

Name of Party Filing Document:

UNITED STATES OF AMERICA

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**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. 81-10303
	)	
Case Number: 39576	)	AFFIDAVIT OF HARTMUT PAULAT
_____	)	

State of: IDAHO
County of: IDAHO

Hartmut Paulat, 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 Maintenance Worker on the Lochsa Ranger District of the Clearwater National Forest. I have been employed by the Forest Service for 29 years.

2. As part of my assigned duties and responsibilities as the Maintenance Worker for the Lochsa Ranger District, I am familiar with and use the Lochsa Administrative Site.

3. I have reviewed the reserved water right claim, as amended and attached as Exhibit 1, submitted by the Forest Service for Lochsa 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 Lochsa 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 the Lochsa Administrative Site, a work center located in a remote area of the Clearwater National Forest. The work center includes three residential bunkhouses, a kitchen/dining building, a bathhouse, a flammable materials storage building and warehouse, a barn, tack shed and warehouse building, two corrals and other capital improvements. It also includes the Lochsa Historic Ranger Station together with historic structures, public restrooms and drinking fountains for visitors to the

historic site. Lochsa Administrative Site is used every year for administration of National Forest resource management programs. Personnel utilize water at this site for domestic and other administrative purposes. When called upon fire crews including district, contract and special severity fire crews with their engines and equipment are housed and staged at these facilities. Trail, recreation and engineering crews also work from the site performing their normal construction and maintenance responsibilities as their varied work schedules require to assure continued access to the National Forest System lands. Their presence and use of the site is essential to the overall administration of Forest Service programs on this part of the Clearwater National Forest to protect it from fire and other depredations, thereby ensuring continuing viability of the other resources that directly contribute to maintaining and improving watershed conditions and productive timber stands.

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 Lochsa Administrative Site in quantities up to and including 0.50 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:

Zion Creek

c. The location is:

1) point of diversion:

B.M., T. 35 N, R. 9 E, S. 28 SESE

2) place of use:

B.M., T. 35 N, R. 9 E, S. 33 NENE

d. The quantity of water is:

0.50 c.f.s.

e. The period of use is:

May 1 through October 31

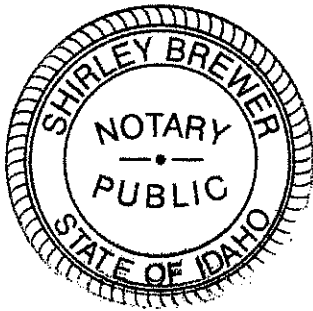
f. The purpose of use is:

Administrative purposes at Lochsa Administrative Site.

Dated this 29th day of April, 2005.

Hartmut Paulat
Hartmut Paulat

SUBSCRIBED and SWORN to before me this 29th day of April, 2005.



Shirley Brewer

NOTARY PUBLIC FOR:

Residing at: Kamiah

My Commission Expires: 09/20/2010

CERTIFICATE OF MAILING

I certify that on May 9, 2005, I mailed a true and correct copy of the foregoing Affidavit of Hartmut Paulat 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

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: **81-10303**

RESERVED UNDER FEDERAL LAW

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service
Address: 550 W. Fort Street MSC033
Boise ID 83724
2. Date of Priority: 02/22/1897
3. Source of water: ZION CREEK Tributary: LOCHSA RIVER
4. Location Meridian BOISE
Description of Diversion Works: Diversion Dam From: Stream
Location of Point of Diversion
T: 35 N R 09 E S: 28 SESE
Location of Place of Use
T: 35 N R 09 E S: 33 NENE
5. Quantity claimed: Period Quantity For
5 / 01 - 10 / 31 0.50 CFS Administrative
6. Total Consumptive Use Claimed for Present and Future Use is:
0.50 CFS
7. Present and future uses to which the water is or will be used:
Administrative
8. Remarks:
State Basin: 81
National Forest: Clearwater
Forest Service Record ID: 1 5 17060303 0 0 A001
Lochsa Administrative Site.