

Silver, Wendy

From: Little, Kevin C NWO [Kevin.C.Little@usace.army.mil]
Sent: Wednesday, June 19, 2013 9:15 AM
To: Clark, Richard
Cc: Silver, Wendy
Subject: RE: Andrew Johnson Violation Conf call (UNCLASSIFIED)
Attachments: Conversation Records.pdf

Classification: UNCLASSIFIED
Caveats: NONE

Thank for the call info, Dick,

Attached are some conversation records with correct number for questions. Looking forward to tomorrow's call.

documented by Paige and Jesse. The
Let me know if these lead to any other

Thanks,

Kevin Little
U.S. Army Corps of Engineers
Wyoming Regulatory Office
2232 Dell Range Boulevard, Suite 210
Cheyenne, Wyoming 82009
(307) 772-2300

CONVERSATION RECORD

TIME 11:30 AM

DATE 5 Oct 2012

TYPE

VISIT

CONFERENCE

TELEPHONE

INCOMING

OUTGOING

ROUTING

NAME/SYMBOL

INT

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

ORGANIZATION (Office, dept, bureau, etc.)

TELEPHONE NO:

Private landowner

SUBJECT

Dam on Andrew Johnson's property

SUMMARY

Page Wotkin- also in attendance

recapped the mood/feeling in the community regarding the dam project

- He said that the local ^{dam engineering} field office permitted the ^{dam because} information knowing that it would be a fishpond (not a stock pond) with the understanding the local official could use it.

- local sentiment is if this type of project is allowed to happen, then others will start to construct similar structures
 ↳ project is setting a "precedent"

- have agreed to go on the record and say they told Mr. Johnson numerous times in the past two years that the project would need a 404 permit.

- local field office for state engineers office is in Lyman

ACTION REQUIRED

(Handwritten mark)

NAME OF PERSON DOCUMENTING CONVERSATION

Fernandes

SIGNATURE

(Handwritten signature)

DATE

5 Oct 2012

ACTION TAKEN

SIGNATURE

TITLE

DATE

CONVERSATION RECORD

TIME
10:39

DATE
10/2/2012

TYPE

VISIT

CONFERENCE

TELEPHONE

INCOMING

OUTGOING

ROUTING

NAME/SYMBOL	INT

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

ORGANIZATION (Office, dept, bureau, etc.)

TELEPHONE NO:

Private Landowner

307-474-6820

SUBJECT

Unauthorized construction of dam on Six Mile Creek on neighbor's property (Andy Johnson - neighbor)

SUMMARY

Since his neighbor was contacted by the Corps, he has moved into "Fast Track Mode" to finish the project. Construction of the dam and excavation of the river channel has gone into overdrive. He has 90% of impoundment full, ^{despite dam construction/features are not yet completed.} suspects that Mr. Johnson is getting it filled prior to Corps visit so that it doesn't look as bad with water in it. Mr. Johnson has shut down all down stream flow by filling the pond and other down stream users are not happy. Confirmed that Mr. Johnson continued to excavate upstream and that the North edge of the pit/pond was very abrupt (so to maximize the depth of the pond). is trying register a complaint regarding the water right storage. Their existing water rights come from an upstream diversion and a ditch that runs through their properties. →

ACTION REQUIRED

Discuss w/ staff how to proceed. Arrange site visit. Recommend NOV.

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

Pange Walker



10/2/12

ACTION TAKEN

SIGNATURE

TITLE

DATE

asked if dewatering the stream was something that would factor into our regulatory review. I stated that it may along with fill and conversion of a WUS.

asked if there were any fish in Six Mile Crk.

He said yes, Brook Trout and neighbor claimed he excavated up a 2lb Brown Trout from the creek flow.

② the dam acts as a barrier to fish. He stated yes to upstream migration. [They come up from Black's Fork River; confluence is 3/4 mile down stream]. The fish upstream may be able to get down stream if they can get over the spillway.

asked if ~~Mr.~~ Mr. Johnson still has a single horse for the stock pond SEO permit. He said yes, but that he has never seen the horse drink from the creek or from the filling pond. It is always staked out next to the irrigation ditch, the property where the existing water right ~~is~~ lies.

asked if there was anything more he could do or have others do to encourage us to pursue enforcement action. "Does it matter who reports it or how its reported for there to be a higher priority from your office?" I said no. It may sometimes get priority if its a situation where ~~it~~ it is high profile & more people can learn from the enforcement action.

I told him I would update our supervisor & staff. We would discuss & it was likely that someone would come out for a site visit / inspection. I told him to update me if he made headway with his complaint to the SEO.