

Miller, Nick

From: Miller, Nick
Sent: Thursday, February 04, 2021 3:01 PM
To: Falk, John; brien@deatleycrushing.com
Cc: Kussro, Amy
Subject: RE: Dam Application 79-14275

Thank you, John.

A permit to appropriate water was issued for this project in April 2020. I'll see that this email string and a copy of the dam safety application you attached are placed in the water right file.

Nick.

From: Falk, John
Sent: Thursday, February 04, 2021 1:08 PM
To: Miller, Nick <Nick.Miller@idwr.idaho.gov>; brien@deatleycrushing.com
Cc: Kussro, Amy <Amy.Kussro@idwr.idaho.gov>
Subject: Dam Application 79-14275

Hi Nick,

The referenced application showed up here this morning (copy attached).

I've crafted this email to both notify you, and to advise the applicant regarding the need for a Water Right Permit (if one has not already been submitted).

NICK and BRIEN:

Based on my review, it appears the proposed impoundment will not be large enough to be considered a state-regulated dam. The proposed height is listed greater than 10 feet; however, the reservoir capacity is less than 50 acre-feet. This, coupled with the off-channel location on a tributary drainage to Left Fork Divide Creek plus its perceived Low hazard status, appears that the proposed structure is Non-Regulated For Public Safety.

BRIEN:

Although nothing more is needed in terms of dam safety for design or construction, a *Water Right Permit* is likely to be needed before IDWR can authorize diversion of water into the proposed impoundment. If the requisite Water Right application has not been submitted with the corresponding fee, then please do so at your earliest convenience. The proposed use is Basin 79-Western Region, therefore please send all future communication to:

IDWR Western Region Office, 2735 W. Airport Way, Boise, ID 83705-5082:

Application for Permit Form: <https://idwr.idaho.gov/files/forms/application-for-permit.pdf>

Application Instructions: <https://idwr.idaho.gov/files/forms/application-for-permit-instructions.pdf>

AMY:

Please put the referenced application in the "pending" drawer. No need to create a placeholder for it in the database at this time.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

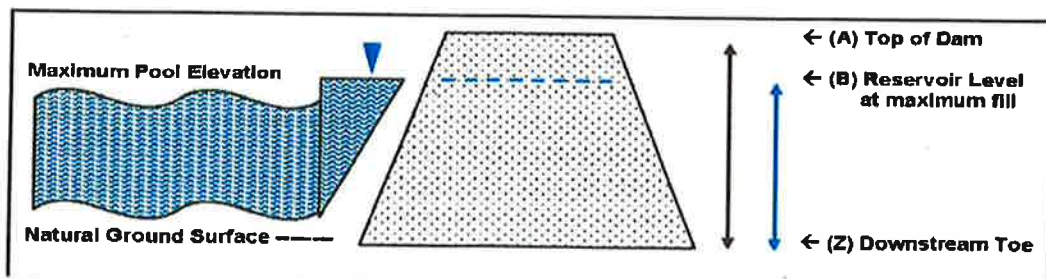
FEB 04 2021

DEPARTMENT OF
WATER RESOURCES

APPLICATION FOR CONSTRUCTION OR ENLARGEMENT OF A NEW OR EXISTING DAM

Please complete the following 2-page form. All dams equal to or exceeding 10 feet in height and impounding a reservoir 50 acre-feet or more must be designed by an Idaho licensed professional engineer (Idaho Code § 42-1712). Design plans and specifications may be included herewith, or they may be submitted separately after receiving a water right* permit. Do not commence construction until your engineer has submitted plans and specifications to IDWR Dam Safety for review and has obtained subsequent written approval.

- 1) Is this application for the enlargement of an existing dam or reservoir? Yes ☐ No ☒
- 2) Name of dam or reservoir: Permit No. 79-14275
- 3) Name of applicant: Lodge at Lolo
 Address: 4307 snake river Ave. City/State: Lewiston, ID ZIP: 83501
 E-mail: brien@deathey crushing.com Telephone 509-780-2031
- 4) Dam location: Township 30N Range 02W Section 33 County Idaho County
- 5) Name of your engineer: _____; License no: _____
- 6) Is the dam/reservoir located out-of-channel (off stream)? Yes ☒ No ☐
- 7) Reservoir: Surface area 1/3 Acre (acres) Storage capacity: 2 (acre-feet)
- 8) Minimum crest width 14 (ft); Downstream slope: 25 H ____ V; Upstream slope: 20 H ____ V
- 9) Type of dam/construction materials: Earth (earth, concrete, rock, etc.)
- 10) **Dam Height:** 18 (feet) → (A) to (Z) (see illustration below)
 Dam height is the vertical distance measured from the top of the dam to the downstream toe of the dam.
- 11) **Hydraulic Height:** 15 (feet) → (B) to (Z) (see illustration below)
 Hydraulic height is the vertical distance measured from the maximum water surface to the downstream toe.



* Design approval for new construction or enlargement of an existing dam does not constitute permission to store water; you also must possess a valid water right recognized by the State of Idaho and filed with IDWR.

- 12) Proposed water use(s): Fire Protection, Recreation
- 13) What is the size and composition of the outlet conduit (pipe)?
 Inside dimension: 24" (inches) Composition: Plastic (steel, plastic, etc.)
- 14) Where is the emergency spillway located relative to the dam (looking downstream)?
 Left abutment ☐ Right abutment ☒ Other (explain) _____
- 15) Spillway channel lining material: Plastic Liner with Rock (concrete, rock, etc.)
- 16) Spillway depth measured at the channel entrance relative to the top-of-dam (freeboard): 2 (feet)
- 17) Spillway channel dimensions: Bottom width 3 (ft), Top width 6 (ft), Side slopes 2.5 H 1 V
- 18) Source of water: snow runoff Tributary to: Divide cr.
- 19) Proposed date for start of construction (month and year): April 1 2021
- 20) Estimated completion of construction (month and year): April 10 2021
- 21) Do you own the real property on which the dam and/or reservoir will be located? Yes ☒ No ☐
- 22) If "no", list the name and address of the property owner: _____
 Address: _____ City/State: _____ ZIP: _____
- 23) Applicant signature: Brian W. DeAtty Date: 2-1-2021

Fee Schedule

The fee collected for construction of a new dam, or for enlarging an existing dam or increasing the storage capacity of an existing reservoir ([Idaho Code § 42-1713](#)) is additional to other water right application fee(s).

Less than 10 feet height OR Less than 50 acre-feet capacity	No fee is required for embankments located in low hazard areas if the height is less than 10 feet or reservoir storage is less than 50 acre-feet.
1,000 acre-feet capacity, or less	\$200 plus \$10.00 for each ten (10) acre-feet of reservoir capacity or part thereof.
1,001 acre-feet to 10,000 acre feet	\$1,000 plus \$1.00 for each ten (10) acre-feet or part thereof over the first one thousand (1,000) acre-feet capacity.
More than 10,000 acre-feet	\$1,900 plus \$0.20 for each ten (10) acre-feet or part thereof over the first ten thousand (10,000) acre-feet of reservoir capacity; total fee shall not exceed \$6,000.

For Department Use Only

Application received by: _____ Fee: \$ _____
 Receipt no: _____ Received by: _____ Date: _____