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RECEIVED

MAY 16 2014

DEPARTMENT OF
WATER RESOURCES

Attorneys for Rangen, Inc.

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

**IN THE MATTER OF THE SECOND
MITIGATION PLAN FILED BY THE IDAHO
GROUND WATER APPROPRIATORS FOR THE
DISTRIBUTION OF WATER TO WATER RIGHT
NOS. 36-02551 AND 36-07694 IN THE NAME
OF RANGEN, INC.**

“TUCKER SPRINGS”

Docket No. CM-MP-2014-003

**RANGEN, INC.’S SECOND SET OF
DISCOVERY REQUESTS TO
IGWA**

TO: IDAHO GROUND WATER APPROPRIATORS, INC.

COMES NOW Rangen Inc. and hereby submits its Second Set of Discovery Requests
to the Idaho Ground Water Appropriators, Inc. (“IGWA”) as follows:

I. INSTRUCTIONS AND DEFINITIONS

The following terms, words, and phrases shall have the following meanings in this discovery pleading:

1. The term “Rangen” refers to Rangen, Inc., an Idaho corporation, and all its agents, employees, representatives (including insurers), investigators, consultants, and attorneys.

2. The terms “IGWA,” “you,” or “your” refer to the Idaho Ground Water Appropriators, Inc., and its agents, employees, representatives (including, but not limited to, Lynn Tominaga), investigators, consultants, attorneys, board members, and members, including, but not limited to, groundwater districts and their respective members and board members (including, but not limited to Lynn Carlquist, Dean Stevenson, Tim Deeg, Mike Faulkner, and Craig Searle), and all of IGWA’s other members.

3. The term “document” shall mean any original, reproductions, copy and non-identical copy (whether by reason of alterations or marginal notes) of any typed, printed graphic, electronic, drawn, photographed, recorded or written paper or matter, correspondence, memoranda, reports, notes, magazines, newspapers, booklets, bulletins, notices, instructions, minutes, other communications, questionnaires, surveys, charts, graphs, or any of the foregoing, and/or other electric data compilations from which information can be obtained including any electronic mail (e-mail).

4. The term “identify” when used with respect to a document, or the description or identification of a document, shall be deemed to request the nature and subject matter of the document; the date thereof; the title or name thereof; the name, address, and job title or job capacity of the person who prepared it or who has knowledge of it; and the name, address,

and job title or job capacity of the recipient thereof.

5. The term “identify” when used with respect to a person shall be deemed to request the person’s full name, job title, last known business and residence addresses and telephone numbers.

6. The term “identify” when used with respect to oral communications shall be deemed to request whether said communication was in person or by telephone, an identification (as provided in definition 4) of each person who participated in or heard any part of said communication, the date of the communication and the substance of what was said by each person who participated in said communication.

7. These interrogatories are continuing in nature, so as to require you to file supplementary answers in a reasonable manner if you obtain further or different information before trial.

8. Where knowledge or information in possession of a party is requested such request includes information and knowledge either in your possession, under your control, within your dominion, or available to you regardless of whether this information is in your personal possession or is possessed by your agents, attorneys, servants, employees, independent contractors, representatives, insurers or others with whom you have a relationship and from whom you are capable of deriving information, documents or material.

9. Each Interrogatory shall be accorded a separate answer, and each sub-part of an interrogatory shall be accorded a separate answer.

10. The term “contact” includes any communication of any kind, including, but not limited to, personal meetings, telephone calls, letters, or electronic communication (e-mail or

otherwise).

11. The term “file” used in respect to a document means any collection of related documents.

12. The terms “Department” and/or “IDWR” refers to the Idaho Department of Water Resources, an agency of the State of Idaho.

13. The term “ESPA” refers to the Eastern Snake Plain Aquifer.

14. The term “SRBA” refers to the Snake River Basin Water Adjudication.

15. The term “Water Rights” refers to those rights decreed in 36-02551 and 36-07694.

16. The term “Research Hatchery” refers to Rangen’s fish hatchery facility located in Hagerman, Idaho.

17. The term “ESPAM2.1” refers to version 2.1 of the Enhanced Snake Plain Aquifer model.

18. The term “Second Mitigation Plan” means IGWA’s Mitigation Plan filed with the IDWR on March 10, 2014 *In the matter of Distribution of water to Water Rights Nos. 36-02551 and 36-07694 (Rangen, Inc.)*, Docket No. CM-MP-2014-001, and subsequently assigned to this proceeding.

II. PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION NO 1. Please produce copies of all documents which reflect water testing or sampling done by you, your agents or representatives, or any of your experts at the Research Hatchery.

REQUEST FOR PRODUCTION NO. 2. Please produce copies of all documents which reflect water testing or sampling done by you or your employees, agents, representatives, or experts at Tucker Springs.

REQUEST FOR PRODUCTION NO. 3. Please produce copies of all documents which reflect water testing or sampling done by you or your employees, agents, representatives, or experts at the Idaho Fish and Game Hagerman Fish Hatchery.

REQUEST FOR PRODUCTION NO. 4. Please produce copies of all documents which pertain to or reflect water testing or sampling done by any other person or entity at the Idaho Fish and Game Hagerman Fish Hatchery in the past ten (10) years.

REQUEST FOR PRODUCTION NO. 5. Please produce copies of all documents in your possession (including, you, your agents, employees, representatives or experts retained by you) which pertain to or reflect fish diseases or illnesses at the Idaho Fish and Game Hagerman Fish Hatchery in the past ten (10) years.

REQUEST FOR PRODUCTION NO. 6. Please produce copies of all documents in your possession (including, you, your agents, employees, representatives or experts retained by you) which pertain to or reflect issues or problems with the Idaho Fish and Game Hagerman Fish Hatchery related to water quality in the past ten (10) years.


REQUEST FOR PRODUCTION NO. 7. Please produce copies of all SPF Memoranda, including all drafts, concerning the Second Mitigation Plan, including, but not limited to the draft memo from Jason Thompson that was sent from Randy Budge to Dallas Burkhalter on March 31, 2014.

REQUEST FOR PRODUCTION NO. 8. Please produce copies of all documents pertaining or related to all policies of insurance or bonds that would insure the operation of

the proposed Tucker Springs pipeline that would deliver water to the Rangen Research Hatchery, including, but not limited to, policies of insurance or bonds that would cover the loss of fish in the event of a pipeline/pump failure.

DATED this 16 day of May, 2014.

MAY, BROWNING & MAY, PLLC

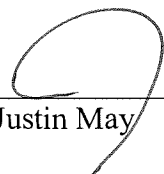
By 
 J. Justin May

CERTIFICATE OF SERVICE

The undersigned, a resident attorney of the State of Idaho, hereby certifies that on the 16 day of May, 2014 he caused a true and correct copy of the foregoing document to be served upon the following by the indicated method:

Director Gary Spackman Idaho Department of Water Resources P.O. Box 83720 Boise, ID 83720-0098 deborah.gibson@idwr.idaho.gov	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"/>
Garrick Baxter Idaho Department of Water Resources P.O. Box 83720 Boise, ID 83720-0098 garrick.baxter@idwr.idaho.gov kimi.white@idwr.idaho.gov	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"/>
Randall C. Budge Thomas J. Budge RACINE OLSON NYE BUDGE & BAILEY CHARTERED 201 E. Center St. P.O. Box 1391	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"/>

Pocatello, ID 83204 rcb@racinelaw.net tjb@racinelaw.net bjh@racinelaw.net	
John K. Simpson Paul Arrington BARKER ROSHOLT & SIMPSON, LLP 195 River Vista Place, Suite 204 Twin Falls, Idaho 83301-3029 jks@idahowaters.com pla@idahowaters.com jlw@idahowaters.com	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"/>
Timothy J. Stover WORST FITZGERALD & STOVER PLLC P.O. Box 1428 Twin Falls, Idaho 83303 tjs@magicvalleylaw.com	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"/>
Michael J. Henslee, V.P. Salmon Falls Land & Livestock Co. 95-A Bell Rapids Road Hagerman, Idaho 83332 mjhenslee@gmail.com	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"/>
Leo E. Ray Big Bend Trout, Inc. P.O. Box 479 Hagerman, Idaho 83330 fpi@fishbreedersofidaho.com	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"/>
Almer Huntley, Jr., President Big Bend Irrigation & Mining Co., Ltd. 2721 South 900 East Hagerman, Idaho 83332 plspe@hotmail.com	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"/>



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