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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

WOLF RECOVERY FOUNDATION, and)
WESTERN WATERSHEDS PROJECT)
)
Original Plaintiffs,)
)
and)
)
THE WILDERNESS SOCIETY, GREAT OLD)
BROADS FOR WILDERNESS, IDAHO)
CONSERVATION LEAGUE, WINTER)
WILDLANDS ALLIANCE, WILDERNESS)
WATCH, and SIERRA CLUB,)
)
Co-Plaintiffs On Third Claim For Relief)
)
v.)
)
U.S FOREST SERVICE and USDA APHIS)
WILDLIFE SERVICES,)
)
Defendants.)

No. 09-cv-686-BLW

**DECLARATION OF
KEN DAVIS**

I, Ken Davis, declare:

1. My name is Ken Davis, and I reside in Boise, Idaho. I grew up in New Meadows, Idaho, and attended Boise State, where I studied biology. I have been a resident of Idaho for 37 years.

2. I work in the construction industry and am now self-employed. Among other jobs, I have built custom log homes in McCall; and also built guest cabins at the Middle Fork Lodge on the Middle Fork Salmon River in the Frank Church-River of No Return Wilderness. I spent a great deal of time exploring the area around the Middle Fork Lodge (which is located on Thomas Creek) while I was working there.

3. My great uncle was Jess Taylor, one of the owners of the Taylor Ranch on Big Creek, which is also located in the Frank Church Wilderness. My father spent a lot of time there growing up, and I visited it too several times before it was sold to the University of Idaho, which now manages it as a field station.

4. As a young kid, I grew up backpacking, skiing, fishing, hunting, and other outdoor pursuits, and I continue to enjoy them to this day.

5. I first did a nine day solo backpacking trip in the Frank Church Wilderness when I was 16; and since that time I have taken many long backpacking trips in the Frank Church. I have taken several 5-6 day trips alone; and three 30-day backpacking trips in the Frank Church with other people

6. In 2005, I took a 3-month ski and backpacking trip across the Frank Church Wilderness with one other person, during the period of January to March that year. We left from Cold Meadows, on the west side of the Frank Church Wilderness (not far from McCall); and we exited at the south end of the Wilderness, near Stanley. Along

the way, we went down Big Creek, and up the Middle Fork Salmon River from the Flying B Ranch to the Middle Fork Lodge. From there, we went up Thomas Creek into the headwaters of the Middle Fork Salmon, and out to Stanley. (This trip was profiled in several articles in the *Idaho Statesman*).

7. This trip was a combination of skiing and backpacking, because the weather conditions were such that many of the lower elevation areas (including along the Middle Fork Salmon) did not have sufficient snowpack for skiing. On this trip, we saw an incredible amount and variety of wildlife – eagles, deer and elk, bighorn sheep, wolverines, pine martens, and many others.

8. We also saw and heard wolves on several occasions, and we had the rare opportunity of watching three wolves trying to take down a bull elk. These opportunities to view wolves in the wilderness setting would certainly not be possible if helicopters were hovering above them.

9. I am an expedition style backpacker. What really appeals to me about the Frank Church Wilderness is that I can take these long trips basically from my backyard. I can take even a 30-day backpacking trip without seeing anyone else, or very few people. I value the wilderness experience of quiet and solitude, and enjoyment of wildlife; and the lack of disturbance from motorized equipment and vehicles which are not allowed in the wilderness.

10. To me, wolves are a completion of the wilderness ecosystem and are an integral part of the predator/prey balance there. Seeing and hearing wolves evokes the very spirit of wilderness to me, and I am so happy to know that wolves are back in the

Frank Church Wilderness. I greatly look forward to return to the Frank Church many times in the future for the opportunity to see and hear wolves again.

11. I am planning to take another winter trip into the Frank Church Wilderness during the week of February 21-27, 2010, along with a friend of mine who is also an experienced backcountry skier, hiker and camper. We will go into the Wilderness at the Thomas Bar public landing strip, and then make our way down the Middle Fork Salmon to the Bernard Creek public landing strip. We are planning to hike major tributaries along the way, including Loon Creek, Warm Springs Creek, and Camas Creek. I have hiked this area numerous times, and know it well.

12. We will be searching out places where elk and deer are congregating, because we expect that wolves will be there too. During the winter, the big game tend to concentrate along the river corridor and on exposed slopes above, and we will be traveling along ridges as well as along the river and tributaries to search out and observe wildlife, including wolves.

13. I believe that IDFG's proposal to use helicopters in the Frank Church Wilderness to collar wolves lacks biological basis and is contrary to the long history of using non-motorized methods to study wildlife in the Frank Church Wilderness (such as Prof. Hornocker's classic study of cougars there). I have always been taught that if you are going to photograph wildlife or conduct any wildlife survey, the first rule is not to disturb them. This is particularly true for wildlife in wilderness areas.

14. I am also opposed to the idea that IDFG may use helicopters to pursue wolves, fire at them with high powered rifles, and land in the Frank Church Wilderness to collar the wolves, because the noise and presence of the helicopters will not only scare

away the wildlife (including wolves) that I want to observe and enjoy in their natural setting, but will also shatter the quiet and solitude of the wilderness experience that I treasure so much.

15. In addition, elk and other wildlife have a hard enough time surviving winter conditions, and being disturbed and chased by helicopters makes their survival even more tenuous. IDFG use of helicopters in the wilderness could, in my opinion, harm the wildlife, and make or break their ability to survive the winter.

16. I feel that my own use and enjoyment of the Frank Church Wilderness this winter will be irreparably harmed by the IDFG proposal to use helicopters in the wilderness to dart and collar wolves, unless the Court issues an injunction to stop it.

I declare under penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct. Executed this 2nd day of February, 2010, at Boise, Idaho.

/s/
Ken Davis