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Department of Water Resources

**Name of Party Filing Document:**

UNITED STATES OF AMERICA

**Attorneys' Names and Addresses:**

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Environment and Natural Resources Division

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Environment and Natural Resources Division  
General Litigation Section  
550 W. Fort St. MSC033  
Boise, ID 83724  
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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. 82-10286

Case Number: 39576

)

AFFIDAVIT OF JACK M. CARLSON

State of: IDAHO  
County of: IDAHO

Jack M. Carlson, 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 on the Slate Creek Ranger District of the Nez Perce National Forest. I have been employed by the Forest Service for 31 years.

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

3. I have reviewed the reserved water right claim, Exhibit 1, submitted by the Forest Service for Adams 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 Adams 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 Adams Work Center, an administrative site located on the Nez Perce National Forest. The site includes a bunkhouse, residence, historic rangers residence, historic bunkhouse, barn, corral, sheds and capitol improvements. Trail crews and pack stock normally use the site as well as other employees as needed. Water at this site is used for administrative purposes. Occupation and use of Adams Work Center is essential to the overall administration of Forest Service programs on this part of the Nez Perce National Forest. Trail crews keep trails open so that the forest can be accessed for other administrative uses including fire, back country, recreation, range, wildlife and fisheries to improve and protect the forest from destruction by fire and other depredations, thereby ensuring continuing viability of the resources on surrounding federally reserved National Forest System land. Prevention of depredation by fire and other sources contributes directly to other resource programs and conditions such as watershed protection, preservation of timber stands, back country character, recreation access and public safety.

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 Adams Work Center in quantities up to and including 0.04 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:

Spring, tributary to Adams Creek.

c. The location is:

1) point of diversion:

B.M., T. 27 N, R. 3 E, S. 26 Lot 1 (NENE).

2) place of use:

B.M., T. 27 N, R. 3 E, S. 26 Lot 1 (NENE).

d. The quantity of water is:

0.04 c.f.s.

e. The period of use is:

June 1 to October 31

f. The purpose of use is:

Administrative purposes at Adams Work Center.

Dated this 14<sup>th</sup> day of June, 2005.

Jack M. Carlson  
Jack M. Carlson

SUBSCRIBED and SWORN to before me this 14<sup>th</sup> day of June, 2005.



Lori A. DeFord

NOTARY PUBLIC FOR:

Residing at: Grangeville, ID

My Commission Expires:

6-24-06

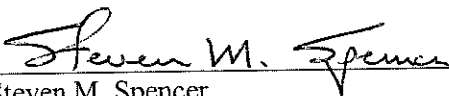
### CERTIFICATE OF MAILING

I certify that on June 15, 2005, I mailed a true and correct copy of the foregoing Affidavit of Jack M. Carlson upon 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 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: 82-10286

RESERVED UNDER FEDERAL LAW

RECEIVED  
DEC - 2 2004  
DEPARTMENT OF  
WATER RESOURCES

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: 05/22/1905

3. Source of water: SPRING

Tributary: ADAMS CREEK

4. Location Meridian BOISE

Description of Diversion Works: Headbox

From: Spring

Location of Point of Diversion

T: 27 N R 03 E S: 26 NENE L 1

Location of Place of Use

T: 27 N R 03 E S: 26 NENE L 1

5. Quantity claimed: Period Quantity For  
6 / 01 - 10 / 31 0.04 CFS Administrative

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

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

8. Remarks:

State Basin: 82

National Forest: Nez Perce

Forest Service Record ID: 1 17 17060305 1 0 1212

Adams 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

Subscribed and sworn to before me on:

12-2-04  
Gloria Baimbridge  
Notary Republic

Residing at:

Boise, Idaho - Ada County

My Commission Expires:

12-7-12

