

RECEIVED

APR 03 2017

FORM 202 Rev. 09/16

STATE OF IDAHO

Ident. No.

74-16102

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Pratt Creek Ranch LP Phone 208-940-0900
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 178 Pratt Creek Rd City Salmon
 State ID ZIP 83467 Email prattcreekranch71@yahoo.com
2. Name of representative, if any _____ Phone _____
 Mailing address _____ City _____
 State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Warm Springs Creek which is a tributary of Wimpey Creek
4. Location of point(s) of diversion:

TwP	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
21N	23E	35		SW	NE	SW	Lemhi	Warm Springs Creek	

5. Water will be used for the following purposes:
- Amount 0.04 for stockwater purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Water will be gravity-fed through an IDFG pump screen attached to a 1.5 inch pipe into an offstream collection box.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by [Signature] Date 4-3-17 Time 10:37 am Preliminary check by _____
 Fee \$ 100.00 Received by C103310 Receipt No. [Signature] Date 4-3-17

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. 200 beef cattle, 5 horses
- c. Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
- d. Domestic; show number of households _____
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

*

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	23E	35			S														
21N	23E	34				S													

Total number of acres to be irrigated: 0

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? None

11. a. Who owns the property at the point of diversion? Pratt Creek Ranch LP
- b. Who owns the land to be irrigated or place of use? Pratt Creek Ranch LP
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. The stockwater system will consist of five livestock water troughs sourced by Warm Springs and gravity-fed by pipeline to the places of use. This system will keep cattle off of live water sources. The stockwater system was designed by Dale Gooby of NRCS, to NRCS stockwater specifications. Engineering plans are attached.

13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

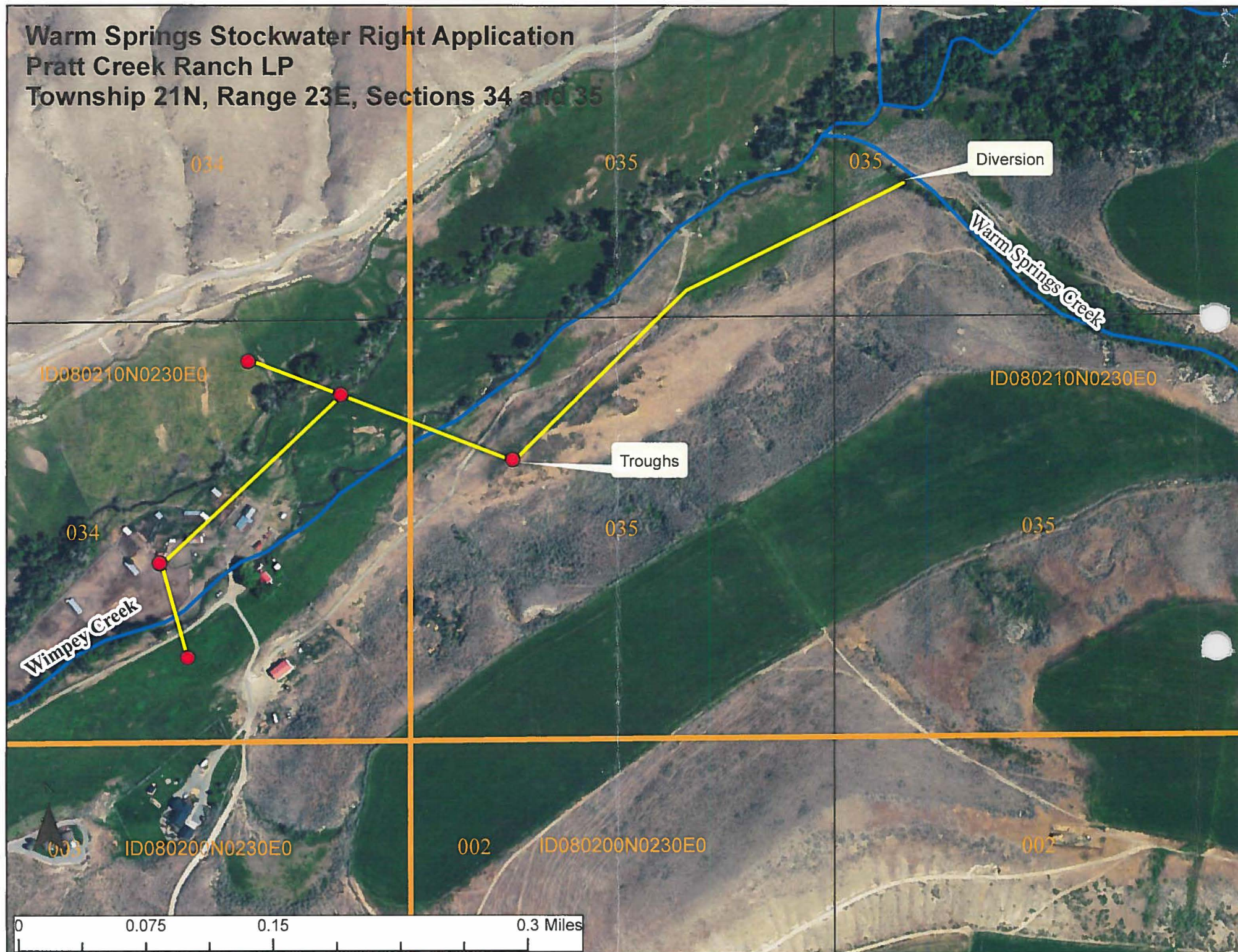
Phil F. Moulton
Signature of Applicant
Phil F. Moulton General Partner
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

* POU modified to reflect map by 6-2-2017 email signed by Phil Moulton. (see file) 6-5-2017
Application for Permit Page 2

Warm Springs Stockwater Right Application
Pratt Creek Ranch LP
Township 21N, Range 23E, Sections 34 and 35



PHIL MOULTON

WIMPEY CREEK STOCKWATER SYSTEM

Sheet List Table	
Sheet Number	Sheet Title
1	Title Sheet
2	Site Location
3	Site Plan
4	Collection Box Detail
5	Trough Detail
6	Creek Crossing Detail

CONSTRUCTION NOTES:

1. ALL CONSTRUCTION SHALL CONFORM TO REQUIREMENTS OF THESE DRAWINGS AND THE NATURAL RESOURCES CONSERVATION SERVICE (NRCS) SPECIFICATIONS ID-516A, ID-587D AND ID-614 WHICH ARE INCLUDED WITH THESE DRAWINGS.
2. IT IS THE OWNER/OPERATOR'S RESPONSIBILITY TO LOCATE AND PROTECT ALL UNDERGROUND AND OVERHEAD UTILITIES PRIOR TO CONSTRUCTION.
3. DURING INSTALLATION, PARTICULAR ATTENTION SHALL BE PAID TO THE PRESENCE OF CULTURAL RESOURCES. IF CULTURAL RESOURCES ARE ENCOUNTERED, ALL WORK SHALL CEASE AND AN NRCS REPRESENTATIVE SHALL BE CONTACTED.
4. THE OWNER HAS ELECTED TO INSTALL HEATED TROUGHS, REQUIRING ELECTRICAL SERVICE PROVIDED TO EACH TROUGH. ALL ELECTRICAL WORK SHALL MEET ALL CURRENT LOCAL ELECTRICAL CODES.
5. THE TROUGHS SHALL HAVE THE FOLLOWING MINIMUM CAPACITIES: TROUGHS 1,3,4,5 SHALL BE CAPABLE OF WATERING 80 HEAD OF CATTLE. TROUGH 2 SHALL BE CAPABLE OF WATERING 150 HEAD OF CATTLE..

REVIEW AND ACCEPTANCE

Practice Standards ID-587D ID-516A AND ID-614.
Design Prepared For: **Phil Moulton**

This is a Job Class II project.

DESIGNED BY: _____ DATE: _____

APPROVED BY: _____ DATE: _____

I have received and reviewed plans for this project. I have reviewed the design drawings, construction specifications, inspection plan (if developed), and operation and maintenance requirements for this design. I agree to construct this project or to have it constructed in accordance with these plans. Construction shall follow the inspection plan (if developed) and shall be in accordance with the design drawings, NRCS construction specifications, and all pertinent federal, state, or local requirements. Construction specifications included in these plans are: Practice ID 587D (Mar 2012) Structure for Water Control (Pipe Stand) ID-516A (Mar 2012) Pipeline and ID-614 (Nov 2010) Watering Facility.

I will ensure that required permits or easements are obtained prior to construction. I will ensure all underground and overhead public utilities within the work area(s) are located and protected.

I agree to operate and maintain this project as required by the plans and any applicable program requirements.

If any changes to these approved plans and specifications are proposed, I agree to obtain approval from an NRCS representative prior to construction/installation. I understand that any deviation(s) from these approved design drawings, construction specifications, inspection plan (if developed), or operation and maintenance requirements without prior NRCS approval may result in my becoming ineligible for incentive payments.

COOPERATOR: _____ DATE: _____

NRCS REPRESENTATIVE: _____ DATE: _____



Know what's below.
Call before you dig.

Designed	DFG	03/20/2017
Drawn	DFG	03/20/2017
Checked	DFG	03/20/2017
Approved	DFG	03/20/2017

PHIL MOULTON
STOCKWATER SYSTEM
TITLE PAGE

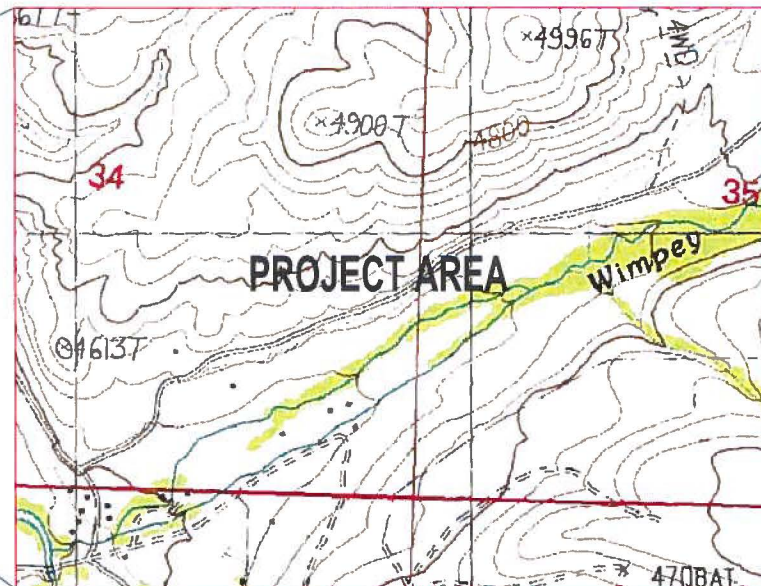


File Name

Drawing Name
WimpeyCreek.dwg

Sheet 1 of 6

Phil Moulton Wimpey Creek Stockwater Project Location



LEMHI COUNTY, IDAHO

Not to Scale

T21N R23E SECTIONS 34 & 35 LEMHI COUNTY, IDAHO

Date	03/20/2017
Designed	DFG
Drawn	DFG
Checked	
Approved	

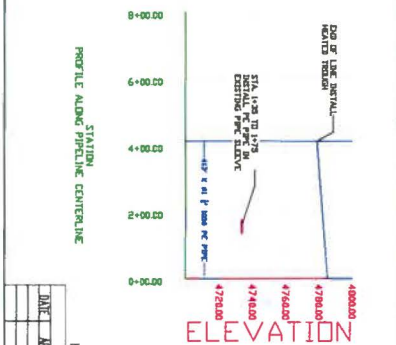
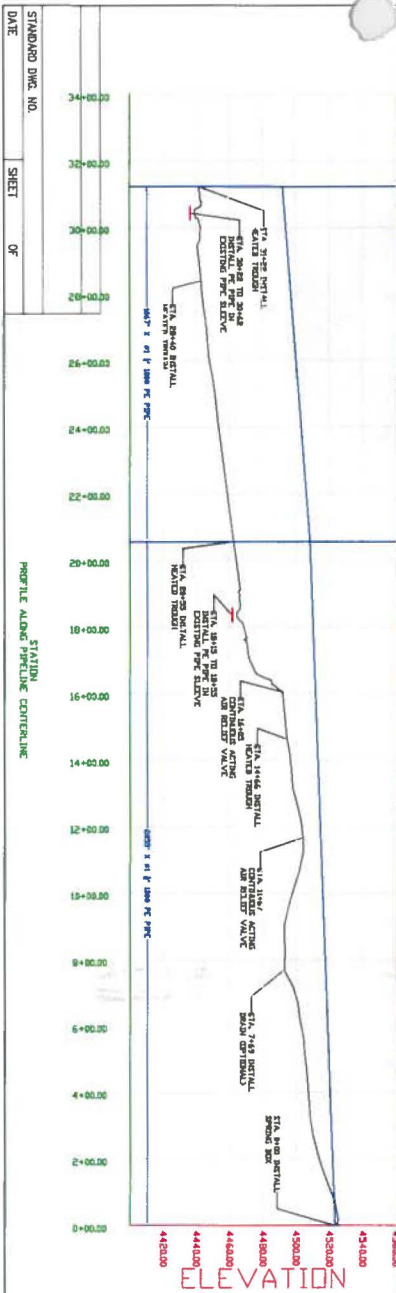
PHIL MOULTON
WIMPEY CREEK STOCKWATER
PROJECT LOCATION

\\f:\data\conservation\id\p\m\moulton\wimpey\wimpey_stockwater\wimpey_stockwater.dwg



File Name
Drawing Name
Worksheet
Sheet 3 of 6

SITE PLAN



DATE	REVISIONS	NOT TO SCALE
3/20/17	1	

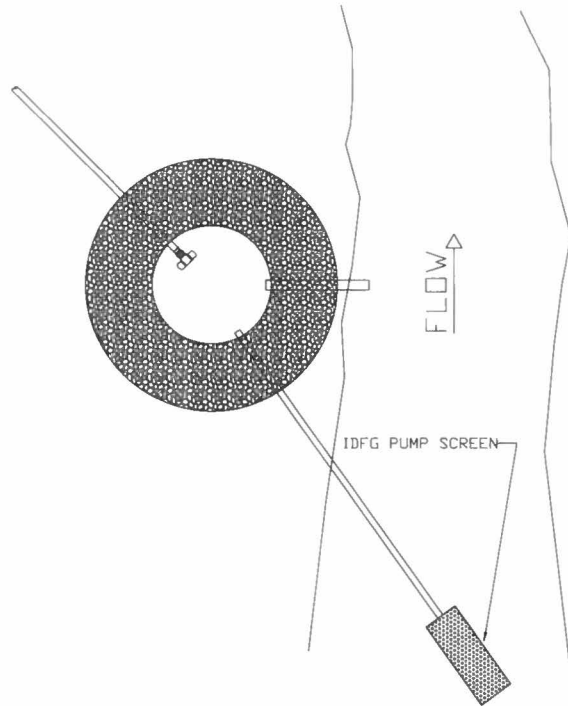
Sheet 3 of 6



PHIL MOULTON
WIMPEY CREEK STOCKWATER
LEMHI SCD, LEMHI CO, ID

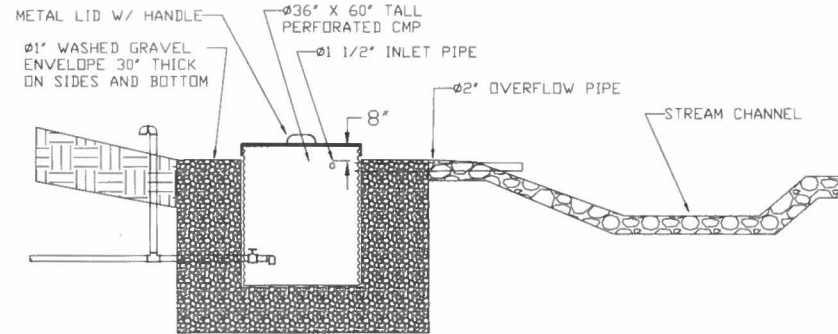
Designed	D.F.G.	Date	3/20/17
Drawn	D.F.G.	3/20/17	
Checked	D.F.G.	3/20/17	
Approved	D.F.G.	3/20/17	

CONTROL BOX DETAIL

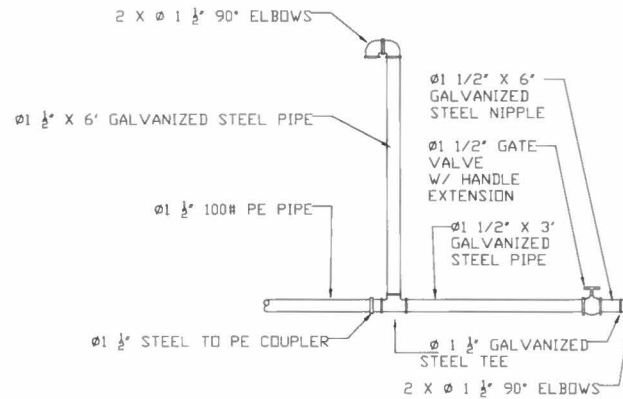


PLAN VIEW

- NOTES:
1. CONSTRUCTION SHALL BE IN ACCORDANCE WITH CONSTRUCTION SPECIFICATIONS ID-516, ID-587D & ID-614.
 2. IT IS THE OWNERS RESPONSIBILITY TO LOCATE AND PROTECT ALL UNDERGROUND AND OVERHEAD UTILITIES PRIOR TO CONSTRUCTION.
 3. DELIVERY PIPE SHALL BE BURIED 36" OR BELOW FROST WHICH EVER IS GREATER.
 4. ALL PE PIPE CONNECTIONS SHALL BE DOUBLE CLAMPED WITH STAINLESS STEEL HOSE CLAMPS.



SIDE VIEW



PLUMBING DETAIL

STANDARD DWG. NO. _____
DATE _____ SHEET _____ OF _____

NOT TO SCALE		
REVISIONS		
DATE	APPROVED	TITLE

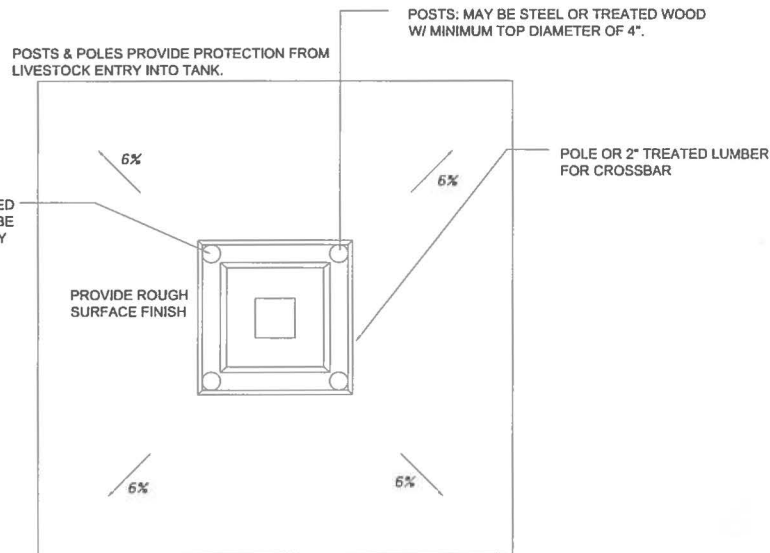
Date	DFG.	Designed
3/20/17		
Date	DFG.	Drawn
3/20/17		
Date	DFG.	Checked
3/20/17		
Date	DFG.	Approved
3/20/17		

PHIL MOULTON
WIMPY CK, STOCK WATER
LEMHI SCD, LEMHI CO, ID

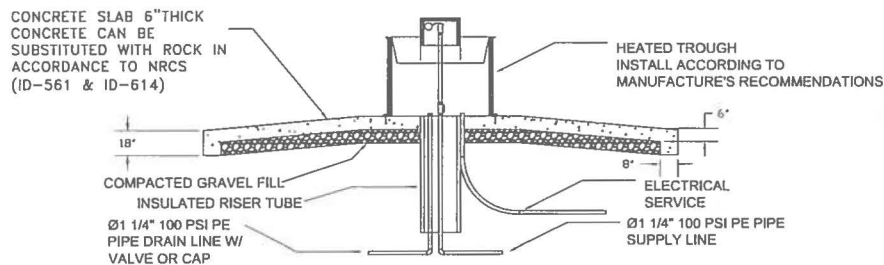


File Name _____
Drawing Name _____
Sheet 4 of 6

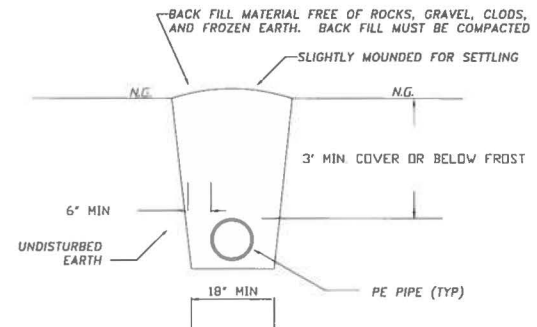
TROUGH DETAIL



PLAN VIEW
WATER TROUGH
NO SCALE



X-SECTION THRU TROUGH
NO SCALE



PIPE TRENCH DETAIL
WATER PIPES
NO SCALE

CONSTRUCTION NOTES:

1. ALL CONSTRUCTION SHALL CONFORM TO REQUIREMENTS OF THESE DRAWINGS AND THE NATURAL RESOURCES CONSERVATION SERVICE (NRCS) SPECIFICATIONS ID-516 AND ID-614 WHICH ARE INCLUDED WITH THESE DRAWINGS.
2. FOR LIVESTOCK WATER, THE INSTALLATION SHALL HAVE A CAPACITY TO PROVIDE SEASONAL HIGH DAILY WATER REQUIREMENTS FOR THE NUMBER AND SPECIES OF ANIMALS TO BE SUPPLIED. THIS SYSTEM IS DESIGNED TO ACCOMMODATE 100 HEAD OF COWS WITH A WATER REQUIREMENT PER HEAD AT PEAK USE AT 15 GAL/DAY/HEAD.
3. ALL SUB-GRADE MATERIAL BELOW THE CONCRETE WORK SHALL BE CLEAN AND FREE OF MANURE OR OTHER ORGANIC MATERIAL. SUB-GRADE SHALL BE COMPACTED TO 90% MAXIMUM PROCTOR DENSITY. IMPORTED SUB-GRADE MATERIAL SHALL BE PLACED IN 6"-8" LIFTS.
4. THE CONCRETE SHALL MEET THE FOLLOWING REQUIREMENTS:
3,000 PSI STRENGTH AT 28 DAYS
5 SACKS OF CEMENT PER YARD OF CONCRETE MINIMUM
6% $\pm$ 1% AIR ENTRAINMENT
3" SLUMP $\pm$ 1"
60,000 PSI REBAR (#4 BARS AT 18" C-C BOTH WAYS)
5. SLOPE PAD $\frac{1}{4}$ " PER FOOT AWAY FROM THE WATER TROUGH FOR GOOD DRAINAGE.
6. WATER TROUGH PIPING SHALL MEET NRCS SPECIFICATION ID-516 AND SHALL BE INSTALLED ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS.
7. IF ANY OR ALL TROUGHS ARE TO NOT BE USED (IE. HEATED) DURING FREEZING TEMPERATURES, A MEANS FOR DRAINING THE SUPPLY LINE TO BELOW FROST LEVEL SHALL BE INCORPORATED.

Date	3/20/17
DF.G.	3/20/17
DF.G.	3/20/17
DF.G.	3/20/17
DF.G.	3/20/17

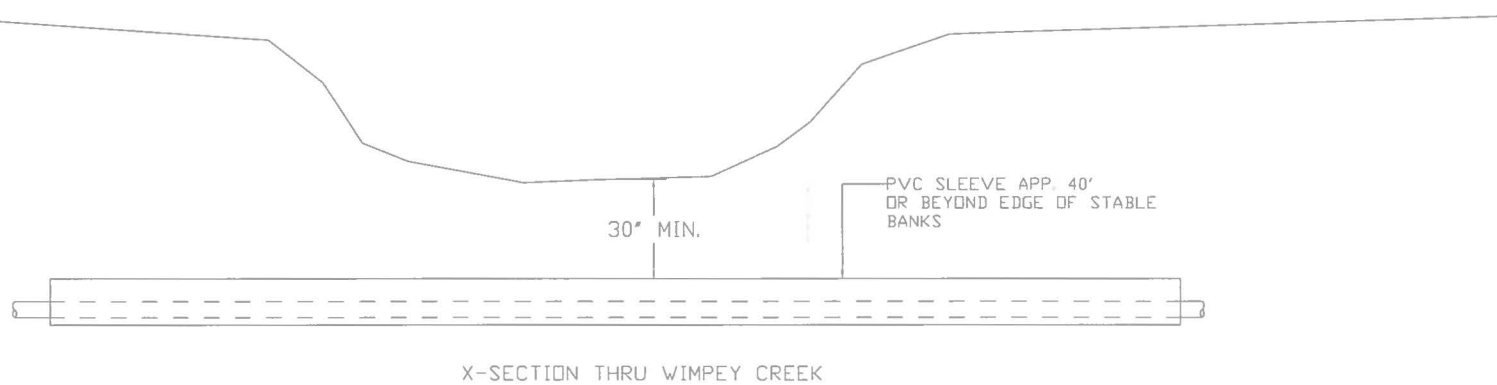
PHIL MOULTON
WIMPY CK. STOCK WATER
LEMHI SCD, LEMHI CO. ID



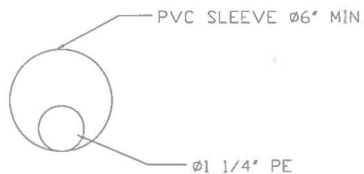
File Name
Drawing Name
Sheet 5 of 6

STANDARD DWG. NO.	
DATE	SHEET OF

CREEK CROSSING DETAIL



X-SECTION THRU WIMPEY CREEK



END VIEW (CREEK X-ING)

NOTE:
PVC SLEEVE TO BE INSTALLED BY OTHER AS
PART OF THE STREAM RESTORATION. THE PVC
SLEEVE WILL BE LEFT EXPOSED WITH THE ENDS
SEALED TO PREVENT ANIMAL ENTRY.

STANDARD DWG. NO.	
DATE	SHEET OF

NOT TO SCALE		
REVISIONS		
DATE	APPROVED	TITLE

Designed	Date
	3/20/17
Drawn	Date
	3/20/17
Checked	Date
	3/20/17
Approved	Date
	3/20/17

PHIL MOULTON
WIMPEY CK, STOCK WATER
LEMHI SCD, LEMHI CO, ID



File Name
Drawing Name
Sheet 6 of 6



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 9, 2017

PRATT CREEK RANCH LP
178 PRATT CREEK RD
SALMON, ID 83467

Application For Permit No. 74-16102

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the RECORDER HERALD on 6/15/2017 and 6/22/2017. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

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

Jean Hersley
Technical Records Specialist



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 9, 2017

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
900 NORTH SKYLINE SUITE B
IDAHO FALLS ID 83402

RE: Application for Permit No.: 74-16102

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application for permit. You can find a copy of the application at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the applications as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the applications.

Sincerely,

A handwritten signature in black ink, appearing to read "Jean Hersley". The signature is fluid and cursive, written over a faint, larger version of the same name.

Jean Hersley
Technical Records Specialist II

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 9, 2017

IDAHO DEPARTMENT OF FISH & GAME
ATTN: JEFF RICHARDS
99 HWY 93 N
SALMON ID 83467

RE: Applications for Permit No. 74-16102
Application for Transfer No. 81599

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application for permit and application for transfer. You can find copies of the applications at:
<http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the applications as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 9, 2017

RICK SAGER
WATER DISTRICT #74
985 HWY 28
SALMON ID 83467

RE: Application for Permit: 74-16102

Dear Watermaster:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced water right application for permit. You can find a copy of the application at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Jean Hersley
Technical Records Specialist

Enclosure(s)

State of Idaho
Department of Water Resources
Application for Permit

RECOMMENDATION FORM

Application No.: 74-16102

Applicant's Name:
PRATT CREEK RANCH

Watermaster's Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this _____ day of _____, 2017

Water District No. 74

Watermaster's Signature _____

From: Hersley, Jean
To: [Yenter, Cindy](#); [Clark, Cynthia \(Bridge\)](#)
Subject: RE: Application for permit 74-16102 & Application for Transfer 81599
Date: Friday, June 09, 2017 8:05:00 AM

I'll try again. These applications will be advertised on June 15th and 22nd. Protest end date is 7/3/17.

Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942

From: Hersley, Jean
Sent: Monday, June 05, 2017 12:19 PM
To: Yenter, Cindy <Cindy.Yenter@idwr.idaho.gov>; Clark, Cynthia (Bridge) <Cynthia.Clark@idwr.idaho.gov>
Subject: Application for permit 74-16102

This application will be advertised on June 8th and 15th. The file will be scanned by the end of the day. Please let me know if you have any comments or concerns. Thank you.

Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942

Legal Notice Department

Recorder Herald
PO Box 310
Salmon ID 83467

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office, PO Box 83720, Boise, Idaho, 83720-0098 before July 3, 2017. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

74-16102

PRATT CREEK RANCH LP

178 PRATT CREEK RD

SALMON, ID 83467

Point of Diversion NESW S35 T21N R23E LEMHI County

Source WARM SPRINGS CREEK Tributary WIMPEY CREEK

Use: STOCKWATER

01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 4/3/2017

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for de minimis stockwater purposes.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; or for a full description of the right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, State Office, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of \$25.00 for each application on or before 7/3/2017. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Published on 6/15/2017 and 6/22/2017

Hersley, Jean

From: Hersley, Jean
Sent: Friday, June 09, 2017 7:30 AM
To: rhlegals@custertel.net
Subject: Legal Notice
Attachments: Legal Notice.docx

A COPY WILL BE FAXED TO YOU ALSO. Thank you. Jean
June 9, 2017

208-756-2222 Page 1

Legal Notice Department

Recorder Herald
PO Box 310
Salmon ID 83467

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office, PO Box 83720, Boise, Idaho, 83720-0098 before July 3, 2017. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

Hersley, Jean

From: rhlegals@custertel.net
To: Hersley, Jean; Hersley, Jean
Sent: Tuesday, June 06, 2017 8:55 AM
Subject: Read: Legal Notice

Your message

To:
Subject: Read: Legal Notice
Sent: Tuesday, June 06, 2017 8:54:57 AM (UTC-07:00) Mountain Time (US & Canada)

was read on Tuesday, June 06, 2017 8:54:57 AM (UTC-07:00) Mountain Time (US & Canada).

Hersley, Jean

From: Hersley, Jean
Sent: Monday, June 05, 2017 2:33 PM
To: rhlegals@custertel.net
Subject: FW: Legal Notice

Please disregard this legal notice. DO NOT RUN!!

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

From: Hersley, Jean
Sent: Monday, June 05, 2017 12:08 PM
To: rhlegals@custertel.net
Subject: Legal Notice

A COPY WILL BE FAXED TO YOU ALSO. Thank you. Jean
June 5, 2017

208-756-2222 Page 1

Legal Notice Department

Recorder Herald
PO Box 310
Salmon ID 83467

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office, PO Box 83720, Boise, Idaho, 83720-0098 before June 26, 2017. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

74-16102
PRATT CREEK RANCH LP
178 PRATT CREEK RD
SALMON, ID 83467
Point of Diversion NESW S35 T21N R23E LEMHI County

Source WARM SPRINGS CREEK Tributary WIMPEY CREEK

Use: STOCKWATER

01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 4/3/2017

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for de minimis stockwater purposes.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; or for a full description of the right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, State Office, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of \$25.00 for each application on or before 6/26/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/8/2017 and 6/15/2017

Legal Notice Department

Recorder Herald
PO Box 310
Salmon ID 83467

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office, PO Box 83720, Boise, Idaho, 83720-0098 before June 26, 2017. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

74-16102

PRATT CREEK RANCH LP

178 PRATT CREEK RD

SALMON, ID 83467

Point of Diversion NESW S35 T21N R23E LEMHI County

Source WARM SPRINGS CREEK Tributary WIMPEY CREEK

Use: STOCKWATER

01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 4/3/2017

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for de minimis stockwater purposes.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; or for a full description of the right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, State Office, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of \$25.00 for each application on or before 7/3/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/15/2017 and 6/22/2017

Subject: application 74-16102
From: Edl, Michele (Michele Edl@idwr.idaho.gov)
To: prattcreekranch71@yahoo.com;
Cc: Abbie.Gongloff@osc.idaho.gov;
Date: Friday, June 2, 2017 1:15 PM

RECEIVED
JUN 07 2017
DEPARTMENT OF
WATER RESOURCES

Mr. Phil Moulton,
I am reviewing Application for Permit 74-16102 which is proposing a stockwater system using water diverted from Warm Springs Creek and I have a few questions and an extra processing step to resolve with you.
The questions:

- 1) I have found an inconsistency within the application. The PLS grid addresses for the troughs don't match the locations shown on the map. I need confirmation and your signature indicating which one is correct. The attached copy of your application should help make that happen.
The map shows the troughs located in the SESE of section 34 and SWSW of section 35. The compatible PLS grid for those map locations looks like this.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	23E	35									S	S	S						
21N	23E	34																S	

Total number of acres to be irrigated:

Please compare what you submitted with this email. If the above grid is correct, sign the email near the grid and return it to us through traditional mail as soon as possible. I can complete the other processing pieces based on an email exchange but IDWR needs a wet-ink, signed copy of the confirmation before I can make the change.

- 2) One trough (#5) on the system appears to be on property owned by Jim Skinner. Is that correct? Our aerial photography can be offset from the true taxlot boundary. But if it is intended to be located on the Skinner property, do you have an agreement with the Skinners which allow the construction and use of the trough system and can you provide it for the application package.

The extra process step:
Because this application is within a Wild and Scenic area, it is subject to additional scrutiny and an extra processing step. The first part is to provide you an opportunity to add information to your application package. The standard application for permit does not ask for specific information related to preservation of fish or wildlife habitat in areas such as yours in the Lemhi. So IDWR offers applicants an additional 30 days within which to provide information supporting your application. That offer comes in the form of a letter. I have attached that letter (the local public interest letter or LPI letter) which will be mailed from the state office this afternoon. I have also attached a copy of your application for reference. If you have nothing more to your application, just let me know. I can move processing forward without the full 30-day allowance.

Sincerely,
Michele Edl
208-287-4946

Attachments

- DOC003.pdf (259.75KB)
- DOC002.pdf (331.00KB)
- LPI ltr.pdf (70.54KB)
- image001.png (29.42KB)

Phil F. Moulton 6/2/2017

Phil Moulton
Pratt Creek Ranch
178 Pratt Creek Road
Salmon, ID 83467
208-940-0900

June 2, 2017

To whom it may concern:

Please find a brief statement in response to the LPI letter corresponding to water right application 74-16102.

To my knowledge this application is as thorough as can reasonably be provided. I have made the application with assistance from the Model Watershed office, Idaho Species of Conservation, and believe it to be accurate and complete.

Sincerely,



Phil F. Moulton

Edl, Michele

From: Abbie Gongloff <Abbie.Gongloff@osc.idaho.gov>
Sent: Monday, June 05, 2017 2:02 PM
To: Edl, Michele
Cc: prattcreekbranch71@yahoo.com; Matthew Green
Subject: RE: application 74-16102
Attachments: WR 74-16102_Public Interest.docx; Warm Springs_stockwater_map_draft 060517.pdf

Good afternoon Michelle,

I attached a document addressing the letter requesting public interest information. Please move forward with processing the application as we will not provide anything further within the 30-day allowance.

Thank you for your close attention on the drawings and property lines. Upon looking at the issue more closely, we believe it will be cleaner to simply move the trough fully onto Phil's property. I attached a draft map of what that will look like. The NRCS engineer is working to make that change in the final plans, but I hope the draft map will allow the process to move forward.

Please let me know if you have questions.

Thank you,

Abbie Gongloff
Project Planner
Upper Salmon Basin Watershed Program
955 Riverfront Drive, Suite B
Salmon, ID 83467

Phone: (208) 756-6322
Fax: (208) 756-6376

Email: Abbie.Gongloff@osc.idaho.gov

From: Edl, Michele [mailto:Michele.Edl@idwr.idaho.gov]
Sent: Friday, June 02, 2017 1:15 PM
To: prattcreekbranch71@yahoo.com
Cc: Abbie Gongloff <Abbie.Gongloff@osc.idaho.gov>
Subject: application 74-16102

Mr. Phil Moulton,

I am reviewing Application for Permit 74-16102 which is proposing a stockwater system using water diverted from Warm Springs Creek and I have a few questions and an extra processing step to resolve with you.

The questions:

- 1) **I have found an inconsistency within the application.** The PLS grid addresses for the troughs don't match the locations shown on the map. I need confirmation and your signature indicating which one is correct. The attached copy of your application should help make that happen.
The map shows the troughs located in the SESE of section 34 and SWSW of section 35. The compatible PLS grid for those map locations looks like this.

TWP	RGE	SEC	NE				NW		
			NE	NW	SW	SE	NE	NW	S
21N	23E	35							
21N	23E	34							

Total number of acres to be irrigated:

Please compare what you submitted with this email. If the above grid is correct, sign the email near the grid and return it to us through traditional mail as soon as possible. I can complete the other processing pieces based on an email exchange but IDWR needs a wet-ink, signed copy of the confirmation before I can make the change.

- 2) **One trough (#5) on the system appears to be on property owned by Jim Skinner.** Is that correct? Our aerial photography can be offset from the true taxlot boundary. But if it is intended to be located on the Skinner property, do you have an agreement with the Skinners which allow the construction and use of the trough system and can you provide it for the application package.

The extra process step:

Because this application is within a Wild and Scenic area, it is subject to additional scrutiny and an extra processing step. The first part is to provide you an opportunity to add information to your application package. The standard application for permit does not ask for specific information related to preservation of fish or wildlife habitat in areas such as yours in the Lemhi. So IDWR offers applicants an additional 30 days within which to provide information supporting your application. That offer comes in the form of a letter. I have attached that letter (the local public interest letter or LPI letter) which will be mailed from the state office this afternoon. I have also attached a copy of your application for reference. If you have nothing more to your application, just let me know. I can move processing forward without the full 30-day allowance.

Sincerely,
Michele Edl
208-287-4946



Warm Springs Stockwater Right Application 74-16102

The installation of a stockwater system out of Warm Springs Creek (tributary to Wimpey Creek) is a part of the Wimpey Creek (Skinner) Restoration Project sponsored by Trout Unlimited on the private property of Pratt Creek Ranch, LLC. The goal of the project is to address the primary limiting habitat factors for steelhead and Chinook salmon in this reach of Wimpey Creek in order to improve stream function and aquatic resources. Limiting factors will be addressed by restoring native plant communities, providing preferred habitat for focal fish species, and establishing sustainable stream and floodplain morphology. Installation of a closed stockwater system will allow Wimpey Creek to be fenced as a part of the restoration.

This project is sponsored by Trout Unlimited, with assistance from the Natural Resources Conservation Service (NRCS) and the Upper Salmon Basin Watershed Program (USBWP). The USBWP convenes monthly with a "Technical Team" of professionals from federal, state, and local agencies, as well as non-profit organizations and tribal representation from the Shoshone-Bannock Tribe. This group prioritizes anadromous fish projects with a ranking process that evaluates individual projects based on their biological benefits to ESA-listed fish species and their habitat in the Upper Salmon Basin. This project was reviewed and approved by the USBWP Technical Team on May 4, 2016, and received a "high" ranking. Funding is provided by the Bonneville Power Administration, Pacific Coast Salmon Recovery Fund, and an Idaho Department of Environmental Quality 319 grant. NRCS EQIP funds are pending award.

The project has been on the agenda and discussed at the USBWP Advisory Committee's bi-monthly public meetings on 3/9/17 and 5/4/17. It was discussed, but not on the agenda, at the 5/5/16 and 9/8/16 public meetings. There were no comments from the public.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 5, 2017

IDAHO DEPARTMENT OF FISH & GAME
ATTN: TOM BASSISTA
4279 COMMERCE WAY
IDAHO FALLS ID 83401

RE: Applications for Permit No. 74-16102

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application for permit. You can find a copy of the application at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley". The signature is written in a cursive, flowing style.

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Dept of Fish & Game- Salmon office



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 5, 2017

RICK SAGER
WATER DISTRICT #74
985 HWY 28
SALMON ID 83467

RE: Application for Permit: 74-16102

Dear Watermaster:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced water right application for permit. You can find a copy of the application at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Jean Hersley
Technical Records Specialist

Enclosure(s)

State of Idaho
Department of Water Resources
Application for Permit

RECOMMENDATION FORM

Application No.: 74-16102

Applicant's Name:
PRATT CREEK RANCH

Watermaster's Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this _____ day of _____, 2017

Water District No. 74

Watermaster's Signature _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 5, 2017

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
900 NORTH SKYLINE SUITE B
IDAHO FALLS ID 83402

RE: Application for Permit No.: 74-16102

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application for permit. You can find a copy of the application at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the applications as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the applications.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure(s)

Hersley, Jean

From: Hersley, Jean
Sent: Monday, June 05, 2017 12:19 PM
To: Yenter, Cindy; Clark, Cynthia (Bridge)
Subject: Application for permit 74-16102

This application will be advertised on June 8th and 15th. The file will be scanned by the end of the day. Please let me know if you have any comments or concerns. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

Hersley, Jean

From: Hersley, Jean
Sent: Monday, June 05, 2017 12:08 PM
To: rhlegals@custertel.net
Subject: Legal Notice

A COPY WILL BE FAXED TO YOU ALSO. Thank you. Jean
June 5, 2017

208-756-2222 Page 1

Legal Notice Department

Recorder Herald
PO Box 310
Salmon ID 83467

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office, PO Box 83720, Boise, Idaho, 83720-0098 before June 26, 2017. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

74-16102
PRATT CREEK RANCH LP
178 PRATT CREEK RD
SALMON, ID 83467
Point of Diversion NESW S35 T21N R23E LEMHI County
Source WARM SPRINGS CREEK Tributary WIMPEY CREEK
Use: STOCKWATER
01/01 to 12/31
0.04 CFS
Total Diversion:
0.04 CFS
Date Filed: 4/3/2017

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for de minimis stockwater purposes.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; or for a full description of the right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, State Office, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of \$25.00 for each application on or before 6/26/2017. The protestant must also send a copy of the protest to the applicant.

MEMORANDUM

Date: June 2, 2017
To: Water Right 74-16102
From: Michele Edl
Re: Application Review

Applicant

According to available Lemhi County taxlot information, the proposed POU will be within property owned by the applicant, Pratt Creek Ranch Limited. Pratt Creek Ranch Limited is listed as #L2132 with IDSOS. Phil F. Moulton is listed as a manager and he signed the application.

Source & POD

The application proposes a new POD from Warm Springs Creek.

The source water is indirectly tributary to the Lemhi River which in a Wild and Scenic area and so the application is subject to those processing steps. The applicant responded to the LPI letter via email on June 2, 2017.

The proposed POD is located on property owned by the applicant. I copied the POD shape from the application layer to the permit layer.

Water Use & Quantity

The application requested water for stockwater use in a gravity feed system of 5 new troughs interconnected by pipelines. The application POU grid was not consistent with the application maps. A correction to the POU and signed confirmation has been requested via email and snail mail.

POU

The troughs and pipeline are primarily on property owned by the applicant. However, one of the troughs, (labeled #5 on the application's site plan map) appears to be located on property owned Jim Skinner and Judy Skinner. I was unable to see fencing in the aerial photography. The applicant may need to get permission from the Skinners to lay pipe and place a trough on their property.

I created a POU shape that coincides with the corrected PLS grid.

POU/POD overlap analysis

WR #74-4031 (Eagle Valley Ranch) is for stockwater use from Wimpey Creek but appears to overlap a portion of the proposed POU for this Warm Springs Creek trough and pipeline system. However, according to available taxlot information Eagle Valley Ranch doesn't own the appurtenant property and Abbie Gongloff (project planner, Office of Species Conservation) confirmed that that no Wimpey Creek water will be diverted through this system and that Eagle

Valley Ranch is not participating in this project.

WR #74-16028 (Skinner) is for irrigation of 3.0 acres underneath trough #5 and the pipeline that serves it.

No other water rights divert from this new POD.

Conditions

The proposed use is currently within a Water District. The permit will have conditions related to watermaster control and watermaster comments will be requested.

Regional IDF&G and BLM personnel will also be contacted for comment.



Edl, Michele

From: Abbie Gongloff <Abbie.Gongloff@osc.idaho.gov>
Sent: Friday, June 02, 2017 3:39 PM
To: Edl, Michele
Subject: RE: Wimpey Cr stockwater for Eagle Valley Ranch

Hi Michelle,

We know that that water right exists, but it's perplexing because Eagle Valley doesn't own (and I think I am correct in saying it doesn't lease) any of the property in the POU.

In any case, Eagle Valley is not participating in the project, and no troughs using Wimpey Creek water are going to be installed as part of the project. All troughs installed will provide water to Pratt Creek Ranch's cattle only.

Let me know if you have more questions on this.

I am finding out the answer to your question concerning Skinner's property in the previous email. I suspect Pratt Creek Ranch either has bought the property or is leasing it.

Thank you,

Abbie Gongloff
Project Planner
Upper Salmon Basin Watershed Program
955 Riverfront Drive, Suite B
Salmon, ID 83467

Phone: (208) 756-6322

Fax: (208) 756-6376

Email: Abbie.Gongloff@osc.idaho.gov

From: Edl, Michele [mailto:Michele.Edl@idwr.idaho.gov]
Sent: Friday, June 02, 2017 2:11 PM
To: Abbie Gongloff <Abbie.Gongloff@osc.idaho.gov>
Subject: Wimpey Cr stockwater for Eagle Valley Ranch

Abbie Gongloff,

I have completed my initial review of the Pratt Creek application for permit and I have a question for you. Eagle Valley Ranch appears to have a stockwater right which overlaps the proposed place of use for the Pratt Creek Ranch project. Their source is Wimpey Cr not Warm Springs Cr and aerial photography doesn't show fences very well. Are both ranches cooperating in this effort to provide troughs for their stock? Will there be troughs with Wimpey Creek water also located in this same area?

Thanks
Michele Edl

Subject: application 74-16102
 From: Edl, Michele (Michele Edl@idwr.idaho.gov)
 To: prattcreek ranch71@yahoo.com;
 Cc: Abbie Gongloff@osc.idaho.gov;
 Date: Friday, June 2, 2017 1:15 PM

Mr. Phil Moulton,

I am reviewing Application for Permit 74-16102 which is proposing a stockwater system using water diverted from Warm Springs Creek and I have a few questions and an extra processing step to resolve with you.

The questions:

- 1) I have found an inconsistency within the application. The PLS grid addresses for the troughs don't match the locations shown on the map. I need confirmation and your signature indicating which one is correct. The attached copy of your application should help make that happen.
 The map shows the troughs located in the SESE of section 34 and SWSW of section 35. The compatible PLS grid for those map locations looks like this.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	23E	35									S	S	S						
21N	23E	34																S	

Total number of acres to be irrigated: _____

Please compare what you submitted with this email. If the above grid is correct, sign the email near the grid and return it to us through traditional mail as soon as possible. I can complete the other processing pieces based on an email exchange but IDWR needs a wet-ink, signed copy of the confirmation before I can make the change.

- 2) One trough (#5) on the system appears to be on property owned by Jim Skinner. Is that correct? Our aerial photography can be offset from the true taxlot boundary. But if it is intended to be located on the Skinner property, do you have an agreement with the Skinners which allow the construction and use of the trough system and can you provide it for the application package.

The extra process step:

Because this application is within a Wild and Scenic area, it is subject to additional scrutiny and an extra processing step. The first part is to provide you an opportunity to add information to your application package. The standard application for permit does not ask for specific information related to preservation of fish or wildlife habitat in areas such as yours in the Lemhi. So IDWR offers applicants an additional 30 days within which to provide information supporting your application. That offer comes in the form of a letter. I have attached that letter (the local public interest letter or LPI letter) which will be mailed from the state office this afternoon. I have also attached a copy of your application for reference. If you have nothing more to your application, just let me know. I can move processing forward without the full 30-day allowance.

Sincerely,

Michele Edl

208-287-4946

Attachments

- DOC003.pdf (259.75KB)
- DOC002.pdf (331.00KB)
- LPI ltr.pdf (70.54KB)
- image001.png (29.42KB)

Phil F. Moulton 6/2/2017

Phil Moulton
Pratt Creek Ranch
178 Pratt Creek Road
Salmon, ID 83467
208-940-0900

June 2, 2017

To whom it may concern:

Please find a brief statement in response to the LPI letter corresponding to water right application 74-16102.

To my knowledge this application is as thorough as can reasonably be provided. I have made the application with assistance from the Model Watershed office, Idaho Species of Conservation, and believe it to be accurate and complete.

Sincerely,

A handwritten signature in dark ink, appearing to read "Phil F. Moulton". The signature is fluid and cursive, with the first name "Phil" being more prominent.

Phil F. Moulton

Edl, Michele

From: Phillip Moulton <prattcreekbranch71@yahoo.com>
Sent: Friday, June 02, 2017 3:39 PM
To: Edl, Michele
Subject: Re: application 74-16102
Attachments: img021.jpg; img022.jpg

Hi Michele, Please review these documents and confirm they are what you need.

Phil Moulton

On Friday, June 2, 2017 1:15 PM, "Edl, Michele" <Michele.Edl@idwr.idaho.gov> wrote:

Mr. Phil Moulton,

I am reviewing Application for Permit 74-16102 which is proposing a stockwater system using water diverted from Warm Springs Creek and I have a few questions and an extra processing step to resolve with you.

The questions:

1) **I have found an inconsistency within the application.** The PLS grid addresses for the troughs don't match the locations shown on the map. I need confirmation and your signature indicating which one is correct. The attached copy of your application should help make that happen.

The map shows the troughs located in the SESE of section 34 and SWSW of section 35. The compatible PLS grid for those map locations looks like this.

TWP	RGE	SEC	NE				NW		
			NE	NW	SW	SE	NE	NW	SW
21N	23E	35							
21N	23E	34							

Total number of acres to be irrigated:

Please compare what you submitted with this email. If the above grid is correct, sign the email near the grid and return it to us through traditional mail as soon as possible. I can complete the other processing pieces based on an email exchange but IDWR needs a wet-ink, signed copy of the confirmation before I can make the change.

2) **One trough (#5) on the system appears to be on property owned by Jim Skinner.** Is that correct? Our aerial photography can be offset from the true taxlot boundary. But if it is intended to be

located on the Skinner property, do you have an agreement with the Skinners which allow the construction and use of the trough system and can you provide it for the application package.

The extra process step:

Because this application is within a Wild and Scenic area, it is subject to additional scrutiny and an extra processing step. The first part is to provide you an opportunity to add information to your application package. The standard application for permit does not ask for specific information related to preservation of fish or wildlife habitat in areas such as yours in the Lemhi. So IDWR offers applicants an additional 30 days within which to provide information supporting your application. That offer comes in the form of a letter. I have attached that letter (the local public interest letter or LPI letter) which will be mailed from the state office this afternoon. I have also attached a copy of your application for reference. If you have nothing more to your application, just let me know. I can move processing forward without the full 30-day allowance.

Sincerely,
Michele Edl
208-287-4946



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 2, 2017

PRATT CREEK RANCH LP
178 PRATT CREEK RD
SALMON ID 83467

RE: Application to Appropriate Water in the Upper Salmon River Basin 74-16102

Dear Water Right Applicant:

The Department of Water Resources' (IDWR) records show you filed an application to establish a new use of water in the upper Salmon River basin. Idaho Code § 42-203A(5) requires IDWR to determine whether each water right application satisfies all the criteria necessary for appropriating water in Idaho. One statutory criterion requires IDWR to determine the local public interest relative to the proposed water use. Idaho Code § 42-202B(3) defines the local public interest as "the interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource." The local public interest has many facets, including the effects of a proposed water use on aquatic habitat for fish and wildlife resources.

The upper Salmon River basin is home to stocks of chinook salmon, sockeye salmon, steelhead trout, and bull trout, all of which are listed as threatened or endangered under the Endangered Species Act (ESA). Since the early 1990s, local water users, conservation districts, and federal and state agencies have cooperated to implement conservation measures intended to protect and restore habitat for ESA-listed species in the upper Salmon River watershed. For example, at the request of local water users the Idaho Legislature directed the Idaho Water Resource Board (IWRB) to establish a minimum stream flow in the lower Lemhi River for fish passage. The minimum stream flow is maintained through a water supply bank and temporary or permanent acquisition of additional water supplies by willing buyers from willing sellers.

Pursuant to the Snake River Water Rights Agreement of 2004, Idaho has been developing a long term conservation plan for the benefit of ESA-listed species in the Lemhi River basin. Improving conditions in flow-limited river reaches and streams is a fundamental component of the Lemhi plan. In addition to IDWR, numerous state agencies, including the Office of Species Conservation, Idaho Department of Fish and Game, Idaho Department of Environmental Quality, Idaho Soil and Water Conservation Commission, and Idaho Department of Lands, have committed and continue to commit significant resources toward this objective under the following programs:

- Columbia Basin Water Transactions Program
- National Marine Fisheries Service Pacific Coastal Salmon Recovery Fund
- U. S. Fish & Wildlife Service Aquatic Species Conservation Fund
- Salmon and Clearwater River Basins Habitat Fund
- 2008 Columbia Basin Fish Accords

Letter to Upper Salmon River Basin Water Right Applicants
Page 2

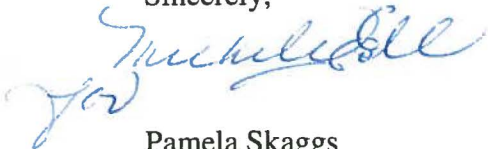
A myriad of habitat restoration projects are being constructed/implemented in other parts of the upper Salmon River basin. These projects have been coordinated with the local communities and water users through the Upper Salmon River Basin Watershed Program and predecessor programs, including the model watersheds. Furthermore, the Snake River Water Rights Agreement of 2004 contemplates the development of additional conservation plans for other upper Salmon River basin watersheds. Accordingly, the draft Comprehensive State Water Plan under revision by the IWRB contains policies for the Salmon River basin that focus on the protection and restoration of instream habitat for ESA-listed species through voluntary participation in conservation programs.

Because of the ESA-listed species recovery efforts in the upper Salmon River basin, IDWR must determine on a case-by-case basis whether it is in the local public interest to authorize proposed water uses that would further deplete flow-limited stream reaches.

Pursuant to Rule 40.04.c of the Water Appropriation Rules (IDAPA 37.03.08.040.04.c), the applicant has the ultimate burden of persuasion regarding the items that must be evaluated in connection with each water right application. Before proceeding further with your application, IDWR requests you submit additional information about how your proposal invokes any local public interest concerns for ESA species recovery. Within 30 days, please submit any additional information you believe IDWR may need to evaluate and determine the local public interest in the water you propose to divert and use. If IDWR has not received a response from you within 30 days, IDWR will assume you have no comment regarding the local public interest, and processing of your application will resume with the information currently on file. Processing will include public notice and the potential for formal protests by other interested parties. Applications that are not in the local public interest will be denied. If you wish to withdraw your application before it is processed, please notify IDWR in writing.

If you have any questions, please call me at 208-287-4951, or email me at pam.skaggs@idwr.idaho.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Pamela Skaggs", with a stylized "P" and "S".

Pamela Skaggs
Water Rights Supervisor

Enclosure: Copy of Application