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Department of Water Resources

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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. 37-13766
	)	
Case Number: 39576	)	AFFIDAVIT OF BILL G. MURPHY
_____	)	

State of: IDAHO
County of: BLAINE

Bill G. Murphy, 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 Ketchum Ranger

District of the Sawtooth National Forest. I have been employed by the Forest Service for 23 years.

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

3. I have reviewed the reserved water right claim, as amended and attached as Exhibit 1, submitted by the Forest Service for Garfield 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 Garfield 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 Garfield Guard Station, an administrative site located in a remote part of the Sawtooth National Forest. The administrative site includes a cabin, a shed, and other capital improvements. The site is used primarily by recreation and range management personnel throughout the summer. It is used every year. Personnel utilize water at this site for administrative purposes. Occupation and use of Garfield Guard Station is essential to the overall administration of Forest Service programs on this part of the Sawtooth National Forest. Recreation personnel monitor use of campsites throughout the forest for compliance with fire, travel and other visitor rules. Range management

personnel monitor forage utilization by domestic livestock. Administration of these NFS programs and presence in the area protects 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 Garfield Guard Station in quantities up to and including 0.02 c.f.s. during the period of June 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. 3 N, R. 21 E, S. 11 SWNW.

2) place of use:

B.M., T. 3 N, R. 21 E, S. 11 SWNW.

d. The quantity of water is:

0.02 c.f.s.

e. The period of use is:

June 1 through October 31

f. The purpose of use is:

Administrative purposes at Garfield Guard Station.

Dated this 11th day of April, 2003.

Bill G. Murphy
Bill G. Murphy

SUBSCRIBED and SWORN to before me this 11th day of April, 2003.

Shanne Robinson

NOTARY PUBLIC FOR: Blaine County
State of Idaho

Residing at: Blaine County

My Commission Expires: 05/08/2004

CERTIFICATE OF MAILING

I certify that on May 2, 2003, I mailed a true and correct copy of the foregoing Affidavit of Bill G. Murphy 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: 37-13766

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 CFS

Priority Date: 11-06-1906

Point of Diversion: T03N R21E S11 SWNW Within Blaine County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	~~Domestic~~	06-01 TO 10-31	.02 CFS
	<u>Administrative</u>		

Place of Use:	~~Domestic~~	Within Blaine County
	T03N R21E S11	SWNW
	<u>Administrative</u>	

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

Explanatory Material: Basis of Claim - Reserved

FOREST SERVICE RECORD ID = 0414 17040221 36 0003
Garfield Guard Station

EXHIBIT 1