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DEPARTMENT OF
WATER RESOURCES

In the Adjudication of Water District 73

Re: Water Right Numbers 73-90, 73-91, 73-1005,
73-11974 to 73-11978 and 73-11980 to 73-11999

AFFIDAVIT OF DEE KEPPNER

I, Dee Keppner, being duly sworn state the following :

1. Being mentally and otherwise competent to give this testimony,
I make the following statements based on my own personal knowledge.

2. The property legally described as Parcel No. RP15N21E340002A, the NE4, E2SE4, SW4SE4, E2SW4, T93-15, SEC 34, T15N, R21E, Boise Meridian which is now owned by Bar G Enterprises Trust, was owned by my uncle which as a young man I have lived on, worked on and helped to establish and/or maintain irrigation headgates, ditches, pipes and other accouterments.

3. That ranch was owned by my uncle. As a boy and while I grew up, I spent a lot of time there and stayed there often, especially in summer. Having stayed there and helping, I worked with my uncle to establish and/or to maintain the headgates, ditches, pipe and other accouterments I can personally attest that the above described property, to the best of my knowledge was irrigated as follows:

Historically and traditionally, the property was irrigated with the deeded water rights from the two diversions, the flows from the hot springs, high water and water from a number of springs.

All the water that was available was used for irrigation. The flow of water was controlled by headgates but there were no measuring devices . The headgate was opened and as much water was taken as needed. High water was always used.

There was a number of springs which flowed into the ditches which delivered the water rights to the ranch and we used the water from those springs along with our water right.

The ranch was flood irrigated in those days and then the waste water was collected in low areas and was reapplied where it was needed. We even used culverts and a flume to carry the water and to irrigate the land across the river.

There was two hot springs. The first was about ½ mile from the old house and the second is near where their house is now. The water from these springs was used at the house, for the garden and was used around the barns and corrals. Then the water was gathered with the irrigation water and used.

There was a well on the property we used, I believe that my uncle put it in. Water from the well was used for irrigation and for watering stock. Whatever he needed it for. There was also a spring by the well which we used with the well water.

The little muddy starts on the property but above that, about a quarter section away, is a spring area. We used the water from those springs for stockwater and then would collect it and use it with the other water for irrigation.

There was a natural depression that they are calling the fork, that area always had water during high water that we used for irrigation. You had to build up the bank on the river or wait till high water went down before it would dry out.

On the back side of the ranch there are a number of springs that come in off of the neighbor. We used to use that water for stockwater and would also spread it where we could for irrigation of the area around those springs.

To the best of my knowledge, the above statements describe the methods and the conditions for irrigation which have historically and traditionally been used for the property as described.

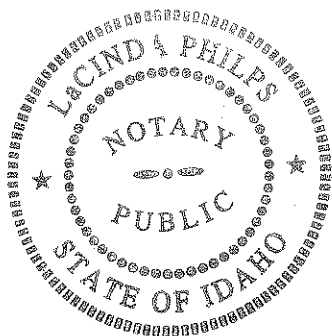
Signed : Dee Keppner
Dee Keppner

Date : 14/15/07

State of Idaho)
County of Custer)
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On this 15th day of November in the year 2007 before the undersigned, a Notary Public in and for the state of Idaho, personally appeared Dee Keppner, known to me to be the person whose name is subscribed and attached to the written instrument and acknowledged to me that he executed the same.

IN WITNESS THEREOF, I have hereto set by my hand and affixed my seal the day and year in this certificate first written above.



LaCinda Phillips

Notary Public in Idaho
Residing at Challis, Idaho

My Commission expires: 3-19-13