

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. 94-09542B

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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 Fourth of July Creek subwatershed (HUC12 170103030102).

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

PRIORITY DATE: 12/18/1926

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	Fourth of July Creek	Coeur d'Alene River	49N	01W	7	NESE	
3	Fourth of July Creek	Coeur d'Alene River	49N	01W	7	NWSE	
4	Unnamed Stream	Fourth of July Creek	49N	01W	8	NESW	
5	Mason Creek	Fourth of July Creek	49N	01W	8	NWNE	
6	Fourth of July Creek	Coeur d'Alene River	49N	01W	8	NWSW	
7	Unnamed Stream	Fourth of July Creek	49N	01W	8	NWSW	
8	Unnamed Stream	Fourth of July Creek	49N	01W	8	NWSW	
9	Mason Creek	Fourth of July Creek	49N	01W	8	SWNE	
10	Fourth of July Creek	Coeur d'Alene River	49N	01W	8	SWSW	
11	Mill Creek	Fourth of July Creek	49N	01W	8	SWSW	
12	Unnamed Stream	Fourth of July Creek	49N	01W	8	SWSW	
13	Curran Creek	Fourth of July Creek	49N	01W	9	NESE	
14	Unnamed Stream	Curran Creek	49N	01W	9	NWSE	
15	Curran Creek	Fourth of July Creek	49N	01W	9	SESE	
16	Curran Creek	Fourth of July Creek	49N	01W	9	SWSE	
17	Unnamed Stream	Curran Creek	49N	01W	9	SWSE	
18	Unnamed Stream	Mason Creek	49N	01W	17	NENE	
19	Fourth of July Creek	Coeur d'Alene River	49N	01W	17	NENW	
20	Mason Creek	Fourth of July Creek	49N	01W	17	NENW	
21	Mason Creek	Fourth of July Creek	49N	01W	17	NWNE	
22	Unnamed Stream	Mason Creek	49N	01W	17	NWNE	
23	Fourth of July Creek	Coeur d'Alene River	49N	01W	17	NWNW	
24	Mill Creek	Fourth of July Creek	49N	01W	17	NWNW	
25	Fourth of July Creek	Coeur d'Alene River	49N	01W	17	SENE	
26	Mason Creek	Fourth of July Creek	49N	01W	17	SENE	
27	Fourth of July Creek	Coeur d'Alene River	49N	01W	17	SWNE	
28	Mill Creek	Fourth of July Creek	49N	01W	18	NENE	
29	Mill Creek	Fourth of July Creek	49N	01W	18	NWSE	
30	Mill Creek	Fourth of July Creek	49N	01W	18	SENE	
31	Unnamed Stream	Fourth of July Creek	49N	01W	18	SESE	
32	Mill Creek	Fourth of July Creek	49N	01W	18	SWNE	
33	Unnamed Stream	Fourth of July Creek	49N	01W	18	SWSE	
34	Fourth of July Creek	Coeur d'Alene River	49N	01W	21	NESE	
35	Fourth of July Creek	Coeur d'Alene River	49N	01W	21	NWNE	
36	Fourth of July Creek	Coeur d'Alene River	49N	01W	21	SENE	
37	Fourth of July Creek	Coeur d'Alene River	49N	01W	21	SWNE	
38	Mill Creek	Fourth of July Creek	49N	02W	13	NESE	
39	Mill Creek	Fourth of July Creek	49N	02W	13	SENE	

Attachment 2  
 Place of Use Map Fire Suppression - Water Right No. 94-09542B  
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

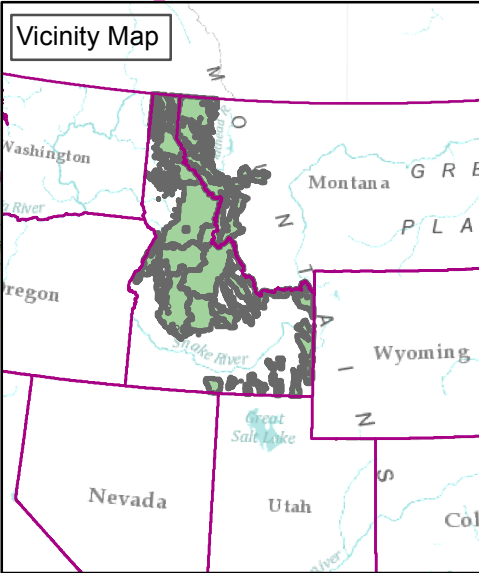
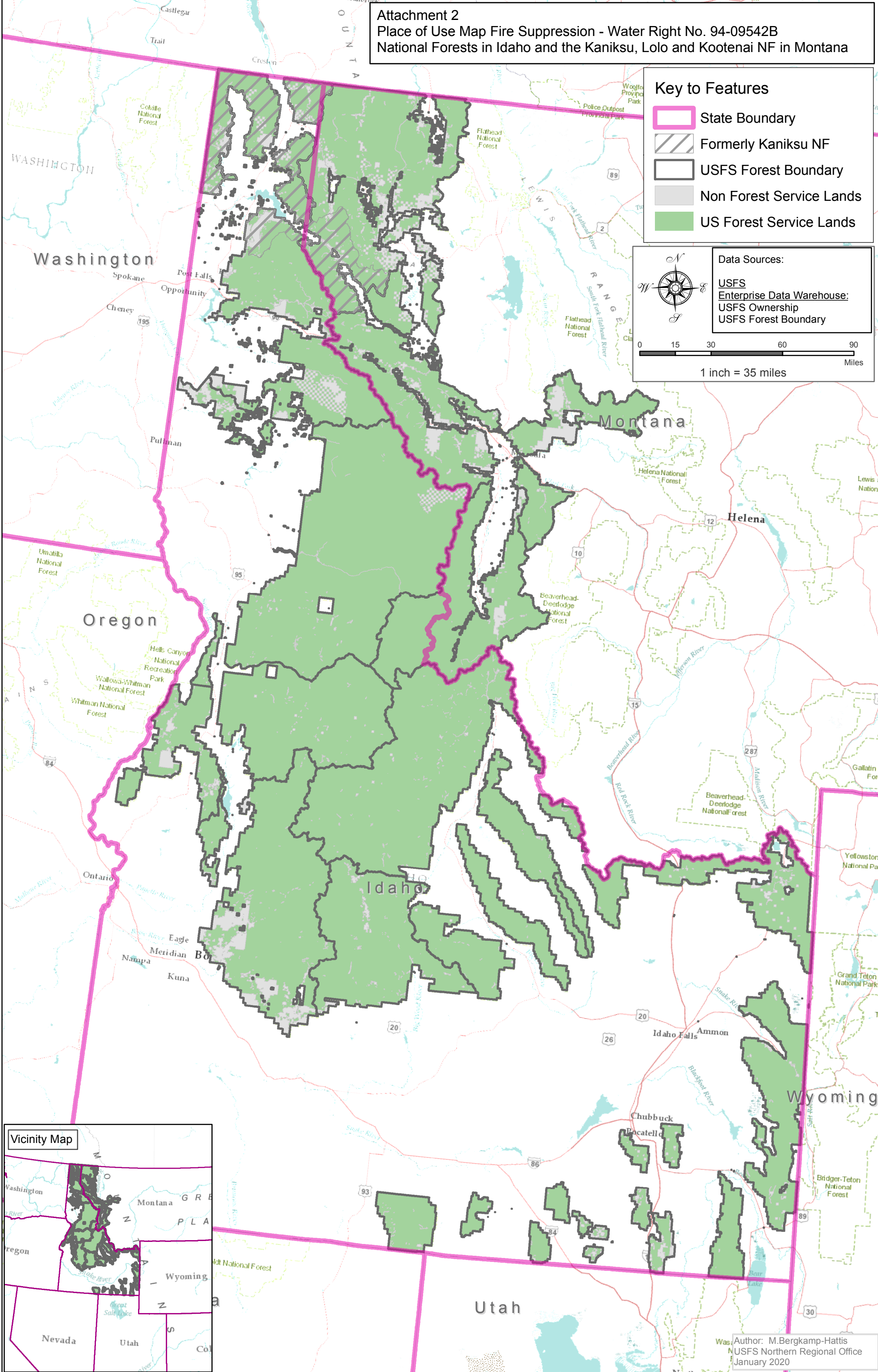
Key to Features

-  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