

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) In Re CSRBA FOR FEDERAL RESERVED ) Case No. 49576 WATER RIGHT NO. 94-09515G

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 Upper Tepee Creek

subwatershed (HUC12 170103010201).

QUANTITY:

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

PRIORITY DATE:

01/12/1978

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.

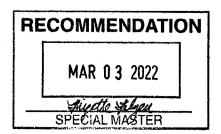
OTHER PROVISIONS NECESSARY FOR DEFINITON OR ADMINISTRATION OF THIS WATER RIGHT:

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

	A	В	С	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
2	Drexall Creek	Tepee Creek	52N	01E	36		
3	New Creek	Big Elk Creek	52N	01E	36		
4	Porcupine Creek	Tepee Creek	52N	01E	36		
5	Tepee Creek	North Fork Coeur d'Alene River	52N	01E	36		
6	Unnamed Stream	Tepee Creek	52N	01E	36		

