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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. 84-10855
	)	
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 Austin Ridge Lookout.

3. I have reviewed the reserved water right claim, as amended and attached as Exhibit 1, submitted by the Forest Service for Austin Ridge 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 Austin Ridge 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 Austin Ridge Lookout, an administrative fire lookout site located on the Clearwater National Forest. The lookout is a 60 foot tall tower with other capital improvements such as a vault toilet. Personnel utilize water at this site for administrative purposes. The lookout is used every year as fire severity dictates for fire detection, suppression and management activities. Austin Ridge Lookout is essential to the overall management and administration of Forest Service resource programs on this part of the Clearwater National Forest to protect forest resources from fire and

other depredations, thereby ensuring continuing viability 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 Austin Ridge 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

c. The location is:

1) point of diversion:

B.M., T. 35 N, R. 6 E, S. 24 NWSW

2) place of use:

B.M., T. 35 N, R. 6 E, S. 26 NWNE

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 Austin Ridge Lookout.

Dated this 21 day of March, 2003.

Hartmut Paulat
Hartmut Paulat

SUBSCRIBED and SWORN to before me this 21 day of March, 2003.

Marla Johnson

NOTARY PUBLIC FOR: Hawaii

Residing at: Honolulu

My Commission Expires: 8-5-03

CERTIFICATE OF MAILING

I certify that on March 28, 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: 84-10855

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: SINKS

Quantity: .02 CFS

Priority Date: 02-22-1897

Point of Diversion: T35N R06E S24 NWSW Within Idaho 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 Idaho County
Administrative
T35N R06E ~~S24~~ S26 -~~NWSW~~ NWNE

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

Explanatory Material: Basis of Claim - Reserved

FOREST SERVICE RECORD ID = 0105 17060306 04 A005
Austin Ridge Lookout