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DEPARTMENT OF
WATER RESOURCES

Names of Party Serving Document:

UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

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Environment and Natural Resources Division
Natural Resources Section
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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. 63-32577
	)	
Case Number: 39576	)	AFFIDAVIT OF LAWRENCE L. DONOHOO
_____	)	

State of: IDAHO
County of: ELMORE

LAWRENCE L. DONOHOO, 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 Resource Assistant/Facilities Manager on the Mountain Home

AFFIDAVIT OF LAWRENCE L. DONOHOO -63-32577

Ranger District of the Boise National Forest. I have been employed by the Forest Service for 35 years.

2. As part of my assigned duties and responsibilities as Resource Assistant/Facilities Manager on the Mountain Home Ranger District I am familiar with use at Cottonwood Guard Station Administrative Site.

3. I have reviewed the reserved water right claim, as amended and attached as Exhibit 1, submitted by the Forest Service for Cottonwood Guard Station Administrative Site (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 Cottonwood Guard Station Administrative Site 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 Cottonwood Guard Station Administrative Site. The administrative site is used every year to support Forest Service employees engaged in programs of work which regulate the use and occupancy of National Forest System land and protect the forests from a variety of potential damages such as fire,

insects and disease, erosion and other disturbance activities. This ongoing work enhances watershed protection and preservation of timber stands thereby directly contributing to the maintenance 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 Cottonwood Guard Station Administrative Site in quantities up to and including 0.10 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:

Ranger Creek

c. The location is:

1) point of diversion:

B.M., T. 4 N, R. 5 E, S. 35 SWSW.

2) place of use:

B.M., T. 4 N, R. 5 E, S. 35 NESW.

d. The quantity of water is:

0.10 c.f.s.

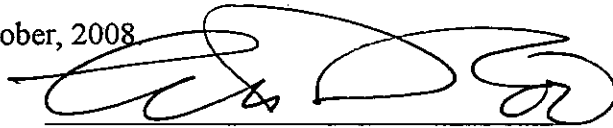
- e. The period of use is:

January 1 through December 31

- f. The purpose of use is:

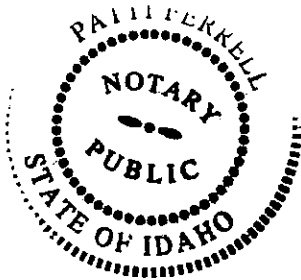
Administrative purposes at Cottonwood Guard Station Administrative Site.

Dated this 28 day of October, 2008



Lawrence L. Donohoo

SUBSCRIBED and SWORN to before me this 28 day of October, 2008.



NOTARY PUBLIC FOR:

Residing at: Mtn. Home ID

My Commission Expires: 2/28/11

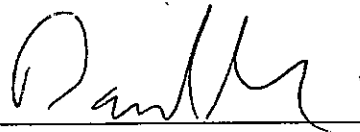
CERTIFICATE OF MAILING

I certify that on October 31, 2008, I mailed a true and correct copy of the foregoing Affidavit of Lawrence L. Donohoo 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

A handwritten signature in black ink, appearing to read "D. Negri", is written over a horizontal line.

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: 63-32577

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: 05/29/1905
3. Source of water: RANGER CREEK Tributary: COTTONWOOD CREEK
4. Location Meridian BOISE
Description of Diversion Works: Combo From: Stream
Location of Point of Diversion
T: 04 N R: 05 E S: 35 SWSW
Location of Place of Use
T: 04 N R: 05 E S: 35 NESW ac: 0
5. Quantity claimed: Period Quantity For
1/ 01 - 12/ 31 0.10 CFS Administrative
6. Total Consumptive Use Claimed for Present and Future Use is:
0.10 CFS
7. Present and future uses to which the water is or will be used:
Administrative
8. Remarks:
State Basin: 63
National Forest: Boise
Forest Service Record ID: 4 2 17050112 36
Cottonwood 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
DEC 12 2006

Subscribed and sworn to before me on:

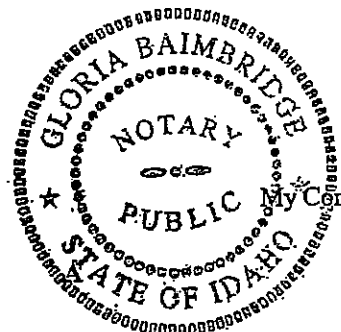
Gloria Baimbridge
Notary Republic

Residing at

Boise, Idaho

OCT 17 2008

My Commission Expires:



63-32577

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EXHIBIT - 1

DEC 12 2006