

12/10/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-10468

NAME AND ADDRESS: LOCKWOOD LAND & LIVESTOCK
781 W COUNTY LINE RD
SHOSHONE ID 83352

SOURCE: EAST FORK PORTUGUESE CREEK

TRIBUTARY: PORTUGUESE CREEK

QUANTITY: 85.000 AFY

The storage capacity of Patterson Reservoir is 43 AF. This right allows for refilling the reservoir.

PRIORITY DATE: 06/01/1966

POINT OF DIVERSION:

T03S R16E S35 NENW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION FROM STORAGE	03/15 11/15	85.00 AFY
RECREATION STORAGE	01/01 12/31	85.00 AFY
IRRIGATION STORAGE	01/01 12/31	85.00 AFY
STOCKWATER STORAGE	01/01 12/31	5.00 AFY
STOCKWATER FROM STORAGE	01/01 12/31	5.00 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within LINCOLN County

T03S R16E S26	SESW	6.0	T03S R16E S35	NWNE	1.3
T03S R16E S35	NENW	38.0	T03S R16E S35	NWNW	15.0
T03S R16E S35	SWNW	2.3	T03S R16E S35	SENE	9.4

RECREATION STORAGE Within LINCOLN County

T03S R16E S26	SESW	T03S R16E S35	NWNE
T03S R16E S35	NENW		

STOCKWATER FROM STORAGE Within LINCOLN County

T03S R16E S26	SESW	T03S R16E S35	NWNE
T03S R16E S35	NENW		

72 ACRES TOTAL

Right Nos. 37-10464 and 37-10468 are limited to the irrigation of a combined total of 97 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

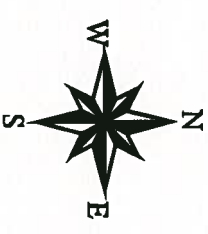
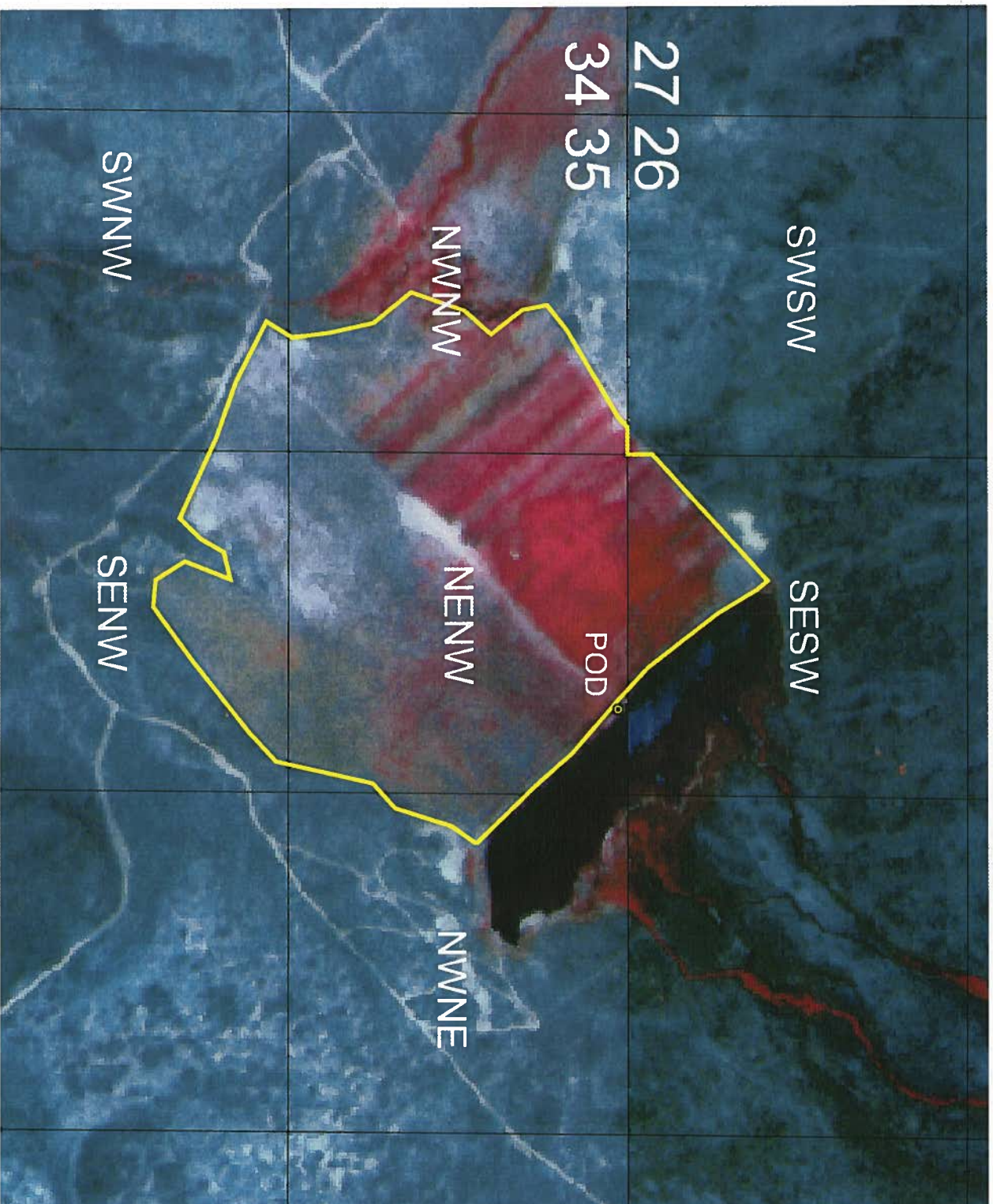
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

37-10468

**T03S R16E
S26 & S35**



Map prepared by: Carter Fritschle
Date prepared: 07/30/03
1987-1988 NAPP photography
Idaho Department of Water Resources

37-10468

Patterson Reservoir

5.6 feet to spillway elevation

Surface area of reservoir is 12.6 acres (Topo Z22)

Capacity of the reservoir is 43 AF according to a letter dated 11-30-1995 to Patrick Lockwood from David Hollingshead, Mgr., IDWR Safety of Dams Section.

Since license 37-2776 implies only one fill (45 AF), Claim 37-10468 is for 85 AF, which would allow refilling the reservoir.

LOCKWOOD LAND + LIVESTOCK
781 W COUNTY LINE RD
SHOSHONE IDA

RECEIVED
JUN 01 2004
Department of Water Resources

CIVIL CASE #
39576
IDENT # 3710468

PROOF OF CLAIM OF STORAGE on PATTERSON
Reservoir

PRIORITY 6/01/66

Dear CARTER FRITSCHLE

If there are any questions please call PAT
LOCKWOOD 208 358-0871 CELL or WORK IT
208 446-2565 9409 ADOLESCENT PROGRAM

Sincerely Pat Lockwood

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2776

WATER RIGHT NUMBER: 37-2776

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HARRY PATTERSON RT 1 GOODING, ID 83330

Priority Date: 08/05/1956

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAMS	PORTUGUESE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION FROM STORAGE	/ to /		45.00 AF
STOCKWATER FROM STORAGE	/ to /		
STOCKWATER STORAGE	/ to /		
IRRIGATION STORAGE	/ to /		45.00 AF
	<u>Total Diversion:</u>		45.00 AF

Location of Point(s) of Diversion

UNNAMED STREAMS	SE1/4SW1/4	Sec. 26, Twp 03S, Rge 16E, B.M.
LINCOLN County		
UNNAMED STREAMS	NW1/4SE1/4	Sec. 27, Twp 03S, Rge 16E, B.M.
LINCOLN County		

Place of Use

IRRIGATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	16E	27															4.0	7.0	11.0
03S	16E	34	6.0																6.0
03S	16E	35					38.0	26.0	14.0										78.0

Total Acres: 95

IRRIGATION FROM STORAGE same as IRRIGATION STORAGE
STOCKWATER FROM STORAGE same as IRRIGATION STORAGE

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-2776

Remarks:

1. General SOURCES KNOWN LOCALLY AS PORTUGUESE CK., EAST FORK TRIB. BIG WOOD RIVER; PORTUGUESE CK., WEST FORK, TRIB. BIG WOOD RIVER.

Comments:

Dates and Other Information:

Licensed Date: 5/10/1979
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-4417

WATER RIGHT NUMBER: 37-4417

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LOCKWOOD LAND & LIVESTOCK C/O PATRICK LOCKWOOD RT 1 BOX 117 SHOSHONE, ID 83352

Priority Date: 06/01/1966

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
PORTUGUESE CREEK	THORN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER STORAGE	1/01 to 12/31		40.00 AF
STOCKWATER FROM STORAGE	1/01 to 12/31		40.00 AF
IRRIGATION STORAGE	5/01 to 11/01		40.00 AF
RECREATION STORAGE	1/01 to 12/31		40.00 AF
IRRIGATION FROM STORAGE	5/01 to 11/01		40.00 AF
	<u>Total Diversion:</u>		40.00 AF

Location of Point(s) of Diversion

PORTUGUESE CREEK	NW1/4NE1/4	Sec. 35, Twp 03S, Rge 16E, B.M.
LINCOLN County		
PORTUGUESE CREEK	SE1/4SW1/4	Sec. 26, Twp 03S, Rge 16E, B.M.
LINCOLN County		
PORTUGUESE CREEK	NE1/4NW1/4	Sec. 35, Twp 03S, Rge 16E, B.M.
LINCOLN County		

Place of UseConditions of Approval:Remarks:

- General CLAIM RECORDS EXPANSION OF PATTERSON RESERVOIR.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-4417

Dates and Other Information:

Licensed Date:
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-10468
Date Received: 7/08/1988
Receipt No: 5000794
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOCKWOOD LAND & LIVESTOCK 208-886-2155
Address: 781 WEST COUNTY LINE ROAD
SHOSHONE, ID 83352
2. Date of Priority: JUN 01, 1966
3. Source: PORTUGUESE CREEK, EAST FK. Trib. to: PORTUGUESE CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	16E	26		SE	SW		LINCOLN
		35		NW	NE		LINCOLN
				NE	NW		LINCOLN

5. Description of diverting works:
PATTERSON RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			85.00
STOCKWATER STORAGE	01/01	12/31			85.00
RECREATION STORAGE	01/01	12/31			85.00
IRRIGATION FROM STORAGE	04/01	11/01			85.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 85.00 A.F.A.

8. Total consumptive use is 85.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STORAGE IN PATTERSON RESERVOIR

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03S	16E	26			STOC S	
					REC S	
			SE	SW	IRR S	
			SE	SW	IRR FS	9.0
					Section Acres	9.0
		35			STOC S	
					REC S	
					STOC S	
					REC S	
			NW	NE	IRR S	
			NW	NE	IRR FS	2.0
			NE	NW	IRR S	
			NE	NW	IRR FS	38.0
			NW	NW	IRR FS	12.0
			SW	NW	IRR FS	12.0
			SE	NW	IRR FS	12.0
				8		
					Section Acres	76.0
					Total Acres	85.0

11. Place of use in counties: LINCOLN

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
SEE CLAIM FILED FOR LIVE STREAM FLOW

14. Remarks:
THIS CLAIM RECORDS THE TOTAL CAPACITY OF PATTERSON RESERVOIR. OTHER EARLIER FILINGS (37-2776 & 37-4417) REFERENCE HOW THE RESERVOIR WAS ENLARGED OVER THE YEARS ALTHOUGH THE EARLY POSTED NOTICE ATTACHED TO MY OTHER CLAIM INDICATES THAT SOME TYPE OF RESERVOIR WAS AT THIS SITE MANY YEARS BEFORE THE LICENCE 37-2446 DOCUMENTS. I AM ONLY CLAIMING THE PRIORITY AS OF THE LAST ENLARGEMENT OF THE RESERVOIR.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Organizations:

I do solemnly swear or affirm that I am Manager of _____ Title

Lockwood Land & Livestock Organization, that I have signed the foregoing document in the space below as _____ Title

Lockwood Land & Livestock Organization and that the statements contained in the foregoing document are true and correct.

Patricia L. Johnson
Signature of Authorized Agent

Manager Lockwood Land & Livestock
Title and Organization

July 8, 1988
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of July 19 88

Allen D. Murrin
Notary Public

Seal

Residing at Kimberly, Idaho

My Commission Expires 6/30/94

AFFIDAVIT OF Water Rights

STATE OF Idaho
COUNTY OF Lincoln County

Before me, a duly commissioned Notary Public within and for
the State and County aforesaid, personally appeared Pat Lockwood of

Lockwood Land and Livestock
781 W County Line Rd
Shoshone, ID 83352

who, after being duly sworn as required by law, deposes and says:

1. That he is the owner of Patterson Reservoir since 1976 and in
reference to the general adjudication of rights to the use of water
from the Snake River Basin water system is owner and thereby
responsible for water rights thereof.

2. That Lockwood Land and Livestock is the owner of the
improved property known and legally described as follows:

Patterson Reservoir

Township Range Section	¼ of ¼ of ¼ lot	County
03S 16E 35	NW NE	Lincoln
03S 16E 35	NE NW	Lincoln
03S 16E 26	SE SW	Lincoln

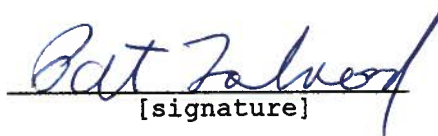
3. That aforementioned Patterson Reservoir is used for the following
purposes:

Purpose	From	To	AFA
Irrigation Storage	1/01	12/31	85
Irrigation from Storage	4/01	11/01	85
Stockwater Storage	1/01	12/31	85
Recreation Storage	1/01	12/31	85

4. That Lockwood Land and Livestock has possession of the
property and that there is no other person in possession
who has any right in the property.

5. That there is to be noted that in the summer 1966 there was expanded
upon a reservoir under the name of Patterson Reservoir and a spillway
was developed adjacent to the reservoir on aforementioned property.
Work was completed in 1966. It is to be noted that this affidavit
records that the reservoir was enlarged over the years on a site where
some type of reservoir was many years before the license 37-2446
documents.

6. That this affidavit is made for the purpose of substantiating the
1966 Water Rights Storage Permit, see remarks on item 14.


[signature]

State of Idaho)

) ss. AFFIDAVIT OF WATER RIGHTS

County of Gooding)

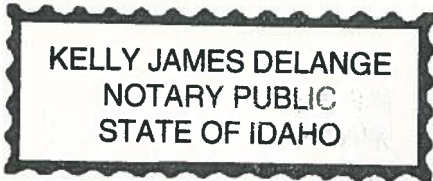
On 5/7/04 (date) before me, Kelly James Delange (name and title "Notary Public"), personally appeared Pat Lockwood (name[s] of signer[s]), personally known to me (or ~~proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Kelly James Delange (Signature of Notary)

My Commission Expires
10-08-09

(Seal of Notary)



AFFIDAVIT OF Water Rights

STATE OF Idaho
COUNTY OF Lincoln County

Before me, a duly commissioned Notary Public within and for
the State and County aforesaid, personally appeared Pat Lockwood of

Lockwood Land and Livestock
781 W County Line Rd
Shoshone, ID 83352

who, after being duly sworn as required by law, deposes and says:

1. That Lockwood Land and Livestock is the legal owner of the
improved property previously owned by my father Harry Patterson. The
property is known and legally described as follows:

Patterson Reservoir

Township	Range	Section	¼ of ¼ of ¼ lot	County
03S	16E	35	NW NE	Lincoln
03S	16E	35	NE NW	Lincoln
03S	16E	26	SE SW	Lincoln

3. That aforementioned Patterson Reservoir is used for the following
purposes:

Purpose	From	To	AFA
Irrigation Storage	1/01	12/31	85
Irrigation from Storage	4/01	11/01	85
Stock water Storage	1/01	12/31	85
Recreation Storage	1/01	12/31	85

5. That there is to be noted that in the summer 1966 there was expanded
upon a reservoir under the name of Patterson Reservoir and a spillway
was developed adjacent to the reservoir on aforementioned property.
Work was completed in 1966. It is to be noted that this affidavit
records that the reservoir was enlarged over the years on a site where
some type of reservoir was many years before the license 37-2446
documents. I, Allan Patterson, helped my father, Harry Patterson,
complete aforementioned improvements on Patterson Reservoir.

6. That this affidavit is made for the purpose of substantiating the
1966 Water Rights Storage Permit, see remarks on item 14.

Allan Patterson
[signature]

Subscribed and sworn to before me this 7 day of May,
2004

My commission expires 5/22/2010



Beverly Johansen
NOTARY PUBLIC



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 4, 2004

37-10464, 37-10468 & 37-10470
LOCKWOOD LAND & LIVESTOCK
781 W COUNTY LINE RD
SHOSHONE ID 83352

Re: Evidence of Priority Date

Dear Claimant:

RESPONSE DEADLINE
APRIL 10, 2004

The Notices of Claim to a Water Right (claim) identified with the numbers shown above your name have been filed in the Snake River Basin Adjudication (SRBA). The claims indicate your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. Since the priority date and historic use of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed and the historic use of the water.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Enclosed you will find computer printouts of your claims and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claims disallowed if no evidence of the priority date and of the historic use is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

Sincerely,


Carter Fritschle
Water Rights Supervisor

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

November 30, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Patrick Lockwood
781 West County Line Road
Shoshone, ID 83352

RE: Patterson Dam

D37-2776

Dear Mr. Lockwood:

In 1992, the Department surveyed Patterson Dam; a copy of the survey is enclosed. The survey indicates the dam is only 6.9 feet high, with a reservoir storage capacity of only 43 ac-ft. Since the dam is less than 10 feet in height and the reservoir stores less than 50 ac-ft, it is too small to be classified as a dam and be regulated by the State under the Dam Safety Statutes. Patterson Dam will be removed from our dam inventory, and periodic inspections of the facility will be discontinued.

The Department's latest inspection on November 9th, indicated the dam was in poor condition. Some work had recently been completed to repair an animal burrow that was seeping water; however, considerably more maintenance is needed to keep the dam operating safely. As can be seen from the survey diagram, the dam has settled considerably and there is only 1.3 feet of freeboard on the embankment. The inflow design flood for the 4.8 square mile drainage area above the dam is estimated to be 215 cfs, which will overtop the embankment. Although the Department no longer regulates the facility, we recommend that the top of the dam be raised and leveled to at least elevation 100.0 feet, as shown on the survey, so that the spillway provides at least 3.6 feet of freeboard on the embankment.

The Department also recommends that an annual maintenance program be established, which should include the following:

- Remove large growth (willows, trees, brush, thick growth of weeds, etc.) from all parts of the embankment and along the downstream toe. Root systems can penetrate the embankment causing seepage problems to occur. Also, thick growth of brush and weeds can hide problems caused by rodent activity, seepage and instability.
- Rodents and burrowing animals should be eradicated and their burrows backfilled with suitable soil material, compacted in place. Muskrat activity along the upstream face can be controlled by covering the slope with rock riprap, which can also help prevent erosion to the slope.

JAN 17 1996

Patrick Lockwood
RE: D37-2776
Page 2

-Inspect the embankment regularly for erosion, due to wave action, surface runoff, cattle, etc.. Eroded areas should be repaired by adding earth or granular material and/or rock riprap to maintain an adequate cross section of the dam for stability.

If you are not going to establish a routine maintenance program and raise the dam crest to a uniform elevation (to prevent overtopping) then we recommend that the dam be breached to reduce the downstream risk of flooding. In accordance with Idaho law, you (as owner) are still responsible for the project and any damage that occurs due to failure of the structure.

Should you have any questions, please contact Corey Skinner, phone 736-3033, in our Southern Regional Office in Twin Falls.

Very truly yours,

David H. Hollingshead

David H. Hollingshead, Mgr.
Safety of Dams Section

enclosure

cc: IDWR - Southern Region

JAN 17 1996

MEMORANDUM

TO: Patterson Dam (D37-2776) File

FROM: Corey Skinner *CS*

DATE: November 14, 1995

SUBJECT: Inspection and Dam Update

RECEIVED
NOV 16 1995
Department of Transportation

On November 9, I visited Patterson Dam on the way back from another dam inspection. Due to the uncertainty of my expected time of arrival at Patterson Dam and its history, I made no attempt to contact the owner.

Upon arriving at the dam, it appeared that not much had been done to the dam. Tall, dense weeds and grass covered the entire embankment, with the taller, denser growth occurring towards the south and east end. The weed and grass growth obscured visibility greatly and a thorough investigation proved difficult. The growth on the dam consisted of weeds, grass, and the occasional willow bush/tree on the upstream side, I do not recall any sage brush on the embankment, but it may have very easily been obscured by the other growth. The longitudinal cracks noted in the last inspection were not found, but they very easily could have been present and obscured by the dense growth. I did not note any surface erosion or debris (other than tumbleweeds) on the embankment due to the dense growth. The weed and grass growth made spotting burrows in the embankment difficult, but it appeared that muskrat burrows were present just below the water on the upstream face near the willow growth towards the south and east end of the dam. In addition, a couple of old burrows were found on the downstream slope of the dam. Undoubtedly, the observation of a couple of burrows in the dense growth indicate that more are present along the embankment.

The most important observation made during the inspection was a repair job that was performed on the embankment just to the right (northwest) of the pump station. It appeared that the dam had sprung a leak and a recent effort had been made to repair the embankment. I later learned that the repair job had been performed earlier that same day. Backhoe tracks were present in the area, and material had been added to the embankment in an attempt to repair the dam. Standing water was present all along the toe below the repair job. Photographs of the repaired area are included with this memorandum.

Due to the leak that had been present in the dam, the entire area below the repair job was inundated with water. There was one spot below the repair job on the downstream face where water was flowing very slightly (photo enclosed). The water may have been seepage through the embankment from the reservoir, or probably seepage caused by the draining of the saturated material in the

RECORDED

JAN 17 1996

repaired area of the embankment. Due to the water present from the leak that had been in the dam, it was difficult to determine if any additional seepage was occurring in the area around the pump station. The dense weed and grass growth obscured visibility on the downstream slope, but the growth appeared fairly consistent with little changes in vegetation density or color other than the thicker, taller vegetation occurring towards the south east end of the dam. However, there was a damp area on the downstream slope towards the south east end of the embankment. This may have been related to the probable muskrat burrows on the upstream slope, or possibly the old abandoned outlet located around this area of the embankment.

I was able to contact the dam owner, Pat Lockwood, early in the morning on November 14th. He said that a "rat hole" in the dam had been leaking and that they had been able to get a backhoe in to repair the embankment on November 9th. He said that the hole was fairly high on the embankment and that the water flow was clear. He also stated that they were unable to get a backhoe into the area for a couple days. Apparently the water had ran through the hole for a while, which explains the large amount of standing water in the area below the repaired section of the dam. Mr. Lockwood said that they had packed the hole in with dry soil and that he had been back up to the dam since November 9th and everything seemed to be working fine. He also stated that he was interested in keeping the dam, and that the farm ground below the dam was currently in a set aside program. I proceeded to reiterate the department's recommended maintenance items that should be performed on the dam. These items included removing vegetation, eradicating rodents and filling burrows, raising the dam to provide adequate freeboard, repairing eroded areas on the upstream slope, and adding rip rap to the upstream slope. Mr. Lockwood said that he thought that adding rock rip rap to the entire upstream slope would be quite expensive and he thought that adding fill material on the upstream slope to widen the dam would be much cheaper and may help the problem. I told him that adding fill and rip rap would be the preferred solution, but I would pass the idea on to the state office.

In general, Patterson Dam needs extensive work to bring it up to the department's standards and storage should not be authorized. Due to the enormous length of the structure and the required maintenance items, bringing the dam up to standards would require a large financial investment. The dam is located in a remote low hazard area and the owner's own property would experience the most damage if the dam were to fail. A letter similar to those written in the past, explaining the required maintenance items and possible options that would remove the dam from the department's jurisdiction, should be sent to the owner at the following address...

Pat Lockwood
781 West County Line Road
Shoshone, ID 83352
telephone # : 886-2155

RECEIVED

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In addition, while looking over the information for Patterson Dam, I noticed that the hydraulic height (determined from the 1992 survey) is listed as 6.9 feet and the surface area of the reservoir (taken from numerous past inspection reports) is listed as 15 acres. However the storage capacity is listed as 70 acre feet, the same value as before the 1992 survey decreased the hydraulic height from 9.0 feet to 6.9 feet. It appears to me that the storage capacity could probably be lower than the 70 acre feet value. With a hydraulic height of 6.9 feet and a surface area of 15 acres, a reduction factor of 0.48 or smaller would yield a storage volume of less than 50 acre feet. This would make Patterson Dam non jurisdictional since it would have a hydraulic height of less than 10 feet and a storage capacity of less than 50 acre feet. The department may want to "reevaluate" these values to determine if Patterson Dam could be removed from the inventory, or perhaps placed on a five year inspection interval.

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