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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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Natural Resources Section
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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. 82-10354
	)	
Case Number: 39576	)	AFFIDAVIT OF TERRY NEVIUS
_____	)	

State of: IDAHO
County of: IDAHO

Terry Nevius, 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 Red River Ranger District of the Nez

Perce National Forest. I am the line officer in charge of all activities on the Red River Ranger District and have been employed by the Forest Service for 28 years.

2. As part of my assigned duties and responsibilities as the District Ranger, I am familiar with the use at Red River Ranger Station. I reside at one of the residences at Red River Ranger Station.

3. I have reviewed the reserved water right claim, Exhibit 1, submitted by the Forest Service for Red River Ranger 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 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 Red River Ranger 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 Red River Ranger Station, an administrative site located in a remote part of the Nez Perce National Forest. The site includes an office building, twenty-three residences, six bunkhouses, carpentry shop, fire cache, tree cooler, trail cache, gas house, paint storage building, fuel dispenser and pump house, and other capital improvements. It is an important administrative site and a primary housing site for

the Red River Ranger District that is occupied and used year round for the administration of National Forest resource management programs. At the present time there are 7 full time employees and 12 seasonal employees housed at the site. These are people working primarily in fire, timber, silviculture, reforestation, and wilderness management. Water at this site is used for administrative purposes. Occupation and use of Red River Ranger Station is essential to the overall administration of Forest Service programs on this part of the Nez Perce National Forest. Their work is to improve and protect the forest from destruction by fire and other depredations, and to manage timber stands thereby ensuring continuing viability of the resources on surrounding federally reserved National Forest System land. Prevention of depredation by fire and timber management contributes directly to other resource programs and conditions such as watershed protection, preservation of timber stands, wilderness character, 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 Red River Ranger Station in quantities up to and including 0.21 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:

Groundwater.

c. The location is:

1) point of diversion:

B.M., T. 27 N, R. 9 E, S. 4 NENE.

2) place of use:

B.M., T. 27 N, R. 9 E, S. 4 NENE.

d. The quantity of water is:

0.21 c.f.s.

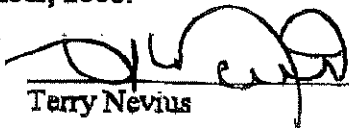
e. The period of use is:

January 1 to December 31

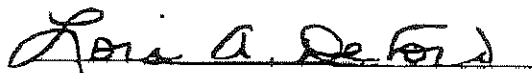
f. The purpose of use is:

Administrative purposes at Red River Ranger Station.

Dated this 7th day of November, 2006.


Terry Nevius

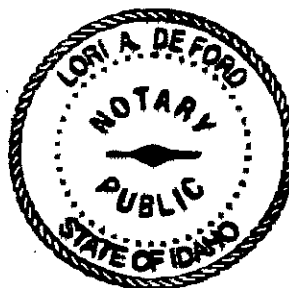
SUBSCRIBED and SWORN to before me this 7th day of November, 2006.



NOTARY PUBLIC FOR:

Residing at: *Shangville, ID*

My Commission Expires: *6-24-2012*



CERTIFICATE OF MAILING

I certify that on November 8, 2006, I mailed a true and correct copy of the foregoing Affidavit of Terry Nevius 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



David L. Negri

David L. Negri

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SEP 30 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: 82-10354

Handwritten initials

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: GROUNDWATER Tributary:
4. Location Meridian BOISE
Description of Diversion Works: Wells From: Groundwater
Location of Point of Diversion
T: 27 N R 09 E S: 4 NENE
Location of Place of Use
T: 27 N R 09 E S: 4 NENE
5. Quantity claimed: Period Quantity For
1 / 01 -- 12 / 31 0.21 CFS Administrative
6. Total Consumptive Use Claimed for Present and Future Use is:
0.21 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 4 0 1512
Red River Ranger Station

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:

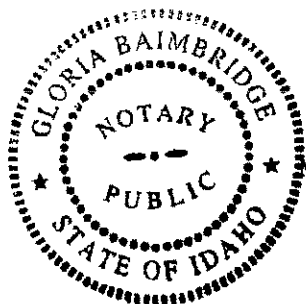
September 30, 2004
Gloria Baimbridge
Notary Republic

Residing at:

Boise, Idaho - Ada County

My Commission Expires:

10-07-08



A

82-10354

SCANNED

OCT 01 2004

EXHIBIT 1