

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)

FOR FEDERAL RESERVED

WATER RIGHT NO. 91-07953A

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 Lower Marble Creek

subwatershed (HUC12 170103040505).

OHANTITY.

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

 $\frac{01/01 - 12/31}{01}$

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	Daveggio Creek	44N	03E	13	NESE	
3	Unnamed Stream	Daveggio Creek	44N	03E	13	SESE	
4	Unnamed Stream	Daveggio Creek	44N	03E	13	SESW	
5	Little Daveggio Creek	Daveggio Creek	44N	03E	14	NESW	
6	Unnamed Stream	Little Daveggio Creek	44N	03E	14	NESW	
7	Unnamed Stream	Little Daveggio Creek	44N	03E	14	WNWN	
8	Little Daveggio Creek	Daveggio Creek	44N	03E	14	NWSW	
9	Little Daveggio Creek	Daveggio Creek	44N	03E	14	SWNW	
10	Unnamed Stream	Little Daveggio Creek	44N	03E	14	SWNW	
11	Unnamed Stream	Little Daveggio Creek	44N	03E	14	SWSW	
12	Unnamed Stream	Little Daveggio Creek	44N	03E	14	SWSW	
13	Unnamed Stream	Little Daveggio Creek	44N	03E	14	SWSW	
14	Little Daveggio Creek	Daveggio Creek	44N	03E	15	NENW	
_	Unnamed Stream	Little Daveggio Creek	44N	03E		NESE	
$\overline{}$	Unnamed Stream	Little Daveggio Creek	44N	03E		NESE	
	Unnamed Stream	Little Daveggio Creek	44N	03E		NESW	
-		Daveggio Creek	44N	03E		NWNE	
	Unnamed Stream	Little Daveggio Creek	44N	03E		NWSE	
		Daveggio Creek	44N	03E		SENE	
-	Unnamed Stream	Little Daveggio Creek	44N	03E		SENE	
-	Unnamed Stream	Little Daveggio Creek	44N	03E		SENE	
	Unnamed Stream	Little Daveggio Creek	44N	03E		SENW	
	Unnamed Stream	Little Daveggio Creek	44N	03E		SENW	
\vdash	Unnamed Stream	Little Daveggio Creek	44N	03E		SENW	
$\overline{}$	Unnamed Stream	Little Daveggio Creek	44N	03E		SESE	
-	Unnamed Stream	Little Daveggio Creek	44N	03E		SESE	
-	Unnamed Stream	Little Daveggio Creek	44N	03E		SESW	
		Daveggio Creek	44N	03E		SWNE	
	Unnamed Stream	Little Daveggio Creek	44N	03E		SWNE	
$\overline{}$	Unnamed Stream	Little Daveggio Creek	44N	03E	22		
	Unnamed Stream Unnamed Stream	Little Daveggio Creek	44N	03E	23		
	Unnamed Stream	Little Daveggio Creek	44N	03E	23		
	Unnamed Stream	Little Daveggio Creek	44N	03E	23		
	Daveggio Creek	Little Daveggio Creek Marble Creek	44N 44N	03E	23		
	Daveggio Creek	Marble Creek	44N	04E 04E		NESE	
-	Daveggio Creek	Marble Creek	44N			SESE	T 0
	Unnamed Stream	Daveggio Creek	44N 44N	04E 04E		SWNW	
	Daveggio Creek	Marble Creek	44N	04E	8	SMSM	<u>ь 4</u>
41	Daveggio Creek	Marble Creek	44N 44N	04E	17		
	Unnamed Stream	Daveggio Creek	44N	04E	17		
	Daveggio Creek	Marble Creek	44N	04E	18		
	Unnamed Stream	Daveggio Creek	44N	04E	18		
	Unnamed Stream	Daveggio Creek	44N	04E	18		
	Unnamed Stream	Daveggio Creek	44N	04E	18		
-	Theriault Lake	Daveggio Creek	44N	03E		SESW	
-	Unnamed Pond	Little Daveggio Creek	44N	03E	15	UV	
	Unnamed Pond	Daveggio Creek	44N	04E	18		
	Unnamed Marsh	Daveggio Creek	44N	04E	7		
51	Unnamed Marsh	Daveggio Creek	44N	04E	8		-
52	Unnamed Marsh	Daveggio Creek	44N	04E	17		
	Unnamed Marsh	Daveggio Creek	44N	04E	18		
54	Unnamed Marsh	Daveggio Creek	44N	04E	18		

