

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. 95-17396A

---

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 Cedar Creek subwatershed (HUC12 170103030301).

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.

---

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	Cedar Creek	Wolf Lodge Creek	49N	01W	06		
003	Unnamed Stream	Cedar Creek	49N	01W	06		
004	Cedar Creek	Wolf Lodge Creek	49N	02W	01		
005	Unnamed Stream	Cedar Creek	49N	02W	01		
006	Cedar Creek	Wolf Lodge Creek	49N	02W	02		
007	Unnamed Stream	Cedar Creek	49N	02W	02		
008	Cedar Creek	Wolf Lodge Creek	49N	02W	03	NESW	
009	South Fork Cedar Creek	Cedar Creek	49N	02W	03	NESW	
010	Alder Creek	Cedar Creek	49N	02W	03	NWNW	L 5
011	Cedar Creek	Wolf Lodge Creek	49N	02W	03	NWNW	L 5
012	South Fork Cedar Creek	Cedar Creek	49N	02W	03	NWSE	
013	Cedar Creek	Wolf Lodge Creek	49N	02W	03	SENE	
014	Cedar Creek	Wolf Lodge Creek	49N	02W	03	SENW	
015	South Fork Cedar Creek	Cedar Creek	49N	02W	03	SENW	
016	South Fork Cedar Creek	Cedar Creek	49N	02W	03	SESE	
017	Unnamed Stream	South Fork Cedar Creek	49N	02W	03	SESW	
018	Cedar Creek	Wolf Lodge Creek	49N	02W	03	SWNE	
019	Cedar Creek	Wolf Lodge Creek	49N	02W	03	SWNW	
020	South Fork Cedar Creek	Cedar Creek	49N	02W	03	SWSE	
021	Unnamed Stream	South Fork Cedar Creek	49N	02W	03	SWSE	
022	Cedar Creek	Wolf Lodge Creek	49N	02W	04		
023	Unnamed Stream	Cedar Creek	49N	02W	04		
024	Unnamed Stream	Cedar Creek	49N	02W	08		
025	Unnamed Stream	Cedar Creek	49N	02W	09		
026	Unnamed Stream	South Fork Cedar Creek	49N	02W	09		
027	Unnamed Stream	South Fork Cedar Creek	49N	02W	09		
028	South Fork Cedar Creek	Cedar Creek	49N	02W	10		
029	Unnamed Stream	South Fork Cedar Creek	49N	02W	10		
030	Unnamed Stream	South Fork Cedar Creek	49N	02W	10		
031	Unnamed Stream	South Fork Cedar Creek	49N	02W	10		

# 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	South Fork Cedar Creek	49N	02W	10		
033	Unnamed Stream	South Fork Cedar Creek	49N	02W	10		
034	Unnamed Stream	South Fork Cedar Creek	49N	02W	10		
035	South Fork Cedar Creek	Cedar Creek	49N	02W	11		
036	Unnamed Stream	South Fork Cedar Creek	49N	02W	11		
037	Unnamed Stream	South Fork Cedar Creek	49N	02W	11		
038	Unnamed Stream	South Fork Cedar Creek	49N	02W	11		
039	Unnamed Stream	South Fork Cedar Creek	49N	02W	11		
040	South Fork Cedar Creek	Cedar Creek	49N	02W	14		
041	Unnamed Stream	South Fork Cedar Creek	49N	02W	14		
042	Unnamed Stream	South Fork Cedar Creek	49N	02W	14		
043	Unnamed Stream	South Fork Cedar Creek	49N	02W	14		
044	South Fork Cedar Creek	Cedar Creek	49N	02W	15		
045	Unnamed Stream	South Fork Cedar Creek	49N	02W	15		
046	Unnamed Stream	South Fork Cedar Creek	49N	02W	15		
047	Unnamed Stream	South Fork Cedar Creek	49N	02W	15		
048	Unnamed Stream	South Fork Cedar Creek	49N	02W	15		
049	South Fork Cedar Creek	Cedar Creek	49N	02W	16		
050	Unnamed Stream	South Fork Cedar Creek	49N	02W	16		
051	Alder Creek	Cedar Creek	50N	01W	31		
052	Cedar Creek	Wolf Lodge Creek	50N	01W	31		
053	Unnamed Stream	Cedar Creek	50N	01W	31		
054	Unnamed Stream	Alder Creek	50N	02W	25		
055	Unnamed Stream	Alder Creek	50N	02W	26		
056	Alder Creek	Cedar Creek	50N	02W	36		
057	Unnamed Stream	Alder Creek	50N	02W	36		
058	Unnamed Stream	Alder Creek	50N	02W	36		
059	Unnamed Stream	Alder Creek	50N	02W	36		

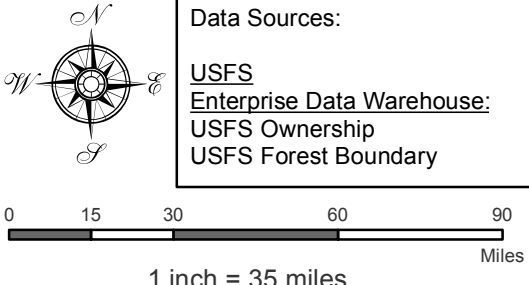
Attachment 2  
 Place of Use Map Fire Suppression - Water Right No. 95-17396A  
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

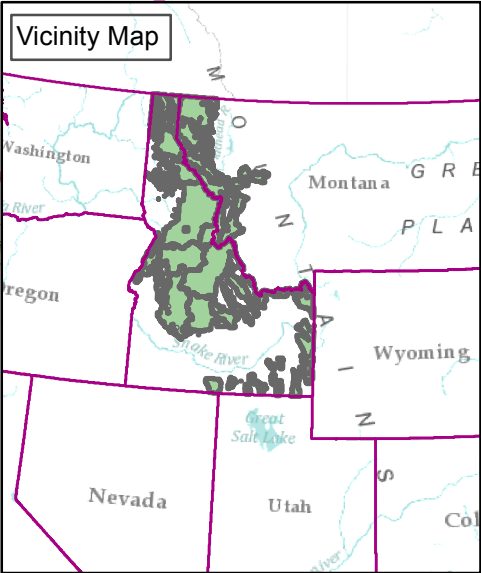
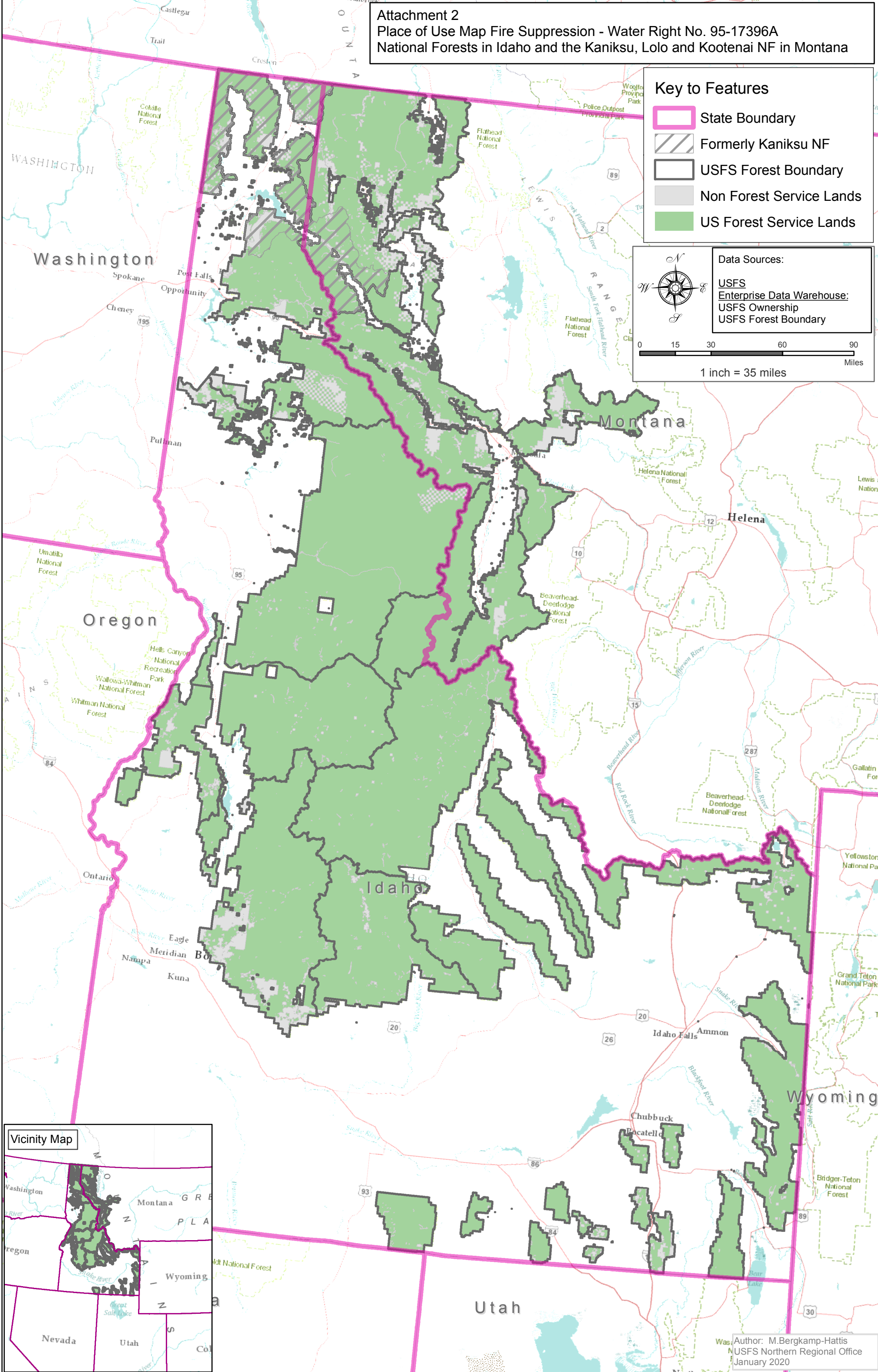
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

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  
 USFS Northern Regional Office  
 January 2020