

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

JUN 10 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. 91-07951M

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 Middle Marble Creek subwatershed (HUC12 170103040503).

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

PRIORITY DATE: 12/22/1999

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.

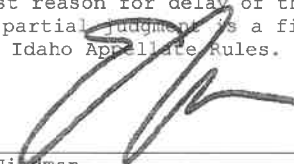
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.








 Eric J. Windman
 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	Marble Creek	44N	03E	16	NENW	
3	Unnamed Stream	Marble Creek	44N	03E	16	NWNW	
4	Unnamed Stream	Marble Creek	44N	03E	16	NWSW	
5	Unnamed Stream	Marble Creek	44N	03E	16	SENW	
6	Unnamed Stream	Marble Creek	44N	03E	16	SESW	
7	Unnamed Stream	Marble Creek	44N	03E	16	SESW	
8	Unnamed Stream	Marble Creek	44N	03E	16	SWNW	
9	Marble Creek	St. Joe River	44N	03E	17	NENE	
10	Unnamed Stream	Marble Creek	44N	03E	17	NENE	
11	Marble Creek	St. Joe River	44N	03E	17	NESE	
12	Unnamed Stream	Marble Creek	44N	03E	17	NESE	
13	Unnamed Stream	Marble Creek	44N	03E	17	NESE	
14	Unnamed Stream	Marble Creek	44N	03E	17	NESE	
15	Marble Creek	St. Joe River	44N	03E	17	SENE	
16	Marble Creek	St. Joe River	44N	03E	29	NWNE	
17	Unnamed Stream	Marble Creek	44N	03E	29	NWNE	
18	Cranberry Creek	Marble Creek	44N	03E	29	SWSE	
19	Cranberry Creek	Marble Creek	44N	03E	32	NENW	
20	Unnamed Stream	Cranberry Creek	44N	03E	32	NENW	
21	Cranberry Creek	Marble Creek	44N	03E	32	NWNE	
22	Unnamed Stream	Cranberry Creek	44N	03E	32	NWNE	
23	Marble Creek	St. Joe River	44N	03E	33	NWNW	
24	Unnamed Stream	Marble Creek	44N	03E	33	NWNW	
25	Unnamed Stream	Marble Creek	44N	03E	33	SWNW	

Attachment 2
Place of Use Map Fire Suppression - Water Right No. 91-07951M
National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

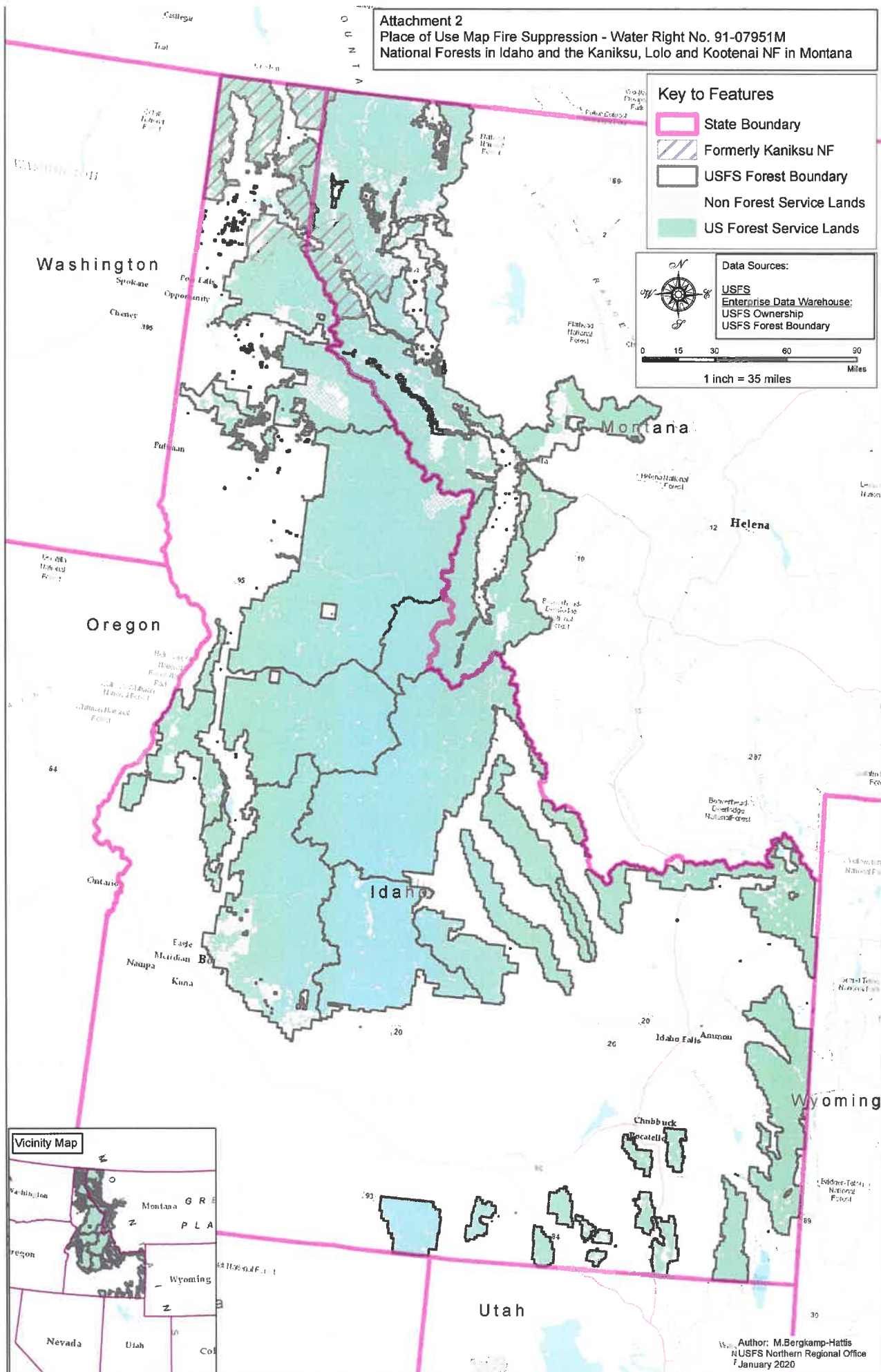
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

Data Sources:

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

0 15 30 60 90 Miles

1 inch = 35 miles



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