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Attorneys for Rangen, Inc.

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

RANGEN, INC., an Idaho corporation,

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.

Case No. CW-2014-272

**RANGEN, INC.'S APPLICATION
FOR ALTERNATIVE WRIT OF
MANDATE**

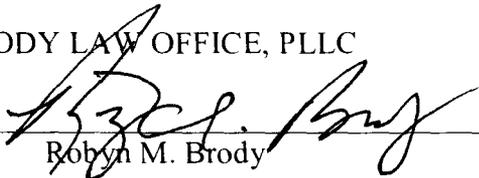
Petitioner Rangen, Inc. ("Rangen"), by and through its attorneys of record, hereby makes application pursuant to Rule 74(b) of the Idaho Rules of Civil Procedure for the issuance of an Alternative Writ of Mandate against Director Gary R. Spackman in his official capacity as Director of the Idaho Department of Water Resources ("Director Spackman") and the Idaho Department of Water Resources ("IDWR" or "Department") commanding Director Spackman and IDWR to:

- (1) rescind the *Order Granting IGWA's Second Petition to Stay Curtailment* entered on April 28, 2014 in *In the Matter of the Distribution of Water to Water Right Nos. 36-02551 and 36-07694 (Rangen, Inc.)*, IDWR Docket No. CM-DC-2011-004 ("Rangen's Delivery Call Action"), and comply with the Conjunctive Management Rules and curtail junior groundwater use that is causing material injury to Rangen and not covered by an approved mitigation plan that satisfies the water mitigation obligations set forth in the *Final Order* entered in Rangen's Delivery Call Action; OR ALTERNATIVELY,
- (2) appear before the Court on June 16, 2014, at 1:30 p.m. at the Snake River Basin Adjudication Courthouse located at 253 3rd Avenue North, Twin Falls, Idaho 83301 and show cause why they have not complied with the Alternative Writ.

This Application is supported by *Rangen, Inc.'s Verified Petition for Peremptory Writ of Mandate* together with the *Affidavit of J. Wayne Courtney in Support of Verified Petition for Peremptory Writ of Mandate* filed contemporaneously herewith.

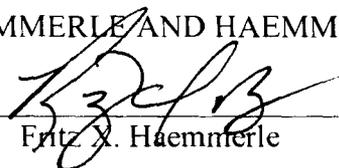
DATED THIS 21st day of May, 2014.

BRODY LAW OFFICE, PLLC

By: 

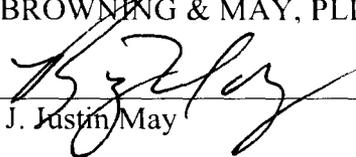
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Fritz X. Haemmerle

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By: 

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