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Attorneys for Respondents

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF GOODING**

RANGEN, INC.

Petitioner,

vs.

GARY R. SPACKMAN, in his official
capacity as Director of the Idaho Department
of Water Resources, and THE IDAHO
DEPARTMENT OF WATER RESOURCES

Respondents,

and

THE IDAHO GROUND WATER
APPROPRIATORS, INC.

Intervenor.

Case No. CV-2014-272

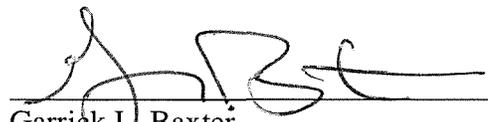
MOTION TO DISMISS

COME NOW, Respondents Gary R. Spackman, in his official capacity as Director (“Director”) of the Idaho Department of Water Resources (“Department”), and the Department, an executive agency of the State of Idaho, by and through their attorneys of record, and move this Court for an order dismissing Petitioner’s *Amended Complaint for Declaratory Judgment Regarding Constitutionality of Conjunctive Management Rules and Petition for Writ of Mandate* pursuant to I.R.C.P. 12(b)(6) for failure to state a claim upon which relief can be granted and pursuant to I.R.C.P. 12(b)(8) because other actions are pending between the same parties for the same causes. The reasons supporting Respondents’ motion are set forth in the accompanying memorandum filed concurrently herewith.

Respondents desire to present oral argument in support of this motion to dismiss.

DATED this 25th day of November 2014.

LAWRENCE G. WASDEN
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of November 2014, I caused a true and correct copy of the foregoing document to be filed with the Court and served on the following parties by the methods indicated below:

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