

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)
) FOR FEDERAL RESERVED
 Case No. 49576)
) WATER RIGHT NO. 92-11078A

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 Middle Fork-St Maries River subwatershed (HUC12 170103040701).

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: 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	Unnamed Stream	Gold Center Creek	42N	03E	3		
3	Unnamed Stream	Gold Center Creek	42N	03E	3		
4	Gold Center Creek	Middle Fork Saint Maries River	42N	03E	4		
5	Unnamed Stream	Gold Center Creek	42N	03E	4		
6	Unnamed Stream	Gold Center Creek	42N	03E	4		
7	Unnamed Stream	Windy Creek	42N	03E	4		
8	Unnamed Stream	Windy Creek	42N	03E	4		
9	Gold Center Creek	Middle Fork Saint Maries River	42N	03E	5	NENE	L 1
10	Unnamed Stream	Gold Center Creek	42N	03E	5	NENE	L 1
11	Gold Center Creek	Middle Fork Saint Maries River	42N	03E	5	NENW	L 3
12	Unnamed Stream	Windy Creek	42N	03E	5	NESE	
13	Gold Center Creek	Middle Fork Saint Maries River	42N	03E	5	NWNE	L 2
14	Gold Center Creek	Middle Fork Saint Maries River	42N	03E	5	NWNW	L 4
15	Placer Creek	Gold Center Creek	42N	03E	5	NWNW	L 4
16	Unnamed Stream	Windy Creek	42N	03E	5	SESE	
17	Unnamed Stream	Gold Center Creek	42N	03E	5	SWNW	
18	Gold Center Creek	Middle Fork Saint Maries River	42N	03E	6	NENE	L 1
19	Placer Creek	Gold Center Creek	42N	03E	6	NENE	L 1
20	Unnamed Stream	Gold Center Creek	42N	03E	6	NENE	L 1
21	Windy Creek	Gold Center Creek	42N	03E	6	NESE	
22	Gold Center Creek	Middle Fork Saint Maries River	42N	03E	6	NESW	
23	Unnamed Stream	Gold Center Creek	42N	03E	6	NESW	
24	Gold Center Creek	Middle Fork Saint Maries River	42N	03E	6	NWNE	L 2
25	Unnamed Stream	Gold Center Creek	42N	03E	6	NWNE	L 2
26	Gramp Creek	Gold Center Creek	42N	03E	6	NWNW	L 4
27	Gold Center Creek	Middle Fork Saint Maries River	42N	03E	6	NWSE	
28	Windy Creek	Gold Center Creek	42N	03E	6	NWSE	
29	Gold Center Creek	Middle Fork Saint Maries River	42N	03E	6	NWSW	L 6
30	Unnamed Stream	Gold Center Creek	42N	03E	6	SENE	
31	Unnamed Stream	Gold Center Creek	42N	03E	6	SESW	
32	Unnamed Stream	Gold Center Creek	42N	03E	6	SESW	
33	Gold Center Creek	Middle Fork Saint Maries River	42N	03E	6	SWNE	
34	Unnamed Stream	Gold Center Creek	42N	03E	6	SWNE	
35	Windy Creek	Gold Center Creek	42N	03E	6	SWNE	
36	Unnamed Stream	Gold Center Creek	42N	03E	6	SWNW	L 5
37	Gold Center Creek	Middle Fork Saint Maries River	42N	03E	6	SWSW	L 7
38	Unnamed Stream	Gold Center Creek	42N	03E	6	SWSW	L 7
39	Unnamed Stream	Gold Center Creek	42N	03E	6	SWSW	L 7
40	Unnamed Stream	Gold Center Creek	42N	03E	6	SWSW	L 7
41	Unnamed Stream	Gold Center Creek	42N	03E	6	SWSW	L 7
42	Unnamed Stream	Gold Center Creek	42N	03E	7		
43	Unnamed Stream	Gold Center Creek	42N	03E	7		
44	Unnamed Stream	Gold Center Creek	42N	03E	7		
45	Unnamed Stream	Gold Center Creek	42N	03E	7		
46	Unnamed Stream	Gold Center Creek	42N	03E	7		
47	Unnamed Stream	White Rock Creek	42N	03E	7		
48	Unnamed Stream	Windy Creek	42N	03E	8		
49	Unnamed Stream	Windy Creek	42N	03E	8		
50	Unnamed Stream	Windy Creek	42N	03E	8		
51	Unnamed Stream	Windy Creek	42N	03E	8		
52	Unnamed Stream	Windy Creek	42N	03E	8		
53	Unnamed Stream	Windy Creek	42N	03E	8		
54	Unnamed Stream	Windy Creek	42N	03E	8		
55	Unnamed Stream	Windy Creek	42N	03E	8		
56	Unnamed Stream	Windy Creek	42N	03E	8		
57	Windy Creek	Gold Center Creek	42N	03E	8		
58	Unnamed Stream	Windy Creek	42N	03E	9		
59	Unnamed Stream	Windy Creek	42N	03E	9		
60	Windy Creek	Gold Center Creek	42N	03E	9		
61	Unnamed Stream	White Rock Creek	42N	03E	17	SWNW	
62	Unnamed Stream	White Rock Creek	42N	03E	18	NENE	
63	Unnamed Stream	White Rock Creek	42N	03E	18	NENW	
64	White Rock Creek	Middle Fork Saint Maries River	42N	03E	18	NESW	

Attachment 1

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
65	Unnamed Stream	White Rock Creek	42N	03E	18	NWNW	L 1
66	White Rock Creek	Middle Fork Saint Maries River	42N	03E	18	NWSE	
67	White Rock Creek	Middle Fork Saint Maries River	42N	03E	18	NWSW	L 3
68	White Rock Creek	Middle Fork Saint Maries River	42N	03E	18	SWNW	L 2
69	Unnamed Stream	Middle Fork Saint Maries River	42N	03E	19		
70	Unnamed Stream	Unnamed Stream	42N	03E	19		
71	White Rock Creek	Middle Fork Saint Maries River	42N	03E	20		
72	Graves Creek	Middle Fork Saint Maries River	42N	03E	30		
73	Unnamed Stream	Graves Creek	42N	03E	30		
74	Unnamed Stream	Graves Creek	42N	03E	30		
75	Squaw Spring	Windy Creek	42N	03E	9	NENE	
76	White Rock Springs	Sinks	42N	03E	17	NWNE	

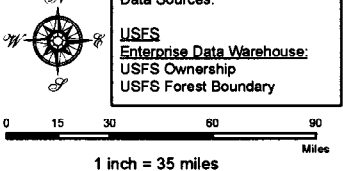
Attachment 2
Place of Use Map Fire Suppression - Water Right No. 92-11078A
National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

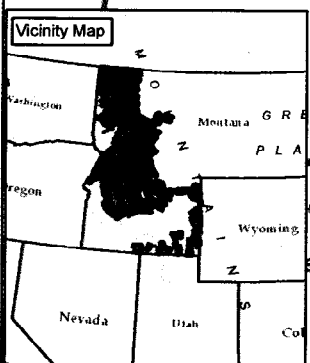
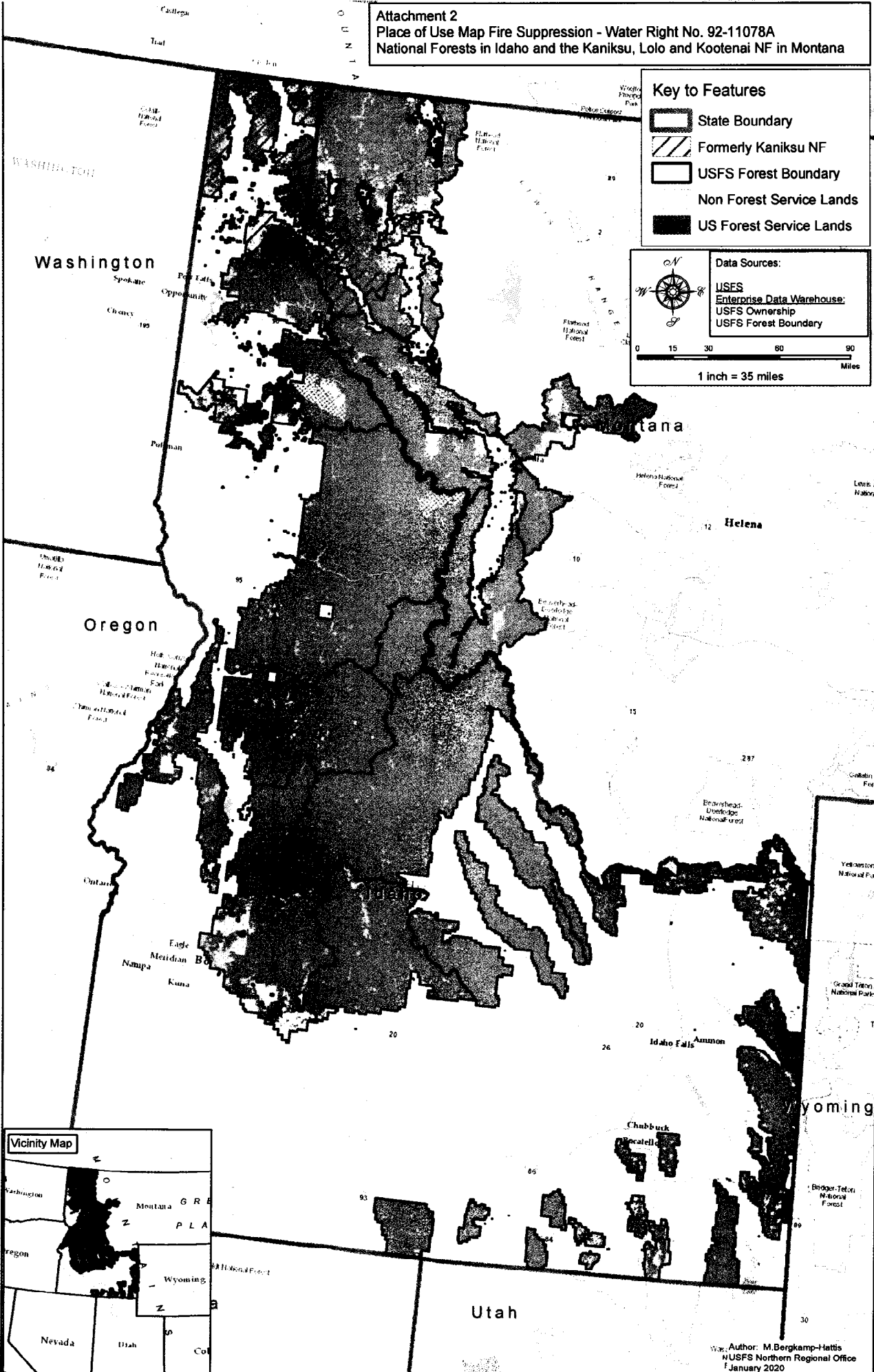
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

Data Sources:

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



0 15 30 60 90 Miles
 1 inch = 35 miles



Author: M. Bergkamp-Hettis
 NUSFS Northern Regional Office
 January 2020