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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. 77-10692
	)	
Case Number: 39576	)	AFFIDAVIT OF DAVID E. HALL
_____	)	

State of: IDAHO
County of: VALLEY

David E. Hall, 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 Supervisory Forestry Technician on the McCall Ranger District of the Payette National Forest. I have been employed by the Forest Service for 29 years.

2. As part of my assigned duties and responsibilities as Supervisory Forestry Technician on the McCall Ranger District I am familiar with and use Burgdorf Guard Station.

3. I have reviewed the reserved water right claim, as amended and attached as Exhibit 1, submitted by the Forest Service for Burgdorf 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 Burgdorf 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 Burgdorf Guard Station, an Administrative Site located in a remote area of the Payette National Forest. The administrative site includes a residence, three bunkhouses, 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, trail, fishery, hydrology and recreation personnel are normally housed at the site. Occupation and use of Burgdorf Guard

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 Burgdorf Guard Station in quantities up to and including 0.02 c.f.s. during the period of May 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. 22 N, R. 4 E, S. 11 NENE.

2) place of use:

B.M., T. 22 N, R. 4 E, S. 1 SESW.

- d. The quantity of water is:
0.02 c.f.s.
- e. The period of use is:
May 1 through October 31
- f. The purpose of use is:
Administrative purposes at Burgdorf Guard Station.

Dated this 27th day of March, 2003.

David E. Hall

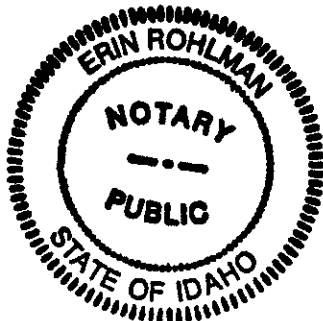
David E. Hall

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

NOTARY PUBLIC FOR:

Residing at:

My Commission Expires:



ACKNOWLEDGMENT	
STATE OF IDAHO	1
COUNTY OF <u>Valley</u>	2
On this <u>27</u> day of <u>March</u> in the year <u>2003</u> , before me, <u>Erin Rohlman</u> , a Notary Public for the State of Idaho, personally appeared <u>David E. Hall</u> .	
Known to me to be the person (persons) whose name is (names are) subscribed to the within instrument, and acknowledged to me that he (they) executed the same.	
<u>Erin Rohlman</u> Notary Public for the State of Idaho Residing in <u>New Meadows, ID</u> My commission expires <u>11/13/06</u>	

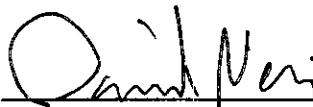
CERTIFICATE OF MAILING

I certify that on April 21, 2003, I mailed a true and correct copy of the foregoing Affidavit of David E. Hall 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: 77-10692

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: ~~LAKE-CREEK~~ SINKS

Quantity: .02 CFS

Priority Date: 06-03-1905

Point of Diversion: T22N R04E S11 NENE Within Idaho County

Purpose and

Period of Use:	Purpose of Use	Period of Use	Quantity
	~~Domestic~~	05-01 TO 10-31	.02 CFS
	<u>Administrative</u>		

Place of Use: ~~Domestic~~ Within Idaho County
Administrative
T22N R04E S01 SESW

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

Explanatory Material: Basis of Claim - Reserved

FOREST SERVICE RECORD ID = 0412 17060208 26 0409
Burgdorf Guard Station