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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. 77-10881
	)	
Case Number: 39576	)	AFFIDAVIT OF KIM SHERWOOD
_____	)	

State of: IDAHO
County of: IDAHO

Kim Sherwood, 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 hydrologist on the Red River Ranger District of the Nez Perce National Forest. I have been employed by the Forest Service for 4½ years.

2. As part of my assigned duties and responsibilities as the hydrologist for the Red River Ranger District, I am familiar with and use the Dixie Administrative Site.

3. I have reviewed the reserved water right claim, as amended and attached as Exhibit 1, submitted by the Forest Service for Dixie Administrative Site (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 Dixie Administrative Site 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 Dixie Administrative Site, located in a remote part of the Nez Perce National Forest. The administrative site includes an office, a 12-15 person bunkhouse and other capital improvements. It is used every year for administration of National Forest resource management programs. Various personnel and crews use the site throughout the regular summer field season. A fire crew is normally stationed at the Dixie Administrative Site. Personnel utilize water at this site

for domestic and other administrative purposes. Their use and occupation at the site is essential to the overall administration of Forest Service programs on this part of the Nez Perce National Forest to protect timber and watersheds from fire and other depredations, 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 Dixie Administrative Site in quantities up to and including 0.04 c.f.s. during the period of April 1 through November 30, 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:

Groundwater

c. The location is:

1) point of diversion:

B.M., T. 25 N, R. 8 E, S. 8 NWSW.

2) place of use:

B.M., T. 25 N, R. 8 E, S. 8 NWSW.

d. The quantity of water is:

0.04 c.f.s.

e. The period of use is:

April 1 through November 30

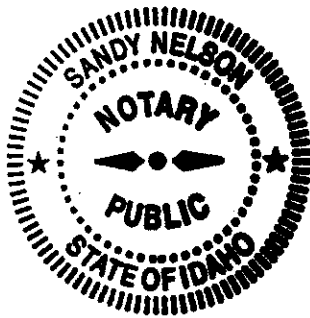
f. The purpose of use is:

Administrative purposes at Dixie Administrative Site.

Dated this 11th day of April, 2003.

Kim Sherwood
Kim Sherwood

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



Sandy Nelson

NOTARY PUBLIC FOR: Idaho

Residing at: Elk City

My Commission Expires: 9/20/2008

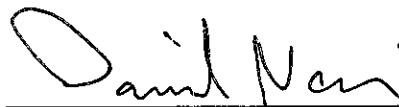
CERTIFICATE OF MAILING

I certify that on April 21, 2003, I mailed a true and correct copy of the foregoing Affidavit of Kim Sherwood 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: 77-10881

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

Source: GROUNDWATER

Quantity: ~~-.02~~ .04 CFS

Priority Date: 02-22-1897

Point of Diversion: T25N R08E S08 NWSW Within Idaho County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	~~Domestic~~	04-01 TO 11-30	~~-.02~~ .04 CFS
	<u>Administrative</u>		

Place of Use:	~~Domestic~~	Within Idaho County
	<u>Administrative</u>	
	T25N R08E S08	NWSW

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

Explanatory Material: Basis of Claim - Reserved

FOREST SERVICE RECORD ID = 0117 17060207 02 0211
Dixie Administrative Site