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DEPARTMENT OF
WATER RESOURCES

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BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF THE PETITION
DELIVERY CALL OF RANGEN, INC.'S
WATER RIGHT NOS. 36-02551 & 36-
7694

Docket No. CM-DC-2011-004

**RANGEN, INC.'S AMENDED
EXHIBIT LIST**

COMES NOW, Rangen, Inc. ("Rangen" or "Petitioner"), by and through its counsel of record, and submits this Exhibit List in accordance with the Fifth Amended Scheduling Order that has been entered. Rangen reserves the right to introduce the following Exhibits at the hearing of this matter:

See Exhibit 1 attached hereto

Rangen also reserves the right to introduce the following items as Exhibits at the hearing of this matter:

- All documents produced by Rangen, including, but not limited to, those documents set forth in the document index attached to Rangen's original Exhibit List as Exhibit 2 and all documents scanned by City of Pocatello and/or IGWA (e.g., research documents RANGENWJ001075-RANGEN002724 and documents from the review on 2/19/03 that are marked as File Nos. 001-199)
- All documents produced by IGWA
- All documents produced by City of Pocatello
- All documents produced by IDWR
- All documents referenced in all expert witness reports
- All figures/diagrams/charts/photographs in all expert witness reports
- All data relied upon by experts to compile expert witness reports

By including an item on its Exhibit List, Rangen is not admitting that the item is admissible nor is it waiving its right to object to the admissibility of any items.

DATED this 24th day of April, 2013.

BRODY LAW OFFICE, PLLC

By 


Robyn M. Brody

CERTIFICATE OF SERVICE

The undersigned, a resident attorney of the State of Idaho, hereby certifies that on the 24th day of April, 2013 she/he caused a true and correct copy of the foregoing document to be served by email and first class U.S. Mail, postage prepaid upon the following:

<p>Original: Director Gary Spackman Idaho Department of Water Resources P.O. Box 83720 Boise, ID 83720-0098 deborah.gibson@idwr.idaho.gov</p>	<p>Hand Delivery <input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Federal Express <input type="checkbox"/> E-Mail <input checked="" type="checkbox"/></p>
<p>Garrick Baxter Chris Bromley Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098 garrick.baxter@idwr.idaho.gov chris.bromley@idwr.idaho.gov kimi.white@idwr.idaho.gov</p>	<p>Hand Delivery <input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Federal Express <input type="checkbox"/> E-Mail <input checked="" type="checkbox"/></p>
<p>Randall C. Budge Candice M. McHugh RACINE, OLSON, NYE, BUDGE & BAILEY, CHARTERED P.O. Box 1391 101 South Capitol Blvd, Ste 300 Boise, ID 83704-1391 Fax: 208-433-0167 rcb@racinelaw.net cmm@racinelaw.net bjh@racinelaw.net</p>	<p>Hand Delivery <input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Federal Express <input type="checkbox"/> E-Mail <input checked="" type="checkbox"/></p>
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<p>Dean Tranmer City of Pocatello</p>	<p>Hand Delivery <input type="checkbox"/> U.S. Mail <input type="checkbox"/></p>

<p>P.O. Box 4169 Pocatello, ID 83201 dtranmer@pocatello.us</p>	<p>Facsimile <input type="checkbox"/> Federal Express <input type="checkbox"/> E-Mail <input checked="" type="checkbox"/></p>
<p>John K. Simpson Travis L. Thompson Paul L. Arrington Barker Rosholt & Simpson, L.L.P. 195 River Vista Place, Suite 204 Twin Falls, ID 83301-3029 Facsimile: (208) 735-2444 tlt@idahowaters.com jks@idahowaters.com</p>	<p>Hand Delivery <input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Federal Express <input type="checkbox"/> E-Mail <input checked="" type="checkbox"/></p>
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Robyn M. Brody

	A	B	C	D
1	Exhibit No.	Exhibit Name/Description	Bates No.	Depo. Exh No.
2				
3	RANGEN 1001	Map of Hagerman Area Showing Billingsley Creek	-	-
4	RANGEN 1002	2010 USGS Tuttle Quadrangle Map (topographical)	-	-
5	RANGEN 1003	Hagerman Water Features Map	RANGEN001737	60
6	RANGEN 1004	Puchner Survey of Entire Parcel	RANGEN001605-001606	12
7	RANGEN 1005	Rangen's Research Hatchery Sketch	Attached to Petition	1
8	RANGEN 1006	Aerial Photograph	Attached to Petition	2
9	RANGEN 1007	Facility Flow Diagram	RANGEN003770	3
10	RANGEN 1008	Small Raceway Diagram	-	39
11	RANGEN 1009	Large Raceway Diagram	-	40
12	RANGEN 1010	CTR Raceway Diagram	-	41
13	RANGEN 1011	Facility Raceway Diagram	-	-
14	RANGEN 1012	Aerial Photo of Rangen Facility/Candy (from Canyon Rim)	RANGENSPF000073	-
15	RANGEN 1013	Photographs of Facility - November 2013	-	-
16	RANGEN 1014	Cover of US Trout News May-June 1965	RANGEN001579	-
17	RANGEN 1015	Rangen Advertising Brochure	RANGEN001588-001591	-
18	RANGEN 1016	Underground Pipe Sketch	RANGEN001578	-
19	RANGEN 1017	Historical Photos, Diagrams, Surveys	RANGEN001567-001627	13
20	RANGEN 1018	Photograph of Martin-Curren Tunnel Mouth during June 2012 S	-	28
21	RANGEN 1019	Diagram of Curren Tunnel Mouth, Diversion Box and Pipes	-	27
22	RANGEN 1020	White Pipe Diagram	RANGEN001907	36
23	RANGEN 1021	Photograph of inside Martin-Curren Tunnel	RANGEN001569	50
24	RANGEN 1022	Diagram of Laboratory and Greenhouse	RANGEN008289	63
25	RANGEN 1023	Greenhouse Photograph	-	65
26	RANGEN 1024	Hatch House Photograph	-	68
27	RANGEN 1025	Hatch House Photograph	-	69
28	RANGEN 1026	Partial Decree Water Right No. 36-02551	RANGEN001641-001643	6
29	RANGEN 1027A	Backfile for Water Right No. 36-02551	Haemmerle Affidavit	-
30	RANGEN 1027B	Adjudication Claim File for Water Right No. 36-02551		
31	RANGEN 1028	Partial Decree Water Right No. 36-07694	RANGEN001644	6



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31	RANGEN 1028	Partial Decree Water Right No. 36-07694	RANGEN001644	6

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32	RANGEN 1029	Backfile for Water Right No. 36-07694	Haemmerle Affidavit	-
33	RANGEN 1030	Summary of Martin Curren Tunnel Water Rights and other Prominent Water Rights in Area	-	61
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35	RANGEN 1032	1951 USGS Tuttle Quadrangle Map (topographical)	-	-
36	RANGEN 1033	1978 USGS Tuttle Quadrangle Map (topographical)	-	-
37	RANGEN 1034	1993 USGS Tuttle Quadrangle Map (topographical)	-	-
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39	RANGEN 1036	Points of Diversion Review Aerial Photographs: Supporting Data	-	-
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41	RANGEN 1038	Backfile for Water Right No. 36-15501	-	-
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43	RANGEN 1040	Deleted	-	-
44	RANGEN 1041	Partial Decree for Water Right No. 36-134A	-	-
45	RANGEN 1042	Deleted	-	-
46	RANGEN 1042A	Reserved		
47	RANGEN 1042B	Adjudication Claim File for Water Right No. 36-134A		
48	RANGEN 1043	Partial Decree for Water Right No. 36-134B	-	-
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50	RANGEN 1044A	Reserved		
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58	RANGEN 1048A	Reserved	-	-
59	RANGEN 1048B	Adjudication Claim File for Water Right No. 36-134E		
60	RANGEN 1049	Partial Decree for Water Right No. 36-135A	-	-
61	RANGEN 1050	Deleted	-	-
62	RANGEN 1050A	Reserved		
63	RANGEN 1050B	Adjudication Claim File for Water Right No. 36-135A		

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64	RANGEN 1051	Partial Decree for Water Right No. 36-135B	-	-
65	RANGEN 1052	Deleted	-	-
66	RANGEN 1052A	Reserved		
67	RANGEN 1052B	Adjudication Claim File for Water Right No. 36-135B		
68	RANGEN 1053	Partial Decree for Water Right No. 36-135D	-	-
69	RANGEN 1054	Deleted	-	-
70	RANGEN 1054A	Reserved		
71	RANGEN 1054B	Adjudication Claim File for Water Right No. 36-135D		
72	RANGEN 1055	Partial Decree for Water Right No. 36-135E	-	-
73	RANGEN 1056	Deleted	-	-
74	RANGEN 1056A	Reserved		
75	RANGEN 1056B	Adjudication Claim File for Water Right No. 36-135E		
76	RANGEN 1057	Partial Decree for Water Right No. 36-10141A	-	-
77	RANGEN 1058	Deleted	-	-
78	RANGEN 1059	Partial Decree for Water Right No. 36-10141B	-	-
79	RANGEN 1060	Deleted	-	-
80	RANGEN 1061	IDWR Water Measurement Annual Reports 1997 - 2013	RANGENWJ FILE NOS. 169-175 (2/19/13 Review)	-
81	RANGEN 1062	1997 Flow Measurements sent to Wayne Courtney	RANGENWJ011969	-
82	RANGEN 1063	wa	-	-
83	RANGEN 1064	Transcript of Testimony of Director Keith Higginson in Musser Case	-	-
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93	RANGEN 1074	Diagram Showing Water Measurement Points	Maxwell Affidavit Exhibit	-

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110	RANGEN 1091	USGS Billingsley Creek Measurement Spreadsheet	-	226
111	RANGEN 1092	Government Measurements	RANGEN00001-000014	-
112	RANGEN 1093	USGS Measurements on Billingsley Creek	Various (WJ File No. 77 from 2/19/13 Review)	-
113	RANGEN 1094	Weekly Water Measurement Charts (1996-2012)	RANGEN000015-000031	-
114	RANGEN 1095	WATER MEASUREMENTS 6-13-11 - 4-23-12	RANGEN000032-000080	-
115	RANGEN 1096	WATER MEASUREMENTS 4-30-12 - 7-16-12	RANGEN000081-000093	-
116	RANGEN 1097	WATER MEASUREMENTS 7-26-10 - 6-6-11	RANGEN000094-000140	-
117	RANGEN 1098	WATER MEASUREMENTS 9-7-09 - 7-12-10	RANGEN000141-000189	-
118	RANGEN 1099	WATER MEASUREMENTS 9-1-08 - 8-31-09	RANGEN000190-000240	-
119	RANGEN 1100	WATER MEASUREMENTS 10-1-07 - 8-25-08	RANGEN000241-000289	-
120	RANGEN 1101	WATER MEASUREMENTS 10-23-06 - 9-24-07	RANGEN000290-000338	-
121	RANGEN 1102	WATER MEASUREMENTS 11-7-05 - 10-16-06	RANGEN000339-000390	-
122	RANGEN 1103	WATER MEASUREMENTS 1-3-05 - 10-31-05	RANGEN000391-000435	-

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123	RANGEN 1104	WATER MEASUREMENTS 2005	RANGEN000436-000439	-
124	RANGEN 1105	WATER MEASUREMENTS 1-5-04 - 12-27-040	RANGEN000440-000478	-
125	RANGEN 1106	WATER MEASUREMENTS 7-15-03 - 1-2-04	RANGEN000479-000514	-
126	RANGEN 1107	WATER MEASURMEENTS 1995	RANGEN000515-000516	-
127	RANGEN 1108	WATER MEASUREMENTS 1999	RANGEN000517-000566	-
128	RANGEN 1109	WATER MEASUREMENTS 1998	RANGEN000567-000574	-
129	RANGEN 1110	WATER MEASUREMENTS 1997	RANGEN000575-000628	-
130	RANGEN 1111	WATER MEASUREMENTS 1996	RANGEN000629-000685	-
131	RANGEN 1112	WATER MEASUREMENTS 4-1-82 - 8-2-90	RANGEN000686-000695	-
132	RANGEN 1113	WATER MEASUREMENTS 2-13-72 - 12-19-75	RANGEN000696	-
133	RANGEN 1114	WATER MEASUREMENTS 1992	RANGEN000697	-
134	RANGEN 1115	WATER MEASUREMENTS 1993	RANGEN000698	-
135	RANGEN 1116	WATER MEASUREMENTS 7-1-88 - 10-23-92	RANGEN000699	-
136	RANGEN 1117	WATER MEASUREMENTS 1992	RANGEN000700-000721	-
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138	RANGEN 1119	WATER MEASUREMENTS 1990	RANGEN000749-000774	-
139	RANGEN 1120	WATER MEASUREMENTS 1989	RANGEN000775-000802	-
140	RANGEN 1121	WAER MEASURMENTS 1988	RANGEN000803-000821	-
141	RANGEN 1122	WATER MEASUREMENTS UNDATED	RANGEN000822-	-
142	RANGEN 1123	Hatchery Water Flows 1966-2003	RANGEN000825-000858	48
143	RANGEN 1124	Water Flow Measurements Head of Billingsley Creek, 1966 to 1	RANGEN000910-000914	18
144	RANGEN 1125	Graphs tracking cfs	RANGEN000923-000924	19
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148	RANGEN 1129	Memorandum from C. Yenter to K. Dreher, dated 12/15/2003 w	-	213
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154	RANGEN 1135	Analysis of Historical Rangen Spring Flows Dated 9/21/09 (Brannon Presentation)	-	156 and 157
155	RANGEN 1136	NPDES Permit, Dated 10/25/2007	RANGEN008087-008182	52
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158	RANGEN 1139	Water Quality Testing Reports	VARIOUS	-
159	RANGEN 1140	Current Government Licenses for Research Hatchery	-	-
160	RANGEN 1141	Idaho Power Agreements	RANGEN007911-007990	4
161	RANGEN 1142	2010-July 2012 Monthly Production Reports	RANGEN001909-001943	43
162	RANGEN 1143	2011 Fish Sale Tickets	RANGEN001096-001181	45
163	RANGEN 1144	Production Summary	RANGEN001095	47
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167	RANGEN 1148	IPC Triploid Fall Plant '07 Production Summary	RANGEN007991-007996	-
168	RANGEN 1149	IPC Triploid Spring Plant '07 Production Summary	RANGEN008020-008026	-
169	RANGEN 1150	IPC Triploid Fall Plant '08 Production Summary	RANGEN007997-008004	-
170	RANGEN 1151	IPC Triploid Spring Plant '08 Production Summary	RANGEN008027-008034	-
171	RANGEN 1152	IPC Triploids Fall Plant '09 Production Summary	RANGEN008055-008061	-
172	RANGEN 1153	IPC Triploid Spring Plant '09 Production Summary	RANGEN008081-008086	-
173	RANGEN 1154	IPC Triploid Spring Plant '10 Production Summary	RANGEN008035-008042	-
174	RANGEN 1155	IPC Triploid Fall Plant '10 Production Summary	RANGEN008062-008071	-
175	RANGEN 1156	IPC Triploid Spring Plant '11 Production Summary	RANGEN008043-008054	-
176	RANGEN 1157	IPC Triploid Fall Plant '11 Production Summary	RANGEN008005-008014	-
177	RANGEN 1158	IPC Triploid Fall Plant '12 Production Summary	RANGEN008015-008019	-
178	RANGEN 1159	IPC Triploids Spring Plant '12 Production Summary	RANGEN008072-008080	-
179	RANGEN 1160	Email from Steve Brink/IPC to Doug Ramsey re: Loss of Incentive Dated November 5, 2010	RANGEN030677	-
180	RANGEN 1161	Compilation of Production Summaries	-	-

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181	RANGEN 1162	Inventory/Monthly Reports - Selected	Various	-
182	RANGEN 1163	1984 Aquaculture Newsletter	RANGENWJ001890	-
183	RANGEN 1164	Research Project Summary List	RANGEN008188-008203	70
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185	RANGEN 1166	Mid-Year Progress Report, Fiscal Year 1984	-	83
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187	RANGEN 1168	N8402 Closed-Formula Feed Comparison in RBT: II. Rimview Evaluation of Rangen and Coded Fry Feeds -- Final Report	RANGENWJ002659	-
188	RANGEN 1169	N8405 Biologic Value of Plant Proteins in Fish Feeds: 1 Canola (Rapeseed) Meal in RBT Diets	RANGENWJ002399-2412	108
189	RANGEN 1170	N85-29 Closed-Fomula Feed Comparison in RBT: XIV. Rangen and Coded Feeds -- Study Documentation	-	-
190	RANGEN 1171	N8647 AsTP Efficacy in Commercial Production Diets I: RBT Production Trial -- Study Documentation	RANGENWJ001780	
191	RANGEN 1172	N8764 AsTP Efficacy in Commercial Production Diets VIII: RBT Production Trial III -- Study Documentation	-	-
192	RANGEN 1173	N8867 Rainbow Trout FinnStim: To Determine the Efficacy of FinnStim -- Study Documentation	RANGENWJ002418	-
193	RANGEN 1174	N8901 Flame-Dried Chilean Mackrel Meal in Commercial Trout	RANGENWJ001838-001843	109
194	RANGEN 1175	1989 Contract Research Agreement for Soybean Products in Trout Feeds	RANGENWJ001782	-
195	RANGEN 1176	Polyphosphorylated L-Ascorbic Acid: A Stable Form of Vitamin C for Aquaculture Feeds	RANGENWJ001950	-
196	RANGEN 1177	N9105 Silvercup vs. Rangen -- Study Documentation	RANGENWJ001164	-
197	RANGEN 1178	N9106 Silvercup vs. Rangen with Varying Particle Size -- Study Documentation	RANGENWJ001151	-
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