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FEB 02 2015
DEPARTMENT OF
WATER RESOURCES

Attorneys for Rangen, Inc.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GOODING

RANGEN, INC., an Idaho corporation,

Petitioner,

vs.

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

Respondents.

Case No. CV 2014-272

**STIPULATION TO DISMISSAL
WITHOUT PREJUDICE**

Petitioner Rangen, Inc. ("Rangen"), by and through its attorneys of record, hereby stipulates to entry of an order dismissing the above-captioned matter without prejudice and providing that the parties are to bear their own fees and costs. As grounds, Rangen states the following:

1. The Idaho Department of Water Resources ("IDWR") has filed a Motion to Dismiss the above-captioned matter.

2. The basis of IDWR's Motion is that the issues raised in this case are more appropriately addressed in other actions that are currently pending and that Rangen has not exhausted administrative remedies.

3. Rangen hereby stipulates to entry of dismissal so long as it is: (a) without prejudice so that Rangen can pursue its other remedies; and (b) the parties bear their own costs and fees.

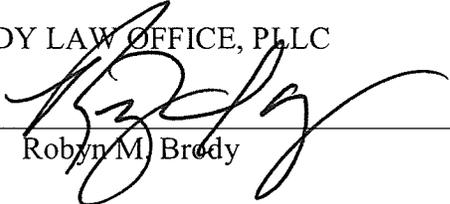
4. Rangen sought agreement from IDWR concerning this dismissal. IDWR and Rangen cannot agree as to whether the dismissal should be with or without prejudice.

Rangen requests to be heard on this issue at the hearing on February 11, 2015.

DATED THIS 28th day of January, 2015.

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 28th day of January, 2015 she caused a true and correct copy of the foregoing document to be served by the method indicated upon the following:

<i>Original to:</i> SRBA District Court 253 3 rd Avenue North P.O. Box 2707 Twin Falls, ID 83303-2707 Facsimile: (208) 736-2121	Hand Delivery <input type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> Facsimile <input type="checkbox"/> Federal Express <input type="checkbox"/> E-Mail <input checked="" type="checkbox"/>
Director Gary Spackman Idaho Department of Water Resources	Hand Delivery <input type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> Facsimile <input type="checkbox"/>

<p>P.O. Box 83720 Boise, ID 83720-0098 Deborah.gibson@idwr.idaho.gov</p>	<p>Federal Express <input type="checkbox"/> E-Mail <input checked="" type="checkbox"/></p>
<p>Garrick Baxter 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 TJ Budge RACINE, OLSON, NYE, BUDGE & BAILEY, CHARTERED PO Box 1391 Pocatello, ID 83204-1391 rcb@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>



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