

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. 91-07958B

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 Hugus Creek-St. Joe River subwatershed (HUC12 170103040605).

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

PRIORITY DATE: 12/22/1934

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
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
2	Bear Creek	St Joe River	46N	02E	11	NESW	
3	Unnamed Stream	Bear Creek	46N	02E	11	NESW	
4	Unnamed Stream	Bear Creek	46N	02E	11	NWSE	
5	Unnamed Stream	Bear Creek	46N	02E	11	NWSE	
6	Unnamed Stream	Bear Creek	46N	02E	11	NWSE	
7	Unnamed Stream	Bear Creek	46N	02E	11	NWSW	
8	Bear Creek	St Joe River	46N	02E	11	SESW	
9	Bear Creek	St Joe River	46N	02E	11	SESW	
10	Unnamed Stream	Bear Creek	46N	02E	11	SESW	
11	Bear Creek	St Joe River	46N	02E	11	SWNW	
12	Bear Creek	St Joe River	46N	02E	11	SWSW	
13	Unnamed Stream	Bear Creek	46N	02E	11	SWSW	
14	Bear Creek	St Joe River	46N	02E	14		
15	Unnamed Stream	Bear Creek	46N	02E	14		
16	Unnamed Stream	Bear Creek	46N	02E	14		
17	Unnamed Stream	Bear Creek	46N	02E	14		
18	Unnamed Stream	Bear Creek	46N	02E	14		
19	Unnamed Stream	Bear Creek	46N	02E	14		
20	Unnamed Stream	Bear Creek	46N	02E	14		
21	Unnamed Stream	Bear Creek	46N	02E	14		
22	Unnamed Stream	Bear Creek	46N	02E	14		
23	Unnamed Stream	Bear Creek	46N	02E	14		
24	Unnamed Stream	Bear Creek	46N	02E	15		

