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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 TWIN FALLS**

RANGEN, INC.,

Petitioner,

vs.

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

Respondents,

and

IDAHO GROUND WATER  
APPROPRIATORS, INC., SALMON  
FALLS LAND & LIVESTOCK CO.

Intervenors.

Case No. CV-2014-2935

**ORDER SETTLING THE AGENCY  
RECORD AND TRANSCRIPT**

Pursuant to I.R.C.P. 84(j), on August 1, 2014, the Idaho Department of Water Resources (“Department”) served upon the parties its *Notice of Lodging Agency Record and Transcript with the Agency* (“Notice”). The Notice gave the parties fourteen (14) days from the date of the Notice to file any objections to the agency transcript or record. On August 15, 2014, the Idaho Ground Water Appropriators, Inc. (“IGWA”), filed *IGWA’s Objection to the Lodged Agency Record and Transcript*, objecting to the agency record. No objections were made to the agency transcripts.

### **IGWA’s Objection**

IGWA requests that the agency record on appeal for Twin Falls County Case No. CV-2014-2935, include the following documents:

- Howard “Butch” Morris letter to Director Gary Spackman, dated April 17, 2014, submitted to the Department in Docket Nos. CM-MP-2014-001 and CM-MP-2014-004.
- Director Gary Spackman’s letter to all parties providing guidance for evidence at the hearing and attachment thereto (*Final Order Concerning the Over the Rim Mitigation Plan*, Docket No. CM-MP-2009-004, dated March 18, 2011), dated May 6, 2014, Docket No. CM-MP-2014-003.

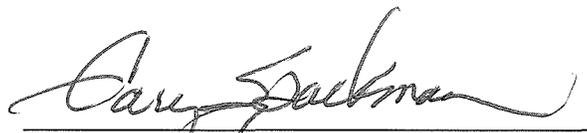
The Department has no objection to inclusion of the above-referenced letters as requested and the record at the time of filing with the District Court will reflect the inclusion of the letters.

### **ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED that, the timely objection to the agency record having been filed, and with the additions or changes to the record described above, the agency record and transcript are deemed settled.

IT IS FURTHER ORDERED that, pursuant to Idaho Rule of Civil Procedure 84(j), IGWA’s Objection, and this order shall be included in the record on the petition for judicial review. The Department shall provide the parties with copies of the agency record on one (1) DVD consistent with modifications made in this order.

DATED this 22<sup>nd</sup> day of August, 2014.

  
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GARY SPACKMAN  
Director

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22<sup>ND</sup> day of August, 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:

*Original to:*

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