



JANICE K. BREWER  
Governor

HERBERT R. GUENTHER  
Director

**ARIZONA DEPARTMENT OF WATER RESOURCES**

3550 North Central Avenue, Second Floor  
PHOENIX, ARIZONA 85012-2105  
(602) 771-8500

October 14, 2009

Magma Flood Control District  
Mr. Kent Pace, President  
3850 E. Baseline Rd. Ste. 114  
Mesa, AZ 85206

**RE: Magma Retarding Dam (11.05)**  
**Notice of Safety Deficiency - Status Update**

Dear Mr. Pace:

In compliance with Arizona Revised Statutes § 41-1009, this letter is a status update to the Arizona Department of Water Resources (Department) Notice of Safety Deficiency letter dated: 7/29/2009.

**Current Safety Classification:**

**Unsafe Dams Requiring Rehabilitation or Removal**

*"Unsafe" means that safety deficiencies in a dam or spillway could result in failure of the dam with subsequent loss of human life or significant property damage. A.A.C. R12-15-1202(46.). "Unsafe Dams Requiring Rehabilitation or Removal" means safety deficiencies in a dam have been confirmed and require repair or removal.*

The Department first notified you of this safety classification on: 5/2/1977.

**Identified Safety Deficiency:**

- Embankment Cracking

**Status Update:**

We received the permit application for repair of the dam on June 25, 2009. Thank you for your work towards resolving this matter.

**Emergency Action Plan (EAP) Status:**

Emergency Action Plan in place? Yes  
Date Received: 12/1/2008



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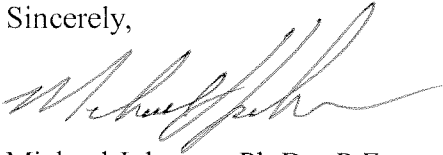
**Reservoir Storage Restriction:**

None

As required by State Statutes, we will continue to send you a status update to the Notice of Deficiency until this deficiency is satisfactorily corrected or the Department takes further agency action.

Please notify the department promptly of any unusual or alarming condition, which may occur at the dam. If you have any question concerning this letter please contact Ravi Murthy at (602) 771-8656.

Sincerely,



Michael Johnson, Ph.D., P.E.  
Assistant Director  
Surface Water Division

cc: Alisa Schiebler, Deputy Counsel - ADWR Office of Legal Services  
Mr. Stephen Cooper, , McCarville, Cooper & Vasquez, LLP,  
Mr. Doug Brown, Environmental Program Supervisor, AZ. Depart. of Admin. - Risk  
Management Section  
Mr. Ilde Chavez Jr., State Conservation Engineer, Natural Resources Conservation Service  
Ms. Luana Capponi, Dam Safety Coordinator, AZ State Land Department

