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MAR 22 2013

DEPARTMENT OF
WATER RESOURCES

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ATTORNEYS FOR THE CITY OF POCATELLO

BEFORE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF DISTRIBUTION)
OF WATER TO WATER RIGHT NOS.) Docket No. CM-DC-2011-004
36-02551 AND 36-07694)
) AFFIDAVIT OF J. RYLAND HUTCHINS
(RANGEN, INC.))
_____)

STATE OF COLORADO)
) ss.
County of Denver)

J. Ryland Hutchins, being first duly sworn upon oath, deposes and says:

1. I am one of the attorneys of record for the City of Pocatello. I am over the age of 18 and state the following based upon my own personal knowledge.
2. Attached hereto are true and correct copies of excerpts from the final deposition transcripts of the following depositions, as referenced in Pocatello's accompanying Response to Rangen's Motion for Summary Judgment Re: Source:
 - a. Excerpts from the deposition of Lonny Tate, taken September 11, 2012, attached as Exhibit A.

AFFIDAVIT OF J. RYLAND HUTCHINS

- b. Excerpts from the deposition of David Colvin, taken March 4, 2013, attached as Exhibit B
 - c. Excerpts from the deposition of Charlie Smith, taken March 7, 2013, attached as Exhibit C.
3. Attached hereto is a true and correct copy of a hand drawn map which was excerpted from Deposition Exhibit 213, attached as Exhibit D.

FURTHER AFFIANT SAYETH NAUGHT.

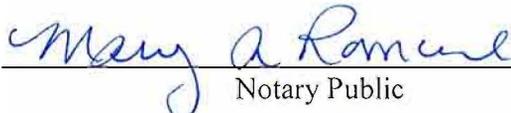
Dated this 22nd day of March, 2013.

WHITE & JANKOWSKI, LLP

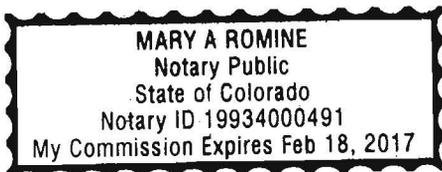
By 
J. Ryland Hutchins

ATTORNEYS FOR CITY OF POCATELLO

BEFORE ME, the undersigned, a Notary Public, in and for said County and State on this 22nd day of March, 2013, personally appeared J. Ryland Hutchins who executed the above as his free and voluntary act.


Notary Public
511 16th St B500
Denver Co 80202

My Commission Expires: 2/18/2017



CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of March, 2013, I caused to be served a true and correct copy of the foregoing **Affidavit of J. Ryland Hutchins** for **Docket No. CM-DC-2011-004** upon the following by the method indicated:



Sarah Klahn, White & Jankowski, LLP

Gary Spackman, Director State of Idaho, Dept of Water Resources 322 E Front St PO Box 83720 Boise ID 83720-0098 deborah.gibson@idwr.idaho.gov	<input checked="" type="checkbox"/> Original sent via U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail – Federal Express <input type="checkbox"/> Facsimile – 208-287-6700 = Phone – 208-287-4803 <input checked="" type="checkbox"/> Email
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<p>C. Thomas Arkoosh Arkoosh Law Offices PO Box 2900 Boise ID 83701 tom.arkoosh@arkoosh.com erin.cecil@arkoosh.com</p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile 208-343-5456 <input checked="" type="checkbox"/> Email</p>
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<p>W. Kent Fletcher Fletcher Law Office PO Box 248 Burley, ID 83318 wkf@pmt.org</p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile 208-878-2548 <input checked="" type="checkbox"/> Email</p>
<p>Jerry R. Rigby Hyrum Erickson Robert H Wood Rigby Andrus & Rigby PO Box 250 Rexburg ID 83440-0250 jrigby@rex-law.com herickson@rex-law.com rwood@rex-law.com</p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile 208-356-0768 <input checked="" type="checkbox"/> Email</p>

BEFORE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF DISTRIBUTION)
OF WATER TO WATER RIGHT NOS.)
36-02551 AND 36-07694)
(RANGEN, INC.))
_____)

Docket No. CM-DC-2011-004

CONFIDENTIAL INFORMATION

The enclosed is subject to the terms of the *Protective Order* entered on August 31, 2012 and is being disclosed pursuant to its terms. The enclosed documents may not be used other than in connection with the above-referenced delivery call.

Exhibits to J. Ryland Hutchins's Affidavit
March 22, 2013

Exhibit A

select pages from deposition of Lonnie Tate, 09-11-12

Exhibit B

select pages from deposition of David Colvin, 03-04-13

Exhibit C

select pages from deposition of Charlie Smith, 03-07-13

Exhibit D

select page from Deposition Exhibit 213