

1 Robyn M. Brody (ISB No. 5678)
2 BRODY LAW OFFICE, PLLC
3 P.O. Box 554
4 Rupert, ID 83350
5 Telephone: (208) 434-2778
6 Facsimile: (208) 434-2780
7 robynbrody@hotmail.com

J. Justin May (ISB No. 5818)
MAY, BROWNING & MAY, PLLC
1419 W. Washington
Boise, ID 83702
Telephone: (208) 429-0905
Facsimile: (208) 342-7278
jmay@maybrowning.com

5 Fritz X. Haemmerle (ISB No. 3862)
6 HAEMMERLE LAW, PLLC
7 P.O. Box 1800
8 Hailey, ID 83333
9 Telephone: (208) 578-0520
10 Facsimile: (208) 578-0564
11 fxh@haemlaw.com

12 Attorneys for Petitioner, Rangen, Inc.

District Court - SRBA Fifth Judicial District In Re: Administrative Appeals County of Twin Falls - State of Idaho	
FEB - 5 2015	
By _____	Clerk
_____	Deputy Clerk

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

14 **RANGEN, INC., an Idaho Corporation,**)

Case No. CV-2014-4633

15 **Petitioner,**)

RANGEN, INC.'S MOTION TO
AUGMENT RECORD

16 **vs.**)

17 **IDAHO DEPARTMENT OF WATER**)
18 **RESOURCES and Gary Spackman, in his**)
19 **official capacity as Director of the Idaho**)
20 **Department of Water Resources,**)

21 **Respondent.**)

22 COMES NOW the Petitioner, RANGEN, INC. by and through its attorneys of record,
23 and pursuant to I.R.C.P. 84(1) and the Court's Procedural Order Governing Judicial Review of
24 Final Order of Director of Idaho Department of Water Resources dated December 5, 2014 and
25

1 hereby moves the Court to enter an Order requesting that the Idaho Department of Water
2 Resources augment the record of this matter with the following:

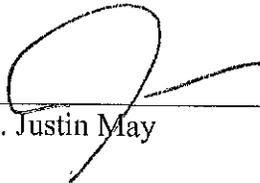
- 3 • All record items filed in Rangen's Petition for Delivery Call, CM-DC-2011-004 on
4 and after January 29, 2014 (hereinafter referred to as "Post Final Order Record").
- 5 • The record filed in connection with the Petition for Judicial Review of IGWA's
6 Second Mitigation Plan, CM-MP-2014-002 (CV-2014-2935)

7 The issues raised in this appeal involve matters that have been decided and filed in
8 Rangen's Petition for Delivery Call (CM-DC-2011-004) since January 29, 2014 and in IGWA's
9 Second Mitigation Plan (CM-MP-2014-002). For example, Director Spackman has made a
10 number of decisions pertaining to how the Morris Exchange Credits are calculated and applied.
11 This issue was first addressed in IGWA's First Mitigation Plan (the order was filed in CM-DC-
12 2011-004), then subsequently addressed in an order approving the Second Mitigation Plan (CM-
13 MP-2014-002) and then addressed a third time in Rangen's Petition for Delivery Call. It is
14 necessary to have all of the orders to address this issue.
15

16 WHEREFORE, Rangen respectfully requests that this Motion to Augment be granted.

17 DATED this 5th day of February, 2015.

18 MAY BROWNING & MAY, P.L.L.C.

19
20
21 By: 
22 J. Justin May
23
24
25

CERTIFICATE OF SERVICE

The undersigned, a resident attorney of the State of Idaho, hereby certifies that on the 5th day of February, 2015 he caused a true and correct copy of the foregoing document to be served upon the following as indicated:

<p>Original: State of Idaho SRBA District Court 253 3rd Ave. North P.O. Box 2707 Twin Falls, ID 83303-2707 Facsimile: (208) 736-2121</p>	<p>Hand Delivery <input checked="" type="checkbox"/></p> <p>U.S. Mail <input type="checkbox"/></p> <p>Facsimile <input type="checkbox"/></p> <p>Federal Express <input type="checkbox"/></p> <p>E-Mail <input 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"/></p> <p>U.S. Mail <input type="checkbox"/></p> <p>Facsimile <input type="checkbox"/></p> <p>Federal Express <input type="checkbox"/></p> <p>E-Mail <input checked="" type="checkbox"/></p>
<p>Randall C. Budge TJ Budge RACINE, OLSON, NYE, BUDGE & BAILEY, CHARTERED 201 E. Center Street P.O. Box 1391 Pocatello, ID 83204 rcb@racinelaw.net tjb@racinelaw.net bjh@racinelaw.net</p>	<p>Hand Delivery <input type="checkbox"/></p> <p>U.S. Mail <input type="checkbox"/></p> <p>Facsimile <input type="checkbox"/></p> <p>Federal Express <input type="checkbox"/></p> <p>E-Mail <input checked="" type="checkbox"/></p>
<p>William A. Parsons 137 W. 13th St. P.O. Box 910 Burley, ID 83318 wparsons@pmt.org</p>	<p>Hand Delivery <input type="checkbox"/></p> <p>U.S. Mail <input type="checkbox"/></p> <p>Facsimile <input type="checkbox"/></p> <p>Federal Express <input type="checkbox"/></p> <p>E-Mail <input checked="" type="checkbox"/></p>
<p>Kathy McKenzie P.O. Box 109 Hagerman, ID 83332 knbmac@q.com</p>	<p>Hand Delivery <input type="checkbox"/></p> <p>U.S. Mail <input type="checkbox"/></p> <p>Facsimile <input type="checkbox"/></p> <p>Federal Express <input type="checkbox"/></p> <p>E-Mail <input checked="" type="checkbox"/></p>



 J. Justin May