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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. 75-11095
	)	
Case Number: 39576	)	AFFIDAVIT OF WILLIAM A. SCHUCKERT
_____	)	

State of: IDAHO
County of: LEMHI

William A. Schuckert, 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 forester in the Supervisors Office of the Salmon-Challis National Forest. I have been employed by the Forest Service for 24 years.

2. As part of my assigned duties and responsibilities as a forester on the Salmon-Challis National Forest, I am familiar with use at the Stormy Peak Lookout.

3. I have reviewed the reserved water right claim, as amended and attached as Exhibit 1, submitted by the Forest Service for Stormy Peak Lookout (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 Stormy Peak Lookout 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 Stormy Peak Lookout, an Administrative Site located in a remote part of the Salmon-Challis National Forest. The administrative site is a two story fire lookout on a mountain top. It is used every year for administration of National Forest resource management programs. Personnel utilize water at this site for administrative purposes. Occupation and use of Stormy Peak Lookout is essential to the overall administration of Forest Service programs on this part of the Salmon-Challis National Forest. The primary purpose is fire: fire detection, fire suppression, fire management and fire

prevention to improve and protect the forest from destruction by fire, thereby ensuring continued viability of the resources on surrounding federally reserved National Forest System land.

Prevention of depredation by fire contributes directly to other resource programs and conditions such as watershed protection, preservation of timber stands, wild land character, and public safety thereby directly contributing to the maintenance of and improving 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 Stormy Peak Lookout in quantities up to and including 0.01 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:

Spring

c. The location is:

1) point of diversion:

B.M., T. 23 N, R. 19 E, S. 3 NESW.

2) place of use:

B.M., T. 23 N, R. 19 E, S. 3 SENW.

d. The quantity of water is:

0.01 c.f.s.

e. The period of use is:

June 1 through October 31

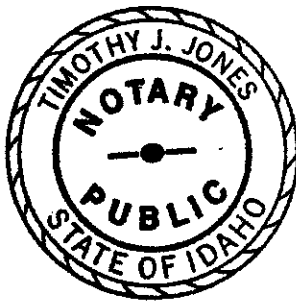
f. The purpose of use is:

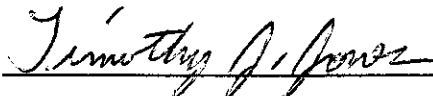
Administrative purposes at Stormy Peak Lookout.

Dated this 13 day of APRIL, 2003.


William A. Schuckert

SUBSCRIBED and SWORN to before me this 13th day of April, 2003.




Timothy J. Jones

NOTARY PUBLIC FOR: Idaho

Residing at: Salmon

My Commission Expires: 2/16/08

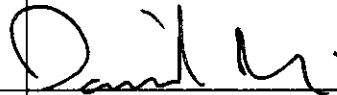
CERTIFICATE OF MAILING

I certify that on May 2, 2003, I mailed a true and correct copy of the foregoing Affidavit of William A. Schuckert 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: 75-11095

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

Source: ~~STORMY PEAK LOOKOUT~~ SPRING Tributary: SINKS

Quantity: .01 CFS

Priority Date: 11-05-1906

Point of Diversion: T23N R19E S03 NESW Within Lemhi County

Purpose and

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

Period of Use Quantity
06-01 TO 10-31 .01 CFS

Place of Use: ~~Domestic~~
Administrative
T23N R19E S03

Within Lemhi County

SENW

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

Explanatory Material: Basis of Claim - Reserved

FOREST SERVICE RECORD ID = 0413 17060203 24 0011
Stormy Peak Lookout