

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. 92-11067B

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 West Fork St Maries River subwatershed (HUC12 170103040703).

QUANTITY: 1.000 CFS
19.40 AFY

The quantity under this water right is limited to up to 19.400 acre feet per year, with a diversion rate never to exceed the lesser of 1.00 CFS or twenty-five (25) percent of the rate of flow then available at each point of diversion and, cumulatively, no more than twenty-five (25) percent at the furthest downstream point of diversion in use under water right nos. 92-11067A thru 92-11075 and 92-11080A thru 92-11081D.

See Attachment 2.

Right nos. 92-11067A, 92-11067B, 92-11067C, 92-11067D, 92-11067E, 92-11067F, 92-11067G, 92-11067H, 92-11067I, 92-11067J, 92-11067K, 92-11067L, 92-11067M, 92-11067N, 92-11067O and 92-11067P are limited to a total combined annual diversion volume of 19.40 acre feet.

PRIORITY DATE: 08/01/1933

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>	<u>QUANTITY</u>
	ADMINISTRATIVE	01/01 - 12/31	1.000 CFS 19.40 AFY

Administrative use is for National Forest Administration.

The purpose of use includes, road construction, dust abatement, prescribed fire, vegetation establishment, maintaining riding and pack stock used for administrative purposes, and any other similar incidental administrative uses necessary to fulfill the purposes of the Organic Administration Act of 1897.

PLACE OF USE: National Forest System Land in the West Fork St Maries River subwatershed (HUC12 170103040703), Emerald Creek subwatershed (HUC12 170103040801), Olson Creek-St Maries River subwatershed (HUC12 170103040802), Merry Creek-Middle Fork St Maries River subwatershed (HUC12 170103040702), Middle Fork St Maries River subwatershed (HUC12 170103040701), West Fork Potlatch River-Potlatch River subwatershed (HUC12 170603060802) and East Fork Potlatch River subwatershed (HUC12 170603060801).

See Attachment 3.

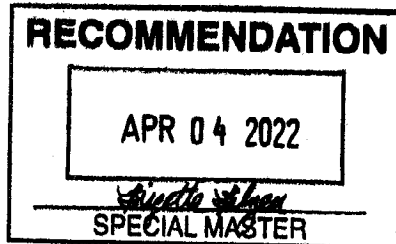
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is limited to the intermittent diversion and use of water for the stated purposes. This water right shall not be used as a basis to prevent the future appropriation of water or the basis to request or initiate a delivery call or otherwise have the Idaho Department of Water Resources, a Water District or a Court curtail or limit distribution in whole or in part, to existing legal uses of water to satisfy this water right. This provision shall not be construed as a basis to curtail the United States' use of water under this right to satisfy junior water rights.

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 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	Unnamed Stream	Estes Creek	42N	01E	01	SESE	
003	Estes Creek	West Fork Saint Maries River	42N	01E	01	SESW	
004	Unnamed Stream	Estes Creek	42N	01E	01	SESW	
005	Unnamed Stream	Estes Creek	42N	01E	01	SWSE	
006	Unnamed Stream	Estes Creek	42N	01E	01	SWSE	
007	Unnamed Stream	Estes Creek	42N	01E	01	SWSE	
008	Unnamed Stream	West Fork Saint Maries River	42N	01E	01	SWSE	
009	Estes Creek	West Fork Saint Maries River	42N	01E	01	SWSW	
010	Unnamed Stream	West Fork Saint Maries River	42N	01E	01	SWSW	
011	Bechtel Creek	West Fork Saint Maries River	42N	01E	02		
012	Unnamed Stream	Bechtel Creek	42N	01E	10	NESE	
013	Bechtel Creek	West Fork Saint Maries River	42N	01E	11		
014	Unnamed Stream	Bechtel Creek	42N	01E	11		
015	Unnamed Stream	Bechtel Creek	42N	01E	11		
016	Unnamed Stream	Bechtel Creek	42N	01E	11		
017	Unnamed Stream	Bechtel Creek	42N	01E	11		
018	Unnamed Stream	Bechtel Creek	42N	01E	11		
019	Bechtel Creek	West Fork Saint Maries River	42N	01E	12		
020	Estes Creek	West Fork Saint Maries River	42N	01E	12		
021	Unnamed Stream	Bechtel Creek	42N	01E	12		
022	Unnamed Stream	Bechtel Creek	42N	01E	12		
023	Unnamed Stream	Estes Creek	42N	01E	12		
024	Unnamed Stream	West Fork Saint Maries River	42N	01E	12		
025	Unnamed Stream	West Fork Saint Maries River	42N	01E	12		
026	Bechtel Creek	West Fork Saint Maries River	42N	01E	13	NENW	
027	Unnamed Stream	Bechtel Creek	42N	01E	13	NENW	
028	Unnamed Stream	Bechtel Creek	42N	01E	13	NENW	
029	Unnamed Stream	Bechtel Creek	42N	01E	13	NWNW	
030	Unnamed Stream	Bechtel Creek	42N	01E	14	NENE	

Attachment 1

	A	B	C	D	E	F	G
	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
001							
031	Unnamed Stream	Bechtel Creek	42N	01E	14	NENW	
032	Unnamed Stream	Bechtel Creek	42N	01E	14	NENW	
033	Unnamed Stream	Bechtel Creek	42N	01E	14	NENW	
034	Unnamed Stream	Bechtel Creek	42N	01E	14	NWNE	
035	Unnamed Stream	Bechtel Creek	42N	01E	14	NWNE	
036	Unnamed Stream	Bechtel Creek	42N	01E	14	NWNE	
037	Unnamed Stream	Bechtel Creek	42N	01E	14	NWNW	
038	Unnamed Stream	Bechtel Creek	42N	01E	14	NWNW	
039	Unnamed Stream	Bechtel Creek	42N	01E	14	SENE	
040	Unnamed Stream	Bechtel Creek	42N	01E	14	SENE	
041	Mazie Creek	West Fork Saint Maries River	42N	01E	14	SESE	
042	Unnamed Stream	Bechtel Creek	42N	01E	14	SWNE	
043	Unnamed Stream	Mazie Creek	42N	01E	22	NENE	
044	Unnamed Stream	Wood Creek	42N	01E	22	NENE	
045	Unnamed Stream	Wood Creek	42N	01E	22	NESE	
046	Unnamed Stream	Wood Creek	42N	01E	22	NESE	
047	Wood Creek	West Fork Saint Maries River	42N	01E	22	NESE	
048	Unnamed Stream	Mazie Creek	42N	01E	23	NENE	
049	Unnamed Stream	Mazie Creek	42N	01E	23	NESE	
050	Unnamed Stream	Mazie Creek	42N	01E	23	NESE	
051	Unnamed Stream	Mazie Creek	42N	01E	23	NESE	
052	Unnamed Stream	Mazie Creek	42N	01E	23	NESE	
053	Unnamed Stream	Mazie Creek	42N	01E	23	NESE	
054	Unnamed Stream	Mazie Creek	42N	01E	23	NESE	
055	Unnamed Stream	Mazie Creek	42N	01E	23	NESE	
056	Unnamed Stream	Mazie Creek	42N	01E	23	NESE	
057	Unnamed Stream	Mazie Creek	42N	01E	23	NESE	
058	Unnamed Stream	Mazie Creek	42N	01E	23	NESE	
059	Unnamed Stream	Mazie Creek	42N	01E	23	NESE	

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
060	Unnamed Stream	Mazie Creek	42N	01E	23	NESW	
061	Unnamed Stream	Wood Creek	42N	01E	23	NESW	
062	Unnamed Stream	Wood Creek	42N	01E	23	NESW	
063	Unnamed Stream	Wood Creek	42N	01E	23	NESW	
064	Unnamed Stream	Wood Creek	42N	01E	23	NESW	
065	Unnamed Stream	Wood Creek	42N	01E	23	NESW	
066	Unnamed Stream	Mazie Creek	42N	01E	23	NWNW	
067	Unnamed Stream	Mazie Creek	42N	01E	23	NWSE	
068	Unnamed Stream	Mazie Creek	42N	01E	23	NWSE	
069	Unnamed Stream	Mazie Creek	42N	01E	23	NWSE	
070	Unnamed Stream	Mazie Creek	42N	01E	23	NWSE	
071	Unnamed Stream	Wood Creek	42N	01E	23	NWSW	
072	Unnamed Stream	Wood Creek	42N	01E	23	NWSW	
073	Unnamed Stream	Wood Creek	42N	01E	23	NWSW	
074	Unnamed Stream	Wood Creek	42N	01E	23	NWSW	
075	Unnamed Stream	Wood Creek	42N	01E	23	NWSW	
076	Wood Creek	West Fork Saint Maries River	42N	01E	23	NWSW	
077	Unnamed Stream	Mazie Creek	42N	01E	23	SENE	
078	Unnamed Stream	Mazie Creek	42N	01E	23	SENE	
079	Unnamed Stream	Mazie Creek	42N	01E	23	SENE	
080	Unnamed Stream	Mazie Creek	42N	01E	23	SESE	
081	Unnamed Stream	Mazie Creek	42N	01E	23	SESE	
082	Unnamed Stream	Mazie Creek	42N	01E	23	SESE	
083	Unnamed Stream	Mazie Creek	42N	01E	23	SESE	
084	Unnamed Stream	Mazie Creek	42N	01E	23	SESE	
085	Unnamed Stream	Mazie Creek	42N	01E	23	SWNE	
086	Unnamed Stream	Mazie Creek	42N	01E	23	SWNE	
087	Unnamed Stream	Mazie Creek	42N	01E	24	NWSW	
088	Unnamed Stream	Mazie Creek	42N	01E	24	NWSW	

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
089	Unnamed Stream	Mazie Creek	42N	01E	24	NWSW	
090	Unnamed Stream	Mazie Creek	42N	01E	24	NWSW	
091	Unnamed Stream	Mazie Creek	42N	01E	24	SWSW	
092	Unnamed Stream	Mazie Creek	42N	01E	24	SWSW	
093	Unnamed Stream	Mazie Creek	42N	01E	24	SWSW	
094	Unnamed Stream	Mazie Creek	42N	01E	24	SWSW	
095	Unnamed Stream	West Fork Saint Maries River	42N	01E	24	SWSW	
096	Unnamed Stream	West Fork Saint Maries River	42N	01E	24	SWSW	
097	Unnamed Stream	West Fork Saint Maries River	42N	02E	18		
098	Unnamed Stream	West Fork Saint Maries River	42N	02E	18		
099	Unnamed Stream	Cat Spur Creek	42N	02E	19	NESE	
100	Unnamed Stream	Cat Spur Creek	42N	02E	19	NESE	
101	Unnamed Stream	Cat Spur Creek	42N	02E	19	NESE	
102	Unnamed Stream	West Fork Saint Maries River	42N	02E	19	NWNE	
103	Cat Spur Creek	West Fork Saint Maries River	42N	02E	19	NWSE	
104	Unnamed Stream	Cat Spur Creek	42N	02E	19	NWSE	
105	Unnamed Stream	Cat Spur Creek	42N	02E	19	NWSE	
106	Unnamed Stream	Cat Spur Creek	42N	02E	19	NWSE	
107	Unnamed Stream	Cat Spur Creek	42N	02E	19	NWSE	
108	Unnamed Stream	Cat Spur Creek	42N	02E	19	SENE	
109	Cat Spur Creek	West Fork Saint Maries River	42N	02E	19	SWNE	
110	Unnamed Stream	Cat Spur Creek	42N	02E	19	SWNE	
111	Unnamed Stream	Cat Spur Creek	42N	02E	29		
112	Unnamed Stream	Cat Spur Creek	42N	02E	29		
113	Unnamed Stream	Kitten Creek	42N	02E	29		
114	Unnamed Stream	Log Creek	42N	02E	29		
115	Log Creek	Cat Spur Creek	42N	02E	30		
116	Unnamed Stream	Log Creek	42N	02E	30		
117	Unnamed Stream	Log Creek	42N	02E	30		

Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
118	Unnamed Stream	Log Creek	42N	02E	30		
119	Unnamed Stream	Log Creek	42N	02E	30		
120	Unnamed Stream	Log Creek	42N	02E	30		
121	Unnamed Stream	Log Creek	42N	02E	31	NENE	
122	Log Creek	Cat Spur Creek	42N	02E	31	NWNE	
123	Unnamed Stream	Log Creek	42N	02E	31	NWNE	
124	Unnamed Stream	Log Creek	42N	02E	31	NWNE	
125	Unnamed Stream	Log Creek	42N	02E	31	NWNE	
126	Unnamed Stream	Log Creek	42N	02E	31	NWNE	
127	Unnamed Stream	Cat Spur Creek	42N	02E	32		
128	Unnamed Stream	Kitten Creek	42N	02E	32		
129	Unnamed Stream	Log Creek	42N	02E	32		

Attachment 2

92-11067	A	92-11072	E
92-11067	B	92-11072	F
92-11067	C	92-11072	G
92-11067	D	92-11072	H
92-11067	E	92-11072	I
92-11067	F	92-11072	J
92-11067	G	92-11072	K
92-11067	H	92-11072	L
92-11067	I	92-11073	A
92-11067	J	92-11073	B
92-11067	K	92-11073	C
92-11067	L	92-11073	D
92-11067	M	92-11073	E
92-11067	N	92-11074	
92-11067	O	92-11075	
92-11067	P	92-11080	A
92-11068	A	92-11080	B
92-11068	B	92-11080	C
92-11068	C	92-11080	D
92-11068	D	92-11080	E
92-11068	E	92-11080	F
92-11068	F	92-11080	G
92-11068	G	92-11080	H
92-11068	H	92-11080	I
92-11068	I	92-11080	J
92-11068	J	92-11081	A
92-11068	K	92-11081	B
92-11068	L	92-11081	C
92-11068	M	92-11081	D
92-11068	N		
92-11068	O		
92-11069	A		
92-11069	B		
92-11069	C		
92-11069	D		
92-11069	E		
92-11069	F		
92-11069	G		
92-11070	A		
92-11070	B		
92-11071	A		
92-11071	B		
92-11071	C		
92-11071	D		
92-11071	E		
92-11071	F		
92-11072	A		
92-11072	B		
92-11072	C		
92-11072	D		

