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MAR 29 2013

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)
) **AFFIDAVIT OF J. RYLAND HUTCHINS**
(RANGEN, INC.))
_____)

STATE OF COLORADO)
) ss.
County of Denver)

J. Ryland Hutchins, being first duly sworn upon oath, deposes and says:

1. I am one of the attorneys of record for the City of Pocatello. I am over the age of 18 and state the following based upon my own personal knowledge.
2. Attached hereto are true and correct copies of excerpts from the final deposition transcripts of the following depositions, as referenced in Pocatello's accompanying Reply in Support of Motion for Declaratory Order Regarding Rangen's Legal Obligation to Interconnect:
 - a. Excerpts from the first deposition of Doug Ramsey, taken September 12, 2012, attached as Exhibit A.
 - b. Excerpts from the first deposition of Joy Kinyon, taken September 10, 2012, attached as Exhibit B.

AFFIDAVIT OF J. RYLAND HUTCHINS

- c. Excerpts from the deposition of David Colvin, taken March 4, 2013, attached as Exhibit C.
 - d. Excerpts from the deposition of Charles Brockway, taken March 6, 2013, attached as Exhibit D.
 - e. Excerpts from the deposition of Charlie Smith, taken March 7, 2013, attached as Exhibit E.
 - f. Excerpts from the deposition of Lonny Tate, taken September 11, 2012, attached as Exhibit F.
3. Attached hereto as Exhibit G is a true and correct copy of IDWR's Order In the Matter of Distribution of Water to Water Rights Nos. 36-04013A, 36-04013B and 36-07148; and to Water Rights Nos. 36-07083 and 36-07568, issued July 8, 2005.
 4. Attached hereto as Exhibit H is a true and correct copy of an excerpt of Pocatello's First Set of Discovery Requests to Rangen, dated August 10, 2012.
 5. Attached hereto as Exhibit I is a true and correct copy of an excerpt of IGWA's First Set of Discovery Requests, dated May 23, 2012.
 6. Attached hereto as Exhibit J is a true and correct copy of the Modified Subpoena Duces Tecum for Doug Ramsey, dated August 31, 2012.

FURTHER AFFIANT SAYETH NAUGHT.

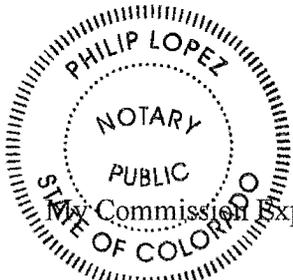
Dated this 28th day of March, 2013.

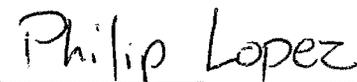
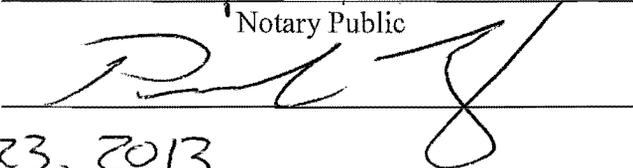
WHITE & JANKOWSKI, LLP

By 
 J. Ryland Hutchins

ATTORNEYS FOR CITY OF POCATELLO

BEFORE ME, the undersigned, a Notary Public, in and for said County and State on this 28th day of March, 2013, personally appeared J. Ryland Hutchins who executed the above as his free and voluntary act.

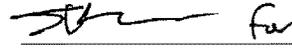



 Notary Public


My Commission Expires: July 23, 2013

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of March, 2013, I caused to be served a true and correct copy of the foregoing **Affidavit of J. Ryland Hutchins** 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 – 208-287-4803 <input checked="" type="checkbox"/> Email</p>
<p>J. Justin May May Browning 1419 W Washington Boise ID 83702 jmay@maybrowning.com</p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile – 208-342-7278 <input checked="" type="checkbox"/> Email</p>
<p>Robyn Brody Brody Law Office PO Box 554 Rupert ID 83350 robynbrody@hotmail.com</p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile - 208-434-2780 = Phone 208-434-2778 <input checked="" type="checkbox"/> Email</p>
<p>Fritz Haemmerle Haemmerle Haemmerle PO Box 1800 Hailey ID 83333 fxh@haemlaw.com</p>	<p><input 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>
<p>Garrick L. Baxter Chris M. Bromley Deputy Attorneys General – IDWR PO Box 83720 Boise ID 83720-0098 garrick.baxter@idwr.idaho.gov chris.bromley@idwr.idaho.gov kimi.white@idwr.idaho.gov</p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile - 208-287-6700 <input checked="" type="checkbox"/> Email</p>
<p>Randall C. Budge Candice M. McHugh Racine Olson Nye Budge & Bailey 101 S Capitol Blvd Ste 300 Boise ID 83702 rcb@racinelaw.net cmm@racinelaw.net bjh@racinelaw.net</p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile – 208-433-0167 <input checked="" type="checkbox"/> Email</p>
<p>Dean Tranmer City of Pocatello PO Box 4169 Pocatello ID 83201 dtranmer@pocatello.us</p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile – 208-234-6297 <input checked="" type="checkbox"/> Email</p>

<p>C. Thomas Arkoosh Arkoosh Law Offices PO Box 2900 Boise ID 83701 tom.arkoosh@arkoosh.com erin.cecil@arkoosh.com</p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile 208-343-5456 <input checked="" type="checkbox"/> Email</p>
<p>John K. Simpson Travis L. Thompson Paul L. Arrington Barker Rosholt & Simpson 195 River Vista Place Ste 204 Twin Falls ID 83301-3029 tlt@idahowaters.com jks@idahowaters.com pla@idahowaters.com jff@idahowaters.com</p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile 208-735-2444 <input checked="" type="checkbox"/> Email</p>
<p>W. Kent Fletcher Fletcher Law Office PO Box 248 Burley, ID 83318 wkf@pmt.org</p>	<p><input 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>
<p>Jerry R. Rigby Hyrum Erickson Robert H Wood Rigby Andrus & Rigby PO Box 250 Rexburg ID 83440-0250 jrigby@rex-law.com herickson@rex-law.com rwood@rex-law.com</p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile 208-356-0768 <input checked="" type="checkbox"/> Email</p>

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(RANGEN, INC.))
_____)

Docket No. CM-DC-2011-004

CONFIDENTIAL INFORMATION

The enclosed is subject to the terms of the *Protective Order* entered on August 31, 2012 and is being disclosed pursuant to its terms. The enclosed documents may not be used other than in connection with the above-referenced delivery call.

Exhibits to J. Ryland Hutchins's Affidavit
March 28, 2013

Exhibit A

select pages from deposition of Doug Ramsey, 09-12-12

Exhibit B

select pages from deposition of Joy Kinyon, 09-10-12

Exhibit C

select pages from deposition of David Colvin, 03-04-13

Exhibit D

select pages from deposition of Charles Brockway, 03-06-13

Exhibit E

select pages from deposition of Charlie Smith, 03-07-13

Exhibit F

select pages from deposition of Lonnie Tate, 09-11-12