



Dam Safety Section

TRIP REPORT

TO: Morgan Case, Regional Manager (DWR) Northern Region
CC: Shaun Maxey, IDWR Northern Region Senior Water Resource Agent
FROM: Joe Carlson, PE
DATE: May 9, 2016
SUBJECT: Complaint of an unauthorized pond along Careywood Creek

On Thursday, April 20, 2017, Shaun Maxey and I travelled to Careywood, Idaho, for the purpose of investigating a complaint of an unauthorized pond on the Phillip Barnhardt (P. Barnhardt). Mr. Barnhardt's property is located adjacent Careywood Creek. The area of this reported structure is in Section 15, T54N, and R02W, of Bonner County. The complaint was initially presented, in writing, by Ms. Joan Tope. In this written complaint, dated March 28, 2017, Ms. Tope indicated that Mr. Charles Shropshire would be willing to show IDWR the location of the pond. Based upon the findings of this meeting, we would then determine if a site visit to the (P. Barnhardt) property was warranted. We arrived in the vicinity of the Barnhardt and Shropshire properties at around 11 A. M. The temperature hovered around 40 degrees, and the weather was rainy and overcast. We proceeded to the residence of Mr. Charles Shropshire.

We met with Mr. Shropshire. Mr. Shropshire described for us, using aerial photography, the tentative location of the pond (Photo #1). Mr. Shropshire went on to state that while working for the Barnhardts, he had observed this impoundment to be adjacent to Careywood Creek, and that he recalled seeing piping into, and out of, the pond. In addition, Mr. Shropshire presented the following concerns:

- That Mr. P. Barnhardt may be diverting water from this "seasonally" dry Careywood Creek, and further, that he may be pumping some of this impounded water to his daughter's property (which is north and adjacent to Mr. P. Barnhardt's property)
- That the Barnhardts (including Mr. Barnhardt's son Steve) (S. Barnhardt) had been logging within the creek bed, and causing significant damage
- That the Barnhardts may be dumping oil and waste materials into Careywood Creek
- That a chicken structure, that is located on the P. Barnhardt property, was generating animal waste that may be discharging into the adjacent creek
- And finally, that various neighbors, including the Joan Tope, had indicated water shortages on the Creek had occurred during prior years, specifically, calendar year 2016

After our meeting with Mr. Shropshire, we determined, in communication with yourself, that a site visit to the P. Barnhardt property was warranted. Based upon this information, you coordinated a site visit with Mr. P. Barnhardt's son, Mr. Steve Barnhardt. Mr. S. Barnhardt met with us when we arrived at the entrance to the Barnhardt properties. Shortly thereafter, Mr. P. Barnhardt also arrived at the property. Both of the Barnhardts were forthright in answering our questions, and were cooperative regarding a walk-through of the P. Barnhardt properties. After explaining our purpose, Mr. Maxey and I proceeded to walk the north and south sides of Careywood Creek, as well as the surrounding areas. Mr. Maxey walked the north side of the creek, and I the south side. We were accompanied by Mr. S. Barnhardt. We exhausted significant effort in attempting to locate an impoundment (in the area that was specifically described by Mr. Shropshire). During our traverses, we observed one well, and four cisterns

(Photos #2 - #5). In addition, we observed one (apparently abandoned) impoundment (Photo #6).

Conclusions and Recommendations

After a thorough walk-through of the site, we were able to confirm the presence of what appears to have been an abandoned pond. This pond did include inflow/outflow piping as described by Mr. Shropshire. There was no apparent pump or piping that would suggest that the pond was being used to divert water to the north (to Mr. P. Barnhardt's daughter's property) or for irrigation.

All of the other diversionary structures (wells and cisterns) were either appropriately permitted, or were apparently abandoned.

Since the alteration of a streambed may be under the jurisdiction of IDWR, I presented the photos to Mr. Eric Davis, IDWR Stream Channel Protection Specialist. Mr. Davis indicated that this stream is classified as perennial, and that we coordinate this information with the Idaho Department of Lands. I contacted Mr. Tom Johnson (Idaho Department of Lands) to discuss what we had observed during our site visit. Mr. Johnson indicated that we would follow-up with the Barnhardt's regarding the traffic and log-crossing structures.

Finally, though illegal dumping is not an area of authority that falls within the IDWR's jurisdiction, an effort was made to identify any oil, and/or animal waste, discharges to the Creek, in the event that the presence of this activity could be presented to the appropriate authorities. Though some sheening was observed on puddles, it did not appear to be heavy, and it likely stemmed from oil dripping from heavy equipment, rather than illegal dumping. We did not observe any additional suspect activities.

Based upon the above meetings and observations, I recommend that no further action be taken.

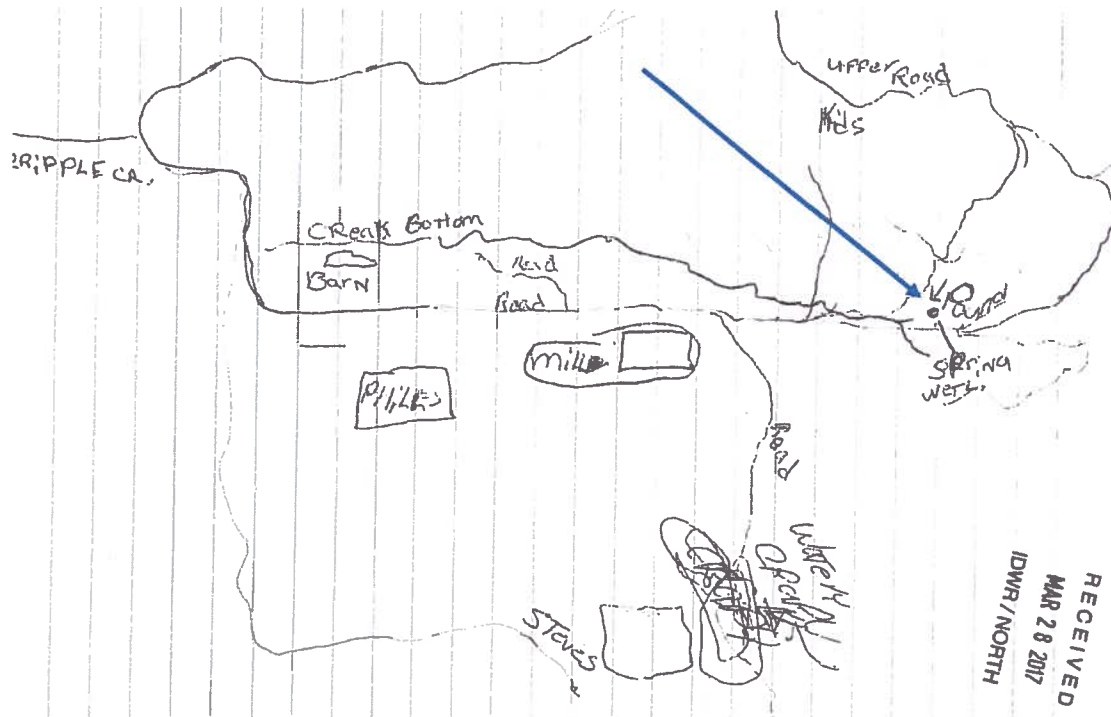


Photo 1 – Charles Shropshire sketch of approximate location of pond (blue arrow)



Photo (April 20 2017) – Phil Barnhardt well (D0040934) and cistern. GPS coordinates (N 48° 01' 36.4, -116° 33' 51.0) as reported to IDWR Groundwater Protection for purpose of record correction. An incorrect Quarter-Quarter shown on Driller's Report.



Photo 3 (April 20 2017) – Steve Barnhardt drinking water system; no connection found to empty Pond in Photo 6.



Photo 4 (April 20 2017) – Basin once used for drinking water for abandoned adjacent property; no connection found to empty Pond in Photo 6.



Photo 5 (April 20 2017) – Reportedly abandoned basin; no connection found to empty Pond in Photo 6.



Photo 6 (April 20 2017) – Apparent pond in question, the pond was not impounding water at the time of our visit. GPS coordinates (N 48' 01" 37.8, -116' 33" 50.9).