

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRI 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. 91-07950B

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 Bussel Creek subwatershed

(HUC12 170103040502).

**OUANTITY:** 

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

PRIORITY DATE:

05/16/1932

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 DEFINITON 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

	Α	В	С	D	E	F	G			
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY	CODE .	AND	NUMBER
2	Unnamed Stream	Little Bear Creek	44N	03E	19	MMMM	L 1			
3	Unnamed Stream	Bussel Creek	44N	03E	19	NWSE				
4	Unnamed Stream	Bussel Creek	44N	03E	19	SESE				
5	Unnamed Stream	Bussel Creek	44N	03E	19	SWSE				
6	Unnamed Stream	Bussel Creek	44N	03E	19	SWSW	L 4			
7	Bussel Creek	Marble Creek	44N	03E	20					
8	Bussel Creek	Marble Creek	44N	03E	30	NENE				
9	Unnamed Stream	Bussel Creek	44N	03E	30	NENE				
10	Unnamed Stream	Bussel Creek	44N	03E	30	NESE				
11	Bussel Creek	Marble Creek	44N	03E	30	NESW				
12	Unnamed Stream	Bussel Creek	44N	03E	30	NESW			,	
13	Unnamed Stream	Bussel Creek	44N	03E	30	NESW				
14	Bussel Creek	Marble Creek	44N	03E	30	NWSE				
15	Unnamed Stream	Bussel Creek	44N	03E	30	NWSE				
16	Unnamed Stream	Bussel Creek	44N	03E	30	NWSE				
17	Bussel Creek	Marble Creek	44N	03E	30	SENE				
18	Unnamed Stream	Bussel Creek	44N	03E	30	SENE				
19	Unnamed Stream	Bussel Creek	44N	03E	30	SENE				
20	Unnamed Stream	Bussel Creek	44N	03E	30	SENE				
21	Unnamed Stream	Bussel Creek	44N	03E	30	SENW				
22	Unnamed Stream	Bussel Creek	44N	03E	30	SENW				
23	Unnamed Stream	Bussel Creek	44N	03E	30	SESE				
24	Bussel Creek	Marble Creek	44N	03E	30	SESW				
25	Unnamed Stream	Bussel Creek	44N	03E	30	SESW				
26	Unnamed Stream	Bussel Creek	44N	03E	30	SESW				
27	Bussel Creek	Marble Creek	44N	03E	30	SWNE				
28	Unnamed Stream	Bussel Creek	44N	03E	30	SWNE				
29	Bussel Creek	Marble Creek	44N	03E	30	SWSW	L 4			
30	Unnamed Stream	Bussel Creek	44N	03E	30	SWSW	L 4			

