

**FRITZ X. HAEMMERLE
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ISB # 3862**

Attorneys for Petitioner

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

In Re: Transfer No. 73969 – Water Right	)	Transfer No. 73969
37-21956	)	
	)	
ROBERT ROHE,	)	AFFIDAVIT OF RODNEY KEGLEY
	)	
Applicant.	)	
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STATE OF IDAHO,	)
	) ss.
County of Twin Falls.	)

RODNEY KEGLEY, being sworn upon oath, deposes and states as follows:

1. I am a water right owner, having water delivered into the Hiawatha Canal, Blaine County, State of Idaho. I divert water from the Hiawatha Canal. I make the averments contained herein of my own personal knowledge and would testify to the facts as presented herein if called upon to do so.

2. Over the last fifteen (15) years, and after the State obtained its minimum stream flow ("MSF") water rights, 37-7919 and 37-8307, I have sold many water rights out of the Hiawatha Canal. All the water rights were transferred upstream from the diversion for the Hiawatha Canal. Those rights include a water right transferred to Sawtooth Botanical, a group of citizens to rehab Boxcar Corner, Bruce Wills and Steve Wynn. The Wynn water right was transferred to Adams Gulch, a point north and out of the MSF reach.

3. All the water rights were part of the original "W.T. Riley" right, having a priority date of March 24, 1883. None of the rights transferred were subordinated to the MSF.

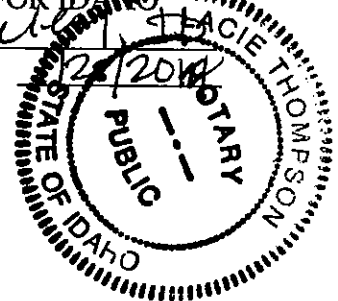
FURTHER YOUR AFFIANT SAYETH NOT.

DATED this 9 day of October, 2009.

Rodney S
RODNEY KEGLEY

SUBSCRIBED AND SWORN to before me this 9th day of October, 2009.

Stacie Thompson
NOTARY PUBLIC FOR IDAHO
Residing at: Hailey
Commission expires: 12/2011



CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of October, 2009, I served a true and correct copy of the within and foregoing document upon the attorney(s) named below in the manner noted:

Gary Spackman
Director, Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
FAX: (208) 287-6700

Allen Merritt
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
FAX: (208) 736-3037

XX By depositing copies of the same in the United States Mail, postage prepaid, at the post office at Hailey, Idaho.

 By hand delivering copies of the same to the office of the attorney(s) at his offices in Hailey, Idaho.

✓ By telecopying copies of same to said attorney(s) at the telecopier number _____, and by then mailing copies of the same in the United States Mail, postage prepaid, at the post office at Hailey, Idaho.

+ e-mail.


FRITZ X. HAEMMERLE