

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. 94-09524A

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 Eagle Creek subwatershed (HUC12 170103010501).

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

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) FOR
 FEDERAL RESERVED WATER RIGHT NO. 94-09524A

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	West Fork Eagle Creek	50N	04E	12		
3	Unnamed Stream	West Fork Eagle Creek	50N	04E	12		
4	Unnamed Stream	West Fork Eagle Creek	50N	04E	12		
5	Unnamed Stream	West Fork Eagle Creek	50N	04E	13		
6	Unnamed Stream	West Fork Eagle Creek	50N	04E	13		
7	Unnamed Stream	West Fork Eagle Creek	50N	04E	13		
8	Unnamed Stream	West Fork Eagle Creek	50N	04E	13		
9	Unnamed Stream	West Fork Eagle Creek	50N	04E	13		
10	Unnamed Stream	West Fork Eagle Creek	50N	04E	13		
11	Unnamed Stream	West Fork Eagle Creek	50N	04E	13		
12	Unnamed Stream	West Fork Eagle Creek	50N	04E	13		
13	West Fork Eagle Creek	Eagle Creek	50N	04E	13		
14	Unnamed Stream	West Fork Eagle Creek	50N	04E	14		
15	Unnamed Stream	West Fork Eagle Creek	50N	04E	14		
16	Unnamed Stream	Eagle Creek	50N	04E	23		
17	Unnamed Stream	West Fork Eagle Creek	50N	04E	23		
18	Unnamed Stream	West Fork Eagle Creek	50N	04E	23		
19	Unnamed Stream	West Fork Eagle Creek	50N	04E	23		
20	Unnamed Stream	West Fork Eagle Creek	50N	04E	23		
21	Unnamed Stream	West Fork Eagle Creek	50N	04E	23		
22	East Fork Eagle Creek	Eagle Creek	50N	04E	24		
23	Unnamed Stream	West Fork Eagle Creek	50N	04E	24		
24	Unnamed Stream	West Fork Eagle Creek	50N	04E	24		
25	Unnamed Stream	West Fork Eagle Creek	50N	04E	24		
26	Unnamed Stream	West Fork Eagle Creek	50N	04E	24		
27	Unnamed Stream	West Fork Eagle Creek	50N	04E	24		
28	Unnamed Stream	West Fork Eagle Creek	50N	04E	24		
29	Unnamed Stream	West Fork Eagle Creek	50N	04E	24		
30	West Fork Eagle Creek	Eagle Creek	50N	04E	24		
31	East Fork Eagle Creek	Eagle Creek	50N	04E	25		
32	Unnamed Stream	East Fork Eagle Creek	50N	04E	25		
33	Unnamed Stream	East Fork Eagle Creek	50N	04E	25		
34	Unnamed Stream	East Fork Eagle Creek	50N	04E	25		
35	Eagle Creek	Prichard Creek	50N	04E	26		
36	East Fork Eagle Creek	Eagle Creek	50N	04E	26		
37	Unnamed Stream	Eagle Creek	50N	04E	26		
38	Unnamed Stream	Eagle Creek	50N	04E	26		
39	Unnamed Stream	East Fork Eagle Creek	50N	04E	26		
40	Unnamed Stream	West Fork Eagle Creek	50N	04E	26		
41	West Fork Eagle Creek	Eagle Creek	50N	04E	26		
42	Unnamed Stream	Eagle Creek	50N	04E	35		
43	Casper Creek	East Fork Eagle Creek	50N	05E	1		
44	Silent Creek	East Fork Eagle Creek	50N	05E	1		
45	Unnamed Stream	Casper Creek	50N	05E	1		
46	Unnamed Stream	Casper Creek	50N	05E	1		
47	Cottonwood Creek	Blue Lake Creek	50N	05E	2		
48	Unnamed Stream	Casper Creek	50N	05E	2		
49	Unnamed Stream	Cottonwood Creek	50N	05E	2		
50	Cottonwood Creek	Blue Lake Creek	50N	05E	3	NESE	
51	Unnamed Stream	Cottonwood Creek	50N	05E	3	NESE	
52	Unnamed Stream	Cottonwood Creek	50N	05E	3	SENE	
53	Cottonwood Creek	Blue Lake Creek	50N	05E	3	SESE	
54	Unnamed Stream	Cottonwood Creek	50N	05E	3	SESE	
55	Cottonwood Creek	Blue Lake Creek	50N	05E	3	SESW	
56	Cottonwood Creek	Blue Lake Creek	50N	05E	3	SWSE	
57	West Fork Eagle Creek	Eagle Creek	50N	05E	4	NENE	L 1
58	Cottonwood Creek	Blue Lake Creek	50N	05E	4	NESE	
59	Cottonwood Creek	Blue Lake Creek	50N	05E	4	NESW	
60	West Fork Eagle Creek	Eagle Creek	50N	05E	4	NESW	
61	West Fork Eagle Creek	Eagle Creek	50N	05E	4	NWNE	L 2
62	Cottonwood Creek	Blue Lake Creek	50N	05E	4	NWSE	
63	West Fork Eagle Creek	Eagle Creek	50N	05E	4	NWSW	

Attachment 1

1	A	B	C	D	E	F	G
	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
64	West Fork Eagle Creek	Eagle Creek	50N	05E	4	SENW	
65	West Fork Eagle Creek	Eagle Creek	50N	05E	4	SWNE	
66	Unnamed Stream	West Fork Eagle Creek	50N	05E	5		
67	Unnamed Stream	West Fork Eagle Creek	50N	05E	5		
68	West Fork Eagle Creek	Eagle Creek	50N	05E	5		
69	Unnamed Stream	West Fork Eagle Creek	50N	05E	6		
70	Unnamed Stream	West Fork Eagle Creek	50N	05E	6		
71	West Fork Eagle Creek	Eagle Creek	50N	05E	6		
72	Unnamed Stream	West Fork Eagle Creek	50N	05E	7		
73	Unnamed Stream	West Fork Eagle Creek	50N	05E	7		
74	Unnamed Stream	West Fork Eagle Creek	50N	05E	7		
75	Unnamed Stream	West Fork Eagle Creek	50N	05E	7		
76	Unnamed Stream	West Fork Eagle Creek	50N	05E	7		
77	West Fork Eagle Creek	Eagle Creek	50N	05E	7		
78	Unnamed Stream	West Fork Eagle Creek	50N	05E	8		
79	Unnamed Stream	West Fork Eagle Creek	50N	05E	8		
80	Falls Creek	East Fork Eagle Creek	50N	05E	9		
81	Unnamed Stream	East Fork Eagle Creek	50N	05E	9		
82	Unnamed Stream	East Fork Eagle Creek	50N	05E	10		
83	Unnamed Stream	East Fork Eagle Creek	50N	05E	10		
84	East Fork Eagle Creek	Eagle Creek	50N	05E	11		
85	Tributary Creek	East Fork Eagle Creek	50N	05E	11		
86	Unnamed Stream	Casper Creek	50N	05E	11		
87	Unnamed Stream	East Fork Eagle Creek	50N	05E	11		
88	Casper Creek	East Fork Eagle Creek	50N	05E	12		
89	Columbus Creek	East Fork Eagle Creek	50N	05E	12		
90	East Fork Eagle Creek	Eagle Creek	50N	05E	12		
91	Silent Creek	East Fork Eagle Creek	50N	05E	12		
92	Snowshoe Creek	East Fork Eagle Creek	50N	05E	12		
93	Unnamed Stream	Casper Creek	50N	05E	12		
94	Unnamed Stream	Casper Creek	50N	05E	12		
95	Columbus Creek	East Fork Eagle Creek	50N	05E	13		
96	Tributary Creek	East Fork Eagle Creek	50N	05E	13		
97	Unnamed Stream	Tributary Creek	50N	05E	13		
98	Unnamed Stream	Tributary Creek	50N	05E	13		
99	Unnamed Stream	Tributary Creek	50N	05E	13		
100	Unnamed Stream	Tributary Creek	50N	05E	13		
101	East Fork Eagle Creek	Eagle Creek	50N	05E	14		
102	Tributary Creek	East Fork Eagle Creek	50N	05E	14		
103	Unnamed Stream	East Fork Eagle Creek	50N	05E	14		
104	Unnamed Stream	East Fork Eagle Creek	50N	05E	14		
105	Unnamed Stream	East Fork Eagle Creek	50N	05E	14		
106	East Fork Eagle Creek	Eagle Creek	50N	05E	15		
107	Toboggan Creek	East Fork Eagle Creek	50N	05E	15		
108	Unnamed Stream	East Fork Eagle Creek	50N	05E	15		
109	Unnamed Stream	East Fork Eagle Creek	50N	05E	15		
110	Unnamed Stream	Toboggan Creek	50N	05E	15		
111	Cabin Creek	East Fork Eagle Creek	50N	05E	16		
112	East Fork Eagle Creek	Eagle Creek	50N	05E	16		
113	Falls Creek	East Fork Eagle Creek	50N	05E	16		
114	Niagara Creek	East Fork Eagle Creek	50N	05E	16		
115	Unnamed Stream	East Fork Eagle Creek	50N	05E	16		
116	Unnamed Stream	East Fork Eagle Creek	50N	05E	16		
117	East Fork Eagle Creek	Eagle Creek	50N	05E	17		
118	Unnamed Stream	East Fork Eagle Creek	50N	05E	17		
119	Unnamed Stream	West Fork Eagle Creek	50N	05E	18		
120	Unnamed Stream	West Fork Eagle Creek	50N	05E	18		
121	Unnamed Stream	West Fork Eagle Creek	50N	05E	18		
122	West Fork Eagle Creek	Eagle Creek	50N	05E	18		
123	East Fork Eagle Creek	Eagle Creek	50N	05E	19		
124	Unnamed Stream	East Fork Eagle Creek	50N	05E	19		
125	Unnamed Stream	East Fork Eagle Creek	50N	05E	19		

Attachment 1

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
126	Unnamed Stream	West Fork Eagle Creek	50N	05E	19		
127	Unnamed Stream	West Fork Eagle Creek	50N	05E	19		
128	East Fork Eagle Creek	Eagle Creek	50N	05E	20		
129	Unnamed Stream	East Fork Eagle Creek	50N	05E	20		
130	Niagara Creek	East Fork Eagle Creek	50N	05E	21		
131	Unnamed Stream	East Fork Eagle Creek	50N	05E	21		
132	Unnamed Stream	Niagara Creek	50N	05E	21		
133	Toboggan Creek	East Fork Eagle Creek	50N	05E	22		
134	Unnamed Stream	Toboggan Creek	50N	05E	22		
135	Unnamed Stream	Toboggan Creek	50N	05E	22		
136	Unnamed Stream	Toboggan Creek	50N	05E	22		
137	Unnamed Stream	Toboggan Creek	50N	05E	22		
138	Unnamed Stream	Toboggan Creek	50N	05E	22		
139	Unnamed Stream	Toboggan Creek	50N	05E	23		
140	Unnamed Stream	Toboggan Creek	50N	05E	23		
141	Unnamed Stream	Toboggan Creek	50N	05E	23		
142	Tributary Creek	East Fork Eagle Creek	50N	05E	24		
143	Unnamed Stream	Tributary Creek	50N	05E	24		
144	Unnamed Stream	Tributary Creek	50N	05E	24		
145	Unnamed Stream	Tributary Creek	50N	05E	24		
146	Unnamed Stream	Tributary Creek	50N	05E	24		
147	Unnamed Stream	Toboggan Creek	50N	05E	26		
148	Unnamed Stream	Toboggan Creek	50N	05E	26		
149	Toboggan Creek	East Fork Eagle Creek	50N	05E	27		
150	Unnamed Stream	Toboggan Creek	50N	05E	27		
151	Niagara Creek	East Fork Eagle Creek	50N	05E	28		
152	Unnamed Stream	East Fork Eagle Creek	50N	05E	29		
153	Unnamed Stream	East Fork Eagle Creek	50N	05E	30		
154	Unnamed Stream	East Fork Eagle Creek	50N	05E	30		
155	Unnamed Stream	East Fork Eagle Creek	50N	05E	30		
156	Unnamed Stream	East Fork Eagle Creek	50N	05E	31		
157	Unnamed Stream	East Fork Eagle Creek	50N	05E	31		
158	Unnamed Stream	East Fork Eagle Creek	50N	06E	6		
159	East Fork Eagle Creek	Eagle Creek	50N	06E	7		
160	Snowshoe Creek	East Fork Eagle Creek	50N	06E	7		
161	Unnamed Stream	East Fork Eagle Creek	50N	06E	7		
162	Snowshoe Creek	East Fork Eagle Creek	50N	06E	18		
163	Unnamed Stream	Snowshoe Creek	50N	06E	18		
164	Unnamed Stream	Tributary Creek	50N	06E	18		
165	Unnamed Stream	Tributary Creek	50N	06E	18		
166	Tributary Creek	East Fork Eagle Creek	50N	06E	19		
167	Unnamed Stream	Tributary Creek	50N	06E	19		
168	Unnamed Stream	Tributary Creek	50N	06E	19		
169	Unnamed Stream	Tributary Creek	50N	06E	19		
170	Unnamed Stream	Tributary Creek	50N	06E	19		
171	Unnamed Stream	Tributary Creek	50N	06E	19		
172	Unnamed Stream	Tributary Creek	50N	06E	19		
173	Unnamed Stream	Tributary Creek	50N	06E	19		
174	Unnamed Stream	Tributary Creek	50N	06E	19		
175	Tributary Creek	East Fork Eagle Creek	50N	06E	30		
176	West Fork Eagle Creek	Eagle Creek	51N	05E	21		
177	Unnamed Stream	West Fork Eagle Creek	51N	05E	22		
178	Unnamed Stream	West Fork Eagle Creek	51N	05E	22		
179	West Fork Eagle Creek	Eagle Creek	51N	05E	22		
180	Unnamed Stream	West Fork Eagle Creek	51N	05E	26		
181	Unnamed Stream	West Fork Eagle Creek	51N	05E	26		
182	Unnamed Stream	West Fork Eagle Creek	51N	05E	27		
183	Unnamed Stream	West Fork Eagle Creek	51N	05E	27		
184	Unnamed Stream	West Fork Eagle Creek	51N	05E	27		
185	Unnamed Stream	West Fork Eagle Creek	51N	05E	27		
186	Unnamed Stream	West Fork Eagle Creek	51N	05E	27		
187	West Fork Eagle Creek	Eagle Creek	51N	05E	27		

Attachment 1

1	A	B	C	D	E	F	G
	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
188	Unnamed Stream	West Fork Eagle Creek	51N	05E	28		
189	Unnamed Stream	West Fork Eagle Creek	51N	05E	28		
190	Unnamed Stream	West Fork Eagle Creek	51N	05E	28		
191	Unnamed Stream	West Fork Eagle Creek	51N	05E	31		
192	Bobtail Creek	East Fork Eagle Creek	51N	05E	32		
193	Bobtail Creek	West Fork Eagle Creek	51N	05E	32		
194	Unnamed Stream	West Fork Eagle Creek	51N	05E	32		
195	Unnamed Stream	West Fork Eagle Creek	51N	05E	32		
196	34 Creek	West Fork Eagle Creek	51N	05E	33		
197	Bobtail Creek	East Fork Eagle Creek	51N	05E	33		
198	Silver Creek	West Fork Eagle Creek	51N	05E	33		
199	West Fork Eagle Creek	Eagle Creek	51N	05E	33		
200	34 Creek	West Fork Eagle Creek	51N	05E	34		
201	Unnamed Stream	34 Creek	51N	05E	34		
202	West Fork Eagle Creek	Eagle Creek	51N	05E	34		
203	34 Creek	West Fork Eagle Creek	51N	05E	35		
204	Unnamed Spring	Sinks	50N	06E	6	NESW	L 2
205	Bloom Spring	West Fork Eagle Creek	51N	05E	28	NENE	
206	Bobtail Spring	Bobtail Creek	51N	05E	32	NESW	

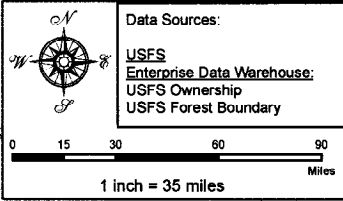
Attachment 2
Place of Use Map Fire Suppression - Water Right No. 94-09524A
National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

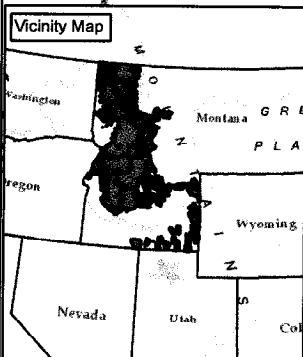
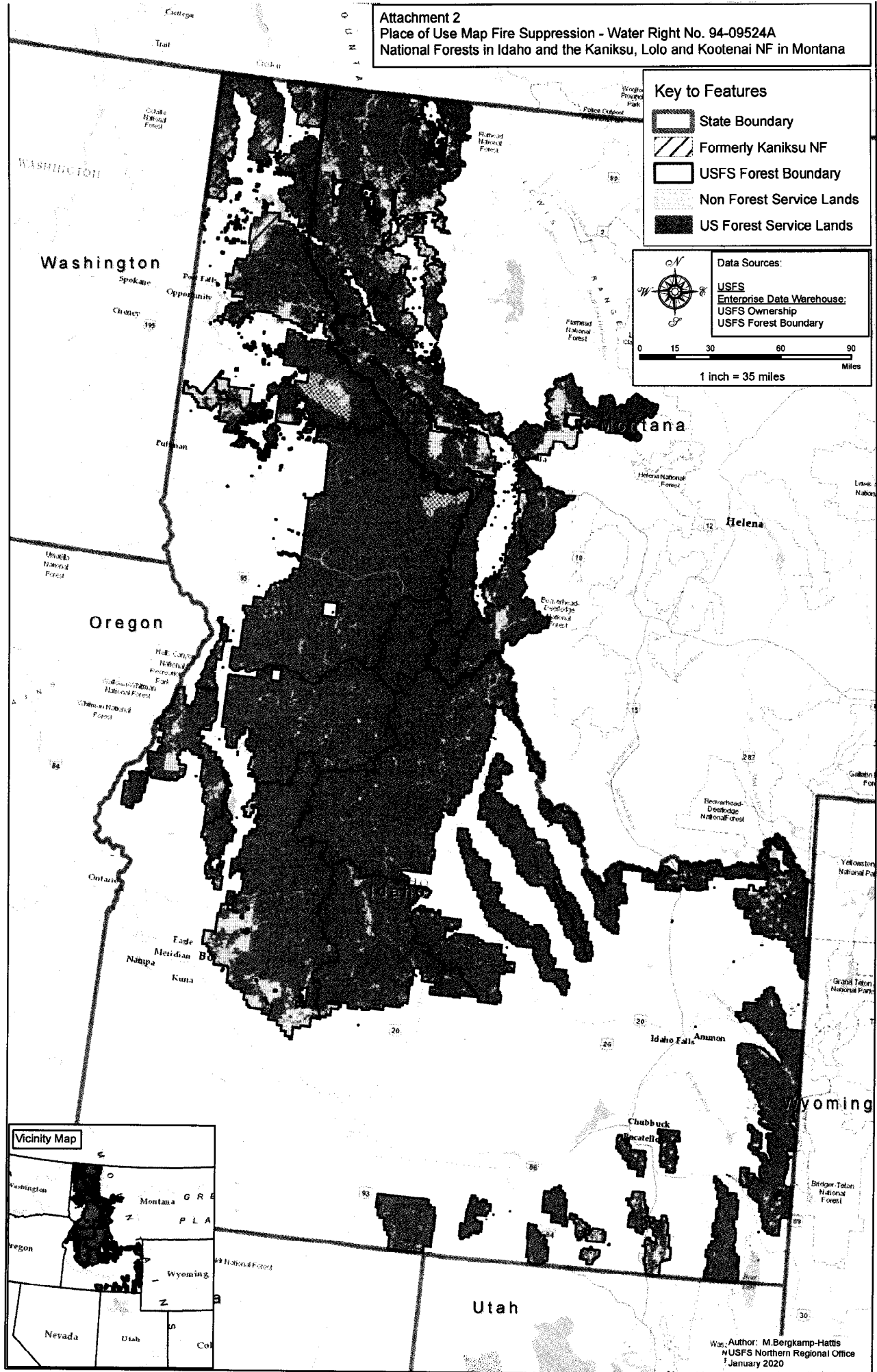
- State Boundary
- Formerly Kaniksu NF
- USFS Forest Boundary
- Non Forest Service Lands
- US Forest Service Lands

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
 WUSFS Northern Regional Office
 January 2020