

I.

PROCEDURAL BACKGROUND

On June 13, 2014, Rangen, Inc. (“Rangen”) filed a *Petition for Judicial Review* in the above-captioned matter. On August 6, 2014, the agency record and transcript were lodged with this Court. Briefing was subsequently submitted, and oral argument on the *Petition* was held on November 13, 2014. On December 2, 2014, Rangen filed its *Motion to Augment the Agency Record and Request for the Court to Take Judicial Notice* (“*Motion*”). The *Motion* requests that this Court augment the agency record to include the certain administrative documents identified therein. On December 3, 2014, the Court entered its *Memorandum Decision and Order* in this matter. On that same date, the Court entered its *Judgment*. On December 5, 2014, the Idaho Department of Water Resources filed its *Response* in opposition to the *Motion*. Rangen does not request oral argument on its *Motion* and this Court finds that no argument is necessary.

II.

ANALYSIS

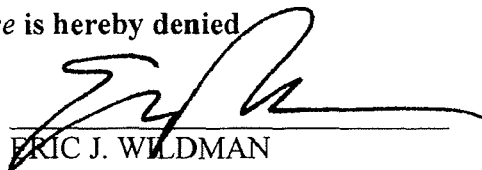
Idaho Rule of Civil Procedure 84(1) provides that “any party desiring to augment the transcript or record with additional material presented to the agency may move the district court within twenty-one (21) days of the filing of the settled transcript and record. . . .” Therefore, the Court denies Rangen’s *Motion* on the grounds that it is untimely. The *Motion* is further untimely on the grounds that the Court has already issued its *Memorandum Decision* and *Judgment* in this matter. Neither the *Motion*, nor the administrative documents identified therein, were considered or reviewed by this Court prior to the issuance of its *Memorandum Decision* and *Judgment*.

III.

ORDER

Therefore, IT IS ORDERED that Rangen’s *Motion to Augment the Agency Record and Request for the Court to Take Judicial Notice* is hereby denied

Dated December 8, 2014


ERIC J. WILDMAN
District Judge

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER DENYING MOTION TO AUGMENT THE AGENCY RECORD AND REQUEST FOR THE COURT TO TAKE JUDICIAL NOTICE was mailed on December 08, 2014, with sufficient first-class postage to the following:

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ORDER

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Deputy Clerk

