

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. 94-09530A

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 Beaver Creek subwatershed (HUC12 170103010701).

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:	<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.

RECOMMENDATION

MAR 03 2022

Christie Alena

SPECIAL MASTER

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

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
002	Unnamed Stream	Dudley Creek	48N	04E	02		
003	Unnamed Stream	Ferguson Creek	48N	04E	02		
004	Dudley Creek	Beaver Creek	48N	04E	03		
005	Unnamed Stream	Dudley Creek	48N	04E	03		
006	Unnamed Stream	Dudley Creek	48N	04E	03		
007	Unnamed Stream	Dudley Creek	48N	04E	03		
008	Unnamed Stream	Dudley Creek	48N	04E	03		
009	Unnamed Stream	Dudley Creek	48N	04E	04		
010	Unnamed Stream	Dudley Creek	48N	04E	04		
011	Dudley Creek	Beaver Creek	48N	04E	10		
012	Unnamed Stream	Dudley Creek	48N	04E	10		
013	Unnamed Stream	White Creek	49N	03E	12		
014	Unnamed Stream	White Creek	49N	03E	13		
015	Unnamed Stream	White Creek	49N	03E	13		
016	Unnamed Stream	White Creek	49N	03E	13		
017	Unnamed Stream	White Creek	49N	03E	13		
018	Unnamed Stream	White Creek	49N	03E	13		
019	White Creek	Beaver Creek	49N	03E	13		
020	Unnamed Stream	White Creek	49N	03E	24		
021	Last Creek	Trail Creek	49N	04E	02		
022	Unnamed Stream	Trail Creek	49N	04E	02		
023	Unnamed Stream	Trail Creek	49N	04E	02		
024	Unnamed Stream	Beaver Creek	49N	04E	03		
025	Unnamed Stream	Beaver Creek	49N	04E	03		
026	Unnamed Stream	Beaver Creek	49N	04E	03		
027	Unnamed Stream	Beaver Creek	49N	04E	03		
028	Unnamed Stream	Trail Creek	49N	04E	03		
029	Unnamed Stream	Trail Creek	49N	04E	03		
030	Unnamed Stream	Beaver Creek	49N	04E	04		
031	Unnamed Stream	Beaver Creek	49N	04E	04		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
032	Unnamed Stream	Beaver Creek	49N	04E	04		
033	Unnamed Stream	Beaver Creek	49N	04E	04		
034	Unnamed Stream	Beaver Creek	49N	04E	04		
035	Unnamed Stream	Beaver Creek	49N	04E	04		
036	Unnamed Stream	Beaver Creek	49N	04E	04		
037	Unnamed Stream	Beaver Creek	49N	04E	04		
038	Beaver Creek	North Fork Coeur d'Alene River	49N	04E	05		
039	Unnamed Stream	Beaver Creek	49N	04E	05		
040	Unnamed Stream	Beaver Creek	49N	04E	05		
041	Unnamed Stream	Beaver Creek	49N	04E	05		
042	Unnamed Stream	White Creek	49N	04E	07		
043	Unnamed Stream	Beaver Creek	49N	04E	08		
044	Unnamed Stream	Beaver Creek	49N	04E	08		
045	Unnamed Stream	Beaver Creek	49N	04E	08		
046	Unnamed Stream	Beaver Creek	49N	04E	09		
047	Unnamed Stream	Beaver Creek	49N	04E	09		
048	Unnamed Stream	Beaver Creek	49N	04E	09		
049	Unnamed Stream	Beaver Creek	49N	04E	09		
050	Unnamed Stream	Beaver Creek	49N	04E	09		
051	Beaver Creek	North Fork Coeur d'Alene River	49N	04E	10		
052	Unnamed Stream	Beaver Creek	49N	04E	10		
053	Unnamed Stream	Trail Creek	49N	04E	10		
054	Unnamed Stream	Trail Creek	49N	04E	10		
055	Unnamed Stream	Trail Creek	49N	04E	10		
056	Unnamed Stream	Trail Creek	49N	04E	10		
057	Last Creek	Trail Creek	49N	04E	11		
058	Trail Creek	Beaver Creek	49N	04E	11		
059	Unnamed Stream	Trail Creek	49N	04E	11		
060	Unnamed Stream	Trail Creek	49N	04E	11		
061	Unnamed Stream	Trail Creek	49N	04E	11		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
062	Unnamed Stream	Trail Creek	49N	04E	11		
063	Unnamed Stream	Trail Creek	49N	04E	11		
064	Trail Creek	Beaver Creek	49N	04E	12		
065	Unnamed Stream	Trail Creek	49N	04E	12		
066	Unnamed Stream	Trail Creek	49N	04E	12		
067	Unnamed Stream	Trail Creek	49N	04E	12		
068	Unnamed Stream	Trail Creek	49N	04E	12		
069	Unnamed Stream	Beaver Creek	49N	04E	13		
070	Unnamed Stream	Beaver Creek	49N	04E	13		
071	Unnamed Stream	Beaver Creek	49N	04E	13		
072	Unnamed Stream	Trail Creek	49N	04E	13		
073	Unnamed Stream	Trail Creek	49N	04E	13		
074	Unnamed Stream	Beaver Creek	49N	04E	14		
075	Unnamed Stream	Beaver Creek	49N	04E	14		
076	Unnamed Stream	Beaver Creek	49N	04E	14		
077	Unnamed Stream	Beaver Creek	49N	04E	14		
078	Unnamed Stream	Beaver Creek	49N	04E	14		
079	Unnamed Stream	Beaver Creek	49N	04E	14		
080	Unnamed Stream	Trail Creek	49N	04E	14		
081	Unnamed Stream	Trail Creek	49N	04E	14		
082	Alder Creek	Beaver Creek	49N	04E	15		
083	Unnamed Stream	Beaver Creek	49N	04E	15		
084	Unnamed Stream	Beaver Creek	49N	04E	15		
085	White Creek	Beaver Creek	49N	04E	15		
086	Alder Creek	Beaver Creek	49N	04E	16		
087	Unnamed Stream	Alder Creek	49N	04E	16		
088	Unnamed Stream	Beaver Creek	49N	04E	16		
089	White Creek	Beaver Creek	49N	04E	16		
090	Alder Creek	Beaver Creek	49N	04E	17		
091	Unnamed Stream	Alder Creek	49N	04E	17		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
092	White Creek	Beaver Creek	49N	04E	17		
093	Alder Creek	Beaver Creek	49N	04E	18		
094	Unnamed Stream	White Creek	49N	04E	18		
095	Unnamed Stream	White Creek	49N	04E	18		
096	Unnamed Stream	White Creek	49N	04E	18		
097	White Creek	Beaver Creek	49N	04E	18		
098	Alder Creek	Beaver Creek	49N	04E	19		
099	Unnamed Stream	Alder Creek	49N	04E	19		
100	Unnamed Stream	Alder Creek	49N	04E	19		
101	Unnamed Stream	White Creek	49N	04E	19		
102	Deer Creek	Beaver Creek	49N	04E	20		
103	Unnamed Stream	Alder Creek	49N	04E	20		
104	Unnamed Stream	Deer Creek	49N	04E	20		
105	Unnamed Stream	Deer Creek	49N	04E	20		
106	Unnamed Stream	Deer Creek	49N	04E	20		
107	Unnamed Stream	Deer Creek	49N	04E	20		
108	Deer Creek	Beaver Creek	49N	04E	21		
109	Unnamed Stream	Alder Creek	49N	04E	21		
110	Unnamed Stream	Beaver Creek	49N	04E	21		
111	Unnamed Stream	Deer Creek	49N	04E	21		
112	Beaver Creek	North Fork Coeur d'Alene River	49N	04E	22		
113	Deer Creek	Beaver Creek	49N	04E	22		
114	Unnamed Stream	Beaver Creek	49N	04E	22		
115	Unnamed Stream	Beaver Creek	49N	04E	22		
116	Unnamed Stream	Beaver Creek	49N	04E	22		
117	Unnamed Stream	Beaver Creek	49N	04E	22		
118	Unnamed Stream	Beaver Creek	49N	04E	23		
119	Unnamed Stream	Beaver Creek	49N	04E	23		
120	Unnamed Stream	Beaver Creek	49N	04E	23		
121	Unnamed Stream	Beaver Creek	49N	04E	23		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
122	Unnamed Stream	Beaver Creek	49N	04E	23		
123	Unnamed Stream	Beaver Creek	49N	04E	23		
124	Unnamed Stream	Beaver Creek	49N	04E	24	NENW	
125	Unnamed Stream	Beaver Creek	49N	04E	24	NWNE	
126	Unnamed Stream	Beaver Creek	49N	04E	24	NWNW	
127	Unnamed Stream	Beaver Creek	49N	04E	24	SENE	
128	Unnamed Stream	Beaver Creek	49N	04E	24	SESW	
129	Unnamed Stream	Beaver Creek	49N	04E	24	SWNE	
130	Unnamed Stream	Beaver Creek	49N	04E	24	SWNW	
131	Unnamed Stream	Beaver Creek	49N	04E	24	SWSE	L 2
132	Unnamed Stream	Beaver Creek	49N	04E	24	SWSE	L 2
133	Unnamed Stream	Beaver Creek	49N	04E	24	SWSW	
134	Beaver Creek	North Fork Coeur d'Alene River	49N	04E	25	NENE	L 1
135	Unnamed Stream	Beaver Creek	49N	04E	25	NENW	L 3
136	Unnamed Stream	Beaver Creek	49N	04E	25	NESW	L 4
137	Unnamed Stream	Beaver Creek	49N	04E	25	NWNE	L 2
138	Unnamed Stream	Beaver Creek	49N	04E	25	NWNW	
139	Unnamed Stream	Beaver Creek	49N	04E	25	SENE	L 4
140	Unnamed Stream	Beaver Creek	49N	04E	26	NENE	
141	Unnamed Stream	Beaver Creek	49N	04E	26	NENW	
142	Unnamed Stream	Beaver Creek	49N	04E	26	NESE	L 1
143	Unnamed Stream	Beaver Creek	49N	04E	26	NESW	
144	Unnamed Stream	Beaver Creek	49N	04E	26	NWNE	
145	Unnamed Stream	Beaver Creek	49N	04E	26	NWNW	
146	Unnamed Stream	Beaver Creek	49N	04E	26	NWSW	
147	Unnamed Stream	Beaver Creek	49N	04E	26	SENE	
148	Unnamed Stream	Beaver Creek	49N	04E	26	SENE	
149	Unnamed Stream	Beaver Creek	49N	04E	26	SESW	
150	Unnamed Stream	Beaver Creek	49N	04E	27	NENE	
151	Unnamed Stream	Beaver Creek	49N	04E	27	NENW	

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
152	Unnamed Stream	Beaver Creek	49N	04E	27	NESE	
153	Unnamed Stream	Beaver Creek	49N	04E	27	NESW	
154	Beaver Creek	North Fork Coeur d'Alene River	49N	04E	27	NWNE	
155	Unnamed Stream	Beaver Creek	49N	04E	27	NWNE	
156	Unnamed Stream	Beaver Creek	49N	04E	27	NWSE	
157	Unnamed Stream	Beaver Creek	49N	04E	27	NWSE	
158	Unnamed Stream	Beaver Creek	49N	04E	27	NWSE	
159	Unnamed Stream	Beaver Creek	49N	04E	27	NWSE	
160	Unnamed Stream	Beaver Creek	49N	04E	27	SESW	
161	Dudley Creek	Beaver Creek	49N	04E	27	SESE	
162	Ferguson Creek	Beaver Creek	49N	04E	27	SESE	
163	Unnamed Stream	Beaver Creek	49N	04E	27	SESW	
164	Unnamed Stream	Beaver Creek	49N	04E	27	SESW	
165	Beaver Creek	North Fork Coeur d'Alene River	49N	04E	27	SWNE	
166	Unnamed Stream	Beaver Creek	49N	04E	27	SWNW	
167	Dudley Creek	Beaver Creek	49N	04E	27	SWSE	
168	Unnamed Stream	Beaver Creek	49N	04E	27	SWSE	
169	Unnamed Stream	Beaver Creek	49N	04E	27	SWSW	
170	Unnamed Stream	Beaver Creek	49N	04E	28		
171	Unnamed Stream	Deer Creek	49N	04E	28		
172	Deer Creek	Beaver Creek	49N	04E	29		
173	Unnamed Stream	Deer Creek	49N	04E	29		
174	Unnamed Stream	Deer Creek	49N	04E	29		
175	Unnamed Stream	Deer Creek	49N	04E	29		
176	Unnamed Stream	Deer Creek	49N	04E	29		
177	Unnamed Stream	Deer Creek	49N	04E	29		
178	Unnamed Stream	Deer Creek	49N	04E	29		
179	Unnamed Stream	Deer Creek	49N	04E	30		
180	Unnamed Stream	Beaver Creek	49N	04E	33		
181	Unnamed Stream	Beaver Creek	49N	04E	33		

Attachment 1






	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
182	Dudley Creek	Beaver Creek	49N	04E	34		
183	Ferguson Creek	Beaver Creek	49N	04E	34		
184	Unnamed Stream	Beaver Creek	49N	04E	34		
185	Unnamed Stream	Dudley Creek	49N	04E	34		
186	Unnamed Stream	Dudley Creek	49N	04E	34		
187	Unnamed Stream	Dudley Creek	49N	04E	34		
188	Unnamed Stream	Ferguson Creek	49N	04E	34		
189	Beaver Creek	North Fork Coeur d'Alene River	49N	04E	35	NENW	
190	Ferguson Creek	Beaver Creek	49N	04E	35	NESE	
191	Unnamed Stream	Ferguson Creek	49N	04E	35	NESW	
192	Beaver Creek	North Fork Coeur d'Alene River	49N	04E	35	NWNW	
193	Ferguson Creek	Beaver Creek	49N	04E	35	NWNW	
194	Ferguson Creek	Beaver Creek	49N	04E	35	NWSE	
195	Unnamed Stream	Ferguson Creek	49N	04E	35	NWSE	
196	Ferguson Creek	Beaver Creek	49N	04E	35	SENE	
197	Unnamed Stream	Ferguson Creek	49N	04E	35	SENE	
198	Ferguson Creek	Beaver Creek	49N	04E	35	SESE	
199	Unnamed Stream	Ferguson Creek	49N	04E	35	SESW	
200	Ferguson Creek	Beaver Creek	49N	04E	35	SWNE	
201	Ferguson Creek	Beaver Creek	49N	04E	35	SWNW	
202	Unnamed Stream	Ferguson Creek	49N	04E	35	SWNW	
203	Unnamed Stream	Ferguson Creek	49N	04E	35	SWSE	
204	Unnamed Stream	Ferguson Creek	49N	04E	35	SWSW	
205	Ferguson Creek	Beaver Creek	49N	04E	36		
206	Unnamed Stream	Beaver Creek	49N	04E	36		
207	Unnamed Stream	Beaver Creek	49N	04E	36		
208	Unnamed Stream	Beaver Creek	49N	04E	36		
209	Unnamed Stream	Beaver Creek	49N	04E	36		
210	Unnamed Stream	Beaver Creek	49N	04E	36		
211	Unnamed Stream	Beaver Creek	49N	04E	36		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
212	Unnamed Stream	Beaver Creek	49N	04E	36		
213	Unnamed Stream	Beaver Creek	49N	04E	36		
214	Unnamed Stream	Beaver Creek	49N	04E	36		
215	Unnamed Stream	Beaver Creek	49N	04E	36		
216	Unnamed Stream	Trail Creek	49N	05E	07		
217	Unnamed Stream	Beaver Creek	49N	05E	18		
218	Unnamed Stream	Beaver Creek	49N	05E	18		
219	Unnamed Stream	Trail Creek	49N	05E	18		
220	Beaver Creek	North Fork Coeur d'Alene River	49N	05E	19	SESE	L 7
221	Beaver Creek	North Fork Coeur d'Alene River	49N	05E	20	NESE	
222	Beaver Creek	North Fork Coeur d'Alene River	49N	05E	20	NESW	
223	Beaver Creek	North Fork Coeur d'Alene River	49N	05E	20	NWSE	
224	Beaver Creek	North Fork Coeur d'Alene River	49N	05E	20	NWSW	
225	Unnamed Stream	Beaver Creek	49N	05E	20	NWSW	
226	Beaver Creek	North Fork Coeur d'Alene River	49N	05E	20	SESE	
227	Beaver Creek	North Fork Coeur d'Alene River	49N	05E	20	SESW	
228	Unnamed Stream	Beaver Creek	49N	05E	20	SESW	
229	Beaver Creek	North Fork Coeur d'Alene River	49N	05E	20	SWSW	L 1
230	Unnamed Stream	Beaver Creek	49N	05E	20	SWSW	L 1
231	Unnamed Stream	Beaver Creek	49N	05E	20	SWSW	L 1
232	Beaver Creek	North Fork Coeur d'Alene River	50N	04E	32		
233	Unnamed Stream	Beaver Creek	50N	04E	33		
234	Unnamed Stream	Beaver Creek	50N	04E	33		
235	Unnamed Stream	Beaver Creek	50N	04E	33		
236	Unnamed Stream	Beaver Creek	50N	04E	34		
237	Unnamed Pond	Beaver Creek	49N	04E	23		
238	Unnamed Spring	California Gulch Creek	49N	04E	04	SESE	
239	Unnamed Spring	Sinks	49N	04E	28	NWSW	
240	Unnamed Spring	Sinks	49N	04E	35	NWNE	
241	Unnamed Spring	Dobson Gulch Creek	49N	04E	36	SENE	

Attachment 2
 Place of Use Map Fire Suppression - Water Right No. 94-09530A
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

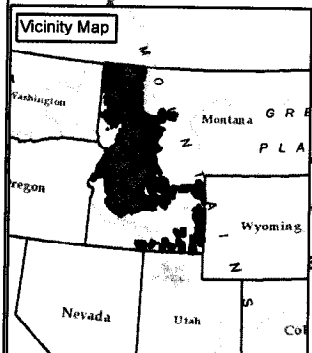
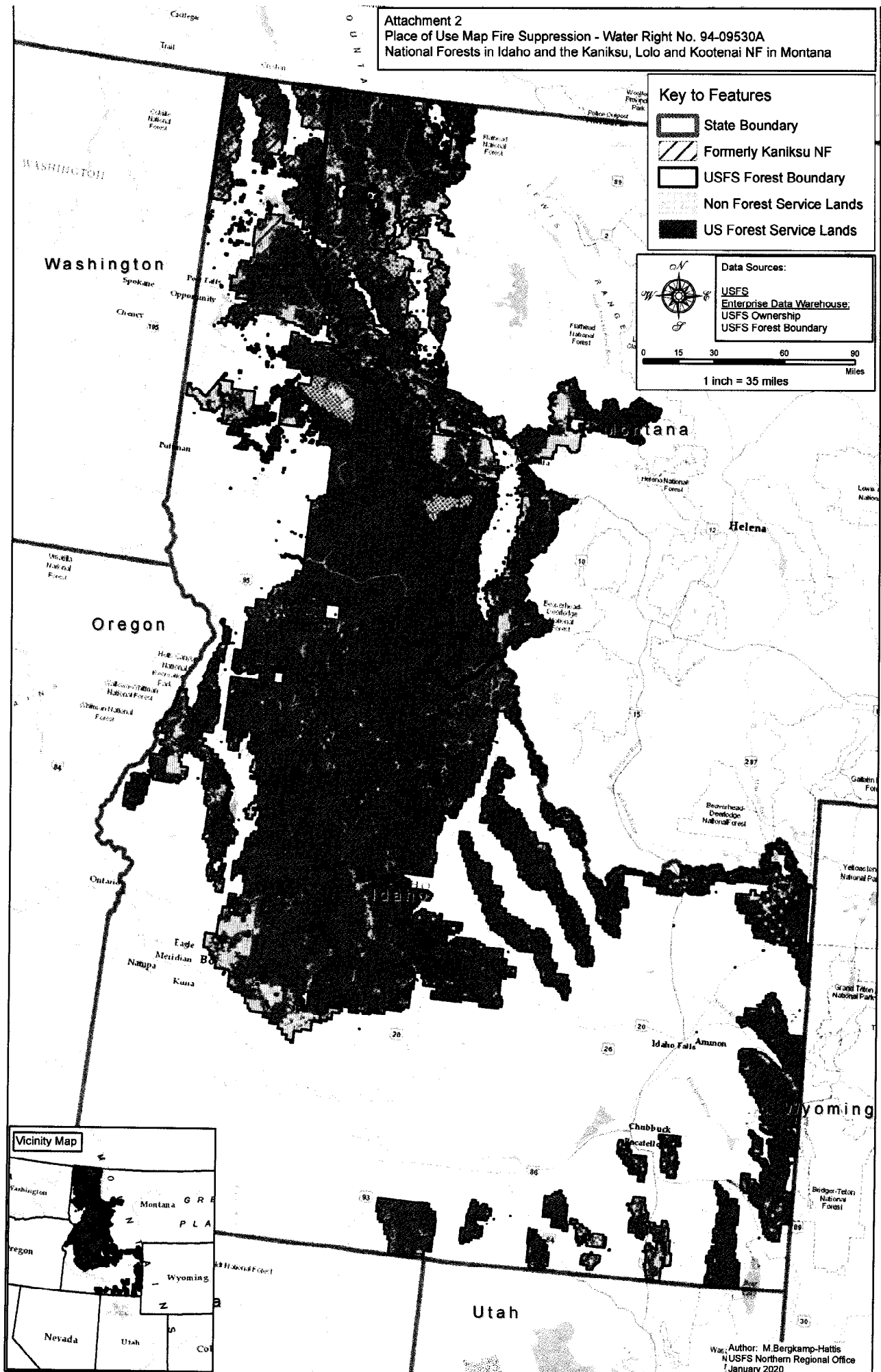
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

Data Sources:

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

0 15 30 60 90
Miles

1 inch = 35 miles



Map Author: M. Bergkamp-Hattis
 NUSFS Northern Regional Office
 1 January 2020