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Attorneys for Rangen, Inc.

**DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

RANGEN, INC.,

Petitioner,

vs.

THE IDAHO DEPARTMENT OF
WATER RESOURCES and GARY
SPACKMAN, in his capacity as Director
of the Idaho Department of Water
Resources,

Respondents.

IDAHO GROUND WATER
APPROPRIATORS, INC., FREMONT
MADISON IRRIGATION DISTRICT,
A&B IRRIGATION DISTRICT, BURLEY
IRRIGATION DISTRICT, MILNER
IRRIGATION DISTRICT, AMERICAN
FALLS RESERVOIR DISTRICT #2,
MINIDOKA IRRIGATION DISTRICT,
NORTH SIDE CANAL COMPANY,

Case No. CV-2014-1338

(Consolidated for the purposes of the
agency record with Gooding County
Case No. CV-2014-179)

**STIPULATION AND JOINT
MOTION TO ALLOW RANGEN TO
FILE ONE SET OF BRIEFS
COVERING APPEAL AND CROSS
APPEAL**

**STIPULATION AND JOINT MOTION TO ALLOW RANGEN TO FILE ONE SET OF BRIEFS
COVERING APPEAL AND CROSS APPEAL - 1**

TWIN FALLS CANAL COMPANY, AND
THE CITY OF POCA TELLO,

Intervenors.

COME NOW the parties, through their undersigned attorneys, and stipulate and jointly move the Court to enter an Order allowing Rangen, Inc. to file a single opening brief and reply brief covering its appeal and cross appeal in this matter. As grounds, the parties state as follows:

1. Petitions for judicial review filed by the Idaho Ground Water Appropriators, Inc. ("IGWA") and Rangen, Inc. ("Rangen"), Gooding County Case No. CV-2014-179 and Twin Falls County Case No. CV-2014-1338, respectively, are pending before this Court.

2. Rangen has also filed a Petition for Cross Appeal in Gooding County Case No. CV-2014-179.

3. Gooding County Case No. CV-2014-179 and Twin Falls County Case No. CV-2014-1338 have been consolidated for purposes of the agency record only under Case No. CV-2014-1338.

4. The petitions seek review of the same orders entered in the Rangen delivery call before IDWR, Docket No. CM-DC-2011-004: 1) *Final Order Regarding Rangen, Inc.'s Petition for Delivery Call; Curtailing Ground Water Rights Junior to July 13, 1962* issued on January 29, 2014; and 2) *Order on Reconsideration* issued on March 4, 2014. In its Cross Appeal in Gooding County Case No. CV-2014-179, Rangen also, out of an abundance of caution, seeks review of the *Order Granting in Part and Denying in Part Rangen, Inc's Motion for Partial Summary Judgment Re: Source*.

5. To facilitate orderly briefing, the parties stipulate and agree to allow Rangen to file a single opening brief and reply brief appealing from all orders and addressing all issues raised in Rangen's Petition for Judicial Review and Cross Petition for Judicial Review. The briefs will be filed in Twin

**STIPULATION AND JOINT MOTION TO ALLOW RANGEN TO FILE ONE SET OF BRIEFS
COVERING APPEAL AND CROSS APPEAL - 2**

Falls County Case No. CV-2014-1338. All responses by other parties to Rangen's briefing will be filed in the same case. Rangen will only file a response brief to IGWA's Petition for Judicial Review in Gooding County Case No. CV-2014-179.

6. This briefing arrangement would expedite the matter and minimize the expense incurred by the parties.

DATED this 19 day of June, 2014.

MAY, BROWNING AND MAY, PLLC

By 
J. Justin May

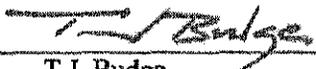
DATED this 19th day of June, 2014.

IDAHO DEPARTMENT OF WATER
RESOURCES

By 
Garrick L. Baxter
Deputy Attorney General

DATED this 17th day of June, 2014.

IDAHO GROUND WATER APPROPRIATORS,
INC.

By 
T.J. Budge

DATED this 10th day of June, 2014.

CITY OF POCA TELLO

By 
Sarah A. ~~Kline~~ Kline

DATED this ____ day of June, 2014

FREMONT-MADISON IRRIGATION DISTRICT

By _____
Jerry R. Rigby

DATED this ____ day of June, 2014

A&B IRRIGATION DISTRICT, MILNER
IRRIGATION DISTRICT, BURLEY
IRRIGATION DISTRICT, NORTH SIDE CANAL
COMPANY, TWIN FALLS CANAL COMPANY

By _____
Travis L. Thompson

DATED this ____ day of June, 2014

AMERICAN FALLS RESERVOIR DISTRICT #2,
MINIDOKA IRRIGATION DISTRICT

By _____
W. Kent Fletcher

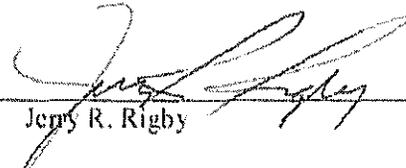
DATED this _____ day of June, 2014.

CITY OF POCA TELLO

By _____
Sarah A. Klan

DATED this 1/8 day of June, 2014

FREMONT-MADISON IRRIGATION DISTRICT

By  _____
Jerry R. Rigby

DATED this _____ day of June, 2014

A&B IRRIGATION DISTRICT, MILNER
IRRIGATION DISTRICT, BURLEY
IRRIGATION DISTRICT, NORTH SIDE CANAL
COMPANY, TWIN FALLS CANAL COMPANY

By _____
Travis L. Thompson

DATED this _____ day of June, 2014

AMERICAN FALLS RESERVOIR DISTRICT #2.
MINIDOKA IRRIGATION DISTRICT

By _____
W. Kent Fletcher

DATED this _____ day of June, 2014.

CITY OF POCA TELLO

By _____
Sarah A. Klan

DATED this _____ day of June, 2014

FREMONT-MADISON IRRIGATION DISTRICT

By _____
Jerry R. Rigby

DATED this 17th day of June, 2014

A&B IRRIGATION DISTRICT, MILNER
IRRIGATION DISTRICT, BURLEY
IRRIGATION DISTRICT, NORTH SIDE CANAL
COMPANY, TWIN FALLS CANAL COMPANY

By 
Travis L. Thompson

DATED this 18th day of June, 2014

AMERICAN FALLS RESERVOIR DISTRICT #2,
MINIDOKA IRRIGATION DISTRICT

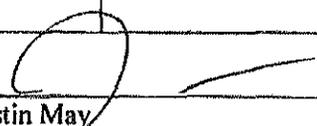
By 
W. Kent Fletcher

CERTIFICATE OF SERVICE

The undersigned, a resident attorney of the State of Idaho, hereby certifies that on the 19 day of June, 2014 he caused a true and correct copy of the foregoing document to be served upon the following by the method indicated:

<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 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 Emmi L. Blades IDAHO DEPARTMENT OF WATER RESOURCES P.O. Box 83720 Boise, Idaho 83720-0098 garrick.baxter@idwr.idaho.gov emmi.blades@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 Thomas J. Budge RACINE, OLSON, NYE, BUDGE & BAILEY, CHARTERED P.O. Box 1391 101 South Capitol Blvd, Ste 300 Boise, ID 83704-1391 Fax: 208-433-0167 reb@racinelaw.net tjb@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.O. Box 4169</p>	<p>Hand Delivery <input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/></p>

Pocatello, ID 83201 dtranmer@pocatello.us	Federal Express <input type="checkbox"/> E-Mail <input checked="" type="checkbox"/>
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 pla@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"/>
W. Kent Fletcher FLETCHER LAW OFFICE P.O. Box 248 Burley, ID 83318 wkf@pmt.org	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"/>
Jerry R. Rigby Hyrum Erickson Robert H. Wood RIGBY, ANDRUS & RIGBY, CHARTERED 25 North Second East Rexburg, ID 83440 jrigby@rex-law.com herickson@rex-law.com rwood@rex-law.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"/>



J. Justin May