

AFFADAVIT

I, DONALD W. NELSON, residing at 405 South California, Dillon, MT, 59725, first being duly sworn, depose and say that I am personally familiar with Donahue Trail #183 located between the Big Creek and Rock Creek drainages on the Gallatin National Forest in Park County, Montana. This trail originates at the Big Creek Ranger Station, traverses the east face of the Gallatin Range and ties in with Rock Creek Trail #178 in Section 16, T7S, R6E, P.M.M.

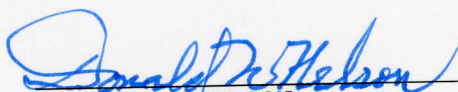
I am currently 83 years old and retired from the Forest Service. I served as District Ranger on the Yellowstone Ranger District of the old Absaroka National Forest and current Gallatin National Forest from 1944 to 1958. The Yellowstone Ranger District of the Absaroka National Forest was made part of the Gallatin National Forest in 1946.

During my tenure, I personally used the Donahue Trail to complete inspections of grazing allotments, including the Donahue Cattle and Horse (C&H) Allotment and the Rock Creek South Cattle and Horse (C&H) Allotment. Range permittees Claude Hookham, Art Dailey, and John Darroch would often accompany me on these inspection trips. I also know that these permittees used the trail to check cattle and haul salt to the Donahue and Rock Creek Allotments. Camp tenders for the Lake Elsie and Twin Peaks Sheep and Goat Allotments would also use this trail to travel between Big Creek and Rock Creek to outfit the sheep camps.

Other Forest Service employees also used this trail for range inspections and fire patrols. Upon completion of a range inspection trip, we would document our route of inspection and field observations on range map overlays. These overlays would then be filed in the allotment folders at the Ranger District office. Routes traveled and dates of inspection would be recorded on the overlays and initialed by the Forest Officer making the inspection. Some of those Forest Officers included: Ralph Cox (initials RC) who was on the Yellowstone District when I arrived in 1944 and continued to work on the District after I left; Emory E. Wilson (initials EEW) who was District Ranger prior to my arrival in 1944; Rupert E. D'Ewart (initials RED) who was working on the Yellowstone District prior to my arrival until 1955; and Elliot E. Redman (initials EER) who was Forest Range Staff Officer at Bozeman, Montana, while I was District Ranger.

During the entire period that I was District Ranger of the Yellowstone Ranger District, the Donahue Trail was routinely maintained by the Forest Service at least every three years. While I was District Ranger, there were no restrictions on Forest Service employees or members of the public using this trail to cross private land. The trail was already in place between the Big Creek Station and Rock Creek when I arrived on the District in 1944, and during my tenure, the trail was not moved or relocated.

Dated this 20 day of June, 1990.

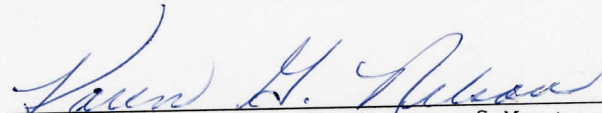

DONALD W. NELSON

ACKNOWLEDGMENT

STATE OF MONTANA)
) ss.
County of Beaverhead)

On this 20th day of June, 1990, before me, a Notary Public in and for the State of Montana, personally appeared DONALD W. NELSON, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.


Notary Public for the State of Montana
Residing at Livingston, Montana
My commission expires 3/12/93

