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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. 81-10296
	)	
Case Number: 39576	)	AFFIDAVIT OF DAVID M. CAMPBELL
_____	)	

State of: MONTANA
County of: RAVALLI

David M. Campbell, 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 District Ranger on the West Fork Ranger District of the Bitterroot National Forest. I have been employed by the Forest Service for 26 years.

2. As part of my assigned duties and responsibilities as the District Ranger, I am familiar with the use of Spot Mountain Lookout.

3. I have reviewed the reserved water right claim, as amended and attached as Exhibit 1, submitted by the Forest Service for the Spot Mountain 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 Spot Mountain 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 Spot Mountain Lookout, an administrative site located in the Selway Bitterroot Wilderness in the Bitterroot National Forest. The site is a fire lookout used every year for administration of National Forest resource management programs. Personnel utilize water at this site for domestic and other administrative purposes. Occupation and use of Spot Mountain Lookout is essential to the overall administration of Forest Service programs on this part of the Bitterroot 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 continuing 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, wilderness character, trail maintenance, recreation access and public safety.

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 Spot Mountain Lookout 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:

Spring, tributary to Eagle Creek.

c. The location is:

1) point of diversion:

B.M., T. 28 N, R. 13 E, S. 4 SWNE.

2) place of use:

B.M., T. 28 N, R. 13 E, S. 4 SWSE.

d. The quantity of water is:

0.02 c.f.s.

e. The period of use is:

June 1 through October 31

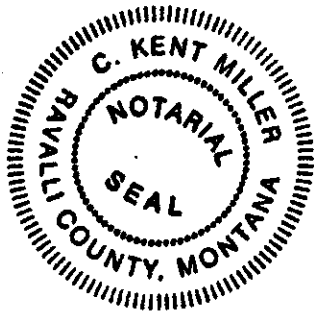
f. The purpose of use is:

Administrative purposes at Spot Mountain Lookout.

Dated this 14th day of Feb, 2003.

David M. Campbell
David M. Campbell

SUBSCRIBED and SWORN to before me this 14 day of FEBRUARY, 2003.



C. Kent Miller

NOTARY PUBLIC FOR: MONTANA

Residing at: FLORENCE, MONTANA

My Commission Expires: JANUARY 4, 2004

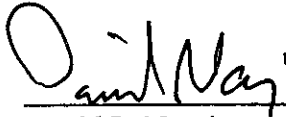
CERTIFICATE OF MAILING

I certify that on March 28, 2003, I mailed a true and correct copy of the foregoing Affidavit of David M. Campbell upon 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: 81-10296

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

Source: SPRING Tributary: EAGLE CREEK

Quantity: .02 CFS

Priority Date: 02-22-1897

Point of Diversion: T28N R13E S04 SWNE Within Idaho County

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

Place of Use:	~~Domestic-~~	Within Idaho County
	<u>Administrative</u>	
	T28N R13E S04 SWSE	

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

Explanatory Material: Basis of Claim - Reserved

FOREST SERVICE RECORD ID = 0103 17060301 15 A001
Spot Mountain Lookout