

RECEIVED

APR 22 2003

Department of Water Resources

Name of Party Filing Document:

UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

THOMAS L. SANSONETTI
United States Department of Justice
Assistant Attorney General
Environment and Natural Resources Division

DAVID L. NEGRI
United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 W. Fort St. MSC033
Boise, ID 83724
(208) 331-5943

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. 77-10702
	)	
Case Number: 39576	)	AFFIDAVIT OF FLOYD W. HESCOCK, JR.
_____	)	

State of: IDAHO
County of: VALLEY

Floyd W. (Sam) Hescok, Jr., 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 Mangement Officer (FMO) on the Krassel Ranger District of the Payette National Forest. I have been employed by the Forest Service for 27 years.

2. As part of my assigned duties and responsibilities as the FMO on the Krassel Ranger District I am familiar with and use Krassel Work Station.

3. I have reviewed the reserved water right claim, as amended and attached as Exhibit 1, submitted by the Forest Service for Krassel Work 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 Krassel Work 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 Krassel Work Station, an Administrative Site located in a remote area of the Payette National Forest. The administrative site includes an office, five bunkhouses, a shower/laundry, a gashouse, nine trailer pads (two with permanent trailers), a helispot and other capital improvements. It is used every year for administration of National Forest resource management programs. Personnel utilize water at this site for administrative purposes. Fire, helitack and other personnel are normally housed at the site. Occupation and use of Krassel Work Station is essential to the overall

administration of Forest Service programs on this part of the Payette National Forest to protect timber and watersheds from fire and other depredations thereby ensuring continuing viability of the resources on surrounding federally reserved National Forest System land to maintain and improve 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 Krassel Work Station in quantities up to and including 0.02 c.f.s. during the period of April 1 through December 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:

Indian Creek

c. The location is:

1) point of diversion:

B.M., T. 19 N, R. 6 E, S. 21 SENE.

2) place of use:

B.M., T. 19 N, R. 6 E, S. 21 SWNE.

- d. The quantity of water is:
0.02 c.f.s.
- e. The period of use is:
April 1 through December 31
- f. The purpose of use is:
Administrative purposes at Krassel Work Station.

Dated this 11 day of April, 2003.

Floyd W. Hescocck Jr.
Floyd W. Hescocck, Jr.

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



Kathryn Nash
NOTARY PUBLIC FOR: State of Idaho
Residing at: Valley County
My Commission Expires: 3/13/03

CERTIFICATE OF MAILING

I certify that on April 21, 2003, I mailed a true and correct copy of the foregoing Affidavit of Floyd W. Hescok, Jr., 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: 77-10702

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

Source: INDIAN CREEK Tributary: SALMON RIVER, SOUTH FORK

Quantity: .02 CFS

Priority Date: 06-03-1905

Point of Diversion: T19N R06E S21 SENE Within Valley County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Domestic	04-01 TO 12-31	.02 CFS
	<u>Administrative</u>		

Place of Use:	Domestic	Within Valley County
	<u>Administrative</u>	
	T19N R06E S21	SWNE

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

Explanatory Material: Basis of Claim - Reserved

FOREST SERVICE RECORD ID = 0412 17060208 25 0608
Krassel Work Station