

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 85359**

This is to certify that: SALUBRIA HOLDINGS LLC
C/O GIVENS PURSLEY LLP
ATTN MICHAEL P LAWRENCE AND CHARLIE S BASER
601 W BANNOCK ST.
BOISE, ID 83702

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
67-14643	WR/DECREED	10/29/1908	3.940 cfs	N/A	N/A	167.0	RUSH CREEK
67-14645	WR/DECREED	5/1/1891	0.290 cfs	N/A	23.2	167.0	RUSH CREEK

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
67-14647	WR/DECREED	5/1/1904	0.450 cfs	N/A	36.0	158.4	RUSH CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
67-14643	NO	NO	YES	NO	YES	YES
67-14645	NO	NO	YES	NO	YES	YES

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
67-14643	67-14643	3.940 cfs	N/A	N/A	158.4	N/A	N/A	N/A	N/A	N/A
67-14645	67-14645	0.290 cfs	N/A	14.6	158.4	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		4.230 cfs	N/A	158.4	158.4		N/A	N/A	N/A	N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 85359

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 20th day of February, 2026.



Water Rights Section Manager

WATER RIGHT NO. 67-14645
As Modified by Transfer No. 85359

In accordance with the approval of Transfer No. 85359, Water Right No. 67-14645 is now described as follows:

Right Holder: SALUBRIA HOLDINGS LLC
 C/O GIVENS PURSLEY LLP
 ATTN MICHAEL P LAWRENCE AND CHARLIE S BASER
 601 W BANNOCK ST.
 BOISE, ID 83702

Priority Date: 5/1/1891

Source: RUSH CREEK

Tributary: WEISER RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 10/31	0.180 cfs	
DIVERSION TO STORAGE	03/15	to 10/31	0.110 cfs	
AESTHETIC STORAGE	01/01	to 12/31		22.7 af
STOCKWATER STORAGE	01/01	to 12/31		0.3 af
			0.290 cfs	

LOCATION OF POINT(S) OF DIVERSION

RUSH CREEK NESE Sec 15 Twp 15N Rge 03W WASHINGTON County

PLACE OF USE: AESTHETIC STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	03W	26																X	

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	03W	25											18.0						18.0
15N	03W	26																7.5	7.5
15N	03W	36		5.9	24.0	23.0	25.0	28.5	1.5	25.0									132.9

Right Acre Limit: 14.6

POU Total Acres: 158.4

PLACE OF USE: STOCKWATER STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	03W	26																X	
																			0

Transfer No. 85359

WATER RIGHT NO. 67-14645
As Modified by Transfer No. 85359

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. This right is limited to the irrigation of 14.6 acres within the authorized place of use in a single irrigation season.
3. Rights 67-14643, 67-14645, and 67-14647 when combined shall not exceed the irrigation of 158.4 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. Rights 67-14643 and 67-14645 authorize a total annual storage volume of 23.0 acre-feet, 9.6 acre-feet to be used for the initial filling or carryover storage of the pond, 0.3 acre-feet for stockwater use, and up to 13.1 acre-feet for the replacement of losses caused by seepage and evaporation.
6. The pond established by the storage of water under this right shall not exceed a total capacity of 9.6 acre-feet or a total surface area of 3.0 acres.
7. Prior to diversion of water under this right, and to determine the amount of water entering the reservoir, the right holder shall install and maintain structures at a point within the SENW of Section 26, Township 15N, Range 3W, B.M., for measuring and controlling the amount of water delivered to the irrigation place of use, the storage place of use, and to downstream right holders.
8. The right holder shall install and maintain a weir downstream of the pond to measure flow conveyed to downstream users.
9. The diversion and use of water described in this right may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 67-14643
As Modified by Transfer No. 85359

In accordance with the approval of Transfer No. 85359, Water Right No. 67-14643 is now described as follows:

Right Holder: SALUBRIA HOLDINGS LLC
 C/O GIVENS PURSLEY LLP
 ATTN MICHAEL P LAWRENCE AND CHARLIE S BASER
 601 W BANNOCK ST.
 BOISE, ID 83702

Priority Date: 10/29/1908

Source: RUSH CREEK

Tributary: WEISER RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 10/31	3.810 cfs	
AESTHETIC STORAGE	01/01	to 12/31		22.7 af
STOCKWATER STORAGE	01/01	to 12/31		0.3 af
DIVERSION TO STORAGE	03/15	to 10/31	0.130 cfs	
			3.940 cfs	

LOCATION OF POINT(S) OF DIVERSION

RUSH CREEK NESE Sec 15 Twp 15N Rge 03W WASHINGTON County

PLACE OF USE: AESTHETIC STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	03W	26																X	
																			0

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	03W	25											18.0						18.0
15N	03W	26																7.5	7.5
15N	03W	36		5.9	24.0	23.0	25.0	28.5	1.5	25.0									132.9

POU Total Acres: 158.4

PLACE OF USE: STOCKWATER STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	03W	26																X	
																			0

Transfer No. 85359

WATER RIGHT NO. 67-14643
As Modified by Transfer No. 85359

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Rights 67-14643, 67-14645, and 67-14647 when combined shall not exceed the irrigation of 158.4 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. Right(s) 67-14643 and 67-14645 authorize total annual storage volume of 23.0 acre-feet, 9.6 acre-feet to be used for the initial filling or carryover storage of the pond, 0.3 acre-feet for stockwater use, and up to 13.1 acre-feet for the replacement of losses caused by seepage and evaporation.
5. The pond established by the storage of water under this right shall not exceed a total capacity of 906 acre-feet or a total surface area of 3.0 acres.
6. Prior to diversion of water under this right, and to determine the amount of water entering the reservoir, the right holder shall install and maintain structures at a point within the SENW of Section 26, Township 15N, Range 3W, B.M., for measuring and controlling the amount of water delivered to the irrigation place of use, the storage place of use, and to downstream right holders
7. The right holder shall install and maintain a weir downstream of the pond to measure flow conveyend to downstream users.
8. The portion of Right 67-14643 used for conveyance losses is 1.34 cfs.
9. The diversion and use of water described in this right may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 67-14647
As Modified by Transfer No. 85359

In accordance with the approval of Transfer No. 85359, Water Right No. 67-14647 is now described as follows:

Right Holder: SALUBRIA HOLDINGS LLC
C/O GIVENS PURSLEY LLP
ATTN MICHAEL P LAWRENCE AND CHARLIE S BASER
601 W BANNOCK ST.
BOISE, ID 83702

Priority Date: 5/1/1904

Source: RUSH CREEK

Tributary: WEISER RIVER

BENEFICIAL USE
IRRIGATION

From 03/15 **To** 10/31

Diversion Rate
0.450 cfs
0.450 cfs

LOCATION OF POINT(S) OF DIVERSION

RUSH CREEK NESE Sec 15 Twp 15N Rge 03W WASHINGTON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	03W	25											18.0						18.0
15N	03W	26																7.5	7.5
15N	03W	36		5.9	24.0	23.0	25.0	28.5	1.5	25.0									132.9

Right Acre Limit: 36.0

POU Total Acres: 158.4

CONDITIONS OF APPROVAL

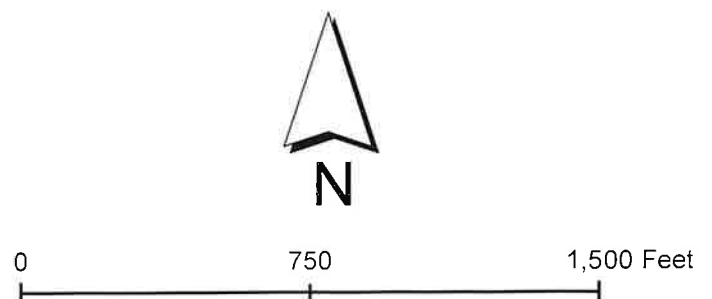
1. This right is limited to the irrigation of 36.0 acres within the authorized place of use in a single irrigation season.
2. Rights 67-14643, 67-14645, and 67-14647 when combined shall not exceed the irrigation of 158.4 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 85359

WATER RIGHT NO. 67-14647
As Modified by Transfer No. 85359

CONDITIONS OF APPROVAL

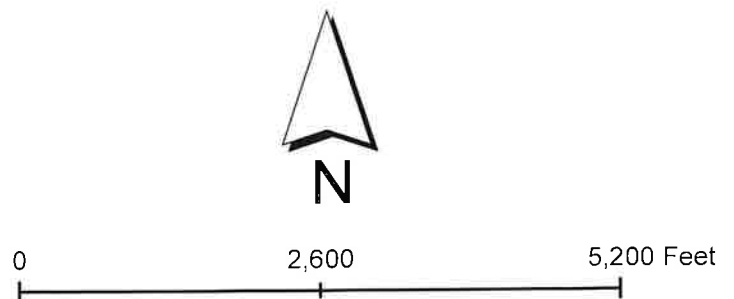
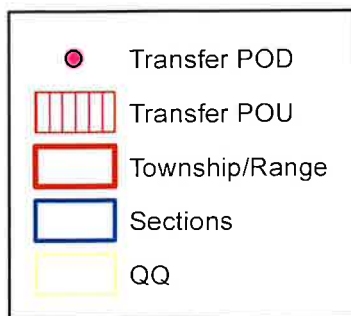
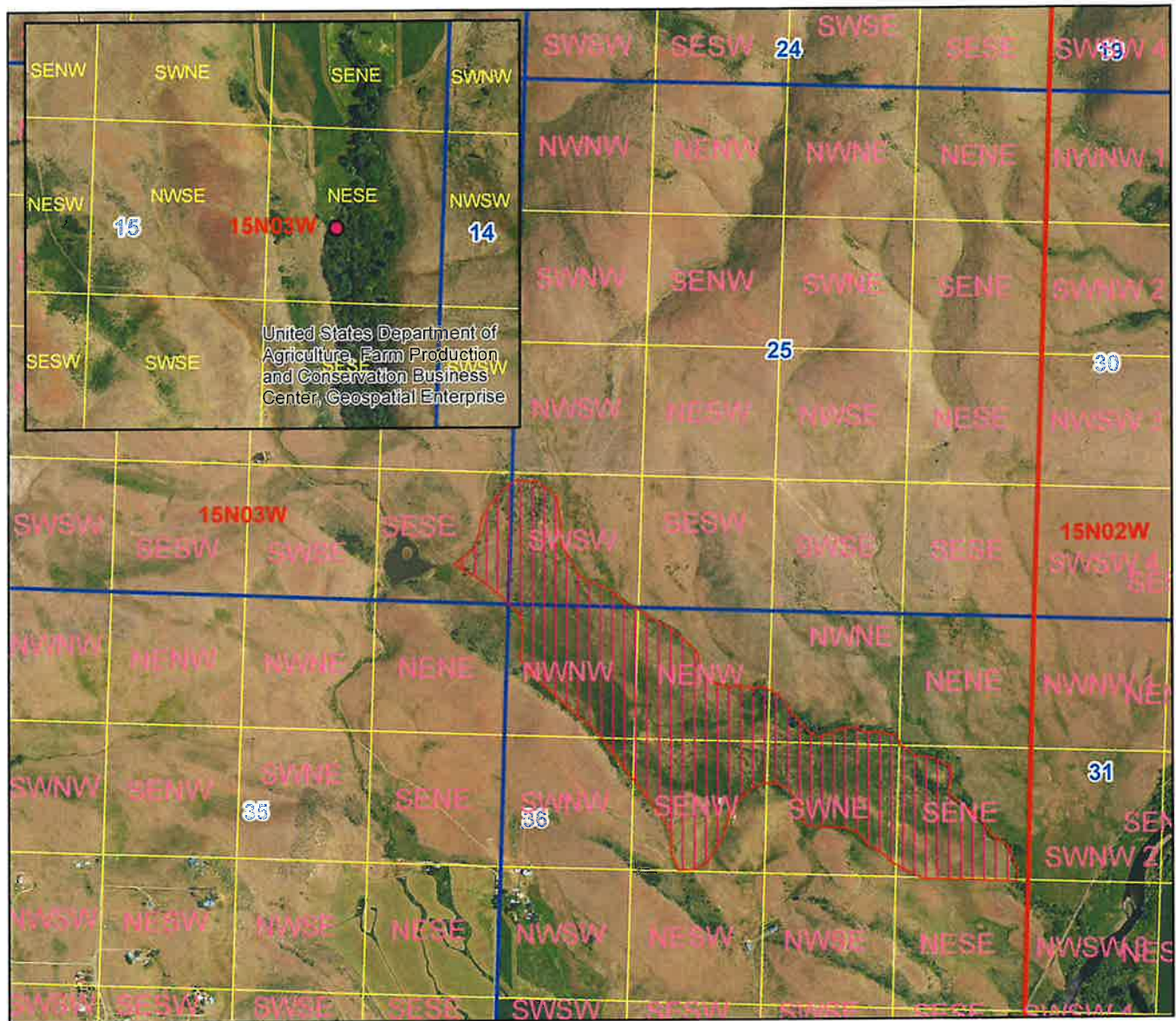
4. The diversion and use of water described in this right may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
5. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



Attachment to Transfer No. 85359

Water Rights: 67-14643, 67-14645, and 67-14647

This map depicts the Irrigation place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.





IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

February 20, 2026

SALUBRIA HOLDINGS LLC
C/O GIVENS PURSLEY LLP
ATTN MICHAEL P LAWRENCE AND CHARLIE S BASER
601 W BANNOCK ST.
BOISE ID 83702

Re: Transfer No: 85359
Water Right No(s): 67-14643, 67-14645, 67-14647

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

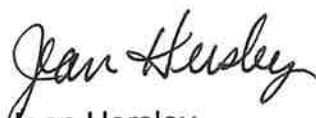
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 287-4800.

Sincerely,

A handwritten signature in black ink, appearing to read "Jean Hersley". The signature is fluid and cursive, with the first name "Jean" being more prominent than the last name "Hersley".

Jean Hersley
Technical Records Specialist

Enclosure

CC: MARION OGLE
LEGG RANCH LLC
C/O DYLAN LAWRENCE
VARIN THOMAS

KATHRYN A NOAH

CERTIFICATE OF SERVICE

I hereby certify that on February 20, 2026 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 85359

Water Right No(s): 67-14643, 67-14645, 67-14647

**SALUBRIA HOLDINGS LLC
C/O GIVENS PURSLEY LLP
ATTN MICHAEL P LAWRENCE AND CHARLIE S BASER
601 W BANNOCK ST.
BOISE ID 83702**

**MARION OGLE
LEGG RANCH LLC
C/O DYLAN LAWRENCE
VARIN THOMAS
PO BOX 1676
BOISE ID 83701
*dylan@varinthomas.com***

**KATHRYN A NOAH
2874 WARFIELD RD
CAMBRIDGE ID 83610-5104
*knoah2874@gmail.com***



**Jean Hersley
Technical Records Specialist**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was held)

The accompanying order is a **Preliminary Order** issued by the Idaho Department of Water Resources (Department) pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and brief as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of the order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The hearing officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, request for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.