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Department of Water Resources

Name of Party Filing Document:

UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

KELLY A. JOHNSON
United States Department of Justice
Acting Assistant Attorney General
Environment and Natural Resources Division

DAVID L. NEGRI
United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 W. Fort St. MSC033
Boise, ID 83724
(208) 331-5943; facsimile (208) 387-0842
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. 83-11940
	)	
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 Weitas Guard Station, an administrative site on the North Fork Ranger District of the Clearwater National Forest.

3. I have reviewed the reserved water right claim attached as Exhibit 1, submitted by the Forest Service for Weitas 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 Weitas 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 the Weitas Guard Station located in a remote area of the Clearwater National Forest. The site includes two log cabin residences, a log cabin bunkhouse, a log office/kitchen building with loft, a barn, storage buildings 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 and trail crews are normally housed at the site. In times of high fire severity up

to two twenty person crews are staged at these facilities. Their use and occupation of Weitas Guard Station 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 Weitas Guard Station in quantities up to and including 0.25 c.f.s. during the period of June 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:

Station Creek, tributary to Weitas Creek.

c. The location is:

1) point of diversion:

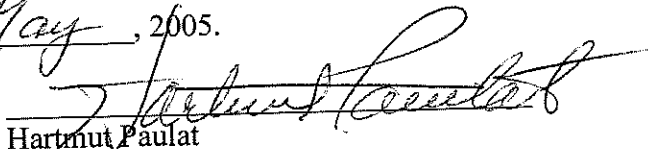
B.M., T. 37 N, R. 8 E, S. 15 SENW

2) place of use:

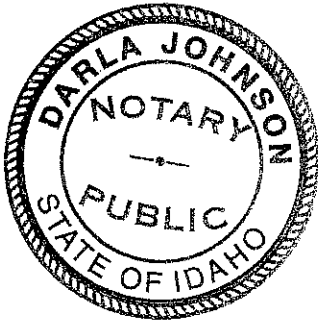
B.M., T. 37 N, R. 8 E, S. 15 NENW

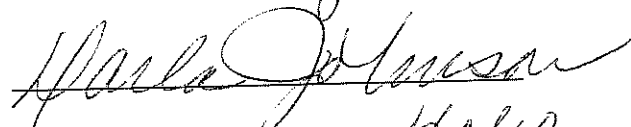
- d. The quantity of water is:
0.25 c.f.s.
- e. The period of use is:
June 1 through October 31
- f. The purpose of use is:
Administrative purposes at Weitas Guard Station.

Dated this 27 day of May, 2005.


Hartmut Paulat

SUBSCRIBED and SWORN to before me this 27 day of May, 2005.




NOTARY PUBLIC FOR: Idaho

Residing at: Kamiah

My Commission Expires: August 11, 2007

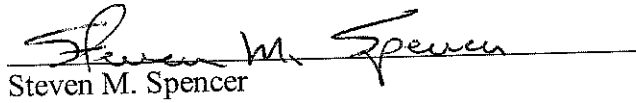
CERTIFICATE OF MAILING

I certify that on June 14, 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


Steven M. Spencer

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AUG 18 2004

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

CIVIL CASE NUMBER: 39576

Ident. Number: 83-11940

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: STATION CREEK Tributary: WEITAS CREEK
4. Location Meridian BOISE
Description of Diversion Works: Headgate From: Stream
Location of Point of Diversion
T: 37 N R 08 E S: 15 SENW
Location of Place of Use
T: 37 N R 08 E S: 15 NENW
5. Quantity claimed: Period 6/01 - 10/31 Quantity 0.25 CFS For Administrative
6. Total Consumptive Use Claimed for Present and Future Use is:
0.25 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 10 0 A001
Weitas Administrative Site.

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

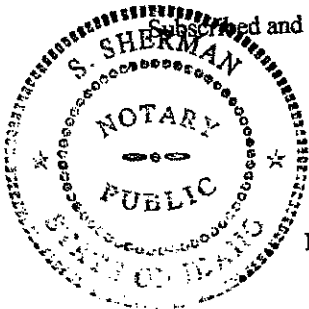
Steven M. Spencer
STEVEN M. SPENCER
Consumptive Use Water Specialist

18 August 04
S. Sherman
Notary Republic

Residing at:

Boise, ID
11-14-04

My Commission Expires:



SCANNED

83-11940

Page: 1

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JUN 15 2005

EXHIBIT 1