

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

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

ORDER REMANDING FOR INFORMAL
PROCEEDINGS

BACKGROUND

On September 29, 2021, Salubria Holdings LLC (“Salubria Holdings”), filed *Application for Transfer No. 85359* (“Application”) with the Idaho Department of Water Resources (“Department”). Protests to the Application were filed timely by Marion Ogle, Legg Ranch LLC, and Kathryn A. Noah (collectively, “Protestants”).

On May 7, 2024, the Department conducted a pre-hearing conference at which the parties were unable to reach a settlement and jointly requested that a formal hearing be held to decide the contested case. The Department scheduled the hearing for September 18, 2024; however, it received correspondence on September 3, 2024 requesting that the hearing be rescheduled to allow the parties additional time to pursue settlement negotiations.

On September 17, 2024, the Department issued *Amended Notice of Status Conference; Notice of Hearing, Scheduling Order* setting a status conference for November 6, 2024 and a new hearing date of November 13, 2024. Prior to the start of the November 13, 2024 hearing, counsel for Salubria Holdings and the Protestants requested some time to meet and confer in an effort to resolve the dispute. The parties negotiated throughout the day and drafted terms for a potential settlement. The parties then jointly requested that the hearing be vacated without prejudice. On November 14, 2025, the Department issued an *Order Vacating Hearing*.

On May 9, 2025, the Marion Ogle and Legg Ranch LLC each filed a conditional *Withdrawal of Protest*, contingent upon the inclusion of certain conditions in any approval of the Application. On June 30, 2025, Kathryn A Noah also filed a conditional *Withdrawal of Protest* on the same basis.

AUTHORITIES

Department Rule of Procedure Rule 100.01 defines informal proceedings as “wholly administrative evaluations and processes, without a presiding officer and hearing record to be preserved for later agency or judicial review, and with representation according to Rule 201.01.” IDAPA 37.01.01.100.01.

Department Rules of Procedure Rule 100.03 provides in pertinent part that “[i]f, after the agency has commenced a formal proceeding, the parties to a contested case settle or resolve the issues of the case, the case may return to an informal proceeding.” IDAPA 37.01.01.100.03.

CONCLUSIONS OF LAW

After reviewing the parties’ the Withdrawal of Protest and conferring with Department staff, Hearing Officer Clark concludes remanding the matter for informal proceedings pursuant to Rule 100.03 is warranted.

ORDER

IT IS HEARBY ORDERED that above-entitled contested case is hereby remanded for informal proceedings pursuant to Rule 100.03 of the Department’s Rules of Procedure (IDAPA 37.01.01.100.03).

Dated this 7th day of August 2025.



Cynthia Bridge Clark
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of August, 2025 true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service, certified mail with return receipt requested, postage prepaid and properly addressed to the following:

Document Served: Order Remanding for Informal Proceedings

CERTIFIED MAIL Application for Transfer No. 85359

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