

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. 77-13931
	)	
Case Number: 39576	)	AFFIDAVIT OF FLOYD W. HESCOCK, JR.
_____	)	

State of: IDAHO
County of: VALLEY

Floyd W. (Sam) Hescok, Jr., being first duly sworn upon oath, deposes and says:

1. I am currently employed by United States Department of Agriculture, Forest Service (Forest Service), as Fire Management Officer (FMO) on the Krassel Ranger District of

the Payette National Forest. I have been employed by the Forest Service for 31 years.

2. As part of my assigned duties and responsibilities as FMO on the Krassel Ranger District I am familiar with and use Lower Krassel Guard Station.

3. I have reviewed the reserved water right claim, attached as Exhibit 1, submitted by the Forest Service for Lower Krassel 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 Lower Krassel 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 Lower Krassel Guard Station, an Administrative Site located in a remote area of the Payette National Forest. The administrative site includes two dwellings, a cabin, a garage, two wood sheds 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. Road crew, recreation personnel and Forest Service Research Station personnel are normally housed at the site. Other personnel also use the site as needed in the normal course of their duties. Fire

crews were stationed here during fire outbreaks in 2000 and 2006. Occupation and use of Lower Krassel Guard Station is essential to the overall administration of Forest Service programs on this part of the Payette National Forest. Employee presence contributes directly to protect timber and watersheds from fire and other depredations thereby ensuring continuing viability of the resources on surrounding federally reserved National Forest System land to maintain and improve 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 Lower Krassel Guard Station in quantities up to and including 0.02 c.f.s. during the period of April 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

c. The location is:

1) point of diversion:

B.M., T. 19 N, R. 6 E, S. 21 SENW.

2) place of use:

B.M., T. 19 N, R. 6 E, S. 21 SENW.

d. The quantity of water is:

0.02 c.f.s.

e. The period of use is:

April 1 through December 31

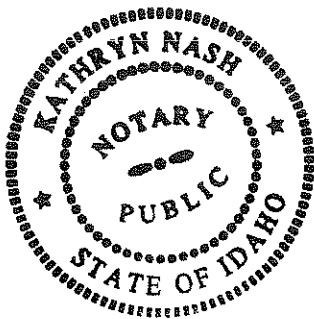
f. The purpose of use is:

Administrative purposes at Lower Krassel Guard Station.

Dated this 2 day of February 2007.

Floyd W Hescoock Jr
Floyd W. Hescoock, Jr.

SUBSCRIBED and SWORN to before me this 2 day of February 2007.



Kathryn Nash

NOTARY PUBLIC FOR:

Residing at: Valley County, Idaho

My Commission Expires: 3/13/2007

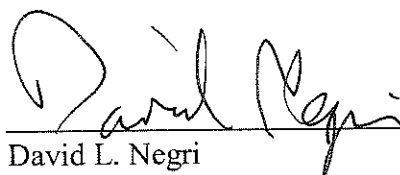
CERTIFICATE OF MAILING

I certify that on September 5, 2007, I mailed a true and correct copy of the foregoing Affidavit of Floyd W. Hescock, Jr. 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: 77-13931

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: 06/03/1905

3. Source of water: SPRING

Tributary: INDIAN CREEK

4. Location Meridian BOISE

Description of Diversion Works: Headbox

From: Spring

Location of Point of Diversion

T: 19 N R 06 E S: 21 SENW

Location of Place of Use

T: 19 N R 06 E S: 21 SENW

5. Quantity claimed: Period Quantity For
4 / 01 -- 12 / 31 0.02 CFS Administrative

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

0.02 CFS

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

Administrative

8. Remarks:

State Basin: 77

National Forest: Payette

Forest Service Record ID: 4 12 17060208 25 0 0609

Lower Krassel 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:

February 13, 2007

Gloria Baimbridge
Notary Republic

Residing at:

Boise, ID

My Commission Expires:

10/17/08

