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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 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.

Docket No. CM-MP-2014-001

**NOTICE OF TAKING  
DEPOSITION DUCES TECUM OF  
DR. CHARLES BRENDECKE**

**Friday, March 14, 2014  
10:00 a.m.**

**1002 Walnut Street, Suite 200  
Boulder, CO 80302  
(303)443-7839**

**TO: DR. CHARLES BRENDECKE AND IGWA'S COUNSEL OF RECORD**

PLEASE TAKE NOTICE that Rangen, Inc., will take the deposition of Dr. Charles Brendecke before a certified Court Reporter, in accordance with the Rules of Civil Procedure of the State of Idaho, on the 14<sup>th</sup> day of March, 2014, at the hour of 10:00 a.m. at the office of Dr. Charles Brendecke located at 1002 Walnut Street, Suite 200, Boulder, CO 80302.

**NOTICE OF DEPOSITION DUCES TECUM OF CHARLES BRENDECKE - 1**

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

1. List of all water rights covered by IGWA's proposed Mitigation Plan.
2. Copies of all documents pertaining to the conversions for which IGWA is seeking credit including, but not limited to documents which show: (a) the locations of converted ground; (b) the groundwater rights associated with converted grounds; (c) whether the conversion is "hard" or "soft"; (d) the source of the conversion or replacement water; (e) how the replacement water gets to the converted area; whether the owner of the conversion acres is a member of IGWA or one of IGWA's member groundwater districts; (f) the procedure you used to determine how much credit should be given for the conversion.
3. Copies of all documents pertaining to CREP voluntary dry-ups, including but not limited to documents which show: (a) where the CREP acres are located; (b) how long the acres have been enrolled in CREP; (c) the contract length; (d) whether the owner of the CREP acres is a member of IGWA or one of IGWA's member groundwater districts; (e) the procedure you used to determine how much credit should be given for the CREP voluntary dry-ups; and (f) how much credit you contend should be given for the CREP voluntary dry-ups.
4. Copies of all documents pertaining to recharge projects for which IGWA is seeking credit, including, but not limited to document which show: (a) the groundwater recharge locations; (b) the estimated volume to be recharged; (c) whether the recharge is already considered in ESPAM 2.1 (e.g., canal seepage); (d) who owns the proposed recharge site; (e) the recharge water source; (f) when the recharge activities have taken place and for how long; (g) the water rights used for recharge;

and (h) the mitigation credit you contend that should be given for each recharge project.

5. Copies of all documents pertaining to the Sandy Pipeline, including, but not limited to the following: (a) all agreements pertaining to the construction, operation and use of the Sandy Pipeline; (b) all documents showing historical water deliveries to the Sandy Pipeline; (c) all documents showing historical use of water flowing through the Sandy Pipeline; (d) all documents showing the infrastructure of the Sandy Pipeline (e.g., pipe size, capacity, elevation difference, inlet structure, outlet structure, measuring devices, etc.); (e) all document showing who paid for the Sandy Pipeline; (f) all documents showing who uses the Sandy Pipeline and for what purposes.
6. All documents pertaining water right permit application no. 36-16976.
7. All documents pertaining to Mitigation Plan, Section 6: Improvement to Martin Curren Tunnel, including, but not limited to documents showing: (a) the scope, action items and timeline for the proposed improvements; and (b) the additional amounts of water likely to be produced by the improvements.
8. The Geographic Information System (“GIS”) Data showing the conversion information requested above.
9. All contracts and other documents for each CREP parcel for which you contend IGWA should receive mitigation credit.
10. All GIS Data regarding Groundwater Recharge parcels for which you contend IGWA should receive mitigation credit.
11. All GIS Data showing the information requested above for CREP parcels.

12. 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 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 7<sup>th</sup> day of March, 2014.

BRODY LAW OFFICE, PLLC

By: *Robyn M. Brody*  
Robyn M. Brody

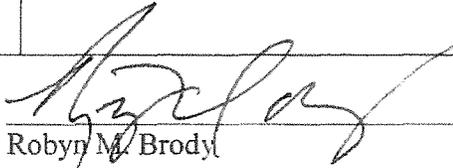
**CERTIFICATE OF SERVICE**

The undersigned, a resident attorney of the State of Idaho, hereby certifies that on the 7<sup>th</sup> day of March, 2014, I caused a true and correct copy of the foregoing document to be served using the method indicated upon the following:

<b>Original:</b> Director Gary Spackman Idaho Department of Water Resources P.O. Box 83720 Boise, ID 83720-0098 Deborah.Gibson@idwr.idaho.gov	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"/>
Garrick Baxter Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098 garrick.baxter@idwr.idaho.gov chris.bromley@idwr.idaho.gov	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"/>
Randall C. Budge	Hand Delivery <input type="checkbox"/>

<p>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>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.O. Box 4169  Pocatello, ID 83201  dtranmer@pocatello.us</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>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 LAW OFFICES  802 West Bannock, Suite 900  Boise, ID 83701  tom.arkoosh@arkoosh.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>

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 checked="" type="checkbox"/>
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Robyn M. Brody