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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. 23-11170
	)	
Case Number: 39576	)	AFFIDAVIT OF DUSTY L. HINCKS
_____	)	

State of: IDAHO
County of: BONNEVILLE

Dusty L. Hincks, 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 Supervisory Range Technician on the Palisades Ranger District of the Caribou-Targhee National Forests. I have been employed by the Forest Service for 26 years.

2. As part of my assigned duties and responsibilities as a Supervisory Range Technician on the Palisades Ranger District I am familiar with use at Currant Creek Guard Station.

3. I have reviewed the reserved water right claim, as amended and attached as Exhibit 1, submitted by the Forest Service for Currant Creek Guard 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 Currant Creek Guard 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 Currant Creek Guard Station, an Administrative Site located on the Caribou-Targhee National Forests. The administrative site includes a cabin 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. Trail crew and fishery personnel normally use the site.

However, in 2000 fire crews were staged from this location. Personnel utilize water at this site for administrative purposes. Occupation and use of Current Creek Guard Station is essential to the overall administration of Forest Service programs on this part of the Caribou-Targhee National Forests 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. This contributes directly to maintaining 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 Currant Creek Guard Station in quantities up to and including 0.02 c.f.s. during the period of January 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:

Guard Station Spring

c. The location is:

1) point of diversion:

B.M., T. 2 S, R.44 E, S. 2 NENE.

2) place of use:

B.M., T. 2 S, R.44 E, S. 2 NENE.

d. The quantity of water is:

0.02 c.f.s.

e. The period of use is:

January 1 through December 31

f. The purpose of use is:

Administrative purposes at Currant Creek Guard Station.

Dated this 3rd day of April, 2003.

Dusty L. Hincks
Dusty L. Hincks

SUBSCRIBED and SWORN to before me this 3rd day of April, 2003.

RD Benedek

NOTARY PUBLIC FOR: STATE OF IDAHO

Residing at: IDAHO FALLS, IDAHO

My Commission Expires: April 20, 2004

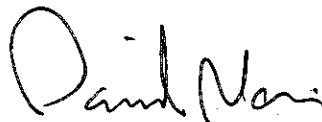
CERTIFICATE OF MAILING

I certify that on April 21, 2003, I mailed a true and correct copy of the foregoing Affidavit of Dusty L. Hincks 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: 23-11170

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

Source: GUARD STATION SPRING Tributary: BEAR CREEK

Quantity: .02 CFS

Priority Date: 01-15-1907

Point of Diversion: T02S R44E S02 NENE Within Bonneville County

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

Place of Use:	~~Domestic~~	Within Bonneville County
	T02S R44E S02	NENE
	<u>Administrative</u>	

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

Explanatory Material: Basis of Claim - Reserved

FOREST SERVICE RECORD ID = 0415 17040104 37 0164
CURRANT CREEK GUARD STATION