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DEPARTMENT OF  
WATER RESOURCES

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*Attorneys for Salubria Holdings LLC*

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

IN THE MATTER OF THE APPLICATION  
FOR TRANSFER NO. 85359 IN THE NAME  
OF SALUBRIA HOLDINGS LLC

**SALUBRIA'S EXHIBIT AND  
WITNESS DISCLOSURE**

Pursuant to the Hearing Officer's November 5, 2024 *[Second] Amended Scheduling Order*, Applicant Salubria Holdings LLC ("Salubria"), through its counsel Givens Pursley LLP, hereby submits to the Idaho Department of Water Resources ("IDWR") and the parties the pre-numbered documents listed in Attachment A that Salubria may offer as exhibits at hearing and a list of persons in Attachment B that Salubria may call as witnesses at hearing.

In addition to the exhibits listed in Attachment A, and without waiving any objection to the following described exhibits, Salubria may offer as exhibits any other potential exhibits identified by any party or IDWR, or offered or introduced at the hearing by any party or IDWR, or filed or lodged with IDWR in this matter, or officially noticed by the presiding officer pursuant to IDWR Rule of Procedure 602, IDAPA 37.01.01.602. Salubria may withdraw, revise, or supplement any exhibits and/or submit further exhibits to conform to proof presented at the

time of hearing. Further, Salubria may use enlargements of any exhibit (or portion thereof) for demonstrative purposes.

In addition to the persons listed in Attachment B, and without waiving any objection to such witnesses, Salubria may call as a witness any other person identified as a potential witness by any party or IDWR or called as a witness at the hearing by any party or IDWR.

For impeachment, rebuttal, or cross-examination, or as otherwise may be permitted by the Hearing Officer or authorized under the IDWR Rules of Procedure, IDAPA 37.01.01, Salubria may call witnesses or offer exhibits in addition to those identified herein.

DATED November 8, 2024.

GIVENS PURSLEY LLP



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By: Charlie S. Baser  
*Attorneys for Salubria Holdings LLC*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on November 8, 2024, I served a true and correct copy of the above and foregoing document via the manner listed below to the following:

**DOCUMENT FILED**

Idaho Department of Water Resources  
Idaho Water Center  
322 E Front St., Ste 648,  
BOISE ID 83702-7371  
Email: [file@idwr.idaho.gov](mailto:file@idwr.idaho.gov)

☐ U. S. Mail  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile  
☒ E-mail

**DOCUMENT SERVED**

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Varin Thomas LLC  
242 N. 8th Street, Suite 220  
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[dylan@varinthomas.com](mailto:dylan@varinthomas.com)

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☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile  
☒ E-mail

Kathryn Noah  
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Cambridge, ID 83610  
[noahrnch@ctcweb.net](mailto:noahrnch@ctcweb.net)  
[knoah2874@gmail.com](mailto:knoah2874@gmail.com)

☐ U. S. Mail  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile  
☒ E-mail



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Charlie S. Baser

### **ATTACHMENT A**

The following is a list of exhibits that Salubria may offer at the hearing or otherwise may wish to make part of the record in the Idaho Department of Water Resources contested case proceeding entitled *IN THE MATTER OF THE APPLICATION FOR TRANSFER NO. 85359 IN THE NAME OF SALUBRIA HOLDINGS LLC*:

| <b>Exhibit No.</b> | <b>Description</b>                                                               | <b>Bates Range</b>  |
|--------------------|----------------------------------------------------------------------------------|---------------------|
| 101.               | Salubria Transfer Application through Legal Notice – Request for Comment Letters | Salubria 000001-44  |
| 102.               | Salubria Second Amended Transfer Application                                     | Salubria 000045-60  |
| 103.               | HDR Initial Expert Report                                                        | Salubria 000061-68  |
| 104.               | Spronk Response Expert Report                                                    | Salubria 000069-126 |
| 105.               | HDR Rebuttal Expert Report                                                       | Salubria 000127-140 |
| 106.               | Hubbard Lateral WUA Bylaws                                                       | Salubria 000141-147 |
| 107.               | Settlement Agreement – Salubria and Ogle/Legg                                    | Salubria 000148-159 |
| 108.               | Notice of Protest – Noah                                                         | Salubria 000160-162 |
| 109.               | Notice of Protest – Legg Ranch                                                   | Salubria 000163     |
| 110.               | Notice of Protest – Ogle                                                         | Salubria 000164     |
| 111.               | 67-14643 Partial Decree                                                          | Salubria 000165     |
| 112.               | 67-14643 IDWR Map                                                                | Salubria 000166     |
| 113.               | 67-14643 Backfile                                                                | Salubria 000167-183 |
| 114.               | 67-14645 Partial Decree                                                          | Salubria 000184     |
| 115.               | 67-14645 IDWR Map                                                                | Salubria 000185     |

|      |                                                                               |                     |
|------|-------------------------------------------------------------------------------|---------------------|
| 116. | 67-14645 Backfile                                                             | Salubria 000186-220 |
| 117. | 67-14647 Partial Decree                                                       | Salubria 000221     |
| 118. | 67-14647 IDWR Map                                                             | Salubria 000222     |
| 119. | 67-14647 Backfile                                                             | Salubria 000223-255 |
| 120. | Driscoll to Salubria Change of Ownership                                      | Salubria 000256-263 |
| 121. | Ogle Transfer 84698 Approval                                                  | Salubria 000264-276 |
| 122. | 67-250 Partial Decree and Backfile                                            | Salubria 000277-285 |
| 123. | 67-301 Partial Decree and Backfile                                            | Salubria 000286-298 |
| 124. | 67-2189 Partial Decree                                                        | Salubria 000299-301 |
| 125. | 67-2189 Backfile                                                              | Salubria 000302-406 |
| 126. | 67-15162 Backfile                                                             | Salubria 000407-454 |
| 127. | 67-14642 Partial Decree                                                       | Salubria 000455     |
| 128. | 67-14644 Partial Decree                                                       | Salubria 000456     |
| 129. | 67-14646 Partial Decree                                                       | Salubria 000457     |
| 130. | IDWR Transfer Memo 2009                                                       | Salubria 000458-494 |
| 131. | IDWR Transfer Memo 2024                                                       | Salubria 000495-518 |
| 132. | IDWR Consumptive Use for Ponds Memo 2004                                      | Salubria 000519-526 |
| 133. | IDWR Seepage Loss for Ponds Memo 2015                                         | Salubria 000527-530 |
| 134. | IDWR Pond Permitting Memo 2003                                                | Salubria 000531-537 |
| 135. | Salubria's Responses to Protestants' First Set of Discovery Requests          | Salubria 000538-553 |
| 136. | Legg Ranch and Ogle's Responses to Salubria's First Set of Discovery Requests | Salubria 000554-586 |

Electronic copies of the listed Exhibits are available at  
<https://givenspursley.files.com/f/62aa02af9f93f71e>.

## ATTACHMENT B

The following is a list of witnesses that Salubria may call as witnesses at hearing in the Idaho Department of Water Resources ("IDWR") contested case proceeding entitled *IN THE MATTER OF THE APPLICATION FOR TRANSFER NO. 85359 IN THE NAME OF SALUBRIA HOLDINGS LLC*:

1. Rick Fereday  
309 E. Lake Street  
McCall, Idaho 83638  
(208) 634-4999
2. Scott King  
HDR  
412 E Parkcenter Blvd Suite 100  
Boise, ID 83706
3. Hank Ivey  
PO Box 284  
Council, Idaho 83612
4. John Whitener  
2048 Widner Rd.  
Midvale, Idaho 83645
5. Kate Noah  
2874 Warfield Rd.  
Cambridge, Idaho 83610
6. Marion Ogle  
1039 W. Indian Valley Rd.  
Indian Valley, Idaho 83632
7. Angela Ogle  
13221 W. Bellflower Drive  
Boise, Idaho 83713
8. Kameron Ogle  
1039 W. Indian Valley Rd.  
Indian Valley, Idaho 83632
9. Gary Kushlan  
13221 W. Bellflower Drive

Boise, Idaho 83713

10. Brandi-Horton Bonner  
2297 Snapp Lane  
Midvale, Idaho 83645

11. Heidi Netter  
Spronk Water Engineers, Inc.  
1000 Logan Street  
Denver, CO 80203

12. Without waiving any objection to such witnesses, any other person identified as a potential witness by any party or IDWR or called as a witness at the hearing by any party or IDWR .

13. Any individual with the personal knowledge necessary to lay the foundation for the admission into evidence of any documents.

The witnesses listed above may also testify in response or in rebuttal to evidence or testimony presented by other parties or IDWR.

## Hersley, Jean

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**From:** Stephanie White <stephaniew@givenspursley.com>  
**Sent:** Friday, November 8, 2024 4:02 PM  
**To:** IDWR File; dylan@varinthomas.com; noahrnch@ctcweb.net; knoah2874@gmail.com  
**Cc:** Hersley, Jean; scott.king@hdrinc.com; Michael P. Lawrence; Charlie S. Baser; Melissa Parpart  
**Subject:** Transfer 85359 in the name of Salubria Holdings LLC [GP-DMS.002244.0002.FID727281]  
**Attachments:** Salubria Exhibit and Witness Disclosure - 2024-11-08\_18633505\_6.pdf

**CAUTION:** This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

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Good afternoon,

Attached please find Salubria's Exhibit and Witness disclosure for filing today. Exhibits can be found at the link below.

<https://givenspursley.files.com/f/62aa02af9f93f71e>

Please let me know if you have any problems accessing the files in the link. Thank you!

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