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WATER RESOURCES

Name of Party Filing Document:

UNITED STATES OF AMERICA

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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. 77-10798
	)	
Case Number: 39576	)	AFFIDAVIT OF TERRY HERSHEY
_____	)	

State of: IDAHO
County of: CUSTER

Terry Hershey, 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 Salmon-Cobalt Ranger District of the Salmon-Challis National Forest. I have been employed by the Forest Service for 29 years.

2. As part of my assigned duties and responsibilities as the District Ranger on the Salmon-Cobalt Ranger District, I am familiar with use at Yellowjacket Guard Station.

3. I have reviewed the reserved water right claim, attached as Exhibit 1, submitted by the Forest Service for Yellowjacket 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 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 Yellowjacket 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 Yellowjacket Guard Station, an administrative site located in a remote part of the Salmon-Challis National Forest. The administrative site includes a dwelling, a bunkhouse, a garage, a workshop, a barn, a corral and other capital improvements. It is normally used by a trail crew during the summer. It is also used when there are fires in the area such as in fire outbreaks in 2001 and 2002. Other employees use the site as needed throughout the summer. It is used every year by the Forest Service to administer National Forest resource management programs. Personnel utilize water at this site for administrative purposes. Occupation and use of the site is essential to the overall administration of Forest Service

programs on this part of the Salmon-Challis National Forest. Trail maintenance to assure access for management is important in this remote country. The trail crew also makes contact with people throughout the summer and reports on other activities and situations they encounter. Administration of NFS programs and employee presence in the area serves to protect the forest from depredations and destruction. This ensures the continued viability of the resources on surrounding federally reserved NFS land and directly contributes to watershed protection, preservation of timber stands and to the maintenance of and improvement of watershed conditions, timber production and favorable conditions of water flow.

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 Yellowjacket Guard Station in quantities up to and including 0.18 c.f.s. during the period of June 1 through September 30, 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:

Yellowjacket Creek

c. The location is:

1) point of diversion:

B.M., T. 19 N, R. 17 E, S. 9 SWNW.

2) place of use:

B.M., T. 19 N, R. 17 E, S. 8 SENE.

d. The quantity of water is:

0.18 c.f.s.

e. The period of use is:

June 1 through September 30

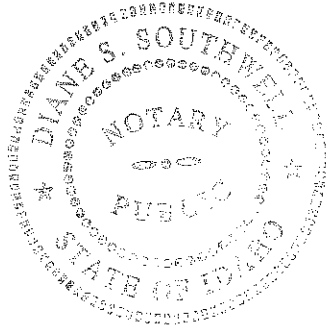
f. The purpose of use is:

Administrative purposes at Yellowjacket Guard Station.

Dated this 8th day of February 2007.

Terry Hershey
Terry Hershey

SUBSCRIBED and SWORN to before me this 8th day of February 2007.



Diane S. Southwell

NOTARY PUBLIC FOR: State of Idaho

Residing at: Salmon, Idaho

My Commission Expires: 12-13-11

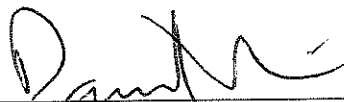
CERTIFICATE OF MAILING

I certify that on February 14, 2007, I mailed a true and correct copy of the foregoing Affidavit of Terry Hershey 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: 77-10798

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: 11/05/1906

3. Source of water: YELLOWJACKET CREEK

Tributary: CAMAS CREEK

4. Location Meridian BOISE

Description of Diversion Works: Ditch or Canal

From: Stream

Location of Point of Diversion

T: 19 N R: 17 E S: 9 SWNW

Location of Place of Use

T: 19 N R: 17 E S: 8 SENE

5. Quantity claimed:

Period

Quantity

For

6/ 01 -- 9/ 30

0.18 CFS

Administrative

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

0.18 CFS

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

Administrative

8. Remarks:

State Basin: 77

National Forest: Salmon

Forest Service Record ID: 4 13 17060206 37 0 0004

Yellowjacket Guard 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:

May 23, 2025
Gloria Baimbridge
Notary Republic

Residing at:

Boise, Idaho - Ada County

My Commission Expires:

10-07-08

