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**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., A&B IRRIGATION  
DISTRICT, BURLEY IRRIGATION  
DISTRICT, MILNER IRRIGATION  
DISTRICT, NORTH SIDE CANAL  
COMPANY, TWIN FALLS CANAL  
COMPANY, AMERICAN FALLS

Case No. CV-2014-2446

**ORDER SETTLING THE AGENCY  
RECORD AND TRANSCRIPT**

RESERVOIR DISTRICT #2, MINIDOKA  
IRRIGATION DISTRICT, FREMONT  
MADISON IRRIGATION DISTRICT, AND  
MADISON GROUND WATER DISTRICT,

Intervenors.

Pursuant to I.R.C.P. 84(j), on July 9, 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 and record.

On July 23, 2014, the Idaho Ground Water Appropriators, Inc. (“IGWA”) filed with the Department *IGWA’s Objection to the Lodged Agency Record and Transcript* (“IGWA’s Objection”).

### **IGWA’s Objection**

IGWA objected to the record as lodged with the agency as being incomplete and requested that the documents listed below be included in the agency record on appeal for Twin Falls County Case No. CV-2014-2446:

1. *Final Order Regarding Rangen, Inc.’s Petition for Delivery Call; Curtailing Ground Water Rights Junior to July 13, 1962*, In the Matter of Distribution of Water to Water Right Nos. 36-02551 and 36-07694 (Rangen, Inc.), Docket No. CV-DC-2011-004, issued January 29, 2014;
2. *Order Granting IGWA’s Petition to Stay Curtailment*, In the Matter of Distribution of Water to Water Right Nos. 36-02551 and 36-07964 (Rangen, Inc.), Docket No. CM-DC-2011-004, issued February 21, 2014;
3. *Order on Reconsideration*, In the Matter of Distribution of Water to Water Right Nos. 36-02551 and 36-07694 (Rangen, Inc.), Docket No. CM-DC-2011-004, dated March 4, 2014; and
4. *Order Granting IGWA’s Second Petition to Stay Curtailment*, In the Matter of Distribution of Water to Water Rights Nos. 36-02551 and 36-07694 (Rangen, Inc.), Docket No. CM-DC-2011-004, dated April 28, 2104.

The Department has determined that the above-referenced documents requested in IGWA’s Objection are already included in the record as lodged with the agency. The documents numbered above as nos. 1 and 3 were included as admitted exhibits nos. 2042 and 2043, respectively. The documents numbered above as nos. 2 and 4 are already included in the record as bates numbers 68-74 and 583-591, respectively. These documents will remain a part of the record at the time of filing with the District Court.

**ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED that, the timely objection to the agency record having been filed, and with the determination that the requested additions to the record as described above are unnecessary, 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 1<sup>st</sup> day of August, 2014.

  
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GARY SPACKMAN  
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1 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:

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