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Department of Water Resources
Eastern Region

Attorneys for Grouse Creek Reserve, LLC

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION
FOR TRANSFER 84788 IN THE NAME
OF GROUSE CREEK RESERVE, LLC

**NOTICE OF
DEEMED ADMISSIONS**

PLEASE TAKE NOTICE that Grouse Creek Reserve, LLC, pursuant to the Idaho Rules of Civil Procedure and the Procedural Rules of the Idaho Department of Water Resources, served *First Discovery Requests* to Ron Hansen, Dennis Craig, Gary Hansen, Kyle Hansen, and Rodney Barnes (collectively the "Protestants"), which contained certain requests for admission (the "Requests for Admission") on July 30, 2021. The Requests for Admission were not answered within 30 days of their service, no longer time was stipulated to under Rule 29, and this Court did not order a longer time. Therefore, pursuant to Idaho Rule of Civil Procedure 36(a)(4), all the following Requests for Admission are deemed admitted by the Protestants and conclusively established:

Dennis Craig

REQUEST FOR ADMISSION NO. 1: Admit that you are not the owner of any water rights that can be affected or injured by the Transfer.

REQUEST FOR ADMISSION NO. 2: Admit that the Transfer will not allow for an enlargement, as described under Idaho Code § 42-222.

REQUEST FOR ADMISSION NO. 3: Admit that the Transfer is consistent with the conservation of water resources within the state of Idaho, as described under Idaho Code § 42-222.

REQUEST FOR ADMISSION NO. 4: Admit that the Transfer is in the local public interest, as described under Idaho Code § 42-222.

REQUEST FOR ADMISSION NO. 5: Admit that you are not the legal owner of any water rights delivered through the North Leigh Canal and/or the Hubbard Ditch.

REQUEST FOR ADMISSION NO. 6: Admit that you are not a lawyer authorized to practice law in the State of Idaho.

REQUEST FOR ADMISSION NO. 7: Admit that the Hubbard Ditch is currently in a state of disrepair.

Gary Hansen

REQUEST FOR ADMISSION NO. 1: Admit that you do not own any water rights that are authorized to be diverted from the North Leigh Creek Canal heading with an authorized place of use on your property.

REQUEST FOR ADMISSION NO. 2: Admit that you are currently diverting your water through the North Leigh Creek Canal heading.

REQUEST FOR ADMISSION NO. 3: Admit that the Transfer will not allow for an enlargement, as described under Idaho Code § 42-222.

REQUEST FOR ADMISSION NO. 4: Admit that the Transfer is consistent with the conservation of water resources within the state of Idaho, as described under Idaho Code § 42-222.

REQUEST FOR ADMISSION NO. 5: Admit that the Transfer is in the local public interest, as described under Idaho Code § 42-222.

REQUEST FOR ADMISSION NO. 6: Admit that you are not a lawyer authorized to practice law in the State of Idaho.

REQUEST FOR ADMISSION NO. 7: Admit that the representative designated in your Protest, Brian L. Hansen, is not a lawyer authorized to practice law in the State of Idaho.

REQUEST FOR ADMISSION NO. 8: Admit that the Hubbard Ditch is currently in a state of disrepair.

Kyle Hansen

REQUEST FOR ADMISSION NO. 1: Admit that you are not the owner of any water rights that can be affected or injured by the Transfer.

REQUEST FOR ADMISSION NO. 2: Admit that the Transfer will not allow for an enlargement, as described under Idaho Code § 42-222.

REQUEST FOR ADMISSION NO. 3: Admit that the Transfer is consistent with the conservation of water resources within the state of Idaho, as described under Idaho Code § 42-222.

REQUEST FOR ADMISSION NO. 4: Admit that the Transfer is in the local public interest, as described under Idaho Code § 42-222.

REQUEST FOR ADMISSION NO. 5: Admit that you are not the legal owner of any water rights delivered through the North Leigh Canal and/or the Hubbard Ditch.

REQUEST FOR ADMISSION NO. 6: Admit that you are not a lawyer authorized to practice law in the State of Idaho.

REQUEST FOR ADMISSION NO. 7: Admit that the Hubbard Ditch is currently in a state of disrepair.

Rodney Barnes

REQUEST FOR ADMISSION NO. 1: Admit that you do not own any water rights that are authorized to be diverted from North Leigh Creek at the Hubbard Ditch heading and/or the North Leigh Creek Canal heading with an authorized place of use on your property.

REQUEST FOR ADMISSION NO. 2: Admit that the Transfer will not allow for an enlargement, as described under Idaho Code § 42-222.

REQUEST FOR ADMISSION NO. 3: Admit that the Transfer is consistent with the conservation of water resources within the state of Idaho, as described under Idaho Code § 42-222.

REQUEST FOR ADMISSION NO. 4: Admit that the Transfer is in the local public interest, as described under Idaho Code § 42-222.

REQUEST FOR ADMISSION NO. 5: Admit that you are not a lawyer authorized to practice law in the State of Idaho.

REQUEST FOR ADMISSION NO. 6: Admit that the Hubbard Ditch is currently in a state of disrepair.

Ron Hansen

REQUEST FOR ADMISSION NO. 1: Admit that you are not the owner of any water rights that can be affected or injured by the Transfer.

REQUEST FOR ADMISSION NO. 2: Admit that the Transfer will not allow for an enlargement, as described under Idaho Code § 42-222.

REQUEST FOR ADMISSION NO. 3: Admit that the Transfer is consistent with the conservation of water resources within the state of Idaho, as described under Idaho Code § 42-222.

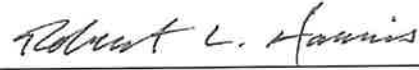
REQUEST FOR ADMISSION NO. 4: Admit that the Transfer is in the local public interest, as described under Idaho Code § 42-222.

REQUEST FOR ADMISSION NO. 5: Admit that you are not the legal owner of any water rights delivered through the North Leigh Canal and/or the Hubbard Ditch.

REQUEST FOR ADMISSION NO. 6: Admit that you are not a lawyer authorized to practice law in the State of Idaho.

REQUEST FOR ADMISSION NO. 7: Admit that the Hubbard Ditch is currently in a state of disrepair.

Dated this 10th day of September, 2021.

A handwritten signature in dark ink, appearing to read "Robert L. Harris", is written above a horizontal line.

Robert L. Harris

HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of September, 2021, I served a true and correct copy of the following described pleading or document on the attorneys and/or individuals listed below by the method(s) indicated.

DOCUMENT SERVED: NOTICE OF DEEMED ADMISSIONS

ORIGINAL TO: James Cefalo
Hearing Officer, Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402-1718
James.Cefalo@idwr.idaho.gov

ATTORNEYS AND/OR INDIVIDUALS SERVED:

Kyle D. Hansen
6345 N. 500 W.
Tetonia, ID 83452
hansenk36@gmail.com

☒ Mail
☐ Hand Delivery
☒ Email

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Dennis D. Craig
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mrddc@hotmail.com

☒ Mail
☐ Hand Delivery
☒ Email

Rodney Barnes
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☒ Email



Robert L. Harris, Esq.
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