

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. 94-09533A

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 Cougar Gulch subwatershed (HUC12 170103010704).

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.

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	Halifax Creek	North Fork Coeur d'Alene River	50N	01E	1		
3	Hell Creek	North Fork Coeur d'Alene River	50N	01E	1		
4	Hill Creek	North Fork Coeur d'Alene River	50N	01E	1		
5	Hull Creek	North Fork Coeur d'Alene River	50N	01E	1		
6	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	1		
7	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	1		
8	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	1		
9	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	1		
10	Coffin Creek	North Fork Coeur d'Alene River	50N	01E	2		
11	Hearse Creek	North Fork Coeur d'Alene River	50N	01E	2		
12	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	2		
13	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	2		
14	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	2		
15	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	2		
16	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	2		
17	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	2		
18	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	2		
19	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	2		
20	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	2		
21	Hearse Creek	North Fork Coeur d'Alene River	50N	01E	3		
22	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	3		
23	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	3		
24	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	11		
25	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	11		
26	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	11		
27	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	11		
28	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	11		
29	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	11		
30	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	11		
31	Unnamed Stream	October Creek	50N	01E	11		
32	Colorado Creek	North Fork Coeur d'Alene River	50N	01E	12		
33	October Creek	North Fork Coeur d'Alene River	50N	01E	12		
34	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	12		
35	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	12		
36	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	12		
37	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	12		
38	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	12		
39	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	12		
40	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	12		
41	Dismal Creek	North Fork Coeur d'Alene River	50N	01E	13		
42	October Creek	North Fork Coeur d'Alene River	50N	01E	13		
43	Unnamed Stream	Dismal Creek	50N	01E	13		
44	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	13		
45	Unnamed Stream	North Fork Coeur d'Alene River	50N	01E	13		
46	Dismal Creek	North Fork Coeur d'Alene River	50N	01E	14		
47	October Creek	North Fork Coeur d'Alene River	50N	01E	14		
48	Unnamed Stream	October Creek	50N	01E	14		
49	Hill Creek	North Fork Coeur d'Alene River	50N	02E	6	NWSW	L 6
50	Colorado Creek	North Fork Coeur d'Alene River	50N	02E	6	SWSW	L 7
51	Unnamed Stream	Lone Creek	50N	02E	7	NENE	
52	Lone Creek	North Fork Coeur d'Alene River	50N	02E	7	NENW	
53	Colorado Creek	North Fork Coeur d'Alene River	50N	02E	7	NWNW	L 1
54	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	8	NESE	
55	Steep Creek	North Fork Coeur d'Alene River	50N	02E	8	NESW	
56	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	8	NESW	
57	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	8	NWSE	
58	November Creek	North Fork Coeur d'Alene River	50N	02E	15		
59	Unnamed Stream	November Creek	50N	02E	15		
60	Unnamed Stream	Dennis Creek	50N	02E	17	NESE	
61	Dennis Creek	North Fork Coeur d'Alene River	50N	02E	17	NESW	
62	Unnamed Stream	Dennis Creek	50N	02E	17	NESW	
63	Dennis Creek	North Fork Coeur d'Alene River	50N	02E	17	NWSE	

Attachment 1

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
64	Unnamed Stream	Dennis Creek	50N	02E	17	NWSE	
65	Unnamed Stream	Dennis Creek	50N	02E	17	SWSE	
66	Steep Creek	North Fork Coeur d'Alene River	50N	02E	18	NENE	
67	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	18	NENE	
68	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	18	NWNE	
69	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	18	NWSW	L 3
70	Steep Creek	North Fork Coeur d'Alene River	50N	02E	18	SENE	
71	Steep Creek	North Fork Coeur d'Alene River	50N	02E	18	SWNE	
72	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	18	SWNE	
73	Nelson Creek	North Fork Coeur d'Alene River	50N	02E	20	NESE	
74	Dennis Creek	North Fork Coeur d'Alene River	50N	02E	20	SENE	
75	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	20	SENE	
76	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	20	SENE	
77	Nelson Creek	North Fork Coeur d'Alene River	50N	02E	21		
78	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	21		
79	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	21		
80	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	21		
81	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	21		
82	November Creek	North Fork Coeur d'Alene River	50N	02E	22		
83	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	22		
84	Unnamed Stream	November Creek	50N	02E	22		
85	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	27		
86	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	28	NENE	
87	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	28	NENW	
88	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	28	NENW	
89	Unnamed Stream	North Fork Coeur d'Alene River	50N	02E	29		
90	Unnamed Stream	North Fork Coeur d'Alene River	51N	01E	26		
91	Unnamed Stream	North Fork Coeur d'Alene River	51N	01E	26		
92	Unnamed Stream	North Fork Coeur d'Alene River	51N	01E	27		
93	Unnamed Stream	North Fork Coeur d'Alene River	51N	01E	27		
94	Unnamed Stream	North Fork Coeur d'Alene River	51N	01E	34		
95	Unnamed Stream	North Fork Coeur d'Alene River	51N	01E	34		
96	Unnamed Stream	North Fork Coeur d'Alene River	51N	01E	35		
97	Unnamed Stream	North Fork Coeur d'Alene River	51N	01E	35		
98	Unnamed Stream	North Fork Coeur d'Alene River	51N	01E	35		
99	Unnamed Stream	North Fork Coeur d'Alene River	51N	01E	35		
100	Unnamed Stream	North Fork Coeur d'Alene River	51N	01E	35		
101	Unnamed Stream	North Fork Coeur d'Alene River	51N	01E	35		
102	Unnamed Stream	North Fork Coeur d'Alene River	51N	01E	35		
103	Unnamed Stream	North Fork Coeur d'Alene River	51N	01E	35		
104	Unnamed Stream	North Fork Coeur d'Alene River	51N	01E	35		
105	Unnamed Stream	North Fork Coeur d'Alene River	51N	01E	35		
106	Hell Creek	North Fork Coeur d'Alene River	51N	01E	36		
107	Unnamed Stream	North Fork Coeur d'Alene River	51N	01E	36		

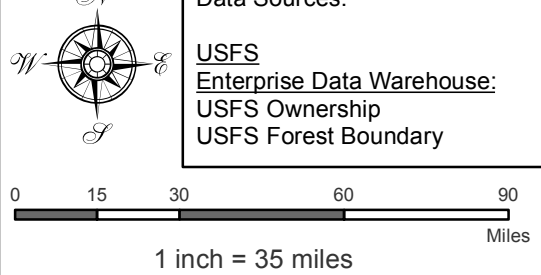
Attachment 2
 Place of Use Map Fire Suppression - Water Right No. 94-09533A
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

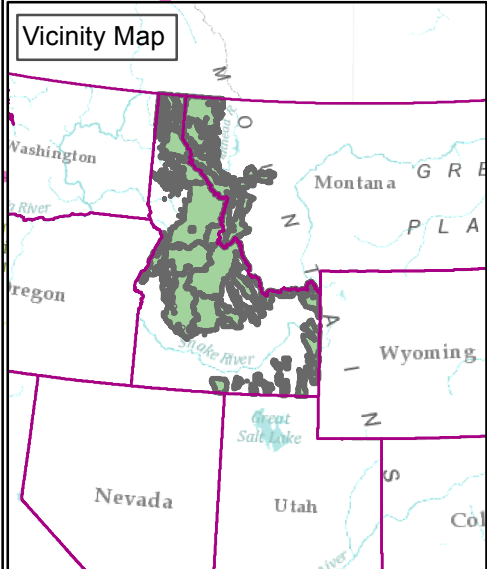
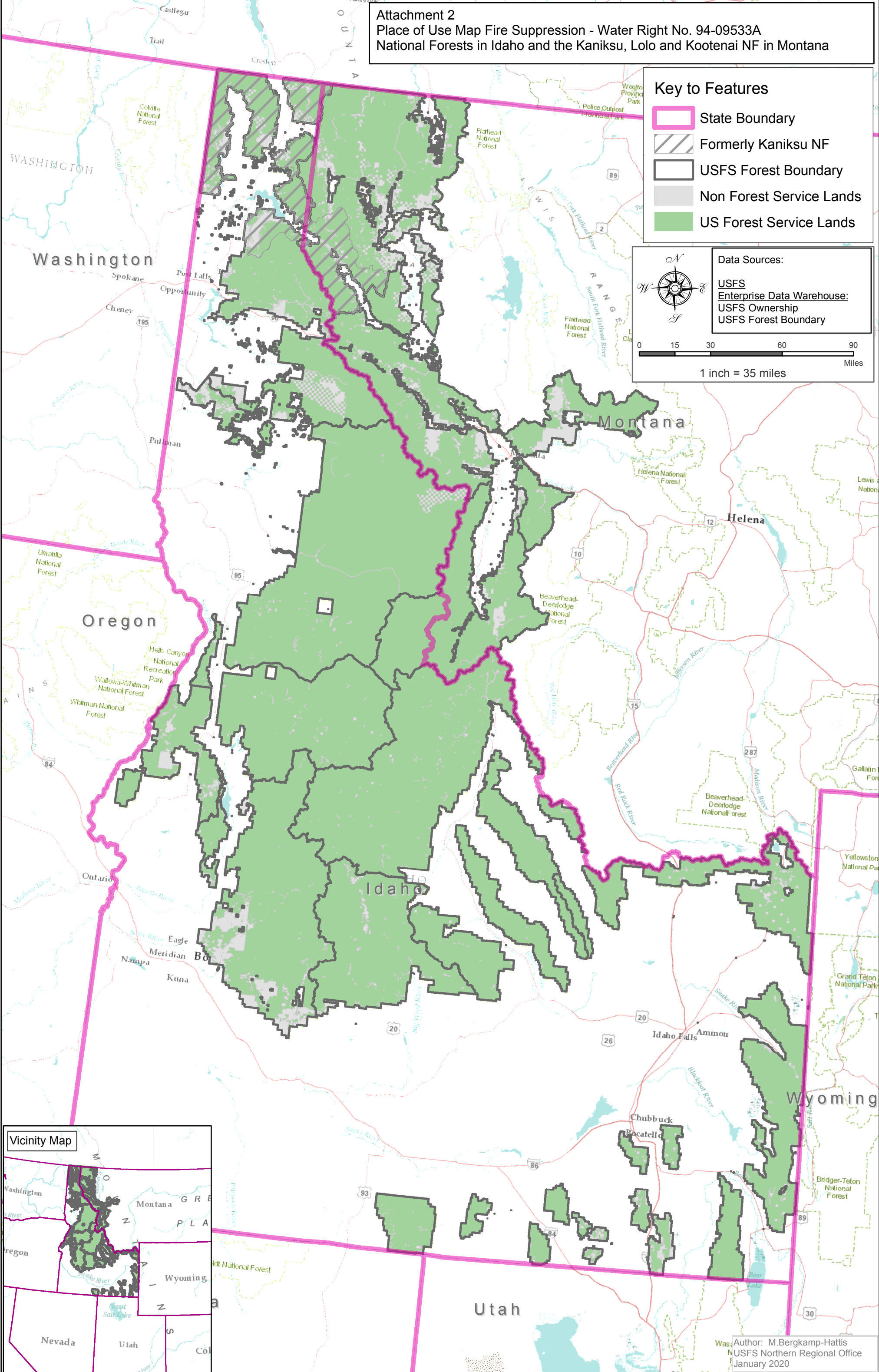
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

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