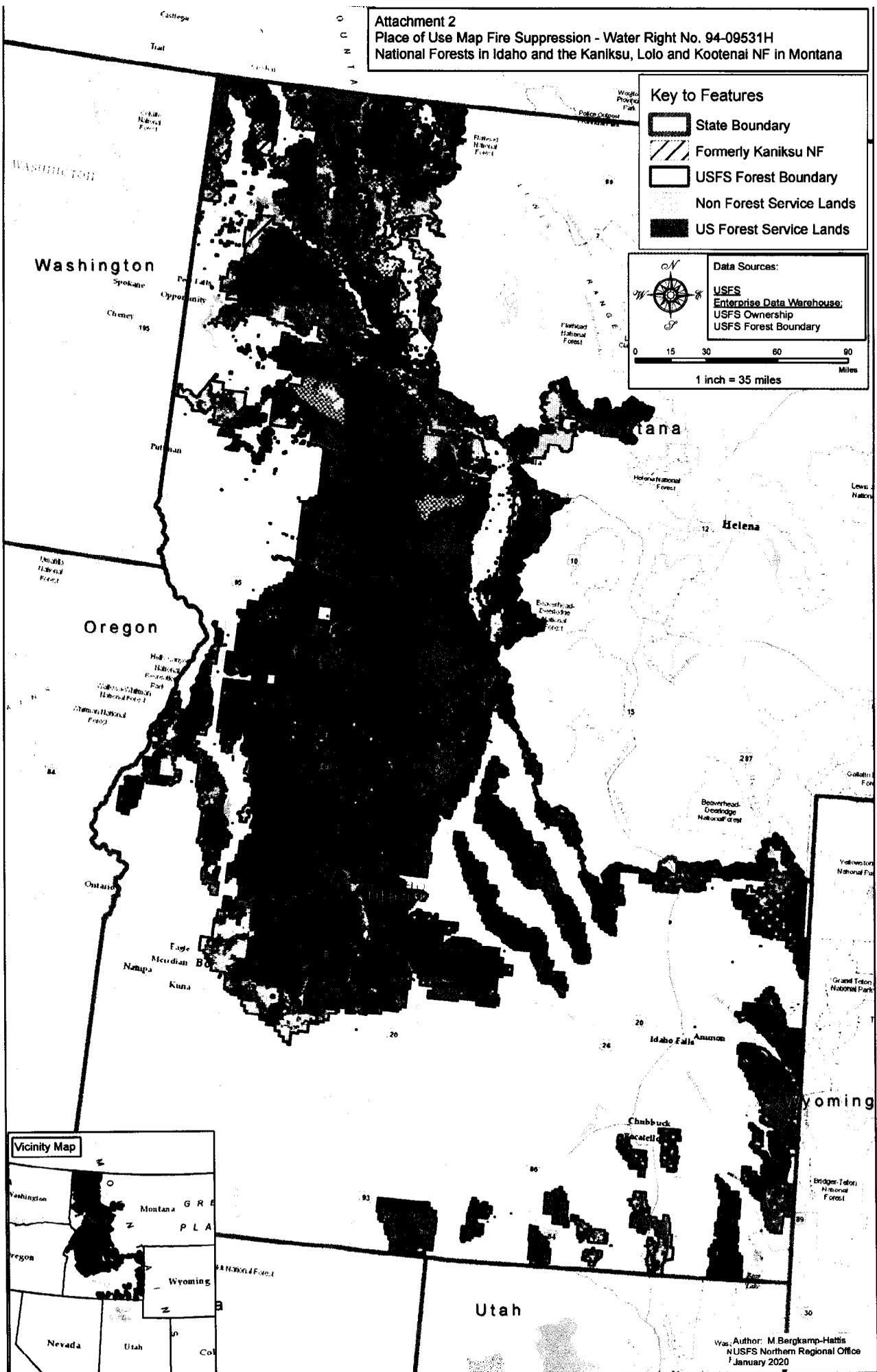
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

**Data Sources:**

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




1 inch = 35 miles



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