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

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.

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



BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF THE SECOND MITIGATION PLAN FILED BY THE IDAHO GROUND WATER APPROPRIATORS FOR THE DISTRIBUTION OF WATER TO WATER RIGHT NOS. 36-02551 AND 36-07694 IN THE NAME OF RANGEN, INC.

"TUCKER SPRINGS"

Docket No. CM-MP-2014-003

NOTICE OF TAKING DEPOSITION DUCES TECUM OF FRANK ERWIN

FRIDAY MAY 15, 2014 9:00 a.m.

May, Browning & May, PLLC 516 Hansen Street East Twin Falls, ID 83301

TO: FRANK ERWIN AND HIS COUNSEL OF RECORD

PLEASE TAKE NOTICE that Rangen, Inc. will take the deposition of Frank Erwin before a certified Court Reporter, in accordance with the Rules of Civil Procedure of the State of Idaho, on Friday, the 16th day of May, 2014, at the hour of 9:00 a.m. at the Offices of May, Browning & May, PLLC, 516 Hansen Street East, Twin Falls, ID 83301.

The Deponent is further required to identify and bring with him the following documents:

- 1. All documents, books, papers, recordings, electronic data, emails, communications, photographs, or other documents or items reviewed in preparation for this deposition.
 - 2. Map showing Tucker Springs and all authorized points of diversion.
 - 3. Map showing Riley Creek and all authorized points of diversion.
 - 4. Map showing Big Bend Ditch and all authorized points of diversion.
- 5. A list or summary of all water rights that identify Tucker Springs, Big Bend Ditch, and/or Riley Creek as the source and/or point of diversion and the diversion rate and beneficial use of said rights.
- 6. Copies of all documents reflecting or indicating a shortage of water in Tucker Springs, Big Bend Ditch, and/or Riley Creek in the past 30 years.
- 7. Copies of all documents which reflect the shut off or threatened shut off of a Tucker Springs or Riley Creek or Big Bend Ditch water right in the past 30 years because of a water shortage.
- 8. Copies of all documents or agreements related to any efforts made to address water shortages in Tucker Springs, Big Bend Ditch, Riley Creek and/or Billingsley Creek.
- 9. Copies of all documents, including, but not limited to any notes you have made, concerning the use of Tucker Springs, Big Bend water to mitigate Rangen's delivery call or any other efforts to mitigate Rangen's delivery call.
 - 10. Copies of all documents which reflect measurements of water at Tucker Springs.
 - 11. Copies of all documents which reflect measurements of water on Riley Creek.
 - 12. Copies of all documents which reflect measurements of water on Big Bend Ditch.

The term "document" as used above includes, but is not limited to, notes (oral or written), memoranda, reports, studies, maps, surveys, plans, drawings, photographs, calculations, spreadsheets and any computer analyses, whether written or electronic in format.

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

DATED this 13 day of May, 2014.

MAY, BROWNING & MAY, PLLC

By: J. Justin May

CERTIFICATE OF SERVICE

The undersigned, a resident attorney of the State of Idaho, hereby certifies that on the day of May, 2014 he caused a true and correct copy of the foregoing document to be served upon the following by the indicated method:

Idaho Department of Water Resources P.O. Box 83720 Facsimile Facsimile Garrick Baxter Hand Delivery U.S. Mail Facsimile Garrick Baxter Federal Express Garrick Baxter Garrick Baxter Hand Delivery U.S. Mail Facsimile Garrick Baxter Hand Delivery U.S. Mail Garrick Baxter Hand Delivery Garrick			
P.O. Box 83720 Boise, ID 83720-0098 deborah.gibson@idwr.idaho.gov Garrick Baxter Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098 garrick baxter@idwr.idaho.gov Randall C. Budge Thomas J. Budge RACINE OLSON NYE BUDGE & BAILEY CHARTERED 201 E. Center St. P.O. Box 1391 Pocatello, ID 83204 reb@racinelaw.net tjb@racinelaw.net John K. Simpson Paul Arrington BARKER ROSHOLT & SIMPSON, LLP 195 River Vista Place, Suite 204 Twin Falls, Idaho 83301-3029 iks@idahowaters.com pla@idahowaters.com pla@idahowaters.com Timothy J. Stover WORST FITZGERALD & STOVER PLLC P.O. Box 1428 Twin Falls, Idaho 83303 tjs@magicvalleylaw.com Facsimile Federal Express	Director Gary Spackman	_	Ø
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Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098 garrick.baxter@idwr.idaho.gov kimi.white@idwr.idaho.gov Randall C. Budge Thomas J. Budge RACINE OLSON NYE BUDGE & BAILEY CHARTERED 201 E. Center St. P.O. Box 1391 Pocatello, ID 83204 rcb@racinelaw.net tjb@racinelaw.net tjb@racinelaw.net John K. Simpson Paul Arrington BARKER ROSHOLT & SIMPSON, LLP 195 River Vista Place, Suite 204 Twin Falls, Idaho 83301-3029 jks@idahowaters.com pla@idahowaters.com jlw@idahowaters.com Timothy J. Stover WORST FITZGERALD & STOVER PLLC P.O. Box 1428 Twin Falls, Idaho 83303 tjs@magicvalleylaw.com U.S. Mail Facsimile Federal Express E-Mail US. Mail Facsimile Facsimile Federal Express Federa	deborah.gibson@idwr.idaho.gov	E-Mail	Ø
Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098 garrick.baxter@idwr.idaho.gov kimi.white@idwr.idaho.gov Randall C. Budge Thomas J. Budge RACINE OLSON NYE BUDGE & BAILEY CHARTERED 201 E. Center St. P.O. Box 1391 Pocatello, ID 83204 rcb@racinelaw.net tjb@racinelaw.net tjb@racinelaw.net John K. Simpson Paul Arrington BARKER ROSHOLT & SIMPSON, LLP 195 River Vista Place, Suite 204 Twin Falls, Idaho 83301-3029 jks@idahowaters.com pla@idahowaters.com jlw@idahowaters.com Timothy J. Stover WORST FITZGERALD & STOVER PLLC P.O. Box 1428 Twin Falls, Idaho 83303 tjs@magicvalleylaw.com U.S. Mail Facsimile Federal Express E-Mail US. Mail Facsimile Facsimile Federal Express Federa			,
P.O. Box 83720 Boise, Idaho 83720-0098 garrick.baxter@idwr.idaho.gov kimi.white@idwr.idaho.gov Randall C. Budge Thomas J. Budge RACINE OLSON NYE BUDGE & BAILEY CHARTERED 201 E. Center St. P.O. Box 1391 Pocatello, ID 83204 rcb@racinelaw.net tjb@racinelaw.net tjb@racinelaw.net John K. Simpson Paul Arrington BARKER ROSHOLT & SIMPSON, LLP 195 River Vista Place, Suite 204 Twin Falls, Idaho 83301-3029 jks@idahowaters.com pla@idahowaters.com jlw@idahowaters.com Timothy J. Stover WORST FITZGERALD & STOVER PLLC P.O. Box 1428 Twin Falls, Idaho 83303 tjs@magicvalleylaw.com Facsimile Federal Express E-Mail Facsimile Federal Express E-Mail Facsimile Federal Express Facsimile Federal Express Federal	Garrick Baxter		E
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garrick.baxter@idwr.idaho.gov kimi.white@idwr.idaho.gov Randall C. Budge Thomas J. Budge RACINE OLSON NYE BUDGE & BAILEY CHARTERED 201 E. Center St. P.O. Box 1391 Pocatello, ID 83204 rcb@racinelaw.net tjb@racinelaw.net tjb@racinelaw.net John K. Simpson Paul Arrington BARKER ROSHOLT & SIMPSON, LLP 195 River Vista Place, Suite 204 Twin Falls, Idaho 83301-3029 jks@idahowaters.com pla@idahowaters.com Timothy J. Stover WORST FITZGERALD & STOVER PLLC P.O. Box 1428 Twin Falls, Idaho 83303 tjs@magicvalleylaw.com E-Mail Hand Delivery U.S. Mail Facsimile Federal Express Fe-Mail Facsimile Facsimi	P.O. Box 83720	Facsimile	
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Thomas J. Budge RACINE OLSON NYE BUDGE & BAILEY CHARTERED 201 E. Center St. P.O. Box 1391 Pocatello, ID 83204 rcb@racinelaw.net tjb@racinelaw.net John K. Simpson Paul Arrington BARKER ROSHOLT & SIMPSON, LLP 195 River Vista Place, Suite 204 Twin Falls, Idaho 83301-3029 jks@idahowaters.com pla@idahowaters.com jlw@idahowaters.com Timothy J. Stover WORST FITZGERALD & STOVER PLLC P.O. Box 1428 Twin Falls, Idaho 83303 tjs@magicvalleylaw.com U.S. Mail Facsimile Federal Express E-Mail U.S. Mail Facsimile Facsimile Federal Express			
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201 E. Center St. P.O. Box 1391 Pocatello, ID 83204 rcb@racinelaw.net tjb@racinelaw.net John K. Simpson Paul Arrington BARKER ROSHOLT & SIMPSON, LLP 195 River Vista Place, Suite 204 Twin Falls, Idaho 83301-3029 jks@idahowaters.com pla@idahowaters.com Timothy J. Stover WORST FITZGERALD & STOVER PLLC P.O. Box 1428 Twin Falls, Idaho 83303 tjs@magicvalleylaw.com E-Mail E-Mail E-Mail	BAILEY CHARTERED	Federal Express	□ ,
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John K. Simpson Paul Arrington U.S. Mail BARKER ROSHOLT & SIMPSON, LLP 195 River Vista Place, Suite 204 Twin Falls, Idaho 83301-3029 iks@idahowaters.com pla@idahowaters.com Timothy J. Stover WORST FITZGERALD & STOVER PLLC P.O. Box 1428 Twin Falls, Idaho 83303 Federal Express Timothy J. Stover Firm Falls, Idaho 83303 Federal Express Timothy J. Stover Facsimile Fa	tjb@racinelaw.net		
Paul Arrington BARKER ROSHOLT & SIMPSON, LLP 195 River Vista Place, Suite 204 Twin Falls, Idaho 83301-3029 jks@idahowaters.com pla@idahowaters.com ilw@idahowaters.com Timothy J. Stover WORST FITZGERALD & STOVER PLLC P.O. Box 1428 Twin Falls, Idaho 83303 tjs@magicvalleylaw.com U.S. Mail Facsimile U.S. Mail Facsimile U.S. Mail Facsimile Federal Express		Hand Delivery	
BARKER ROSHOLT & SIMPSON, LLP 195 River Vista Place, Suite 204 Twin Falls, Idaho 83301-3029 jks@idahowaters.com pla@idahowaters.com jlw@idahowaters.com Timothy J. Stover WORST FITZGERALD & STOVER PLLC P.O. Box 1428 Twin Falls, Idaho 83303 tjs@magicvalleylaw.com Facsimile Facsimile U.S. Mail Facsimile			
Twin Falls, Idaho 83301-3029 jks@idahowaters.com pla@idahowaters.com Timothy J. Stover WORST FITZGERALD & STOVER PLLC P.O. Box 1428 Twin Falls, Idaho 83303 tjs@magicvalleylaw.com Federal Express E-Mail Falls, Idaho 83303 Federal Express E-Mail		Facsimile	
Twin Falls, Idaho 83301-3029 jks@idahowaters.com pla@idahowaters.com jlw@idahowaters.com Timothy J. Stover WORST FITZGERALD & STOVER PLLC P.O. Box 1428 Twin Falls, Idaho 83303 tjs@magicvalleylaw.com E-Mail U.S. Mail Facsimile Federal Express E-Mail	195 River Vista Place, Suite 204	Federal Express	
pla@idahowaters.com jlw@idahowaters.com Timothy J. Stover WORST FITZGERALD & STOVER PLLC P.O. Box 1428 Twin Falls, Idaho 83303 tjs@magicvalleylaw.com Hand Delivery U.S. Mail Facsimile Facsimile Federal Express E-Mail	Twin Falls, Idaho 83301-3029	_	
jlw@idahowaters.com Hand Delivery Timothy J. Stover Hand Delivery WORST FITZGERALD & STOVER PLLC U.S. Mail P.O. Box 1428 Facsimile Twin Falls, Idaho 83303 Federal Express tjs@magicvalleylaw.com E-Mail	jks@idahowaters.com		
jlw@idahowaters.com Hand Delivery Timothy J. Stover Hand Delivery WORST FITZGERALD & STOVER PLLC U.S. Mail P.O. Box 1428 Facsimile Twin Falls, Idaho 83303 Federal Express tjs@magicvalleylaw.com E-Mail	pla@idahowaters.com		
Timothy J. Stover WORST FITZGERALD & STOVER PLLC P.O. Box 1428 Twin Falls, Idaho 83303 tjs@magicvalleylaw.com Hand Delivery U.S. Mail Facsimile Facsimile Federal Express E-Mail			
WORST FITZGERALD & STOVER PLLC P.O. Box 1428 Twin Falls, Idaho 83303 tjs@magicvalleylaw.com U.S. Mail Facsimile Federal Express E-Mail		Hand Delivery	
P.O. Box 1428 Twin Falls, Idaho 83303 tjs@magicvalleylaw.com Facsimile Federal Express E-Mail			
Twin Falls, Idaho 83303 tjs@magicvalleylaw.com Federal Express E-Mail	P.O. Box 1428	1	
tjs@magicvalleylaw.com E-Mail	Twin Falls, Idaho 83303		
Michael I Handles V.D.			
Michael J. Hensiee, V.P.	Michael J. Henslee, V.P.	Hand Delivery	

Salmon Falls Land & Livestock Co.	U.S. Mail	
95-A Bell Rapids Road	Facsimile	
Hagerman, Idaho 83332	Federal Express	
mjhenslee@gmail.com	E-Mail	
Leo E. Ray	Hand Delivery	
Big Bend Trout, Inc.	U.S. Mail	
P.O. Box 479	Facsimile	
Hagerman, Idaho 83330	Federal Express	
fpi@fishbreedersofidaho.com	E-Mail	₽ P
Almer Huntley, Jr., President	Hand Delivery	
Big Bend Irrigation & Mining Co., Ltd.	U.S. Mail	
2721 South 900 East	Facsimile	
Hagerman, Idaho 83332	Federal Express	
plspe@hotmail.com	E-Mail	
	The second secon	
M&M Court Reporting Services	Hand Delivery	
421 W. Franklin Street	U.S. Mail	
Boise, ID 83702	Facsimile	
Fax No. (208) 345-8800	Federal Express	
Email: anniew@m-mservice.com	E-Mail	

J. Justin May