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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 THIRD
AMENDED EXHIBIT LIST**

COMES NOW, Rangen, Inc. ("Rangen" or "Petitioner"), by and through its counsel of record, and submits this Third Amended 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

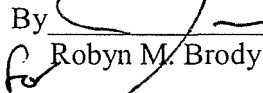
Rangen also reserves the right to introduce the following items as Exhibits at the hearing of this matter:

- 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 29th day of April, 2013.

BRODY LAW OFFICE, PLLC

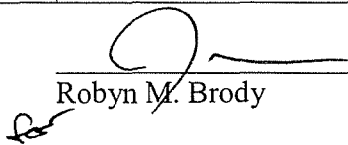
By 
Robyn M. Brody

CERTIFICATE OF SERVICE

The undersigned, a resident attorney of the State of Idaho, hereby certifies that on the 29th 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>
<p>Sarah Klahn Mitra Pemberton WHITE & JANKOWSKI Kittredge Building, 511 16th Street, Suite 500 Denver, CO 80202 sarahk@white-jankowski.com mitrap@white-jankowski.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>
<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>
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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	Deleted		
20	RANGEN 1017A	Historical Photos, Diagrams, Surveys		
21	RANGEN 1018	Photograph of Martin-Curren Tunnel Mouth during June 2012 S	-	28
22	RANGEN 1019	Diagram of Curren Tunnel Mouth, Diversion Box and Pipes	-	27
23	RANGEN 1020	White Pipe Diagram	RANGEN001907	36
24	RANGEN 1021	Photograph of inside Martin-Curren Tunnel	RANGEN001569	50
25	RANGEN 1022	Diagram of Laboratory and Greenhouse	RANGEN008289	63
26	RANGEN 1023	Greenhouse Photograph	-	65
27	RANGEN 1024	Hatch House Photograph	-	68
28	RANGEN 1025	Hatch House Photograph	-	69
29	RANGEN 1026	Partial Decree Water Right No. 36-02551	RANGEN001641-001643	6
30	RANGEN 1027A	Backfile for Water Right No. 36-02551	Haemmerle Affidavit	-
31	RANGEN 1027B	Adjudication Claim File for Water Right No. 36-02551		



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32	RANGEN 1028	Partial Decree Water Right No. 36-07694	RANGEN001644	6
33	RANGEN 1029	Backfile for Water Right No. 36-07694	Haemmerle Affidavit	-
34	RANGEN 1030	Summary of Martin Curren Tunnel Water Rights and other Prominent Water Rights in Area	-	61
35	RANGEN 1031	1949 USGS Tuttle Quadrangle Map (topographical)	-	-
36	RANGEN 1032	1951 USGS Tuttle Quadrangle Map (topographical)	-	-
37	RANGEN 1033	1978 USGS Tuttle Quadrangle Map (topographical)	-	-
38	RANGEN 1034	1993 USGS Tuttle Quadrangle Map (topographical)	-	-
39	RANGEN 1035	Points of Diversion Review Aerial Photographs	-	-
40	RANGEN 1036	Points of Diversion Review Aerial Photographs: Supporting Data	-	-
41	RANGEN 1037	Partial Decree for Water Right No. 36-15501	-	-
42	RANGEN 1038	Backfile for Water Right No. 36-15501	-	-
43	RANGEN 1039	Partial Decree for Water Right No. 36-102	-	-
44	RANGEN 1040	Deleted	-	-
45	RANGEN 1041	Partial Decree for Water Right No. 36-134A	-	-
46	RANGEN 1042	Deleted	-	-
47	RANGEN 1042A	Reserved		
48	RANGEN 1042B	Adjudication Claim File for Water Right No. 36-134A		
49	RANGEN 1043	Partial Decree for Water Right No. 36-134B	-	-
50	RANGEN 1044	Deleted	-	-
51	RANGEN 1044A	Reserved		
52	RANGEN 1044B	Adjudication Claim File for Water Right No. 36-134B		
53	RANGEN 1045	Partial Decree for Water Right No. 36-134D	-	-
54	RANGEN 1046	Deleted		
55	RANGEN 1046A	Reserved		
56	RANGEN 1046B	Adjudication Claim File for Water Right No. 36-134D	-	-
57	RANGEN 1047	Partial Decree for Water Right No. 36-134E	-	-
58	RANGEN 1048	Deleted		
59	RANGEN 1048A	Reserved	-	-
60	RANGEN 1048B	Adjudication Claim File for Water Right No. 36-134E		
61	RANGEN 1049	Partial Decree for Water Right No. 36-135A	-	-
62	RANGEN 1050	Deleted	-	-
63	RANGEN 1050A	Reserved		

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64	RANGEN 1050B	Adjudication Claim File for Water Right No. 36-135A		
65	RANGEN 1051	Partial Decree for Water Right No. 36-135B	-	-
66	RANGEN 1052	Deleted	-	-
67	RANGEN 1052A	Reserved		
68	RANGEN 1052B	Adjudication Claim File for Water Right No. 36-135B		
69	RANGEN 1053	Partial Decree for Water Right No. 36-135D	-	-
70	RANGEN 1054	Deleted	-	-
71	RANGEN 1054A	Reserved		
72	RANGEN 1054B	Adjudication Claim File for Water Right No. 36-135D		
73	RANGEN 1055	Partial Decree for Water Right No. 36-135E	-	-
74	RANGEN 1056	Deleted	-	-
75	RANGEN 1056A	Reserved		
76	RANGEN 1056B	Adjudication Claim File for Water Right No. 36-135E		
77	RANGEN 1057	Partial Decree for Water Right No. 36-10141A	-	-
78	RANGEN 1058	Deleted	-	-
79	RANGEN 1059	Partial Decree for Water Right No. 36-10141B	-	-
80	RANGEN 1060	Deleted	-	-
			RANGENWJ FILE NOs. 169-175	
81	RANGEN 1061	IDWR Water Measurement Annual Reports 1997 - 2013	(2/19/13 Review)	-
82	RANGEN 1062	1997 Flow Measurements sent to Wayne Courtney	RANGENWJ011969	-
83	RANGEN 1063	Amicus Brief of IGWA in Musser case	-	-
84	RANGEN 1064	Transcript of Testimony of Director Keith Higginson in Musser Case	-	-
		Water Right and Adjudication Search for Water Right No.		
85	RANGEN 1065	15501	-	-
86	RANGEN 1066	Sample Dam Board	-	-
87	RANGEN 1067	Water Measurement Ruler	-	-
88	RANGEN 1068	Current Look Up Weir Table	-	178
89	RANGEN 1069	Past Look Up Weir Table	RANGENWJ006987	-
90	RANGEN 1070	Weir Table Spreadsheet (DVD)	-	-
91	RANGEN 1071	Photograph of Measurement Ruler	-	161
92	RANGEN 1072	Water Flow Measurements - 6/21/12	-	160
93	RANGEN 1073	Photograph of Water Flow	-	162

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94	RANGEN 1074	Diagram Showing Water Measurement Points	Maxwell Affidavit Exhibit	-
95	RANGEN 1075	Measurement Summary Chart	-	-
96	RANGEN 1076	DELETED	-	-
97	RANGEN 1077	Letter from CE Brockway to Director Tuthill Dated 6/25/81	-	168
98	RANGEN 1078	Letter from CE Brockway to Gary Funderberg Dated 10/1/81	-	170
99	RANGEN 1079	Report on Water Measuring Facilities	-	169
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101	RANGEN 1081	Letter from CE Brockway to Caroline Peterschmidt Dated 10/1/81	-	172
102	RANGEN 1082	Letter from CE Brockway to Earl Hardy Dated 4/9/79	-	173
103	RANGEN 1083	ITRC Weir Stick Report	-	174
104	RANGEN 1084	Tate/Kinyon Measurements Taken on 9/15/12	-	175
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106	RANGEN 1086	Weir Coefficient Calculated from Historical Measured Head and	-	177
107	RANGEN 1087	Comparison of Rangen Weir Flow Calculations	-	179
108	RANGEN 1088	Resume for Tim Luke	-	225
109	RANGEN 1089	Water Measurement Procedures Irrigation Operators' Workshop - 1967	-	180
110	RANGEN 1090	State of Idaho Department of Water Resources Minimum Acceptable Standards for Open Channel and Closed Conduit Measuring Devices	-	221
111	RANGEN 1091	USGS Billingsley Creek Measurement Spreadsheet	-	226
112	RANGEN 1092	Government Measurements	RANGEN00001-000014	-
113	RANGEN 1093	USGS Measurements on Billingsley Creek	Various (WJ File No. 77 from 2/19/13 Review)	-
114	RANGEN 1094	Weekly Water Measurement Charts (1996-2012)	RANGEN000015-000031	-
115	RANGEN 1095	WATER MEASUREMENTS 6-13-11 - 4-23-12	RANGEN000032-000080	-
116	RANGEN 1096	WATER MEASUREMENTS 4-30-12 - 7-16-12	RANGEN000081-000093	-
117	RANGEN 1097	WATER MEASUREMENTS 7-26-10 - 6-6-11	RANGEN000094-000140	-
118	RANGEN 1098	WATER MEASUREMENTS 9-7-09 - 7-12-10	RANGEN000141-000189	-
119	RANGEN 1099	WATER MEASUREMENTS 9-1-08 - 8-31-09	RANGEN000190-000240	-
120	RANGEN 1100	WATER MEASUREMENTS 10-1-07 - 8-25-08	RANGEN000241-000289	-
121	RANGEN 1101	WATER MEASUREMENTS 10-23-06 - 9-24-07	RANGEN000290-000338	-
122	RANGEN 1102	WATER MEASUREMENTS 11-7-05 - 10-16-06	RANGEN000339-000390	-

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123	RANGEN 1103	WATER MEASUREMENTS 1-3-05 - 10-31-05	RANGEN000391-000435	-
124	RANGEN 1104	WATER MEASUREMENTS 2005	RANGEN000436-000439	-
125	RANGEN 1105	WATER MEASUREMENTS 1-5-04 - 12-27-040	RANGEN000440-000478	-
126	RANGEN 1106	WATER MEASUREMENTS 7-15-03 - 1-2-04	RANGEN000479-000514	-
127	RANGEN 1107	WATER MEASUREMENTS 1995	RANGEN000515-000516	-
128	RANGEN 1108	WATER MEASUREMENTS 1999	RANGEN000517-000566	-
129	RANGEN 1109	WATER MEASUREMENTS 1998	RANGEN000567-000574	-
130	RANGEN 1110	WATER MEASUREMENTS 1997	RANGEN000575-000628	-
131	RANGEN 1111	WATER MEASUREMENTS 1996	RANGEN000629-000685	-
132	RANGEN 1112	WATER MEASUREMENTS 4-1-82 - 8-2-90	RANGEN000686-000695	-
133	RANGEN 1113	WATER MEASUREMENTS 2-13-72 - 12-19-75	RANGEN000696	-
134	RANGEN 1114	WATER MEASUREMENTS 1992	RANGEN000697	-
135	RANGEN 1115	WATER MEASUREMENTS 1993	RANGEN000698	-
136	RANGEN 1116	WATER MEASUREMENTS 7-1-88 - 10-23-92	RANGEN000699	-
137	RANGEN 1117	WATER MEASUREMENTS 1992	RANGEN000700-000721	-
138	RANGEN 1118	WATER MEASUREMENTS 1991	RANGEN000722-000748	-
139	RANGEN 1119	WATER MEASUREMENTS 1990	RANGEN000749-000774	-
140	RANGEN 1120	WATER MEASUREMENTS 1989	RANGEN000775-000802	-
141	RANGEN 1121	WATER MEASUREMENTS 1988	RANGEN000803-000821	-
142	RANGEN 1122	WATER MEASUREMENTS UNDATED	RANGEN000822-	-
143	RANGEN 1123	Hatchery Water Flows 1966-2003	RANGEN000825-000858	48
144	RANGEN 1124	Water Flow Measurements Head of Billingsley Creek, 1966 to 1997	RANGEN000910-000914	18
145	RANGEN 1125	Graphs tracking cfs	RANGEN000923-000924	19
146	RANGEN 1126	Analysis of Historical Rangen Spring Flows, dated 09/21/2009, re: 1966-2003	RANGEN000925-000956	20
147	RANGEN 1127	Total Flow Through Rangen Hatchery, 2001-2011 Graph	-	26
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149	RANGEN 1129	Memorandum from C. Yenter to K. Dreher, dated 12/15/2003 w/attachment	-	213
150	RANGEN 1130	Correspondence Re: IDWR Additional Measuring Point	-	211
151	RANGEN 1131	IDWR Minimum Acceptable Standards for Measurement and Reporting of Surface and Ground Water Diversions	-	212
152	RANGEN 1132	USGS vs. Rangen Measurement Memo From Tim Luke	-	216

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153	RANGEN 1133	List of Hatcheries in WD36/WD130 where IDWR has "accepted" non-standard measuring devices, including raceway check board structures	-	218
154	RANGEN 1134	Water Flow Graphs	-	114
155	RANGEN 1135	Analysis of Historical Rangen Spring Flows Dated 9/21/09 (Brannon Presentation)	-	156 and 157
156	RANGEN 1136	NPDES Permit, Dated 10/25/2007	RANGEN008087-008182	52
157	RANGEN 1137	QAPP File	RANGEN 003733-003747	56/181
158	RANGEN 1138	BMP's File	RANGEN003695-003707	57
159	RANGEN 1139	Water Quality Testing Reports	VARIOUS	-
160	RANGEN 1140	Current Government Licenses for Research Hatchery	-	-
161	RANGEN 1141	Idaho Power Agreements	RANGEN007911-007990	4
162	RANGEN 1142	2010-July 2012 Monthly Production Reports	RANGEN001909-001943	43
163	RANGEN 1143	2011 Fish Sale Tickets	RANGEN001096-001181	45
164	RANGEN 1144	Production Summary	RANGEN001095	47
165	RANGEN 1145	2000-2006 Production Summaries	Various RANGEN	49
166	RANGEN 1146	Fish Production FY 96, FY95, FY 94, FY 93, FY 92	RANGENWJ006880	-
167	RANGEN 1147	Production Summary 1972-1990	-	257
168	RANGEN 1148	IPC Triploid Fall Plant '07 Production Summary	RANGEN007991-007996	-
169	RANGEN 1149	IPC Triploid Spring Plant '07 Production Summary	RANGEN008020-008026	-
170	RANGEN 1150	IPC Triploid Fall Plant '08 Production Summary	RANGEN007997-008004	-
171	RANGEN 1151	IPC Triploid Spring Plant '08 Production Summary	RANGEN008027-008034	-
172	RANGEN 1152	IPC Triploids Fall Plant '09 Production Summary	RANGEN008055-008061	-
173	RANGEN 1153	IPC Triploid Spring Plant '09 Production Summary	RANGEN008081-008086	-
174	RANGEN 1154	IPC Triploid Spring Plant '10 Production Summary	RANGEN008035-008042	-
175	RANGEN 1155	IPC Triploid Fall Plant '10 Production Summary	RANGEN008062-008071	-
176	RANGEN 1156	IPC Triploid Spring Plant '11 Production Summary	RANGEN008043-008054	-
177	RANGEN 1157	IPC Triploid Fall Plant '11 Production Summary	RANGEN008005-008014	-
178	RANGEN 1158	IPC Triploid Fall Plant '12 Production Summary	RANGEN008015-008019	-
179	RANGEN 1159	IPC Triploids Spring Plant '12 Production Summary	RANGEN008072-008080	-
180	RANGEN 1160	Email from Steve Brink/IPC to Doug Ramsey re: Loss of Incentive Dated November 5, 2010	RANGEN030677	-
181	RANGEN 1161	Compilation of Production Summaries	-	-

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182	RANGEN 1162	Inventory/Monthly Reports - Selected	Various	-
183	RANGEN 1163	1984 Aquaculture Newsletter	RANGENWJ001890	-
184	RANGEN 1164	Research Project Summary List	RANGEN008188-008203	70
185	RANGEN 1165	1982 Research Project Summary List	RANGENWJ001879-001880	74
186	RANGEN 1166	Mid-Year Progress Report, Fiscal Year 1984	-	83
187	RANGEN 1167	Raceway Experiment Reviews as of July 2002	-	87
188	RANGEN 1168	N8402 Closed-Formula Feed Comparison in RBT: II. Rimview Evaluation of Rangen and Coded Fry Feeds -- Final Report	RANGENWJ002659	-
189	RANGEN 1169	N8405 Biologic Value of Plant Proteins in Fish Feeds: 1 Canola (Rapeseed) Meal in RBT Diets	RANGENWJ002399-2412	108
190	RANGEN 1170	N85-29 Closed-Fomula Feed Comparison in RBT: XIV. Rangen and Coded Feeds -- Study Documentation	-	-
191	RANGEN 1171	N8647 AsTP Efficacy in Commercial Production Diets I: RBT Production Trial -- Study Documentation	RANGENWJ001780	
192	RANGEN 1172	N8764 AsTP Efficacy in Commercial Production Diets VIII: RBT Production Trial III -- Study Documentation	-	-
193	RANGEN 1173	N8867 Rainbow Trout FinnStim: To Determine the Efficacy of FinnStim -- Study Documentation	RANGENWJ002418	-
194	RANGEN 1174	N8901 Flame-Dried Chilean Mackrel Meal in Commercial Trout	RANGENWJ001838-001843	109
195	RANGEN 1175	1989 Contract Research Agreement for Soybean Products in Trout Feeds	RANGENWJ001782	-
196	RANGEN 1176	Polyphosphorylated L-Ascorbic Acid: A Stable Form of Vitamin C for Aquaculture Feeds	RANGENWJ001950	-
197	RANGEN 1177	N9105 Silvercup vs. Rangen -- Study Documentation	RANGENWJ001164	-
198	RANGEN 1178	N9106 Silvercup vs. Rangen with Varying Particle Size -- Study Documentation	RANGENWJ001151	-
199	RANGEN 1179	N9409 Canthaxanthin in Atlantic Salmon Feed: Target Animal Safety Study - Color Additive Petition	RANGEN015767-015817	100
200	RANGEN 1180	N9705 Effects of Frozen Storage and Smoke Processing on Cartenoid Concentration in Atlantic Salmon	RANGEN016046-016059	107
201	RANGEN 1181	N9709 Use of Poultry By-Product Meal	RANGENWJ001788	-
202	RANGEN 1182	Progress Report on 1999-2000 Research Projects	Computer File	249

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203	RANGEN 1183	Summary Report on 1999-2000 Research Projects	RANGENWJ014230	250
204	RANGEN 1184	DELETED		-
205	RANGEN 1185	N0003 Performance Comparison: Rangen's EXTR 450 vs. an Improved Version of the EXTR 450 -- Study Documentation	RANGENWJ001076	81/106
206	RANGEN 1186	Research Summary as of 2/25/01	Computer file produced on 10/9/12	-
207	RANGEN 1187	N0004 Performance Comparison: Rangen's EXTR 450 vs. a High Fat Version Fed to Rainbow Trout in a Raceway Environment	RANGENWJ001096-001102	98
208	RANGEN 1188	N0102 Performance Comparison: Rangen's EXTR 450 Diet with 21% Total Fat vs. 25% Total Fat Version Fed to Rainbow Trout in a Raceway Environment -- Study Documentation	RANGENWJ001323	-
209	RANGEN 1189	Timeline Winter 2001 RW N0202	Computer file produced on 10/9/12 and 3/12/13	253
210	RANGEN 1190	Timeline for Winter 2001 Greenhouse Experiment N0202	RANGENWJ003444	254
211	RANGEN 1191	Protocol for Diet N0202 - Greenhouse Tests of EXTR 450 with Substitution of White Corn Gluten Meal into Diet	RANGENWJ003440-003441	255
212	RANGEN 1192	WCG Final Draft	Computer file produced on 10/9/12	-
213	RANGEN 1193	Research Review and Planning Agenda	Computer File	246
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