

RECEIVED

MAR 14 2013

DEPARTMENT OF
WATER RESOURCES

Robyn M. Brody (ISB No. 5678)
Brody Law Office, PLLC
P.O. Box 554
Rupert, ID 83350
Telephone: (208) 434-2778
Facsimile: (208) 434-2780
robynbrody@hotmail.com

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

Fritz X. Haemmerle (ISB No. 3862)
Haemmerle & Haemmerle, PLLC
P.O. Box 1800
Hailey, ID 83333
Telephone: (208) 578-0520
Facsimile: (208) 578-0564
fxh@haemlaw.com

Attorneys for Rangen, Inc.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE PETITION
FOR DELIVERY CALL OF RANGEN,
INC.'S WATER RIGHT NOS. 36-02551
& 36-07694

Docket No. CM-DC-2011-004

**I.R.C.P. 30(b)(6) NOTICE OF
TAKING DEPOSITION DUCES
TECUM OF ABERDEEN
AMERICAN FALLS
GROUNDWATER DISTRICT**

**TO: ABERDEEN AMERICAN FALLS GROUNDWATER DISTRICT and its attorneys
of record:**

PLEASE TAKE NOTICE that the Petitioner, Rangen, Inc., will take the deposition of the Aberdeen American Falls Groundwater District before a certified Court Reporter, in accordance with the Rules of Civil Procedure of the State of Idaho, on the 2nd day of April, 2013, at the hour of 9:00 a.m. at the Offices of May, Browning & May, PLLC, 516 Hansen Street East, Twin Falls, ID 83301.

**I.R.C.P. 30(b)(6) NOTICE OF DEPOSITION DUCES TECUM OF ABERDEEN AMERICAN
FALLS GROUNDWATER DISTRICT - 1**

Pursuant to I.R.C.P. 30(b)(6), the Deponent is required to designate one or more officers, directors, managing agents or other person(s) who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify, regarding the topics set forth below:

1. Water works or facilities, water rights, water permits or licenses, well-drilling permits, wells, pipelines, and/or ditches that are leased, owned or operated by the Aberdeen American Falls Groundwater District.
2. Mitigation plans developed, maintained, operated or implemented by the Aberdeen American Falls Groundwater District which are designed to mitigate any material injury caused by groundwater use within the district upon senior water uses within and/or without the district.
3. Wells within the Aberdeen American Falls Groundwater District which have experienced or are experiencing declines in water level or water pressures because of reasons including, but not limited to, flow, leakage, and waste from improper construction, maintenance and operation of wells.
4. Monitoring and measurement of groundwater diversions, depth of water in wells, aquifer water levels and characteristics within the Aberdeen American Falls Groundwater District.
5. Making, recording and reporting annually of measurements of diversions and water levels of district members.
6. The water rights and the use of water by district members from 1987 to the present.
7. Water appearing to be diverted within the Aberdeen American Falls Groundwater District without a water right or in violation of a water right.

The Deponent is further required to identify and bring with him/her any and all documents, books, papers, recordings, electronic data, emails, communications, photographs, or other documents or items reviewed in preparation for this Rule 30(b)(6) deposition. The Deponent is further required to bring with him a list of all members of the Aberdeen American Falls Groundwater District and all Notices of Violation of the Groundwater District Measurement Program which have been issued.

All parties and their counsel are invited to attend. The oral examination will continue from day to day until completed.

DATED this 4th day of March, 2013.

BRODY LAW OFFICE, PLLC

By 
Robyn M. Brody

HAEMMERLE & HAMMERLE, PLLC

By 
Fritz X. Haemmerle

MAY, BROWNING & MAY

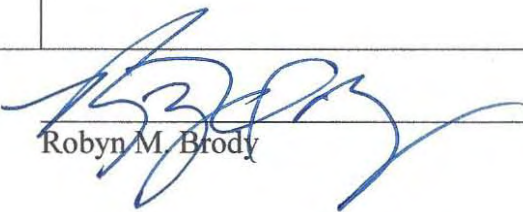
By 
J. Justin May

CERTIFICATE OF SERVICE

The undersigned, a resident attorney of the State of Idaho, hereby certifies that on the 4th day of March, 2013 I caused a true and correct copy of the foregoing document to be served by email and first class U.S. Mail, postage prepaid upon the following:

<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 checked="" type="checkbox"/> Facsimile <input type="checkbox"/> Federal Express <input type="checkbox"/> E-Mail <input checked="" type="checkbox"/></p>
<p>Garrick Baxter Chris Bromley Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098 garrick.baxter@idwr.idaho.gov chris.bromley@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 Candice M. McHugh 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 rcb@racinelaw.net cmm@racinelaw.net tjb@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>	<p>Hand Delivery <input type="checkbox"/> U.S. Mail <input type="checkbox"/></p>

P.O. Box 4169 Pocatello, ID 83201 dtranmer@pocatello.us	Facsimile <input type="checkbox"/> Federal Express <input type="checkbox"/> E-Mail <input 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	Hand Delivery <input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Federal Express <input type="checkbox"/> E-Mail <input type="checkbox"/>
C. Thomas Arkoosh Arkoosh Eiguren P.O. Box 2900 Boise, ID 83702 Tom.arkoosh@aelawlobby.com	Hand Delivery <input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Federal Express <input type="checkbox"/> E-Mail <input 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 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 type="checkbox"/>



Robyn M. Brody