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DEPARTMENT OF
WATER RESOURCES

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Department of Water Resources
Eastern Region

Robyn M. Brody (ISB No. 5678)
BRODY LAW OFFICE, PLLC
P.O. Box 554
Rupert, ID 83350
Telephone: (208) 420-4573
Facsimile: (208) 260-5482
robynbrody@hotmail.com

J. Justin May (ISB No. 5818)
MAY, BROWNING & MAY, PLLC
1419 W. Washington
Boise, Idaho 83702
Telephone: (208) 429-0905
Facsimile: (208) 342-7278
jmay@maybrowning.com

Fritz X. Haemmerle (ISB No. 3862)
HAEMMERLE LAW, PLLC
P.O. Box 1800
Hailey, ID 83333
Telephone: (208) 578-0520
Facsimile: (208) 578-0564
fxh@haemlaw.com

Attorneys for Rangen, Inc.

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

**IN THE MATTER OF THE
APPLICATION FOR PERMIT NO. 36-
17002 IN THE NAME OF RANGEN,
INC.**

**RANGEN'S EXCEPTIONS TO
PRELIMINARY ORDER**

COMES NOW the Protestant/Applicant, Rangen, Inc. ("Rangen"), by and through its attorneys, Fritz X. Haemmerle, of Haemmerle Law, P.L.L.C., Justin May of May, Browning and May, P.L.L.C., and Robyn M. Brody of Brody Law Office, PLLC, and hereby files exceptions to the Preliminary Order Issuing Permit issued by Hearing Officer James Cefalo in Permit No. 36-17002 ("Permit"), dated January 2, 2015 (hereinafter "Order").

EXCEPTIONS

1. The Hearing Officer lacked the authority to apply a subordination condition (Condition 7) to the Permit.
2. Condition 8 is not necessary or proper.
3. The Hearing Officer incorrectly determined the source and point of diversion of Rangen's other water rights, 36-15501, 36-2551 and 36-7694.

DATED this 16 day of January, 2015



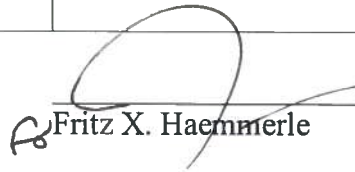
FRITZ X. HAEMMERLE
Attorney for Rangen, Inc.

CERTIFICATE OF SERVICE

The undersigned, a resident attorney of the State of Idaho, hereby certifies that on the 16 day of January, 2015 he caused a true and correct copy of the foregoing document to be served upon the following by the method indicated:

Original: Gary Spackman 322 East Front Street P.O. Box 83720 Boise, ID 83720-0098 deborah.gibson@idwr.idaho.gov	Hand Delivery ☒ U.S. Mail ☐ Facsimile ☐ Federal Express ☐ E-Mail ☒
James Cefalo Idaho Department of Water Resources 900 N. Skyline Dr., Ste. A Idaho Falls, ID 83402-1718 james.cefalo@idwr.idaho.gov	Hand Delivery ☐ U.S. Mail ☐ Facsimile ☐ Federal Express ☐ E-Mail ☒
Blind Canyon Aquaranch, Inc. c/o Gary Lemmon 2757 South 1050 East Hagerman, ID 83332 glemmon@northrim.net	Hand Delivery ☐ U.S. Mail ☐ Facsimile ☐ Federal Express ☐ E-Mail ☒
Randall C. Budge Thomas J. Budge RACINE, OLSON, NYE, BUDGE & BAILEY, CHARTERED P.O. Box 1391 201 E. Center St Pocatello, ID 83204-1391 Fax: 208-433-0167 rcb@racinelaw.ne tjb@racinelaw.net bjh@racinelaw.net	Hand Delivery ☐ U.S. Mail ☐ Facsimile ☐ Federal Express ☐ E-Mail ☒
City of Gooding c/o Craig Hobdey P.O. Box 176 Gooding, ID 83330 hobdeycraig@gmail.com	Hand Delivery ☐ U.S. Mail ☐ Facsimile ☐ Federal Express ☐ E-Mail ☒
Idaho Dept. of Environmental	Hand Delivery ☐

Quality Attn: Sandy Gritton 650 Addison Ave. St. W. Ste. 500 Twin Falls, ID 83301-3380	U.S. Mail ☐ Facsimile ☐ Federal Express ☐ E-Mail ☒
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Fritz X. Haemmerle