

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. 94-09520A

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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 Lower Shoshone Creek subwatershed (HUC12 170103010302).

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: 

<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.

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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	Loading Creek	Shoshone Creek	50N	04E	4		
3	Unnamed Stream	Shoshone Creek	50N	04E	4		
4	Unnamed Stream	Shoshone Creek	50N	04E	4		
5	Loading Creek	Shoshone Creek	50N	04E	5		
6	Shoshone Creek	North Fork Coeur d'Alene River	50N	04E	5		
7	Unnamed Stream	Shoshone Creek	50N	04E	5		
8	Unnamed Stream	Shoshone Creek	50N	04E	5		
9	Unnamed Stream	Shoshone Creek	50N	04E	5		
10	Shoshone Creek	North Fork Coeur d'Alene River	50N	04E	8		
11	Snow Creek	Falls Creek	51N	04E	1		
12	Unnamed Stream	Falls Creek	51N	04E	1		
13	Unnamed Stream	Falls Creek	51N	04E	1		
14	Unnamed Stream	South Fork Falls Creek	51N	04E	1		
15	Cascade Creek	Falls Creek	51N	04E	2	NENE	L 1
16	Cascade Creek	Falls Creek	51N	04E	2	SENE	
17	Snow Creek	Falls Creek	51N	04E	2	SESE	
18	Snow Creek	Falls Creek	51N	04E	2	SESW	
19	Snow Creek	Falls Creek	51N	04E	2	SWSE	
20	Unnamed Stream	Falls Creek	51N	04E	3	NENW	L 3
21	Unnamed Stream	Falls Creek	51N	04E	3	NWNW	L 4
22	Falls Creek	Shoshone Creek	51N	04E	4		
23	Unnamed Stream	Falls Creek	51N	04E	4		
24	Unnamed Stream	Shoshone Creek	51N	04E	8		
25	Unnamed Stream	Shoshone Creek	51N	04E	8		
26	Unnamed Stream	Shoshone Creek	51N	04E	8		
27	Unnamed Stream	Shoshone Creek	51N	04E	8		
28	Bull Creek	Falls Creek	51N	04E	9		
29	Falls Creek	Shoshone Creek	51N	04E	9		
30	Shoshone Creek	North Fork Coeur d'Alene River	51N	04E	9		
31	Unnamed Stream	Falls Creek	51N	04E	9		
32	Unnamed Stream	Shoshone Creek	51N	04E	9		
33	Unnamed Stream	Shoshone Creek	51N	04E	9		
34	Bull Creek	Falls Creek	51N	04E	10		
35	North Fork Haystack Creek	Haystack Creek	51N	04E	10		
36	Unnamed Stream	Haystack Creek	51N	04E	10		
37	Unnamed Stream	North Fork Haystack Creek	51N	04E	10		
38	Haystack Creek	Shoshone Creek	51N	04E	11		
39	North Fork Haystack Creek	Haystack Creek	51N	04E	11		
40	Haystack Creek	Shoshone Creek	51N	04E	14		
41	Unnamed Stream	North Fork Haystack Creek	51N	04E	15	NENE	
42	Unnamed Stream	North Fork Haystack Creek	51N	04E	15	NWNE	
43	Unnamed Stream	North Fork Haystack Creek	51N	04E	15	NWNE	
44	Haystack Creek	Shoshone Creek	51N	04E	16		
45	Little Haystack Creek	Shoshone Creek	51N	04E	16		
46	Shoshone Creek	North Fork Coeur d'Alene River	51N	04E	16		
47	Unnamed Stream	Haystack Creek	51N	04E	16		
48	Unnamed Stream	Shoshone Creek	51N	04E	16		
49	Haystack Creek	Shoshone Creek	51N	04E	17		
50	Shoshone Creek	North Fork Coeur d'Alene River	51N	04E	17		
51	Unnamed Stream	Shoshone Creek	51N	04E	17		
52	Unnamed Stream	Shoshone Creek	51N	04E	17		
53	Unnamed Stream	Shoshone Creek	51N	04E	17		
54	Unnamed Stream	Shoshone Creek	51N	04E	17		
55	Unnamed Stream	Shoshone Creek	51N	04E	17		
56	Unnamed Stream	Shoshone Creek	51N	04E	17		
57	Unnamed Stream	Shoshone Creek	51N	04E	17		
58	Unnamed Stream	Shoshone Creek	51N	04E	19		
59	Unnamed Stream	Shoshone Creek	51N	04E	19		
60	Little Haystack Creek	Shoshone Creek	51N	04E	20	NENE	
61	Shoshone Creek	North Fork Coeur d'Alene River	51N	04E	20	NENE	
62	Unnamed Stream	Shoshone Creek	51N	04E	20	NWSW	
63	Unnamed Stream	Shoshone Creek	51N	04E	20	SENE	
64	Unnamed Stream	Shoshone Creek	51N	04E	20	SENW	
65	Unnamed Stream	Shoshone Creek	51N	04E	20	SESE	
66	Shoshone Creek	North Fork Coeur d'Alene River	51N	04E	20	SESW	
67	Unnamed Stream	Shoshone Creek	51N	04E	20	SESW	

## Attachment 1






	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
68	Shoshone Creek	North Fork Coeur d'Alene River	51N	04E	20	SWNE	
69	Unnamed Stream	Shoshone Creek	51N	04E	20	SWNE	
70	Unnamed Stream	Shoshone Creek	51N	04E	20	SWNW	
71	Unnamed Stream	Shoshone Creek	51N	04E	20	SWNW	
72	Unnamed Stream	Shoshone Creek	51N	04E	20	SWNW	
73	Dam Creek	Shoshone Creek	51N	04E	21		
74	Little Haystack Creek	Shoshone Creek	51N	04E	21		
75	Unnamed Stream	Dam Creek	51N	04E	21		
76	Unnamed Stream	Dam Creek	51N	04E	21		
77	Unnamed Stream	Shoshone Creek	51N	04E	21		
78	Unnamed Stream	Shoshone Creek	51N	04E	21		
79	Dam Creek	Shoshone Creek	51N	04E	22		
80	Unnamed Stream	Dam Creek	51N	04E	27		
81	Dam Creek	Shoshone Creek	51N	04E	28		
82	Plover Creek	Shoshone Creek	51N	04E	28		
83	Unnamed Stream	Dam Creek	51N	04E	28		
84	Unnamed Stream	Dam Creek	51N	04E	28		
85	Unnamed Stream	Dam Creek	51N	04E	28		
86	Unnamed Stream	Dam Creek	51N	04E	28		
87	Unnamed Stream	Dam Creek	51N	04E	28		
88	Shoshone Creek	North Fork Coeur d'Alene River	51N	04E	29	NENE	
89	Unnamed Stream	Shoshone Creek	51N	04E	29	NENE	
90	Unnamed Stream	Shoshone Creek	51N	04E	29	NENE	
91	Unnamed Stream	Shoshone Creek	51N	04E	29	NENW	
92	Dam Creek	Shoshone Creek	51N	04E	29	NESE	
93	Shoshone Creek	North Fork Coeur d'Alene River	51N	04E	29	NESE	
94	Shoshone Creek	North Fork Coeur d'Alene River	51N	04E	29	NWNE	
95	Unnamed Stream	Shoshone Creek	51N	04E	29	NWNE	
96	Shoshone Creek	North Fork Coeur d'Alene River	51N	04E	29	NWSE	
97	Shoshone Creek	North Fork Coeur d'Alene River	51N	04E	29	SWSE	
98	Plover Creek	Shoshone Creek	51N	04E	32	NENE	
99	Plover Creek	Shoshone Creek	51N	04E	32	NWNE	
100	Shoshone Creek	North Fork Coeur d'Alene River	51N	04E	32	NWNE	
101	Bridge Creek	Shoshone Creek	51N	04E	32	SWSE	
102	Shoshone Creek	North Fork Coeur d'Alene River	51N	04E	32	SWSE	
103	Unnamed Stream	Shoshone Creek	51N	04E	32	SWSE	
104	Bridge Creek	Shoshone Creek	51N	04E	33	NENW	
105	Plover Creek	Shoshone Creek	51N	04E	33	NWNW	
106	Bridge Creek	Shoshone Creek	51N	04E	33	SENW	
107	Loading Creek	Shoshone Creek	51N	04E	33	SWNE	
108	Unnamed Stream	South Fork Falls Creek	51N	05E	5		
109	Unnamed Stream	South Fork Falls Creek	51N	05E	5		
110	Unnamed Stream	South Fork Falls Creek	51N	05E	5		
111	Unnamed Stream	South Fork Falls Creek	51N	05E	6	NESW	
112	South Fork Falls Creek	Falls Creek	51N	05E	6	NWSE	
113	Unnamed Stream	South Fork Falls Creek	51N	05E	6	NWSE	
114	Unnamed Stream	South Fork Falls Creek	51N	05E	6	NWSE	
115	Unnamed Stream	South Fork Falls Creek	51N	05E	6	NWSW	
116	Unnamed Stream	South Fork Falls Creek	51N	05E	6	NWSW	
117	Unnamed Stream	South Fork Falls Creek	51N	05E	6	SESW	
118	Unnamed Stream	South Fork Falls Creek	51N	05E	6	SWNW	
119	Unnamed Stream	South Fork Falls Creek	51N	05E	6	SWSE	
120	Unnamed Stream	South Fork Falls Creek	51N	05E	6	SWSE	
121	Unnamed Stream	South Fork Falls Creek	51N	05E	6	SWSE	
122	Unnamed Stream	South Fork Falls Creek	51N	05E	6	SWSW	
123	South Fork Falls Creek	Falls Creek	51N	05E	7		
124	Unnamed Stream	South Fork Falls Creek	51N	05E	7		
125	Unnamed Stream	Falls Creek	52N	04E	24		
126	Unnamed Stream	Falls Creek	52N	04E	25		
127	Unnamed Stream	Falls Creek	52N	04E	25		
128	Unnamed Stream	Falls Creek	52N	04E	25		
129	Unnamed Stream	Falls Creek	52N	04E	25		
130	Hulliman Creek	Falls Creek	52N	04E	26		
131	Hulliman Creek	Falls Creek	52N	04E	35	NENE	
132	Hulliman Creek	Falls Creek	52N	04E	35	NESE	
133	Unnamed Stream	Falls Creek	52N	04E	35	NESE	

## Attachment 1

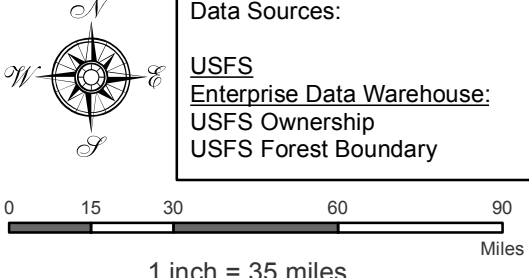
	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
134	Hulliman Creek	Falls Creek	52N	04E	35	NWNE	
135	Hulliman Creek	Falls Creek	52N	04E	35	NWSE	
136	Unnamed Stream	Falls Creek	52N	04E	35	NWSW	
137	Unnamed Stream	Falls Creek	52N	04E	35	SENE	
138	Hulliman Creek	Falls Creek	52N	04E	35	SWNE	
139	Unnamed Stream	Falls Creek	52N	04E	35	SWNW	
140	Falls Creek	Shoshone Creek	52N	04E	35	SWSE	
141	Unnamed Stream	Falls Creek	52N	04E	35	SWSW	
142	Falls Creek	Shoshone Creek	52N	04E	36		
143	Unnamed Stream	Falls Creek	52N	04E	36		
144	Unnamed Stream	Falls Creek	52N	04E	36		
145	Unnamed Stream	Falls Creek	52N	04E	36		
146	Unnamed Stream	Falls Creek	52N	04E	36		
147	Unnamed Stream	Falls Creek	52N	05E	29		
148	Unnamed Stream	Falls Creek	52N	05E	30		
149	Unnamed Stream	Falls Creek	52N	05E	30		
150	Unnamed Stream	Falls Creek	52N	05E	30		
151	Unnamed Stream	Falls Creek	52N	05E	30		
152	Unnamed Stream	Falls Creek	52N	05E	31	NENW	
153	Unnamed Stream	Falls Creek	52N	05E	31	NWNE	
154	Unnamed Stream	Falls Creek	52N	05E	31	NWNW	
155	Unnamed Stream	Falls Creek	52N	05E	31	NWNW	
156	Falls Creek	Shoshone Creek	52N	05E	31	NWSW	
157	South Fork Falls Creek	Falls Creek	52N	05E	31	NWSW	
158	Unnamed Stream	Falls Creek	52N	05E	31	NWSW	
159	Unnamed Stream	South Fork Falls Creek	52N	05E	31	SENE	
160	South Fork Falls Creek	Falls Creek	52N	05E	31	SESW	
161	Unnamed Stream	South Fork Falls Creek	52N	05E	31	SESW	
162	Unnamed Stream	Falls Creek	52N	05E	31	SWNW	
163	South Fork Falls Creek	Falls Creek	52N	05E	31	SWSE	
164	Unnamed Stream	South Fork Falls Creek	52N	05E	31	SWSE	
165	Unnamed Stream	South Fork Falls Creek	52N	05E	32		
166	Unnamed Stream	South Fork Falls Creek	52N	05E	32		

Attachment 2  
 Place of Use Map Fire Suppression - Water Right No. 94-09520A  
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

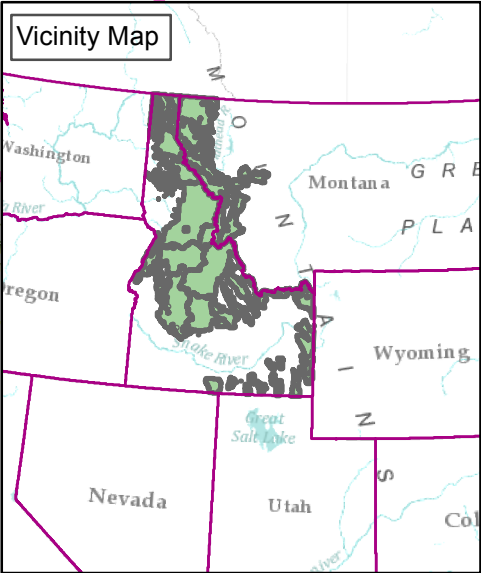
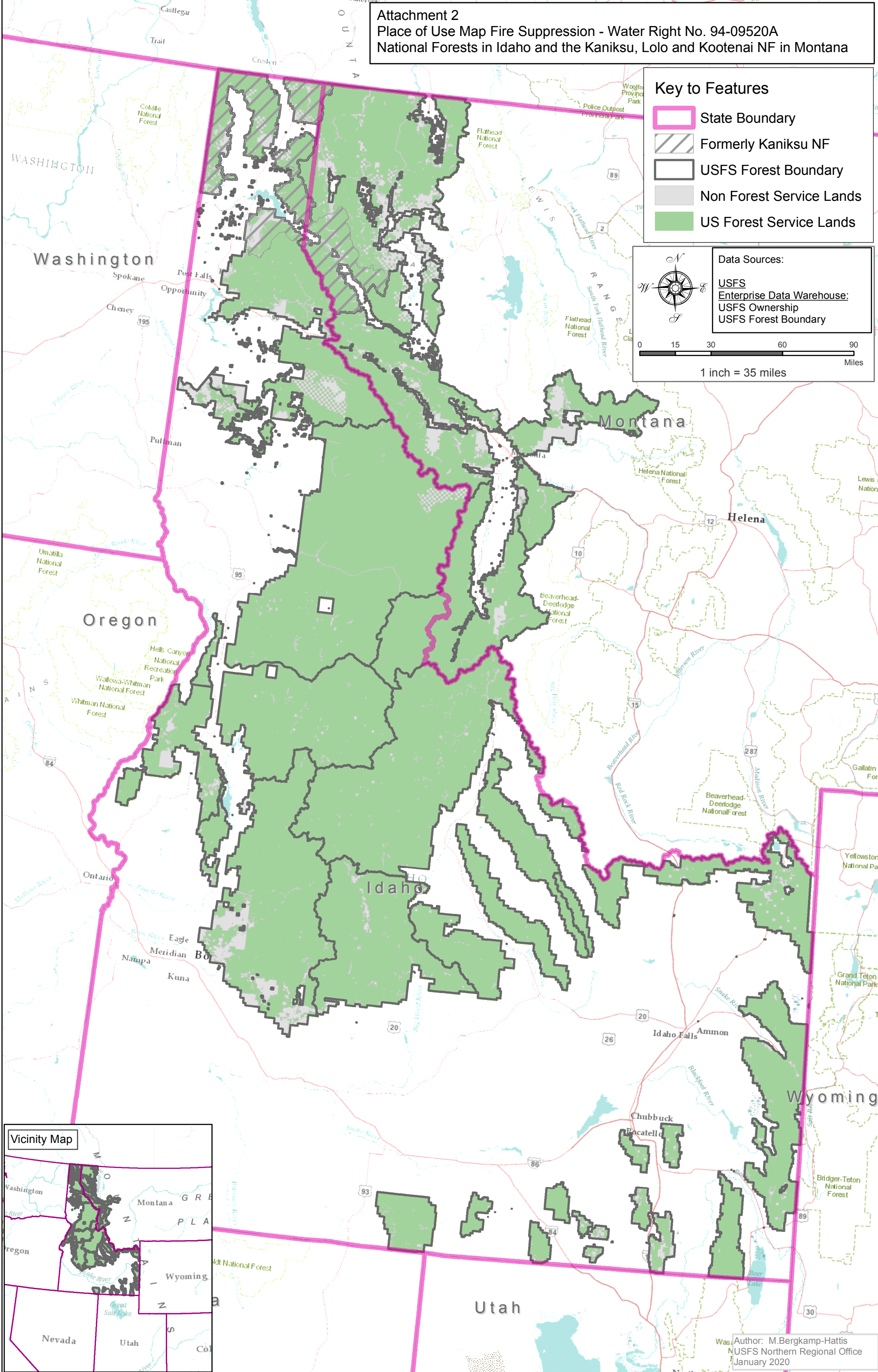
Key to Features

-  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  
 USFS Northern Regional Office  
 January 2020