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JAN 09 2012

DEPARTMENT OF  
WATER RESOURCES

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

January 6, 2012

Tim Luke  
Idaho Department of Water Resources  
322 East Front Street  
Boise, ID 83720

Dear Mr Luke:

In response to your letters dated December 12, 2011 and December 27, 2011, here is a summary of what we have done to address the problem.

On or about December 19, 2011, Eric Moulton went up Pratt Creek Canyon and piled some dirt in front of our headgate to help seal it. Then on January 3, 2012, I took my backhoe up the canyon to check the situation (not having yet received your letter dated December 27), and dug more of a channel in Pratt Creek, further diverting the water away from the headgate. I believe these two actions will solve the problem for this winter. Next summer or fall I will install a rubber liner in the stream above the structure to seal it further, hopefully avoiding this problem next season.

Sincerely,

Phil Moulton

SCANNED

JAN 20 2011



## 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](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

December 27, 2011

James Skinner  
Ruby Skinner Ranch  
8 Skinner Ln.  
Salmon, ID 83467

Pratt Creek Ranch LP  
178 Pratt Creek Rd  
Salmon, ID 83467

Re: Control of Water from Pratt Creek

Dear Gentlemen:

As a follow-up to my letter dated December 12, 2011 regarding a leaking head gate from one of the upper diversions that you share on Pratt Creek, I asked Rick Sager, Water District 74 watermaster, to inspect the head gate and any flow in the ditch.

On December 23, 2011, Mr. Sager reported to me that he had inspected these upper ditches, including the ditch that had been leaking approximately 17 inches (about 0.35 cfs) during Mr. Sager's previous visit on October 20, 2011. Mr. Sager reported that these ditches were dry. The ditch that had experienced the leakage in October was dry. No flow in the ditch was observed at or below the measuring device near the head gate. Additionally, no water was observed flowing in any ditch or ditches from the Skinner or Pratt Creek Ranch properties over to the drainage or seepage area along the county road and east of the Hartvigson parcel.

Thank you for continued cooperation and patience regarding this matter. Please contact me directly at 208-287-4959 if you have questions concerning this matter.

Respectfully,

Tim Luke  
Water Compliance Bureau

CC: Gary Spackman, IDWR Interim Director  
James Cefalo, IDWR Eastern Region  
Ray and Mary Sloan  
Scott L Campbell, Attorney

SCANNED  
DEC 27 2011



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C. L. "BUTCH" OTTER  
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December 12, 2011

James Skinner  
Ruby Skinner Ranch  
8 Skinner Ln.  
Salmon, ID 83467

Pratt Creek Ranch LP  
178 Pratt Creek Rd  
Salmon, ID 83467

Re: Control of Water from Pratt Creek

Dear Gentlemen:

The Idaho Department of Water Resources (Department or IDWR) continues to receive inquiries, allegations and complaints about continued diversion of water from Pratt Creek through one or more of your diversions during the winter. The latest inquiry I believe is specific to the head gate that I understand leaks a small quantity of water estimated at about 30 to 35 inches this fall by the Water District 74 watermaster, Rick Sager. It is my understanding that the head gate can't be closed further or the leakage can't generally be controlled.

Regardless of the amount of leakage through the head gate, the leakage should either be controlled at the gate or diverted away from the head gate. If the leakage can't be controlled at the head gate, the Department hereby directs you to take necessary steps to divert the water in the creek away from the head gate. The Department requests that you initiate this action immediately.

Please note that continued leakage of water through your head gate from Pratt Creek may be cause for the Department to issue a Notice of Violation and Cease and Desist Order.

The Department also wishes to notify you that it will likely schedule a hearing this winter regarding proposed action to combine the boundaries of the inactive Pratt Creek water district with the Lemhi River water district (Water District No. 74) for purposes of water right administration.

Please contact me directly at 208-287-4959 if you have questions regarding this matter.

Respectfully,

Tim Luke  
Water Compliance Bureau

CC: IDWR Eastern Region  
Ray and Mary Sloan  
Scott L Campbell, Attorney

SCANNED  
DEC 12 2011