



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709-1657



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NOV 10 2021

DEPARTMENT OF
WATER RESOURCES

In Reply Refer To:
7250 (933b)
Application Transfer No. 84613

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November 10, 2021

NOV 17 2021

James Cefalo, Regional Manager
Idaho Department of Water Resources
Eastern Regional Office
900 N. Skyline Dr., Ste. A
Idaho Falls, Idaho 83402-1700

Idaho Department of Water Resources
Eastern Region

**RE: Withdrawal of BLM Protest:
Application for Transfer No. 84613 (13-00057 et. al.) f/b Merrill Ranch Partnership, LLC**

Dear Mr. Cefalo:

By this letter, I state that I have the authority to act on behalf of the United States Department of the Interior, Bureau of Land Management (BLM), with myself as its agent, to the matters discussed herein.

On December 24, 2020, Merrill Ranch Partnership, LLC (Glen Merrill, Manager) filed Application for Transfer No. 84613 ("Application") with the Idaho Department of Water Resources ("IDWR") to establish a permissible place of use for irrigation rights (13-00057, 13-00885B, 13-00886B, 13-00887B, and 13-00889D) and to move a Point of Diversion ("POD") under 13-00057 to a new legal land description.

On February 8, 2021, BLM protested the application because the new POD for 13-00057 defined as T13S, R39E, S06, SENW describes Federal land managed by BLM. This new POD would also entail a short segment of ditch across BLM to get the water to private land. The applicant is not authorized to construct a diversion structure (i.e., POD) or conveyance facility (i.e. ditch) located on BLM land, nor to transport water right(s) across Federal land.

On May 24, 2021, Merrill Ranch Partnership, LLC filed an Application for Right of Way (IDI-039358) with BLM to obtain authorization to construct a POD and ditch on BLM land and to transport the water rights listed herein across BLM land.

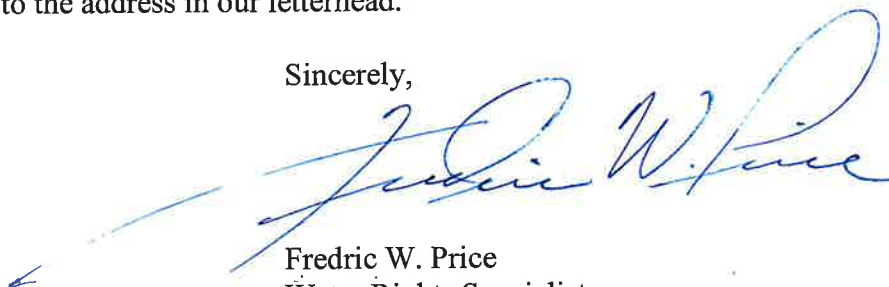
The BLM's protest has been resolved by the issuance of Right of Way IDI-039358 on November 10, 2021; therefore, I hereby withdraw BLM's protest, provided there are no subsequent amendments made without notice to the BLM, and that the BLM has the opportunity to protest subsequent amendments.

The BLM's expectation in withdrawing its protest is that any Approved Transfer issued by IDWR will be based upon the application existing at the time of this protest withdrawal. The BLM requests that

it receives notice of any subsequent amendments by the applicant and of any Approved Transfer issued by IDWR.

If there are questions regarding any statements above, please do not hesitate to contact me at (208) 373-3831 or write to the address in our letterhead.

Sincerely,



Fredric W. Price
Water Rights Specialist

cc: Merrill Ranch Partnership, LLC, P.O. Box 22, Swan Lake, ID 83281-0022
Melissa Warren, Cynthia Jernigan, Karen Kraus, USDI-BLM, Pocatello Field Office, 4350 Cliffs Dr.,
Pocatello, ID 83204-2105