

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. 94-09527H

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 Burnt Cabin Creek-Little North Fork Coeur d'Alene River subwatershed (HUC12 170103010602).

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

PRIORITY DATE: 09/04/1940

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. 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	Picnic Creek	51N	01W	1	NESW	
3	Picnic Creek	Little North Fork Coeur d'Alene River	51N	01W	1	SESW	
4	Unnamed Stream	Picnic Creek	51N	01W	1	SESW	
5	Picnic Creek	Little North Fork Coeur d'Alene River	51N	01W	1	SWSE	
6	Unnamed Stream	Picnic Creek	51N	01W	2	SESE	
7	Unnamed Stream	Picnic Creek	51N	01W	10	NESE	
8	Unnamed Stream	Picnic Creek	51N	01W	10	NESE	
9	Unnamed Stream	Picnic Creek	51N	01W	10	NWSE	
10	Unnamed Stream	Picnic Creek	51N	01W	10	SESE	
11	Picnic Creek	Little North Fork Coeur d'Alene River	51N	01W	10	SESE	
12	Unnamed Stream	Picnic Creek	51N	01W	10	SESE	
13	Unnamed Stream	Picnic Creek	51N	01W	10	SESE	
14	Unnamed Stream	Picnic Creek	51N	01W	10	SESE	
15	Unnamed Stream	Picnic Creek	51N	01W	10	SESE	
16	Unnamed Stream	Picnic Creek	51N	01W	10	SWSE	
17	Picnic Creek	Little North Fork Coeur d'Alene River	51N	01W	10	SWSE	
18	Unnamed Stream	Picnic Creek	51N	01W	10	SWSE	
19	Unnamed Stream	Picnic Creek	51N	01W	10	SWSE	
20	Picnic Creek	Little North Fork Coeur d'Alene River	51N	01W	11		
21	Unnamed Stream	Picnic Creek	51N	01W	11		
22	Unnamed Stream	Picnic Creek	51N	01W	11		
23	Unnamed Stream	Picnic Creek	51N	01W	11		
24	Unnamed Stream	Picnic Creek	51N	01W	11		
25	Unnamed Stream	Picnic Creek	51N	01W	12	NESW	
26	Picnic Creek	Little North Fork Coeur d'Alene River	51N	01W	12	SENW	
27	Unnamed Stream	Picnic Creek	51N	01W	12	SENW	
28	Unnamed Stream	Picnic Creek	51N	01W	12	SENW	
29	Picnic Creek	Little North Fork Coeur d'Alene River	51N	01W	12	SWNW	
30	Unnamed Stream	Picnic Creek	51N	01W	12	SWNW	
31	Unnamed Stream	Picnic Creek	51N	01W	12	SWNW	
32	Unnamed Stream	Picnic Creek	51N	01W	12	SWNW	
33	Unnamed Stream	Picnic Creek	51N	01W	15	NENE	
34	Unnamed Stream	Unnamed Stream	51N	01W	15	NENE	
35	Picnic Creek	Little North Fork Coeur d'Alene River	51N	01W	15	NENW	
36	Thiesen Creek	Picnic Creek	51N	01W	15	NESW	
37	Picnic Creek	Little North Fork Coeur d'Alene River	51N	01W	15	NWNE	
38	Unnamed Stream	Picnic Creek	51N	01W	15	NWNE	
39	Picnic Creek	Little North Fork Coeur d'Alene River	51N	01W	15	NWNW	
40	Thiesen Creek	Picnic Creek	51N	01W	15	NWSE	
41	Thiesen Creek	Picnic Creek	51N	01W	15	NWSW	
42	Unnamed Stream	Thiesen Creek	51N	01W	15	NWSW	
43	Unnamed Stream	Unnamed Stream	51N	01W	15	SENE	
44	Unnamed Stream	Thiesen Creek	51N	01W	15	SESW	
45	Picnic Creek	Little North Fork Coeur d'Alene River	51N	01W	15	SWNW	
46	Demorest Creek	Deception Creek	51N	01W	20	NWSE	
47	Demorest Creek	Deception Creek	51N	01W	20	SWSE	

Attachment 2
 Place of Use Map Fire Suppression - Water Right No. 94-09527H
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

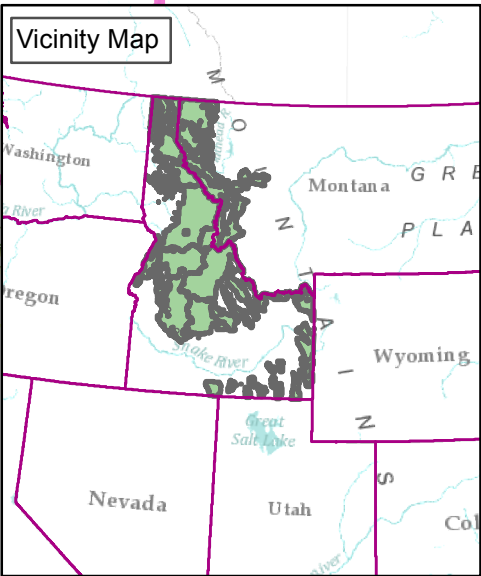
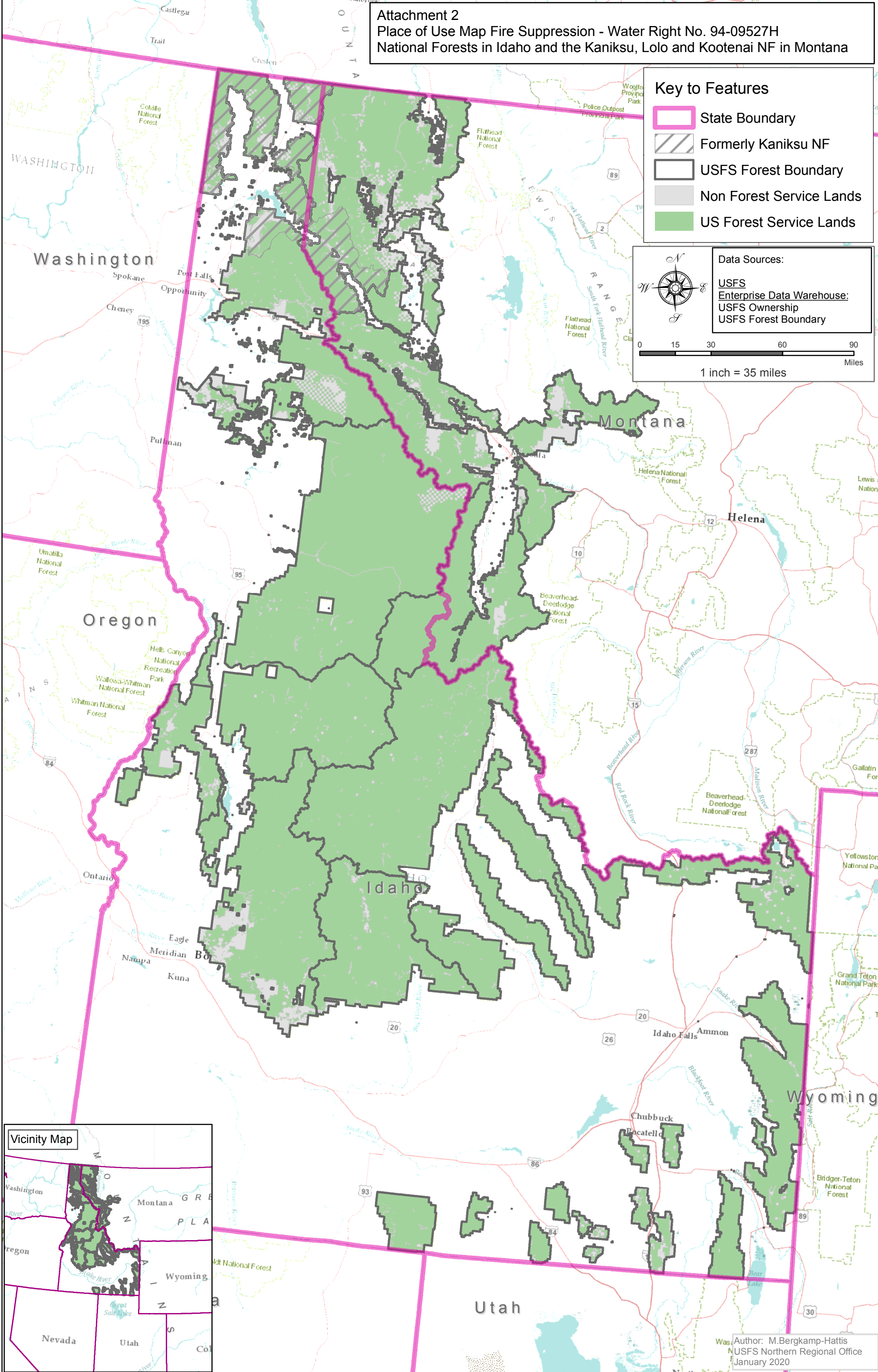
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

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