

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. 75-13802
	)	
Case Number: 39576	)	AFFIDAVIT OF KIMBERLY D. NELSON
_____	)	

State of: IDAHO
County of: LEMHI

KIMBERLY D NELSON, 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

AFFIDAVIT OF KIMBERLY D. NELSON – 75-13802

Salmon-Challis National Forest. I have been employed by the Forest Service for 23 years.

2. As part of my assigned duties and responsibilities as the District Ranger on the Salmon Cobalt Ranger District I am familiar with the use at Cobalt Ranger Station, an administrative site on the Salmon Challis National Forest.

3. I have reviewed the corrected reserved water right claim, attached as Exhibit 1, submitted by Forest Service for Cobalt Ranger Station (Claim).

4. The Claim was prepared by Forest Service personnel as part of their normal duties. I verified the legal locations as corrected and 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 Cobalt 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 Cobalt Ranger Station. 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 Cobalt Ranger Station in quantities up to and including 0.08 c.f.s. during the period of May 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:

Panther Creek

c. The location is:

1) point of diversion:

B.M., T. 20 N, R. 19 E, S. 18 NENW.

2) place of use:

B.M., T. 20 N, R. 19 E, S. 18 NWNE.

d. The quantity of water is:

0.08 c.f.s.

e. The period of use is:

May 1 through October 31

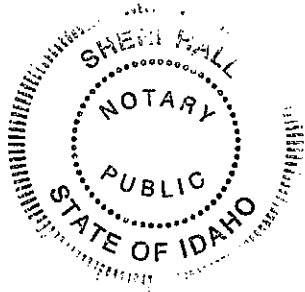
f. The purpose of use is:

Administrative purposes at Cobalt Ranger Station.

Dated this 34 day of April 2009.

Kimberly D. Nelson
Kimberly D. Nelson

SUBSCRIBED and SWORN to before me this 34 day of April 2009.



Sheri Hall

NOTARY PUBLIC FOR:

Residing at: Salmon

My Commission Expires: 4/24/2015

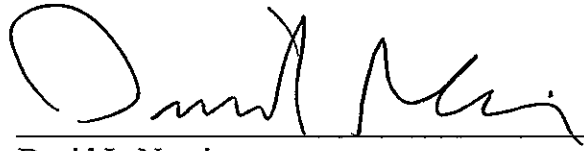
CERTIFICATE OF MAILING

I certify that on May 6, 2009, I mailed a true and correct copy of the foregoing Affidavit of Kimberly D. Nelson 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: 75-13802

RECEIVED

DEC 20 2006

DEPARTMENT OF
WATER RESOURCES

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: PANTHER CREEK Tributary: SALMON RIVER
4. Location Meridian BOISE
Description of Diversion Works: Pump From: Stream
Location of Point of Diversion
T: 20 N R: 19 E S: 18 NENW
Location of Place of Use
~~T: 20 N R: 19 E S: 18 NENW~~ ac: 0 T: 20 N R: 19 E S: 18 NWNE
5. Quantity claimed: Period Quantity For
~~3/01 - 11/20~~ 0.08 CFS Administrative
05/01 - 10/31
6. Total Consumptive Use Claimed for Present and Future Use is:
0.08 CFS
7. Present and future uses to which the water is or will be used:
Administrative
8. Remarks:
State Basin: 75
National Forest: Salmon
Forest Service Record ID: 4 13 17060203 28 0 0004
Cobalt 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

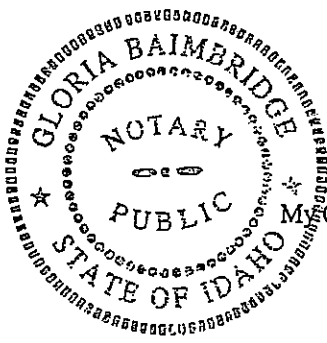
OCT 20 2006

Gloria Baimbridge
Notary Republic

Residing at: Boise, Idaho

OCT 17 2008

Subscribed and sworn to before me on:



My Commission Expires:

A

75-13802

Page: 1

EXHIBIT - 1

SCANNED

DEC 21 2006