

**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. 94-09543A

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 Rose Creek-Coeur d'Alene River subwatershed (HUC12 170103030103).

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

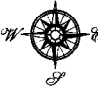

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
2	Unnamed Stream	Unnamed Stream	49N	01E	17	NESW	
3	Unnamed Stream	Unnamed Stream	49N	01E	17	NWNE	
4	Unnamed Stream	Unnamed Stream	49N	01E	17	SENE	
5	Unnamed Stream	Unnamed Stream	49N	01E	17	SESW	
6	Unnamed Stream	Unnamed Stream	49N	01E	17	SWNE	
7	Unnamed Stream	Unnamed Stream	49N	01E	17	SWNW	
8	Unnamed Stream	Unnamed Stream	49N	01E	17	SWSW	
9	Unnamed Stream	Unnamed Stream	49N	01E	18	NWNW	L 1
10	Unnamed Stream	Unnamed Stream	49N	01E	18	SENE	
11	Unnamed Stream	Unnamed Stream	49N	01E	18	SENE	
12	Unnamed Stream	Unnamed Stream	49N	01E	18	SESE	
13	Unnamed Stream	Unnamed Stream	49N	01E	18	SWNE	
14	Unnamed Stream	Unnamed Stream	49N	01E	18	SWNW	L 2
15	Unnamed Stream	Unnamed Stream	49N	01E	19	NENE	
16	Unnamed Stream	Rose Creek	49N	01W	19	NWNW	L 1
17	Unnamed Stream	Rose Lake	49N	01W	20	SESE	
18	Unnamed Stream	Rose Lake	49N	01W	20	SWSE	
19	Unnamed Stream	Rose Lake	49N	01W	21		
20	Unnamed Stream	Rose Creek	49N	02W	13		
21	Unnamed Stream	Rose Creek	49N	02W	23	SENE	
22	Unnamed Stream	Rose Creek	49N	02W	24	NENW	
23	Unnamed Stream	Rose Creek	49N	02W	24	NWNE	
24	Rose Creek	Coeur d'Alene River	49N	02W	24	NWNW	
25	Rose Creek	Coeur d'Alene River	49N	02W	24	SENE	
26	Unnamed Stream	Rose Creek	49N	02W	24	SESW	
27	Unnamed Stream	Rose Creek	49N	02W	24	SESW	
28	Unnamed Stream	Rose Creek	49N	02W	24	SWNE	
29	Rose Creek	Coeur d'Alene River	49N	02W	24	SWNW	
30	Unnamed Stream	Rose Creek	49N	02W	25	NESE	L 3
31	Unnamed Stream	Rose Creek	49N	02W	25	NWSE	
32	Unnamed Stream	Rose Creek	49N	02W	25	SENE	L 2
33	Unnamed Stream	Rose Creek	49N	02W	25	SENE	
34	Unnamed Stream	Rose Creek	49N	02W	25	SESE	L 4
35	Unnamed Stream	Rose Creek	49N	02W	25	SESW	
36	Unnamed Stream	Rose Creek	49N	02W	25	SWNE	
37	Unnamed Stream	Rose Creek	49N	02W	25	SWNW	
38	Unnamed Stream	Rose Creek	49N	02W	25	SWSE	

Attachment 2  
 Place of Use Map Fire Suppression - Water Right No. 94-09543A  
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

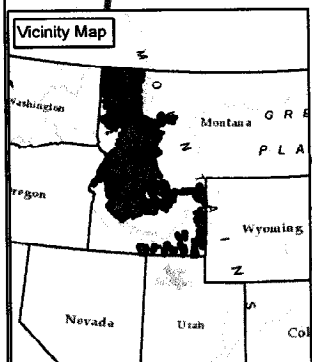
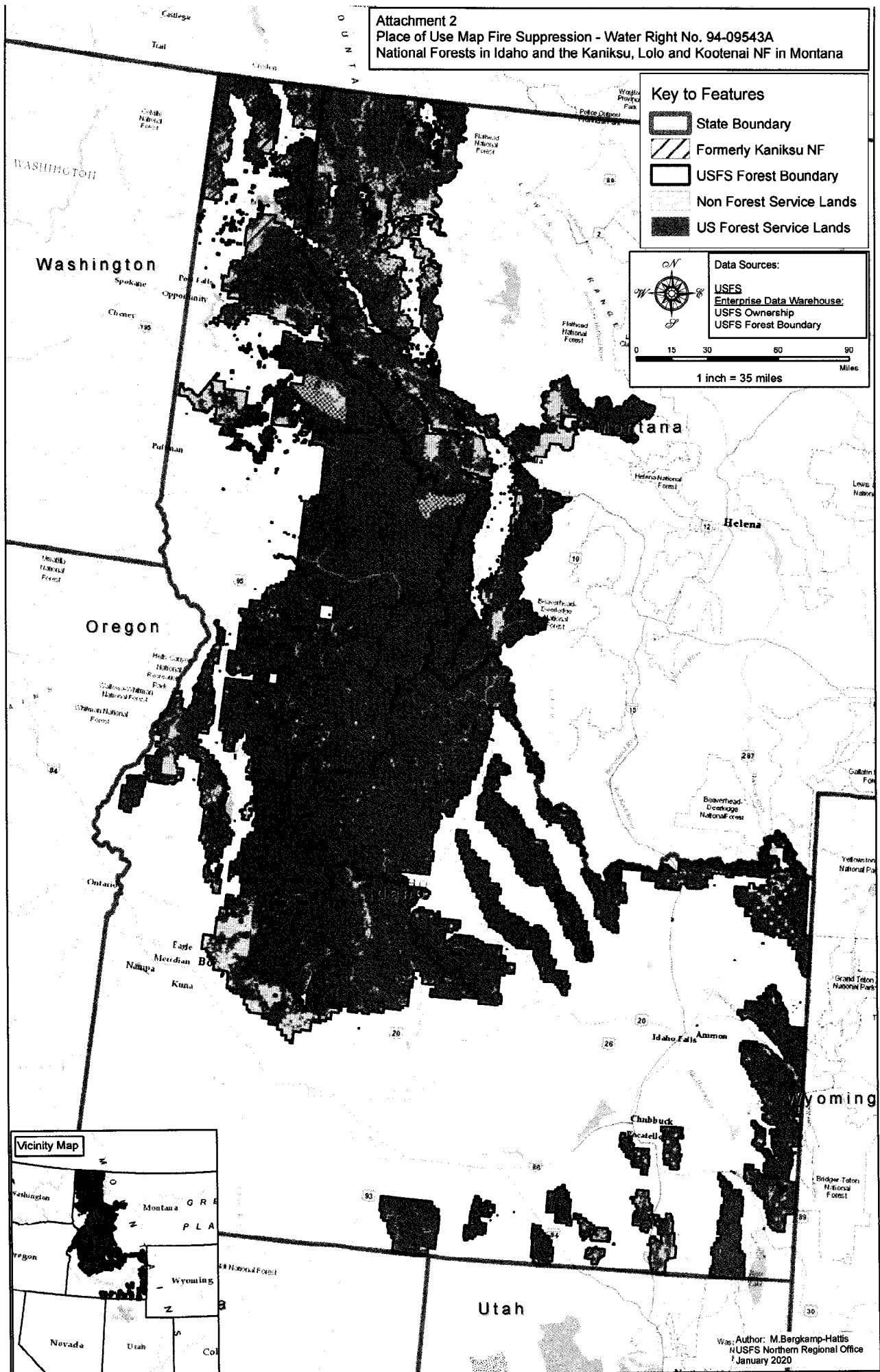
Key to Features

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

Data Sources:  
 USES  
 Enterprise Data Warehouse  
 USFS Ownership  
 USFS Forest Boundary

1 inch = 35 miles



Author: M. Bergkamp-Hattis  
 USFS Northern Regional Office  
 January 2020