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Twin Lakes dispute may be solved soon

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TWIN LAKES - A dispute between Kootenai County and the U.S. Bureau of Reclamation about a dam on Twin Lakes soon may be resolved by passing responsibility of the dam to the people who live there.

The dam is owned by the Bureau of Reclamation. But the county in 1977 signed a 50-year contract, agreeing it would operate, maintain and repair the dam.

Those are responsibilities the county doesn't want. So the county on Oct. 13 returned the gate keys to the U.S. agency, along with a letter explaining it would no longer operate the dam, a bureau spokesman said.

When doing so, the county cited a clause that permits it to notify the Bureau of Reclamation if it is unable to continue operating the dam, Commissioner Bob Haakenson said.

However, the U.S. agency said it does not intend to release Kootenai County from its contract, and on Oct. 25 mailed the keys back to the county, the spokesman said.

The transferring of the dam keys began Oct. 1 when Twin Lakes resident Orland Pupo gave the keys to the county, along with his resignation as volunteer dam master.

Pupo had for five years monitored the levels of the lake and creeks and opened and closed the outlet gates as necessary to prevent flooding while maintaining an adequate supply of irrigation water.

"I just got tired," Pupo said. "That spring runoff, it's rough. I don't believe I should keep doing it for nothing."

In Pupo's absence, the lake level has risen.

"I don't mean they're in trouble yet," Pupo said. "But if somebody doesn't get on it, we will be in trouble."

In an effort to forestall spring flooding, Twin Lakes residents Mary McMillion and Bob Tinder Monday asked the Board of Commissioners to open the gates and take the water down to its January level.

Citing a 2½ year battle to get Twin Lakes property owners to form a water district to operate, maintain and repair their own dam, Haakenson refused.

It is unfair to expect county taxpayers to pay for a problem that belongs to Twin Lakes property owners, he said.

"They've known this is com-

ing," Haakenson said. "We've told them time and time again that the county is getting out of the dam business."

McMillion and Tinder agreed a water district comprised of all owners within one-half mile of the lakeshore would be the best long-term solution to the problem but asked the county to operate the dam until the district is up and running.

"Give us a chance to put this thing together but take over until we do," Tinder said.

Tinder's appeal failed to soften Haakenson, who said the push to create a water district will falter once the county steps in and solves this crisis.

"If we are ever going to get the people at Twin Lakes to do anything, we've got to get them to do it," Haakenson said.

However, Commissioner Evalyn Adams disagreed, saying the county has a responsibility to assist the residents with lowering the lake level.

Following a closed meeting Monday with attorneys, the commissioners agreed to assign the dam's operation to a county employee until a water district can be formed.

"It's not fair that all the taxpayers should pay for a problem that the folks at Twin Lakes have," Adams said. "(But) we could not in good conscious allow that water to remain where it is now and allow flooding next year."

Adams and Haakenson both said the county will actively work to help the residents either form a new water district or expand a district created this spring under a 1st District Court order.

The court-ordered district is comprised only of those residents who also have water rights and only provides for hiring a water master to monitor the water level during June, July and August.

But the new district formed to operate, maintain and repair the dam will be comprised of all property owners with an interest in the lake, Adams said.

The new district should be up and running within five months, Adams said.

Tinder said he was not dissatisfied with the commissioner's decision.

"The immediate problem — lowering the lake (has been solved)," he said. "But (the commissioners) didn't want to give the attitude that they were going to operate the dam."