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Department of Water Resources

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UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

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ISB#6697

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. 83-11939
	)	
Case Number: 39576	)	AFFIDAVIT OF DOUGLAS GOBER
_____	)	

State of: IDAHO
County of: CLEARWATER

Douglas Gober, 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 the District Ranger of the North Fork Ranger District on the Clearwater National Forest. I have been employed by the Forest Service for 25 years.

2. As part of my assigned duties and responsibilities as the District Ranger of the North Fork Ranger District, I am familiar with use at Kelly Forks Work Center.

3. I have reviewed the reserved water right claim attached as Exhibit 1, submitted by the Forest Service for Kelly Forks Work Center ("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 place 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 Kelly Forks Work Center 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 Kelly Forks Work Center, an administrative site located in a remote area of the Clearwater National Forest. The site includes an office, three residences, eight mobile homes, a historic cabin, a bunkhouse with shower and laundry facilities, a warehouse/shop, a silviculture building, a tree cooler and tree preparation building, a plumbing shop, four trailer pads, a generator building, a wood storage building and other storage buildings, three tack sheds, a corral, a pasture, a helispot 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. Personnel stationed at Kelly Forks Work Center include a station foreman for fire operations, fire (engine) crews, and maintenance, recreation and trails workers. Timber, road maintenance, mining and other personnel use the site as needed when their work is in this area. Use and occupation of Kelly Forks Work Center 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 the continuing viability of other resources that directly contribute to maintaining and improving watershed conditions and furnishing a continuous supply of timber.

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 Kelly Forks Work Center in quantities up to and including 0.08 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:

Spring, tributary to sinks.

c. The location is:

1) point of diversion:

B.M., T. 39 N, R. 9 E, S. 13 SENE

2) place of use:

B.M., T. 39 N, R. 9 E, S. 13 SESE

d. The quantity of water is:

0.08 c.f.s.

e. The period of use is:

January 1 through December 31

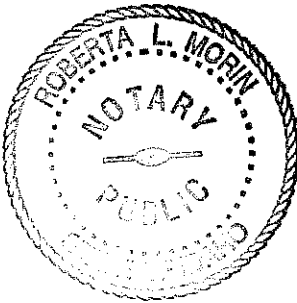
f. The purpose of use is:

Administrative purposes at Kelly Forks Work Center.

Dated this 26th day of May, 2005.

Douglas G. G. G.
Douglas G. G. G.

SUBSCRIBED and SWORN to before me this 26th day of May, 2005.



Roberta L. Morin

NOTARY PUBLIC FOR: STATE OF Idaho

Residing at: Orofino, Idaho

My Commission Expires: 10/13/2005

CERTIFICATE OF MAILING

I certify that on June 14, 2005, I mailed a true and correct copy of the foregoing Affidavit of Douglas Gober 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


Steven M. Spencer

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39576

Ident. Number: 83-11939

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DEPARTMENT OF
WATER RESOURCES

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: 11/06/1906

3. Source of water: Spring

Tributary: Sinks

4. Location Meridian BOISE

From: Spring

Description of Diversion Works: Headbox

Location of Point of Diversion

T: 39 N R 09 E S: 13 SENE

Location of Place of Use

T: 39 N R 09 E S: 13 SESE

ac: 0

T: 39

N R 10

E S: 18 SWSW

ac: 0

5. Quantity claimed:

Period

Quantity

For

1/ 01 - 12/ 31

0.08 CFS

Administrative

6. Total Consumptive Use Claimed for Present and Future Use is:

0.08 CFS

7. Present and future uses to which the water is or will be used:

Administrative

8. Remarks:

State Basin: 83

National Forest: Clearwater

Forest Service Record ID: 15 17060307 15 A006

Kelly Forks Work Center

I verify to the best of my knowledge the statements contained in this document are true and correct.

Steven M. Spencer

STEVEN M. SPENCER

Consumptive Use Water Specialist

August 13, 2004

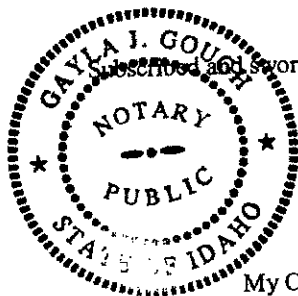
Notary Republic

Residing at:

KUNA, IDAHO

My Commission Expires:

11-17-2004



SCANNED

83-11939

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EXHIBIT 1