

**DISTRICT COURT - CSRBA**  
**Fifth Judicial District**  
**County of Twin Falls - State of Idaho**

MAR 03 2022

By \_\_\_\_\_ Clerk  
 \_\_\_\_\_ Deputy Clerk

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. 92-11063B

**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 Charlie Creek subwatershed (HUC12 170103040901).

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

**PRIORITY DATE:** 06/01/1925

**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.

RECOMMENDATION

MAR 03 2022

*Eric J. Wildman*  
 \_\_\_\_\_  
 SPECIAL MASTER






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	Elip Creek	Eena Creek	43N	01W		7	
3	Unnamed Stream	Elip Creek	43N	01W		7	
4	Unnamed Stream	Elip Creek	43N	01W		7	
5	Katsuck Creek	Eena Creek	43N	01W		18	NENW
6	Unnamed Stream	Elip Creek	43N	01W		18	NENW
7	Kimta Creek	Eena Creek	43N	01W		18	NESW
8	Unnamed Stream	Kimta Creek	43N	01W		18	NESW
9	Unnamed Stream	Kimta Creek	43N	01W		18	NESW
10	Kimta Creek	Eena Creek	43N	01W		18	NWSE
11	Unnamed Stream	Kimta Creek	43N	01W		18	NWSE
12	Katsuck Creek	Eena Creek	43N	01W		18	SENW
13	Unnamed Stream	Kimta Creek	43N	01W		18	SENW
14	Brown Creek	East Fork Charlie Creek	43N	02W		1	
15	Moolock Creek	East Fork Charlie Creek	43N	02W		1	
16	Pamas Creek	East Fork Charlie Creek	43N	02W		1	
17	East Fork Charlie Creek	Charlie Creek	43N	02W		13	
18	Eena Creek	East Fork Charlie Creek	43N	02W		13	
19	Elip Creek	Eena Creek	43N	02W		13	
20	Lacy Creek	East Fork Charlie Creek	43N	02W		13	
21	Moolock Creek	East Fork Charlie Creek	43N	02W		13	
22	Unnamed Stream	East Fork Charlie Creek	43N	02W		13	
23	Unnamed Stream	Eena Creek	43N	02W		13	
24	Unnamed Stream	Elip Creek	43N	02W		13	
25	Unnamed Stream	Elip Creek	43N	02W		13	
26	Unnamed Stream	Lacy Creek	43N	02W		13	
27	Unnamed Stream	Moolock Creek	43N	02W		13	
28	Unnamed Stream	Lacy Creek	43N	02W		23	NENE
29	Unnamed Stream	Lacy Creek	43N	02W		23	NESE
30	Fagan Creek	East Fork Charlie Creek	43N	02W		23	NWNW
31	Fagan Creek	East Fork Charlie Creek	43N	02W		23	NWSE
32	Preston Creek	Charlie Creek	43N	02W		23	NWSW
33	Unnamed Stream	Lacy Creek	43N	02W		23	SESE
34	Fagan Creek	East Fork Charlie Creek	43N	02W		23	SWNW
35	Fagan Creek	East Fork Charlie Creek	43N	02W		23	SWSE
36	Scurry Creek	East Fork Charlie Creek	43N	02W		25	NENE
37	Lacy Creek	East Fork Charlie Creek	43N	02W		25	NENW
38	Lacy Creek	East Fork Charlie Creek	43N	02W		25	NWNE
39	Unnamed Stream	Lacy Creek	43N	02W		25	NWSW

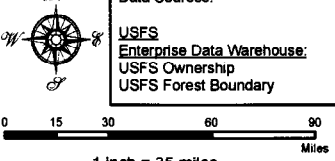
Attachment 2  
 Place of Use Map Fire Suppression - Water Right No. 92-11063B  
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

**Key to Features**

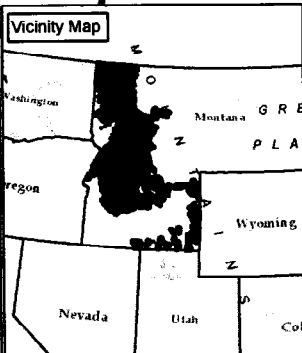
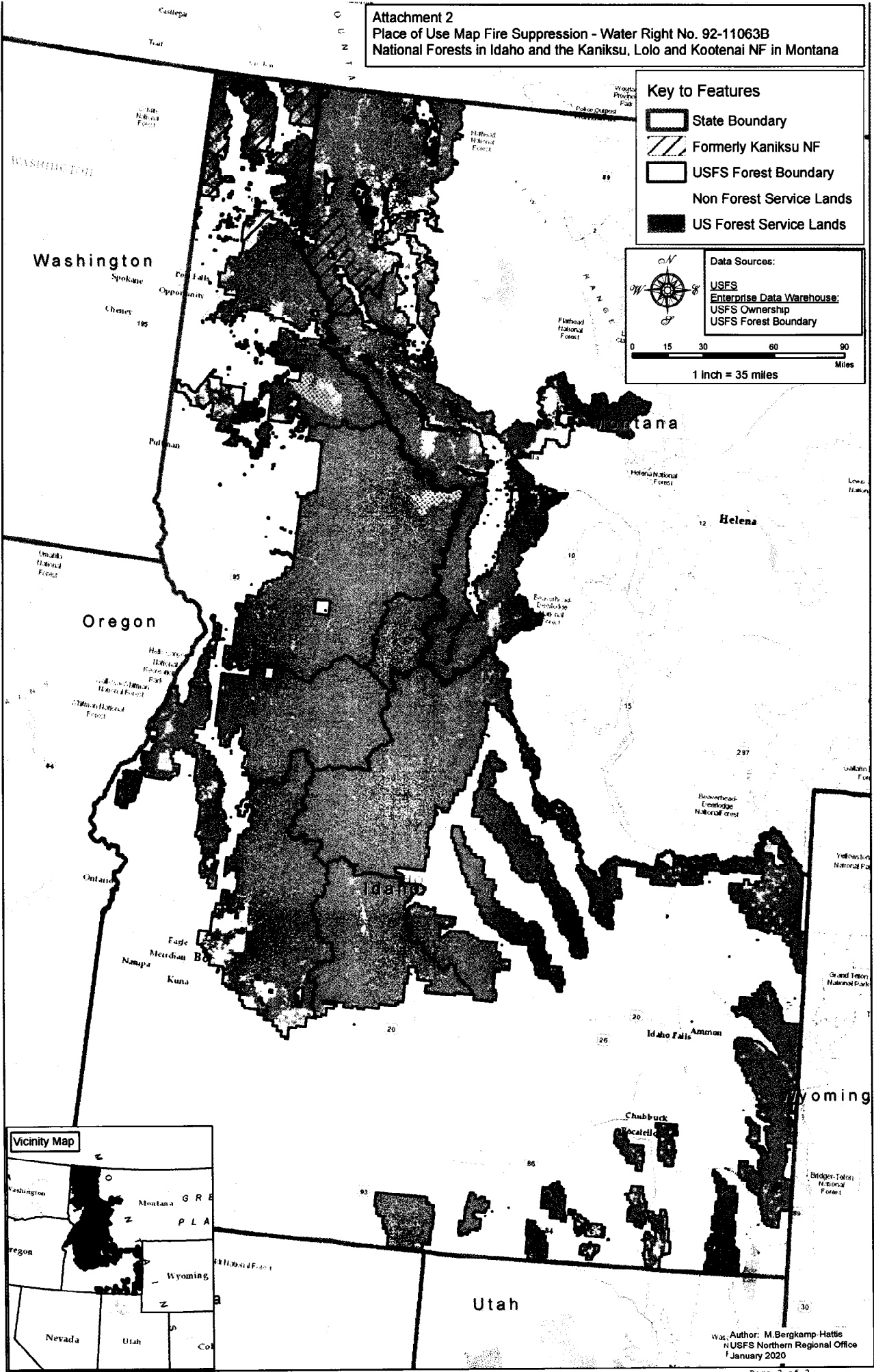
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

**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  
 NUSFS Northern Regional Office  
 January 2020