

Padilla, Cherie

From: Falk, John
Sent: Thursday, March 11, 2010 8:12 AM
To: Padilla, Cherie
Cc: Keen, Shelley; Galloway, Chuck
Attachments: img-309163006.pdf; img-309162921.pdf

Hi, Cherie,

As mentioned, occasionally we discover dams that apparently have not been used for many seasons. In some instances the dam physically cannot hold water; for others there may be some amount of water in the reservoir but we (dam safety) have restricted or not authorized storage for safety reasons.

Attached is an example of one such project that I recently encountered. This particular dam in the SRBA has split ownership: 19.2 ac-ft to Marsh Center Irrigation (29-2560A) and 4.8 ac-ft to Reid Bennett, an individual (29-2560B), equal to the original license amount of 24 acre-feet storage.

I know that Idaho Code allows forfeiture of water rights for non-use, but also realize that such action can be controversial. Nonetheless, it seems reasonable to document those structures that have not exercised their water right for whatever reason. At some point in the future, the majority of water users will demand accountability to preserve the system of prior appropriation. I'm reluctant just to forget about this "discovery" if there is an individual/place that you would like to store this type of information for future use. Please understand that I'm not actively looking for these types examples, but there are several that I encounter during my involvement with dams and reservoirs. Do you have a preferred method for tracking this information?

Please let me know your preference. Thanks --jf--