

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. 95-17401C

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 Yellowbanks Creek-Hayden Lake subwatershed (HUC12 170103050102).

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

PRIORITY DATE: 04/11/1969

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
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
2	Yellowbanks Creek	Lake Hayden	51N	02W	18	SESE	L 4
3	Three Forks Creek	Mokins Creek	51N	02W	04		
4	Two Forks Creek	Three Forks Creek	51N	02W	04		
5	Unnamed Stream	Two Forks Creek	51N	02W	04		
6	Nilsen Creek	Mokins Creek	51N	02W	05		
7	Unnamed Stream	Nilsen Creek	51N	02W	05		
8	Unnamed Stream	Nilsen Creek	51N	02W	05		
9	Unnamed Stream	Mokins Creek	51N	02W	05		
10	Unnamed Stream	Nilsen Creek	51N	02W	05		
11	Mokins Creek	Lake Hayden	51N	02W	07		
12	Jim Creek	Lake Hayden	51N	02W	08		
13	Mokins Creek	Lake Hayden	51N	02W	08		
14	Three Forks Creek	Mokins Creek	51N	02W	08		
15	Unnamed Stream	Mokins Creek	51N	02W	08		
16	Unnamed Stream	Mokins Creek	51N	02W	08		
17	Unnamed Stream	Mokins Creek	51N	02W	08		
18	Mokins Creek	Lake Hayden	51N	02W	09		
19	Three Forks Creek	Mokins Creek	51N	02W	09		
20	Unnamed Stream	Mokins Creek	51N	02W	09		
21	Unnamed Stream	Mokins Creek	51N	02W	09		
22	Unnamed Stream	Mokins Creek	51N	02W	09		
23	Unnamed Stream	Mokins Creek	51N	02W	09		
24	Unnamed Stream	Mokins Creek	51N	02W	09		
25	Nilsen Creek	Mokins Creek	51N	03W	01		
26	Unnamed Stream	Nilsen Creek	51N	03W	01		
27	Unnamed Stream	Nilsen Creek	51N	03W	01		

Attachment 1

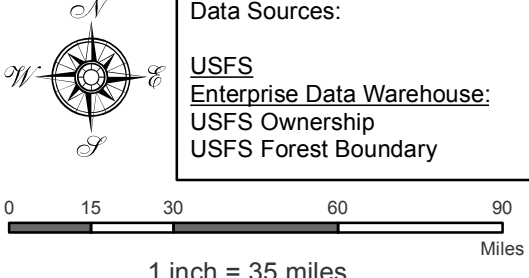
	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
28	Mokins Creek	Lake Hayden	51N	03W	11		
29	Nilsen Creek	Mokins Creek	51N	03W	11		
30	Unnamed Stream	Lake Hayden	51N	03W	11		
31	Mokins Creek	Lake Hayden	51N	03W	12		
32	Nilsen Creek	Mokins Creek	51N	03W	12		
33	Unnamed Stream	Nilsen Creek	51N	03W	12		
34	Jim Creek	Lake Hayden	51N	03W	13	NWNW	
35	Jim Creek	Lake Hayden	51N	03W	14		
36	Unnamed Stream	Yellowbanks Creek	51N	03W	14		
37	Yellowbanks Creek	Lake Hayden	51N	03W	14		
38	Harrison Creek	Lake Hayden	51N	03W	21		
39	Harrison Creek	Lake Hayden	51N	03W	22		
40	Unnamed Stream	Colburn Creek	51N	03W	22		
41	Colburn Creek	Lake Hayden	51N	03W	23		
42	Unnamed Stream	Yellowbanks Creek	51N	03W	23		
43	Unnamed Stream	Lake Hayden	51N	03W	23		
44	Unnamed Stream	Lake Hayden	51N	03W	23		
45	Unnamed Stream	Colburn Creek	51N	03W	23		
46	Unnamed Stream	Yellowbanks Creek	51N	03W	24	NENW	
47	Unnamed Stream	Yellowbanks Creek	51N	03W	24	SEW	
48	McLeans Creek	Lake Hayden	51N	03W	03		
49	Unnamed Stream	Lake Hayden	51N	03W	09		

Attachment 2
 Place of Use Map Fire Suppression - Water Right No. 95-17401C
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

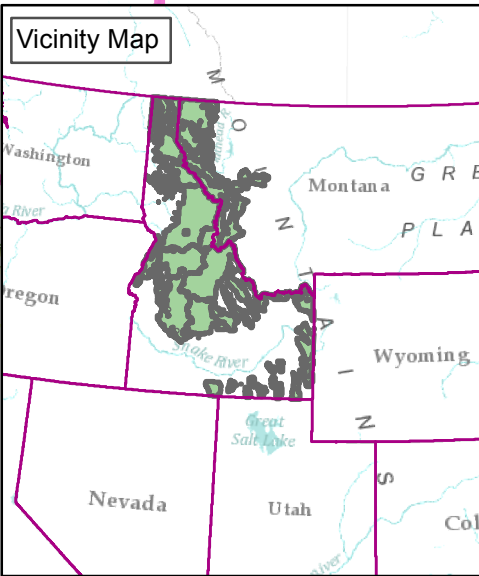
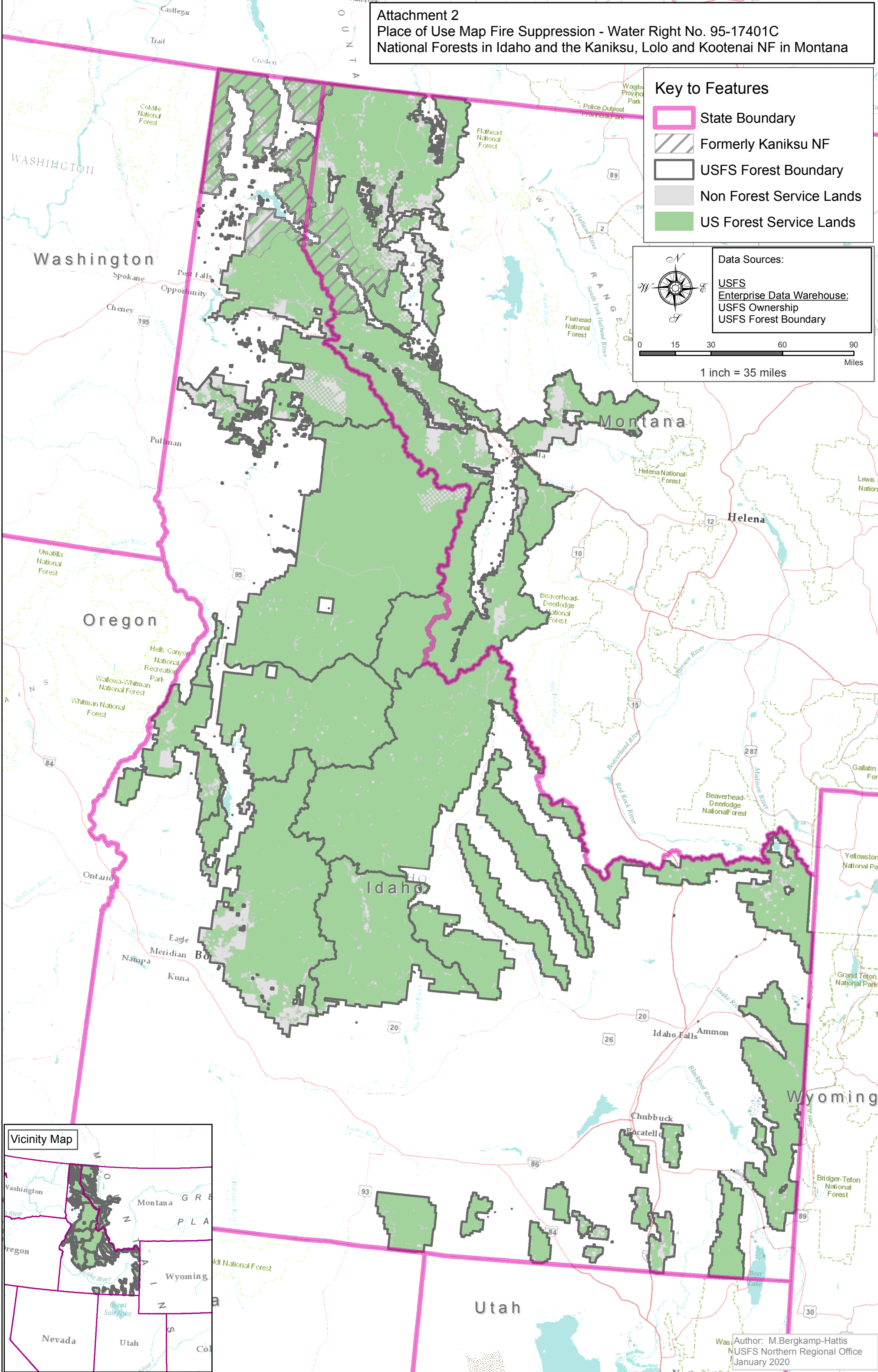
Key to Features

-  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