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UNITED STATES OF AMERICA

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Counsel for the United States of America

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

In Re SRBA	)	Subcase No. 77-14134
	)	
Case Number: 39576	)	AFFIDAVIT OF WILLIAM N. BLOUNT
_____	)	

State of: IDAHO
County of: CUSTER

William N. Blount, being first duly sworn upon oath, deposes and says:

1. I am currently employed by the United States Department of Agriculture, Forest Service (Forest Service), as the Fire Management Officer (FMO) on the Challis Ranger District

of the Salmon-Challis National Forest. This includes the Yankee Fork and Challis Ranger Districts. I have been employed by the Forest Service for 18 years.

2. As part of my assigned duties and responsibilities as the FMO on the Challis Ranger District, I am familiar with use at Cape Horn Guard Station.

3. I have reviewed the reserved water right claim, as amended and attached as Exhibit 1, submitted by the Forest Service for Cape Horn Guard Station (Claim).

4. The Claim was prepared by Forest Service personnel as part of their normal duties. I verified the legal locations as set forth and described in Exhibit 1 and have personal knowledge that the location of the point of diversion and point of use and source of the water supply are true and correct as described in Exhibit 1.

5. The Claim is situated wholly within National Forest System lands. It is currently utilized by the Forest Service at Cape Horn Guard Station to manage National Forest System lands.

6. The Claim is necessary for the administration of the National Forest pursuant to the Organic Administration Act of 1897, 16 U.S.C. § 475 *et seq.*, for the purposes of securing favorable conditions of water flow and to furnish a continuous supply of timber.

7. The United States filed this Claim for use in association with Cape Horn Guard Station, an administrative site located in a remote part of the Salmon-Challis National Forest. The administrative site includes a cabin, a bunkhouse, a tack shed, a shed/fire cache and other capital improvements. A recreation guard is normally stationed at the site during the summer. Other employees use the site as needed throughout the summer. For example, Cape Horn Guard Station became a fire camp for the 2001 Snowshoe Fire. During this fire there were over 100 personnel at the site. It is used every

year by the Forest Service to administer National Forest resource management programs. Personnel utilize water at this site for administrative purposes. Occupation and use of the site is essential to the overall administration of Forest Service programs on this part of the Salmon-Challis National Forest. The recreation guard contacts people throughout the summer, monitors camp sites and fires at camp sites. Administration of NFS programs and employee presence in the area serves to protect the forest from depredations and destruction. This ensures the continued viability of the resources on surrounding federally reserved NFS land and directly contributes to watershed protection, preservation of timber stands and to the maintenance of and improvement of watershed conditions, timber production and favorable conditions of water flow.

8. Based upon personal experience and knowledge, discussions with Forest Service personnel and review of relevant Forest Service records, including but not limited to, on-site inspection records, water has been historically, and is presently utilized at Cape Horn Guard Station in quantities up to and including 0.04 c.f.s. during the period of May 1 through October 31, as described in Exhibit 1.

9. Based upon the forgoing, I have personal knowledge of the following elements of the reserved water right claim:

a. The name and address of the claimant is:

UNITED STATES OF AMERICA acting on behalf of the U.S.D.A. Forest Service, 550 W. Fort Street, MSC033, Boise, ID 83724.

b. The source of water is:

Groundwater

c. The location is:

1) point of diversion:

B.M., T. 12 N, R. 11 E, S. 13 SENE.

2) place of use:

B.M., T. 12 N, R. 11 E, S. 13 SENE.

d. The quantity of water is:

0.04 c.f.s.

e. The period of use is:

May 1 through October 31

f. The purpose of use is:

Administrative purposes at Cape Horn Guard Station.

Dated this 10th day of April, 2003.

William N. Blount
William N. Blount

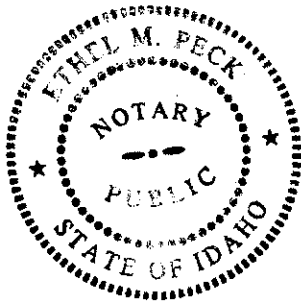
SUBSCRIBED and SWORN to before me this 10th day of April, 2003.

Ethel M. Peck

NOTARY PUBLIC FOR: Idaho

Residing at: Challis

My Commission Expires: 3-19-04



CERTIFICATE OF MAILING

I certify that on May 2, 2003, I mailed a true and correct copy of the foregoing Affidavit of William N. Blount to the following by First Class United States Mail, prepaid:

Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720



David L. Negri

NOTICE OF AMENDED CLAIM
RESERVED UNDER FEDERAL LAW

Right Number: 77-14134

Name and Address: UNITED STATES OF AMERICA ACTING THROUGH THE
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE, ID 83724

Source: GROUNDWATER

Quantity: ~~-.02~~ .04 CFS

Priority Date: 11-05-1906

Point of Diversion: T12N R11E S13

SENE Within Custer County

Purpose and
Period of Use: Purpose of Use
~~Domestic~~
Administrative

Period of Use Quantity
05-01 TO 10-31 ~~-.02~~ .04 CFS

Place of Use: ~~Domestic~~
Administrative
T12N R11E S13

Within Custer County

SENE

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - Reserved

FOREST SERVICE RECORD ID = 0406 17060205 54 0009
Cape Horn Guard Station