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DEPARTMENT OF  
WATER RESOURCES

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*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 FREMONT MADISON  
IRRIGATION DISTRICT**

**TO: THE FREMONT MADISON IRRIGATION DISTRICT and its attorneys of record:**

PLEASE TAKE NOTICE that the Petitioner, Rangen, Inc., will take the deposition of the Fremont Madison Irrigation District before a certified Court Reporter, in accordance with the Rules of Civil Procedure of the State of Idaho, on the 20th day of March, 2013, at the hour of 10:00 a.m. at the Offices of May, Browning & May, PLLC, 516 Hansen Street East, Twin Falls, ID 83301.

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

**I.R.C.P. 30(b)(6) NOTICE OF DEPOSITION DUCES TECUM OF FREMONT MADISON  
IRRIGATION DISTRICT - 1**

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 Fremont Madison Irrigation District.
2. Mitigation plans developed, maintained, operated or implemented by the Fremont Madison Irrigation 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 Fremont Madison Irrigation 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 Fremont Madison Irrigation 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 Fremont Madison Irrigation 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 Fremont Madison Irrigation District and all Notices of Violation of the Irrigation 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 5<sup>th</sup> day of March, 2013.

BRODY LAW OFFICE, PLLC

By [Signature]  
Robyn M. Brody

HAEMMERLE & HAMMERLE, PLLC

By [Signature]  
Fritz X. Haemmerle

MAY, BROWNING & MAY

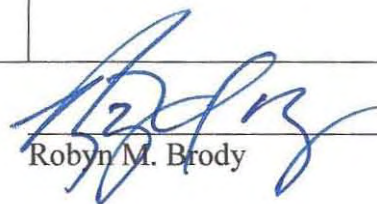
By [Signature]  
J. Justin May

**CERTIFICATE OF SERVICE**

The undersigned, a resident attorney of the State of Idaho, hereby certifies that on the 5<sup>th</sup> 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><b>Original:</b>                  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                  &amp; 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 &amp; 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>P.O. Box 4169  Pocatello, ID 83201  dtranmer@pocatello.us</p>	<p>Facsimile <input type="checkbox"/>  Federal Express <input type="checkbox"/>  E-Mail <input checked="" type="checkbox"/></p>
<p>John K. Simpson  Travis L. Thompson  Paul L. Arrington  Barker Rosholt &amp; 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</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>C. Thomas Arkoosh  Arkoosh Eiguren  P.O. Box 2900  Boise, ID 83702  Tom.arkoosh@aelawlobby.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>W. Kent Fletcher  Fletcher Law Office  P.O. Box 248  Burley, ID 83318  wkf@pmt.org</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>Jerry R. Rigby  Hyrum Erickson  Robert H. Wood  Rigby, Andrus &amp; Rigby, Chartered  25 North Second East  Rexburg, ID 83440  jrigby@rex-law.com  herickson@rex-law.com  rwood@rex-law.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>

  
Robyn M. Brody