

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. 91-07949N

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 Upper Marble Creek subwatershed (HUC12 170103040501).
QUANTITY: The amount of water necessary to control and suppress forest fires.
PRIORITY DATE: 01/29/2002
POINT OF DIVERSION: See Attachment 1, Columns C through G
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE
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.

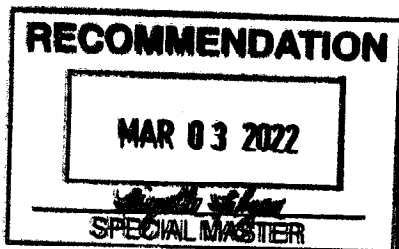
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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	Homestead Creek	Marble Creek	44N	03E	25	NESE	
3	Homestead Creek	Marble Creek	44N	03E	25	NWSE	
4	Unnamed Stream	Homestead Creek	44N	03E	25	NWSE	
5	Homestead Creek	Marble Creek	44N	03E	25	SWSE	
6	Unnamed Stream	Homestead Creek	44N	03E	25	SWSE	

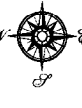

Attachment 2  
 Place of Use Map Fire Suppression - Water Right No. 91-07949N  
 National Forests in Idaho and the Kaniku, Lolo and Kootenai NF in Montana

**Key to Features**

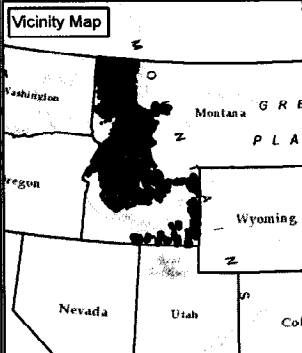
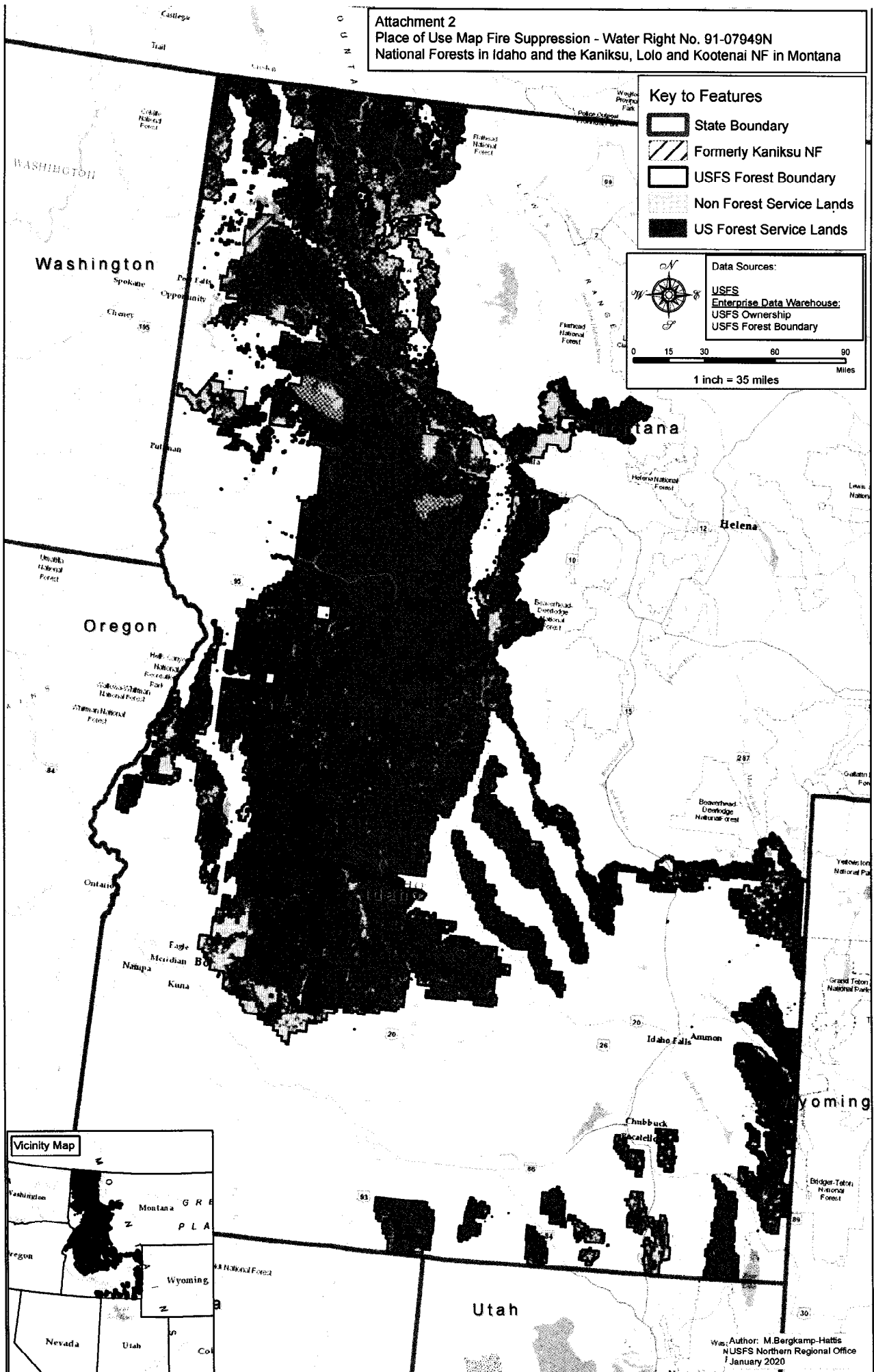
- State Boundary
- Formerly Kaniku NF
- USFS Forest Boundary
- Non Forest Service Lands
- US Forest Service Lands

**Data Sources:**

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

1 inch = 35 miles



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 January 2020