

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. 94-09528C

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 Leiberg Creek-Little North Fork Coeur d'Alene River subwatershed (HUC12 170103010603).

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

PRIORITY DATE: 01/03/1929

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.

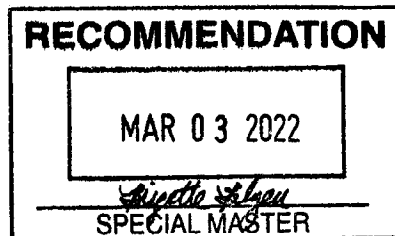
**OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:**

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.



Eric J. Wildman  
 Presiding Judge of the  
 Coeur d'Alene-Spokane River Adjudication

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
2	Early Creek	Skookum Creek	50N	01W	3		
3	Skookum Creek	Little North Fork Coeur d'Alene River	50N	01W	3		
4	Unnamed Stream	Skookum Creek	50N	01W	3		
5	Unnamed Stream	Skookum Creek	50N	01W	3		
6	Unnamed Stream	Skookum Creek	50N	01W	3		
7	Unnamed Stream	Skookum Creek	50N	01W	3		
8	Unnamed Stream	Skookum Creek	50N	01W	3		
9	Unnamed Stream	Skookum Creek	50N	01W	3		
10	Early Creek	Skookum Creek	50N	01W	4	NENE	L 1
11	McMahon Creek	Skookum Creek	50N	01W	4	NWNE	L 2
12	Unnamed Stream	McMahon Creek	50N	01W	4	NWNE	L 2
13	Early Creek	Skookum Creek	50N	01W	4	SENE	
14	Unnamed Stream	Early Creek	50N	01W	4	SENE	
15	Early Creek	Skookum Creek	50N	01W	4	SWNE	
16	McMahon Creek	Skookum Creek	50N	01W	4	SWNE	
17	Knight Creek	Skookum Creek	50N	01W	5	NENE	L 1
18	Unnamed Stream	Knight Creek	50N	01W	5	NWSE	
19	Knight Creek	Skookum Creek	50N	01W	5	SWNE	
20	Unnamed Stream	Knight Creek	50N	01W	5	SWNE	
21	Little North Fork Coeur d'Alene River	North Fork Coeur d'Alene River	51N	01W	28	NESW	
22	Unnamed Stream	Little North Fork Coeur d'Alene River	51N	01W	28	SESE	
23	Unnamed Stream	Skookum Creek	51N	01W	28	SESE	
24	Skookum Creek	Little North Fork Coeur d'Alene River	51N	01W	28	SWSE	
25	Unnamed Stream	Skookum Creek	51N	01W	28	SWSE	
26	Unnamed Stream	McCauley Creek	51N	01W	32	SESE	L 1
27	Unnamed Stream	Skookum Creek	51N	01W	33	NENE	
28	McMahon Creek	Skookum Creek	51N	01W	33	NESE	
29	Skookum Creek	Little North Fork Coeur d'Alene River	51N	01W	33	NESE	
30	Unnamed Stream	Skookum Creek	51N	01W	33	NESE	
31	Knight Creek	Skookum Creek	51N	01W	33	NESW	
32	Skookum Creek	Little North Fork Coeur d'Alene River	51N	01W	33	NWNE	
33	Unnamed Stream	Skookum Creek	51N	01W	33	NWNE	
34	Skookum Creek	Little North Fork Coeur d'Alene River	51N	01W	33	NWSE	
35	Unnamed Stream	Skookum Creek	51N	01W	33	NWSE	
36	Knight Creek	Skookum Creek	51N	01W	33	NWSW	
37	Unnamed Stream	McCauley Creek	51N	01W	33	NWSW	
38	McMahon Creek	Skookum Creek	51N	01W	33	SESE	L 1
39	Skookum Creek	Little North Fork Coeur d'Alene River	51N	01W	33	SESE	L 1
40	Unnamed Stream	McMahon Creek	51N	01W	33	SESE	L 1
41	McMahon Creek	Skookum Creek	51N	01W	33	SWSE	L 2
42	Unnamed Stream	McMahon Creek	51N	01W	33	SWSE	L 2
43	Knight Creek	Skookum Creek	51N	01W	33	SWSW	L 4
44	Unnamed Stream	Skookum Creek	51N	01W	34	NWSW	



Attachment 2  
 Place of Use Map Fire Suppression - Water Right No. 94-09528C  
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

**Key to Features**

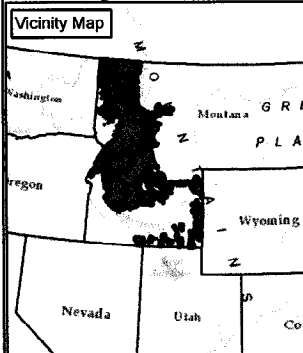
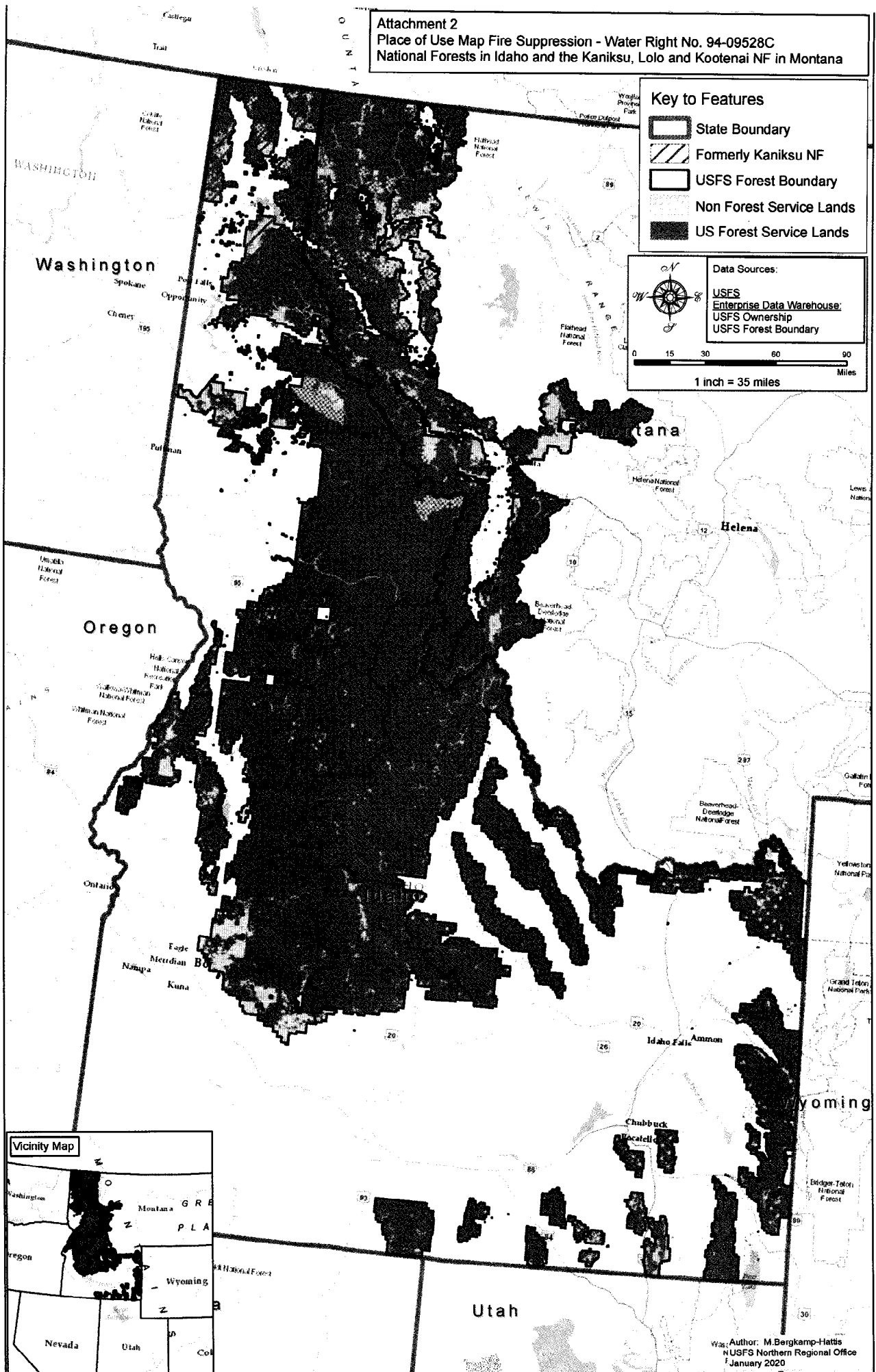
- State Boundary
- Formerly Kaniksu NF
- USFS Forest Boundary
- Non Forest Service Lands
- US Forest Service Lands

**Data Sources:**

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

1 inch = 35 miles



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 NUSFS Northern Regional Office  
 January 2020