



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

COPY

BRAD LITTLE
Governor

January 15, 2019

GARY SPACKMAN
Director

J/R Simplot CO
C/O VIC CONRAD
1099 W FRONT ST
Boise, ID 83707-0027

Re: Existing Dam and Reservoir
Section 15, T10S, R01E (Basin 55)

Dear Mr. Conrad

During the scheduled inspection last summer of Scrappy Creek Dam by a representative from the Idaho Department of Water Resources (IDWR) Dam Safety program, another dam and reservoir was observed in Section 15, T10S, R01E (see attached trip report). The structure is located approximately 2.5 miles northeast of Scrappy Creek dam on lands apparently owned by the Simplot Company.

Historic aerial imagery and the USGS topo map show that a dam and reservoir have existed at this location for many years. However, IDWR dam safety does not have any records pertaining to this structure, and based on field observations it appears that the dam was modified and/or repaired within the last two years. In addition, I am unable to find the existing water right recognized by the State of Idaho for either the historic or the enlarged reservoir. The current estimated storage capacity for this reservoir is 459 acre-feet. Please note that dams greater than or equal to ten (10) feet hydraulic height and reservoirs greater than or equal to fifty (50) acre-feet are regulated by the IDWR Dam Safety Program for benefit of public safety, unless specifically exempted per Idaho Code § 42-1711.

We ask your assistance in resolving both the requirement for a water right permit, and to provide the Dam Safety program with an engineered design for review and subsequent approval. An alternative to submitting a design prepared by an Idaho licensed professional engineer would be to physically lower the height of the spillway to less than ten (10.0) feet, thereby avoiding safety regulation by the IDWR Dam Safety program. Regardless the size of the dam however, a water right permit will still be needed for any volume of water storage.

Please let me know at your earliest convenience how you would prefer to address these issues. For continued storage of water, you will need to file an Application for Permit or an Application for Transfer of Water Right. Absent a valid water right, storage of water behind the dam is prohibited.

If you have any questions, please do not hesitate to call me at 208-287-4800.

Sincerely,

Manuel Rauhut, PE
Staff Engineer

Cc: John Falk – IDWR Dam Safety Program Manager

Rob Whitney – IDWR Compliance Bureau

Eric Boe – Dam Safety Engineer, IDWR Western Region

Enc: Trip Report