

Names of Parties Filing Document:

UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

THOMAS L. SANSONETTI
Assistant Attorney General
Environment and Natural Resources Division

LARRY A. BROWN
U.S. Dept. of Justice
General Litigation Section
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724
Ph.: (202) 305-0435 FAX: (202) 305-0274

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NOV - 8 2002

Department of Water Resources

**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(s): 43-11217
	)	
	)	AFFIDAVIT OF
	)	STEVEN R. DAVIS
Case No. 39576	)	
	)	
_____	)	

STATE OF IDAHO	)	
	)	ss:
COUNTY OF CASSIA	)	

I Steven R. Davis , being first duly sworn, do depose and state:

1. My name is Steven R. Davis. I am currently employed by the United States, Department of the Interior, Bureau of Land Management (BLM), as a Hydrologist for the Burley Field Office located in Burley, Idaho. I have extensive knowledge of, and experience with, the official business records of BLM associated with its water right claim filings in the Snake River Basin Adjudication (SRBA).

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2. As part of my assigned duties and responsibilities, I am responsible for coordinating the activities concerning water right claims made by the United States of America on behalf of BLM for the Burley Field Office.

3. At the request of counsel for the United States, I have reviewed the official business records of BLM that comprise the SRBA Water Right Claim file for the above captioned SRBA claim made by the United States of America on behalf of the BLM and have reached the determinations described below:

a. The Master Title Plats are official business records of the United States that identify United States' property and its status. I have reviewed these records and determined that the federal public domain containing the water source asserted in subcase number 43-11217 is located on unreserved federal public domain as of April 17, 1926; and this land currently remains under Department of Interior administration.

b. The claimed water source was confirmed by field investigation.

c. Based upon the field verification and my review of the field investigation documents, the source of water for this claim is a spring located at the claimed Point of Diversion and Place of Use.

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d. Based upon the field verification and my review of the field investigation documents, there is sufficient surface water at this site for consumptive use by livestock.

Dated this 6th day of November, 2002

Steven R. Davis
Steven R. Davis

Subscribed and sworn to before me this 6th day of November, 2002

Witnessed by my hand and official seal.

Bartholomew
Notary Public for the State of Idaho
Residing at: Burley, Idaho
My Commission Expires: 3-4-04

CERTIFICATE OF SERVICE

I certify that on November 7, 2002, I served a true and correct copy of the foregoing **AFFIDAVIT OF STEVEN R. DAVIS; SUBCASE NUMBER: 43-11217** by placing the documents in the United States Mail in Burley, Idaho, postage paid, and addressed as follows:

Original to:

Clerk of the Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

HAND DELIVERED

Copies to:

U.S. Department of Justice
General Litigation Section
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83720-0098

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