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Department of Water Resources

Name of Party Filing Document:

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. 83-10220
	)	
Case Number: 39576	)	AFFIDAVIT OF HARTMUT PAULAT
_____	)	

State of: IDAHO
County of: IDAHO

Hartmut Paulat, 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 a Maintenance Worker on the Lochsa Ranger District of the Clearwater National Forest. I have been employed by the Forest Service for 25 years.

2. As part of my assigned duties and responsibilities as the Maintenance Worker for the Lochsa Ranger District, I am familiar with use at Liz Creek Guard Station.

3. I have reviewed the reserved water right claim, as amended and attached as Exhibit 1, submitted by the Forest Service for Liz Creek 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 Liz Creek 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 Liz Creek Guard Station, an administrative site, located in a remote area of the Clearwater National Forest. The site includes a 1½ story log cabin, root cellar/storage building, corral and other capital improvements. Personnel utilize water at this site for administrative purposes. It is used every year, primarily by trail crews, however other personnel use the site as needed while performing their various administrative responsibilities. Occupancy and use of Liz Creek Guard Station is

essential to the overall management and administration of Forest Service resource programs on this part of the Clearwater National Forest to maintain access and for administrative presence, whereby protecting the forest from depredation and fire. This assures the continued viability of the resources that directly contribute to maintaining and improving watershed conditions and productive timber stands.

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 Liz Creek 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:

Liz Creek

c. The location is:

1) point of diversion:

B.M., T. 36 N, R. 9 E, S. 11 NENE

2) place of use:

B.M., T. 36 N, R. 9 E, S. 11 NENE

- 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 Liz Creek Guard Station.

Dated this 25 day of April, 2003.

Hartmut Paulat
Hartmut Paulat

SUBSCRIBED and SWORN to before me this 25 day of April, 2003.

Paula Johnson

NOTARY PUBLIC FOR: Idaho

Residing at: Kamiah

My Commission Expires: 8-5-03

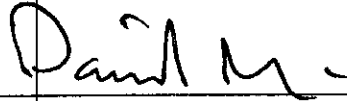
CERTIFICATE OF MAILING

I certify that on May 2, 2003, I mailed a true and correct copy of the foregoing Affidavit of Hartmut Paulat 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: 83-10220

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

Source: LIZ CREEK

Tributary: WEITAS CREEK

Quantity: .02 CFS

Priority Date: 02-22-1897

Point of Diversion: T36N R09E S11

NENE Within Idaho County

Purpose and
Period of Use:

Purpose of Use
~~Domestic~~
Administrative

Period of Use
06-01 TO 10-31

Quantity
.02 CFS

Place of Use:

~~Domestic~~
Administrative
T36N R09E S11

Within Idaho County

NENE

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

Explanatory Material: Basis of Claim - Reserved

FOREST SERVICE RECORD ID = 0105 17060307 10 A004
Liz Creek Guard Station