

APR 20 2020

DEPARTMENT OF
WATER RESOURCESRe-filing Due to IDWR
Notice ErrorIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIn Re ^{SRBA}~~CSRBA~~Case No. ~~49576~~ 39576

A.

Subcase

78-12505

(Insert water right number
From the Objection Form)STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Kerry N. Brennan
Address: PO Box 251
Riggins, ID 83549
Daytime Phone: 208 628 3334

Name & Address of Attorney, if any:

Brian McMahon
PO Box 959
Boise, ID 83701
Phone 208-334-1800C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDINGName: Bill Lenhart
Address: PO Box 512
Riggins, ID 83549

D. I am responding to the Objections to the following elements or general provision. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☐ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point of Diversion
6. ☐ Instream Flow Beginning and Ending Point
7. ☒ Purpose(s) of Use *should be as claimed & used*
8. ☐ Period of Year
9. ☒ Place of Use *should be as claimed & used*
10. ☐ General Provision
11. ☐ Recommendation:
 - ☐ This water right should not exist. *has now been* *and it* *adjudicated*
 - ☒ This water right ~~was not recommended~~, but should be recommended with the elements described above, as claimed by Kerry N. Brennan. *See below.*

(Signature of person filing)

*Brian L. McMahon, atty
for Kerry N. Brennan*

(Attorney signing in representative capacity)

Use has never been abandoned. Historic beneficial use has been on both parcels, 78-12504 & 78-12505, since the well was drilled, as set forth in Kerry Brennan's claim.

INSTRUCTIONS FOR MAILING

You must mail the Response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

E. CERTIFICATE OF MAILING

I certify that on April 16, 2020, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Kerry N. Brennan
Address: PO Box 251
Riggins, ID 83549

3. One copy to the party who filed the Objection at the following address:

Name: Bill Leuhart
Address: PO Box 512
Riggins, ID 83549

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010

Brian L. McMahon

Your signature or signature of attorney
mailing on your behalf