

DISTRICT COURT - CSRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

JUN 10 2022

By \_\_\_\_\_ Clerk  
\_\_\_\_\_ Deputy Clerk

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. 95-17400A

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 Hayden Creek subwatershed (HUC12 170103050101).

QUANTITY: 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: 

<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.

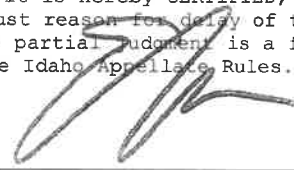
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
002	Unnamed Stream	East Fork Hayden Creek	51N	02W	03		
003	Unnamed Stream	East Fork Hayden Creek	51N	02W	03		
004	Unnamed Stream	North Fork Hayden Creek	52N	02W	10		
005	Chilco Creek	East Fork Hayden Creek	52N	02W	11		
006	Chilco Creek	East Fork Hayden Creek	52N	02W	14		
007	Conie Creek	East Fork Hayden Creek	52N	02W	14		
008	Chilco Creek	East Fork Hayden Creek	52N	02W	15		
009	Conie Creek	East Fork Hayden Creek	52N	02W	15		
010	East Fork Hayden Creek	Hayden Creek	52N	02W	15		
011	Unnamed Stream	Corner Creek	52N	02W	15		
012	Buckles Creek	North Fork Hayden Creek	52N	02W	16		
013	Corner Creek	East Fork Hayden Creek	52N	02W	16		
014	North Fork Hayden Creek	Hayden Creek	52N	02W	16		
015	Unnamed Stream	North Fork Hayden Creek	52N	02W	16		
016	Buckles Creek	North Fork Hayden Creek	52N	02W	17		
017	Falls Creek	North Fork Hayden Creek	52N	02W	17		
018	Unnamed Stream	Buckles Creek	52N	02W	17		
019	Buckles Creek	North Fork Hayden Creek	52N	02W	18		
020	Shamrock Creek	North Fork Hayden Creek	52N	02W	19		
021	Cardin Creek	East Fork Hayden Creek	52N	02W	20		
022	Line Creek	East Fork Hayden Creek	52N	02W	20		
023	Ridge Creek	East Fork Hayden Creek	52N	02W	20		
024	Shamrock Creek	North Fork Hayden Creek	52N	02W	20		
025	Ulrich Creek	East Fork Hayden Creek	52N	02W	20		
026	Unnamed Stream	Buckles Creek	52N	02W	20		
027	Corner Creek	East Fork Hayden Creek	52N	02W	21		
028	East Fork Hayden Creek	Hayden Creek	52N	02W	21		
029	Todd Creek	East Fork Hayden Creek	52N	02W	21		
030	Ulrich Creek	East Fork Hayden Creek	52N	02W	21		
031	Unnamed Stream	East Fork Hayden Creek	52N	02W	21		
032	Corner Creek	East Fork Hayden Creek	52N	02W	22		

# Attachment 1






	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
033	East Fork Hayden Creek	Hayden Creek	52N	02W	22		
034	Straight Creek	East Fork Hayden Creek	52N	02W	22		
035	Unnamed Stream	Corner Creek	52N	02W	22		
036	Unnamed Stream	Straight Creek	52N	02W	22		
037	Unnamed Stream	East Fork Hayden Creek	52N	02W	22		
038	Straight Creek	East Fork Hayden Creek	52N	02W	23		
039	Unnamed Stream	Straight Creek	52N	02W	23		
040	Unnamed Stream	East Fork Hayden Creek	52N	02W	26		
041	Unnamed Stream	East Fork Hayden Creek	52N	02W	26		
042	Unnamed Stream	East Fork Hayden Creek	52N	02W	27		
043	Unnamed Stream	East Fork Hayden Creek	52N	02W	27		
044	Unnamed Stream	East Fork Hayden Creek	52N	02W	27		
045	Unnamed Stream	East Fork Hayden Creek	52N	02W	27		
046	Unnamed Stream	East Fork Hayden Creek	52N	02W	27		
047	Unnamed Stream	East Fork Hayden Creek	52N	02W	27		
048	East Fork Hayden Creek	Hayden Creek	52N	02W	28		
049	Ulrich Creek	East Fork Hayden Creek	52N	02W	28		
050	Unnamed Stream	East Fork Hayden Creek	52N	02W	28		
051	Unnamed Stream	East Fork Hayden Creek	52N	02W	28		
052	Unnamed Stream	East Fork Hayden Creek	52N	02W	28		
053	Cardin Creek	East Fork Hayden Creek	52N	02W	29		
054	East Fork Hayden Creek	Hayden Creek	52N	02W	29		
055	Line Creek	East Fork Hayden Creek	52N	02W	29		
056	Ridge Creek	East Fork Hayden Creek	52N	02W	29		
057	Ulrich Creek	East Fork Hayden Creek	52N	02W	29		
058	Unnamed Stream	East Fork Hayden Creek	52N	02W	29		
059	East Fork Hayden Creek	Hayden Creek	52N	02W	30		
060	Line Creek	East Fork Hayden Creek	52N	02W	30		
061	Unnamed Stream	East Fork Hayden Creek	52N	02W	32		
062	Unnamed Stream	East Fork Hayden Creek	52N	02W	32		
063	Unnamed Stream	East Fork Hayden Creek	52N	02W	33		

# Attachment 1

	A	B	C	D	E	F	G
001	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
064	Unnamed Stream	East Fork Hayden Creek	52N	02W	33		
065	Unnamed Stream	East Fork Hayden Creek	52N	02W	34		
066	Unnamed Stream	East Fork Hayden Creek	52N	02W	34		
067	Unnamed Stream	East Fork Hayden Creek	52N	02W	34		
068	Unnamed Stream	East Fork Hayden Creek	52N	02W	34		
069	Unnamed Stream	East Fork Hayden Creek	52N	02W	34		
070	Unnamed Stream	East Fork Hayden Creek	52N	02W	34		
071	Unnamed Stream	East Fork Hayden Creek	52N	02W	35		
072	Unnamed Stream	East Fork Hayden Creek	52N	02W	35		
073	North Fork Hayden Creek	Hayden Creek	52N	02W	07		
074	Unnamed Stream	North Fork Hayden Creek	52N	02W	07		
075	Falls Creek	North Fork Hayden Creek	52N	02W	08		
076	North Fork Hayden Creek	Hayden Creek	52N	02W	08		
077	Unnamed Stream	North Fork Hayden Creek	52N	02W	08		
078	Unnamed Stream	North Fork Hayden Creek	52N	02W	08		
079	Unnamed Stream	North Fork Hayden Creek	52N	02W	08		
080	North Fork Hayden Creek	Hayden Creek	52N	02W	09		
081	Unnamed Stream	North Fork Hayden Creek	52N	02W	09		
082	Unnamed Stream	North Fork Hayden Creek	52N	02W	09		
083	Unnamed Stream	North Fork Hayden Creek	52N	02W	09		
084	Unnamed Stream	North Fork Hayden Creek	52N	03W	12	NENE	
085	Unnamed Stream	North Fork Hayden Creek	52N	03W	12	NESE	
086	Unnamed Stream	Hollister Creek	52N	03W	12	NESW	
087	Unnamed Stream	Hollister Creek	52N	03W	12	NWSW	
088	Unnamed Stream	North Fork Hayden Creek	52N	03W	12	SENE	
089	Unnamed Stream	Hollister Creek	52N	03W	12	SWSW	

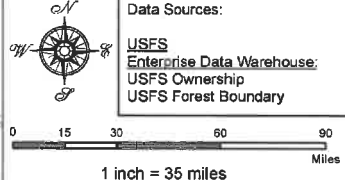
**Attachment 2**  
**Place of Use Map Fire Suppression - Water Right No. 95-17400A**  
**National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana**

**Key to Features**

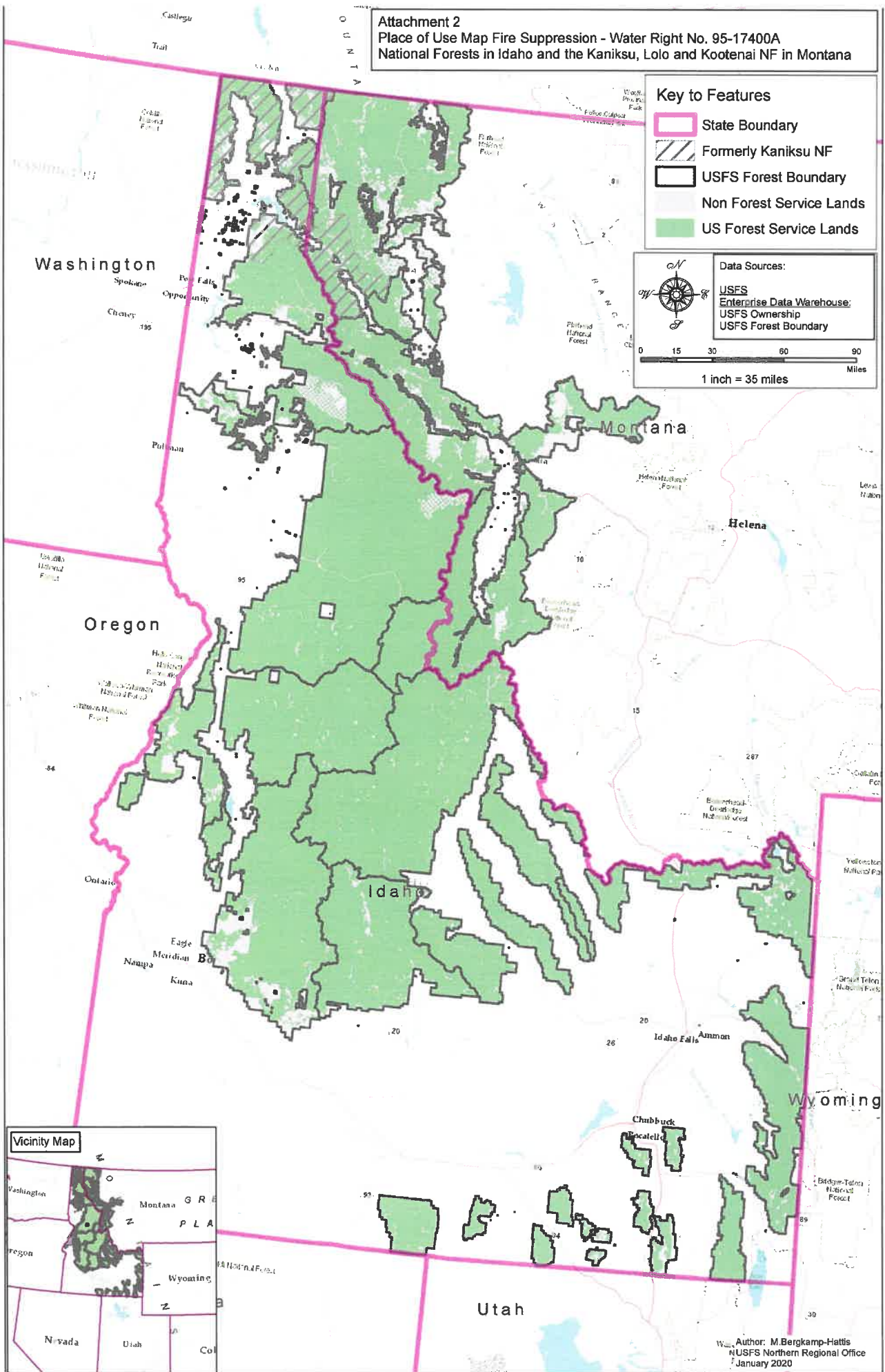
-  State Boundary
-  Formerly Kaniksu NF
-  USFS Forest Boundary
-  Non Forest Service Lands
-  US Forest Service Lands

**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