

Padilla, Cherie

From: Keen, Shelley
Sent: Tuesday, December 22, 2009 8:40 AM
To: Falk, John
Cc: Haynes, Bob; Galloway, Chuck; Peppersack, Jeff; Padilla, Cherie
Subject: RE: 97-7417 (JD Lumber Dam)

John,

Cherie has been out of the office since mid-November. She probably won't be back for another week or two. Did you want us to send the water right holder the Small Dam Application?

I agree that it could be useful for Water Rights and Dam Safety to coordinate our application processes, but I have some reservations about creating a joint water right/dam safety application form. One reservation is adding length to our forms when only a small percentage of water right applications involve water storage. A second reservation is that the two items may not be processed at the same pace, so we should be able to separate them. Another reservation is the potential blending of responsibility for reviewing and approving or denying the application.

It may work better if we cross-referenced each other's applications. For example, on the water right applications we could remind applicants for storage to submit a dam application.

Let's discuss this idea a little more after the first of the year.

Shelley

From: Falk, John
Sent: Monday, December 21, 2009 6:01 PM
To: Padilla, Cherie
Cc: Haynes, Bob; Galloway, Chuck; Keen, Shelley; Peppersack, Jeff
Subject: 97-7417 (JD Lumber Dam)

Cherie,

Thank you for bringing this structure to our attention; your email dated 11/6/09 is our first introduction to this existing dam.

Based on the water right file, the "pond" covers approximately 7.6 surface acres. The field examiner estimated the main dam to be about 10 feet high. By his calculations the storage capacity is approximately 30 acre-feet, which seems reasonable given the height, surface area and flat topography. Therefore, this structure meets Idaho Code/Dam Safety dimensions as being a regulated dam (§42-1711).

The main dam is located on the south end of the pond; the saddle dam is located on the west side. There is no indication that the structure has an outlet works, but it likely must have some type of an overflow spillway. Originally, the pond may have been created by beavers damming up the creek at the location presently occupied by the main dam. However, the current owner admitted to making some improvements to the dams, and probably constructed the saddle dam where nothing existed previously (my speculation). I believe that IDWR dam safety must verify the height of these structures. Their locations appear to be low hazard, but that, too, must be verified.

1/6/2010

Regardless, the owner will be expected to file an Application for Construction of a Small Dam (attached) because the height exceeds 6 (six) feet and storage capacity exceeds 10 (ten) acre-feet. I'm certain the applicant will be thrilled with this prospect, especially after these several years (since 2001) he has been dealing with IDWR to obtain a water right. But what really is going to put him in a Christmas spirit is the fee associated with said application: \$200 base + \$10 per each 10 acre-feet thereof (\$230). §42-1713

This may represent a good example of how IDWR could improve our business process to accommodate both dam safety and water right interests with a single application. I'm willing to give drafting a "joint" application a shot if there aren't too many objections. The modifications to the water right application to include dam safety could be fairly tame. I've been wanting to revise dam safety's numerous applications (yes, we have more than one), and this might just present a perfect opportunity to simplify.

Thanks and please let me know your *constructive* thoughts/suggestions. --jf--