



State of Idaho

DEPARTMENT OF WATER RESOURCES

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September 15, 2009

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

James M. McNamara
18299 N Crystal Springs W.
Rathdrum, Idaho 83858

RE: Application for Construction of Small Dam

IDWR File 95-9401

Dear Mr. McNamara:

The Idaho Department of Water Resources (IDWR) dam safety program reviewed the referenced application submitted on or about April 24, 2009 for proposed construction of a small dam located in Section 26, T52N, R5W, Kootenai County.

We understand two earthen embankments are proposed, the larger of which has a hydraulic height approximately 15 feet impounding a reservoir with storage capacity not to exceed 9 acre-feet. The larger structure is located in-channel on an unnamed tributary of S. Fork Spring Creek. Due to the lack of stream-side development and the limited size of the dam and reservoir, the hazard potential relative to downstream life and property in the event of dam failure and sudden release of water presently is considered to be low.

According to Idaho Code, the referenced dam and reservoir is exempt from IDWR dam safety jurisdiction. Additionally, because the structure is undersized, collection of fees associated with the referenced application are waived. However, please be advised that other fees related to securing a valid water right still may be required.

If you have any questions regarding construction of the dam, please do not hesitate to let me know. Thank you for your cooperation.

Sincerely,

John Falk, PE
Dam Safety Manager

cc: Bob Haynes – Northern Region
Shelley Keen – Water Rights
IDWR file