

Robert L. Harris (ISB #7018)
rharris@holdenlegal.com
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.
1000 Riverwalk Dr., Ste. 200
P.O. Box 50130
Idaho Falls, Idaho 83405
Telephone: (208) 523-0620
Facsimile: (208) 523-9518

Attorneys for Pancheri, Inc.

RECEIVED

May 05, 2025

DEPARTMENT OF
WATER RESOURCES

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

IN THE MATTER OF APPLICATIONS
FOR TRANSFER 89297 IN THE NAME
OF PANCHERI INC.

**NOTICE OF
DEEMED ADMISSIONS**

PLEASE TAKE NOTICE that Pancheri, Inc., pursuant to the Idaho Rules of Civil Procedure and the Procedural Rules of the Idaho Department of Water Resources, served *First Discovery Requests to Roy Sermon*, which contained certain requests for admission (the “Requests for Admission”) on February 7, 2025. 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 Mr. Sermon and conclusively established:

REQUEST FOR ADMISSION NO. 1: Admit that your water rights will not be affected or injured by the Application.

REQUEST FOR ADMISSION NO. 2: Admit that the Application will not adversely affect the local economy of the watershed or the local area within which the source of water for the proposed use originates, as described under Idaho Code § 42-222(1).

REQUEST FOR ADMISSION NO. 3: Admit that the Application is in the local public interest, as described under Idaho Code § 42-222(1).

REQUEST FOR ADMISSION NO. 4: Admit that the Application will not allow for an enlargement, as described under Idaho Code § 42-222(1).

REQUEST FOR ADMISSION NO. 5: Admit that the Application is consistent with the conservation of water resources within the state of Idaho, as described under Idaho Code § 42-222(1).

Dated this 5th day of May, 2025.

A handwritten signature in blue ink, reading "Robert L. Harris", is positioned above a horizontal line.

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

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of May, 2025, 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

ATTORNEYS AND/OR INDIVIDUALS SERVED:

James Cefalo
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402-1718
james.cefalo@idwr.idaho.gov
file@idwr.idaho.gov

☐ Mail
☐ Hand Delivery
☐ Facsimile
☒ Email

Rocky Mountain Environmental
c/o Kristin Moore
482 Constitution Way
Idaho Falls, ID 83402
kristin.rmea@gmail.com

☐ Mail
☐ Hand Delivery
☐ Facsimile
☒ Email

Roy Sermon
1575 W. 3600 N
Howe, ID 83244
roy.sermon@gmail.com

☒ Mail
☐ Hand Delivery
☐ Facsimile
☒ Email

Hawley Land and Livestock
Jeff Hawley
3895 N. Little Lost River Hwy
Howe, ID 83244
Hawleyfarm3895@gmail.com

☐ Mail
☐ Hand Delivery
☐ Facsimile
☐ Email

Woodie Land & Livestock
1293 W. 3700 N
Howe, ID 83244
tmcaffee123@gmail.com

☐ Mail
☐ Hand Delivery
☐ Facsimile
☒ Email



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