

From: Yenter, Cindy
Sent: Thursday, April 05, 2018 8:51 AM
To: Bob Loucks <baloucks@centurytel.net>; dowton3x@custertel.net
Cc: Keen, Shelley <Shelley.Keen@idwr.idaho.gov>; Skaggs, Pam <Pam.Skaggs@idwr.idaho.gov>
Subject: RE: Denial of Waivers on Permit 73-12257

Bob and Trish – By copy of this message I have forwarded your comments to Shelley Keen in Boise. However, please be advised that the Preliminary Order issued by the Department denying the petition to waive the conditions was mailed March 28, 2018 and will become final unless a party (i.e. permit holder) petitions for reconsideration within 14 days of this service date as explained in the enclosed explanatory information with the order (also attached to this email). The 14 days expires next Wednesday, April 11. A signed petition must be received in one of IDWR's offices no later than 5 pm on April 11.

Cindy Yenter
Watermaster, Water District 170
IDWR Salmon Field Office
102 S Warpath, Salmon ID 83467
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208-742-0655
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From: Bob Loucks [<mailto:baloucks@centurytel.net>]
Sent: Wednesday, April 04, 2018 3:19 PM
To: Yenter, Cindy <Cindy.Yenter@idwr.idaho.gov>
Subject: Denial of Waivers on Permit 73-12257

Cindy,

Please forward this email to Mr. Keene or whoever is in charge of denying the waiver. Thanks.

Trish Dowton called me and asked how to object to the denial of waivers (lockable headgates and measuring devices) on this permit. I told her to write a letter to the responsible party and include a letter from the Watermaster, Ted O'Neal. I don't think the responsible party understands this permit. This is the items that I think are important:

- This is a permit to use **Waste Water**
- The water is measured at the Head of the Ditch on Big Springs Creek. There is a lockable headgate and measuring device at the head of the ditch.
- The ditch delivering the water to the Dowton 3X Ranch is approximately 11 Miles long
- If the wastewater from this ditch is not used for irrigation, it would spill to Ennis Gulch. The fall in elevation from the end of the ditch to the Lemhi County Road at Ennis Gulch is well over 100 feet
- The soils below the ditch to the County Road are extremely erosive. This can be observed by just driving up the road and looking out the car window
- If the wastewater is spilled to Ennis Gulch it will create a muddy alluvial fan right on Roy Ellis's house and yard
- There is no waterway from Ennis Gulch to the Pahsimeroi River
- Water is taken out of the ditch at two points, where it goes to small head ditches to irrigate the two small parcels.

I know both you and Ted O'Neal have looked at this permit and found no need for the denied conditions. I am sure that IDFG would concur, as they withdrew their protest after visiting the site.

S/Bob Loucks