

Keen, Shelley

From: Keen, Shelley
Sent: Saturday, February 14, 2009 10:08 AM
To: 'Poole, Walton'
Subject: RE: Deyo Reservoir (84-12232) lapsed water right
Attachments: REQUEST FOR EXTENSION OF TIME.DOC

Walt,

Based on the summary you provided, it appears that IDFG may qualify for an extension to submit proof of beneficial use if you submit a request within 60 days of the lapse notice, which was sent on Feb. 9, 2009. If the request is submitted after that date, IDWR would not be able to approve the request. The extension request must include:

- A completed request form (attached)
- The \$50.00 filing fee
- Although the form doesn't specifically request it, some documentation of the steps you listed could be helpful

Please direct your request to Debbie Gibson here in IDWR's state office.

Shelley Keen
 Idaho Department of Water Resources
 P.O. Box 83720
 Boise, ID 83720-0098
 (208) 287-4947
 shelley.keen@idwr.idaho.gov

From: Poole, Walton [mailto:wpool@idfg.idaho.gov]
Sent: Wednesday, February 11, 2009 4:48 PM
To: Keen, Shelley
Subject: Deyo Reservoir (84-12232) lapsed water right

Hi Shelley:

This is the list of accomplishments that the Clearwater Region sent to me to help retain the current priority date and indicated progress toward proof of beneficial use. Please let me know what you think about this list.

Thanks,

Walt

TIMELINE FOR DEYO RESERVOIR

March 2003 – Deyo Embankment Dam Feasibility study completed by STRATA (Project engineers). Tests included reviewing pertinent maps, reports, and other data, excavating 30 exploratory pits, drilling 3 exploratory borings at proposed dam locations, lab testing on soil samples. It is determined that that a 35 ft tall embankment dam could be safely constructed at the site,

2/14/2009

Sept 2003 – Mary Lou Deyo donated 92.46 acres of land to the IDFG for the purpose of developing a public fishing water. If the dam and related improvements necessary to create a public fishing lake on the property are not completed by December 31, 2008, the property would revert back to the Donor.

March 2003 – Deyo Embankment dam feasibility study completed

July 2005 – STRATA provides framework of what it will take and potentially cost to see this project through fruition.

Aug 2006 - Cultural resource assessment was completed by the USFS.

Oct 2006 – Engineering design report completed by STRATA. 13 additional exploratory test pits, 2 trenches and 4 exploratory borings were excavated.

May 2007 – Mary Lou Deyo and IDFG Amended original agreement for the donation of Property to now expire on December 31, 2010. Mary Lou Deyo also granted permanent easement of 2.87 acres as a flood and public access area.

June 2008 – IDFG granted permanent easement of 8.93 from Howard Bird as a flood and public access area and now all land that will potentially be inundated during flood events are covered under a permanent easement.

Dec 2008 - IDWR provides details on what is required for dam safety issues.

Jan 2009 – The Cultural resource assessment was submitted to SHPO for determination of effect.

Jan 2009 – IDFG applied for WIF Grant through IDPR for \$200,000 for dam construction.

Jan 2009 – A professional service contract is signed by the Clearwater Resource Conservation and Development Council, Inc. (CRCDC) and STRATA (engineering firm) in which CRCDC would pay \$84,643 to STRATA upon completion of final engineering design report. This report would include detailed designs that would be suitable to proceed with bids and construction of the embankment dam.

Jan 2009 – IDFG Submitted draft EA for comments to USFWS and NOAA Fisheries

To date about \$135,000 has been spent on this project and another \$85,000 has been allocated to complete the final engineering design report. The IDFG and cooperating parties have been steadily moving forward on this project.

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