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DEPARTMENT OF
WATER RESOURCES

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ATTORNEYS FOR THE CITY OF POCATELLO

**BEFORE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF DISTRIBUTION)
OF WATER TO WATER RIGHT NOS.) Docket No. CM-DC-2011-004
36-02551 AND 36-07694)
) **POCATELLO AND IGWA'S MOTION TO**
(RANGEN, INC.)) **ISSUE SUBPOENAS DUCES TECUM**
_____)

COMES NOW City of Pocatello ("Pocatello") and Idaho Ground Water Appropriators, Inc. ("IGWA") to request an order from the Director issuing the attached Subpoena Duces Tecum. The grounds for such an order are set forth below.

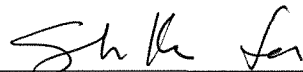
1. The parties have cooperated to schedule depositions of Rangen's personnel identified by Rangen as knowledgeable about Rangen's claims of injury in this matter.
2. Counsel for Rangen agreed to accept service of Notices of Deposition, and such notices were served on August 13, 2012.
3. However, Pocatello and IGWA also desire that certain documents be made available for examination at the depositions of the Rangen personnel identified within.
4. Idaho Rule of Civil Procedure 30 provides for the issuance of subpoena duces tecum to require the production of documents at deposition. I.R.C.P. 30(b)(1).

POCATELLO AND IGWA'S MOTION TO ISSUE SUBPOENAS DUCES TECUM

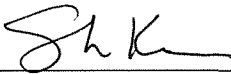
5. IDWR “may issue subpoenas upon a party’s motion or upon its own initiative.” IDAPA 37.01.01.525.
6. Pocatello and IGWA respectfully request that the Director issue the attached subpoenas for: Wayne Courtney, Doug Ramsey, Joy Kinyon, Lonnie Tate, Dan Maxwell, Don Johnson.

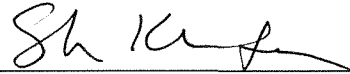
Respectfully submitted this 13th day of August, 2012.

CITY OF POCATELLO ATTORNEY’S OFFICE

By 
A. Dean Tranmer

WHITE & JANKOWSKI, LLP

By 
Sarah A. Klahn

By 
Mitra M. Pemberton

ATTORNEYS FOR CITY OF POCATELLO

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of August, 2012, I caused to be served a true and correct copy of the foregoing **Pocatello and IGWA's Motion to Issue Subpoenas Duces Tecum** for **Docket No. CM-DC-2011-004** upon the following by the method indicated:



Sarah Klahn, White & Jankowski, LLP

<p>Gary Spackman, Director State of Idaho, Dept of Water Resources 322 E Front St PO Box 83720 Boise ID 83720-0098 deborah.gibson@idwr.idaho.gov</p>	<p><input checked="" type="checkbox"/> Original sent via U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail – Federal Express <input type="checkbox"/> Facsimile – 208-287-6700 = Phone – 208-287-4942 <input checked="" type="checkbox"/> Email</p>
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<p>Fritz Haemmerle Haemmerle Haemmerle PO Box 1800 Hailey ID 83333 fxh@haemlaw.com</p>	<p><input checked="" type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile – 208-578-0564 <input checked="" type="checkbox"/> Email</p>
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<p>W. Kent Fletcher Fletcher Law Office PO Box 248 Burley, ID 83318 wkf@pmt.org</p>	<p><input checked="" type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile 208-878-2548 <input checked="" type="checkbox"/> Email</p>