



COLORADO
Division of Water Resources
Department of Natural Resources

Dam Safety Branch

December 17, 2014

Ken Snyder
70940 Highway 330 East
Collbran, CO 81624

When replying, please refer to:
BUZZARD CREEK POND, NON-JURISDICTIONAL
Water Division 5, Water District 53

SUBJECT: Acceptance of Notice of Intent to Construct a Non-Jurisdictional Dam

Dear Mr. Snyder:

Thank you for submitting a Notice of Intent to Construct a Non-Jurisdictional Dam (Notice). The Notice has been reviewed from both the perspectives of dam safety and water administration, and has been accepted. The signed Notice is being returned to you for your records. Electronic copies will be maintained in the Division 5 Office, and with the local Water Commissioner (Bruce Michealson).

This acceptance of the Notice of Intent form acknowledges that the dam is considered non-jurisdictional based on the information provided. Our acceptance of the notice does not convey a water right or authorization to store water. The pond cannot be filled when water is not legally available. An augmentation plan is required to fill the pond when the structure is out of priority, or if groundwater is encountered in the excavation.

Please notify the Water Commissioner, Bruce Michealson, in our office upon completion of the excavation of the pond so that he can inspect the pond prior to filling to ensure the general location, dimensions, and criteria included in the Notice have been met.



Ken Snyder
Buzzard Creek Pond, Non-Jurisdictional
December 17, 2014
Page 2 of 2

If you have any questions please feel free to contact our office at 970-945-5665.

Sincerely,



Alan Martellaro, P.E.
Division Engineer, Water Division 5

Enc: Notice of Intent to Construct a Non-Jurisdictional Dam (signed)

ec: Erin Gleason, Division 5 Dam Safety Engineer
Rick Bumgardner, Water Commissioner
Eddie Rubin, Supervising Water Commissioner
Lane Clark, lclark@ppetrol.com



FOR OFFICE USE ONLY

DAM NAME _____ **NO.** _____ **WATER DIV:** _____ **DIST:** _____

**NOTICE OF INTENT TO CONSTRUCT A NON-JURISDICTIONAL
 WATER IMPOUNDMENT STRUCTURE¹**

This notice is required per Section 37-87-125, C.R.S. (1998).
 This notice must be submitted to the Division Engineer's Office a minimum of 45 days prior to construction.
 (PLEASE PRINT OR TYPE NOTICE)

OWNER INFORMATION

Name: Ken Snyder Telephone: (717) 487-4871

Address: 70940 Hwy 330 East Collbran CO 81624
 Street / P.O. Box/ Rural Route City State Zip Code

Responsible Person: Ken Snyder Telephone: (717) 487-4871

Address: S.A.M.L.
 Street / P.O. Box/ Rural Route City State Zip Code

Contractor: Bill Willis Telephone: (970) 675-8444

STRUCTURE INFORMATION

Name of Dam: Buzzard Creek Pond Water Division: 5 Water District: 72

Location²: 1/4 Sect: _____ 1/4 of the _____ 1/4 Sect: _____ Township: _____ Range: _____ P.M.
 Distance of dam from Section lines _____ ft from N S, _____ ft from E W

Utilizing GPS: Set to UTM Datum. Measured on crest of dam above streamline/outlet.
 Northing 4352105.6 m. Easting 263314.5 m.
 Note: GPS settings must be NAD83 CONUS.

Dam Dimensions: Vertical Height³: 3 feet ^{avg. depth} ft., Length: _____ ft., Slopes: U/S: _____ H:1V, D/S _____ H:1V

Reservoir: Surface Area¹: 1 acres, Capacity¹: 0.3 acre feet, Drainage Area: 65 acres

Emergency Spillway: Width: N/A ft., Side Slopes: _____ H:1V, Freeboard⁴: 3 inches
NO EMERGENCY SPILLWAY ON THE POOL

Outlet Drain: Type: Excavated Pond, not equipped w/ lower level outlet, Size: _____ inches, Location: _____

Stream Name or Water Source⁵: Run off from surface

Proposed Water Use: Wildlife Water Court Case No. (if applicable) N/A

⁴ This is an excavated pond w/ no constructed dam structure. Signature of Owner: [Signature] Date: 11-26-14

DIVISION ENGINEER'S REQUIREMENTS: comment: as a subgrade structure the structure is not a jurisdictional dam

DWR (03/07)

Signature of Division Engineer: [Signature] Date: 12-17-14

¹ A "Non-Jurisdictional Structure" is a dam creating a reservoir with a capacity of 100 acre-feet or less and a surface area of 20 acres or less and a vertical height (see footnote 3) of 10 feet or less.

² Please see example on reverse side (or page 2) of this form.

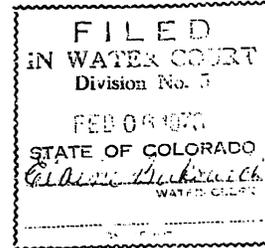
³ "Vertical Height" is measured from the elevation of the lowest point of the natural surface of the ground where that point occurs along the longitudinal centerline of the dam up to the crest of the emergency spillway of the dam.

⁴ "Freeboard" is the vertical distance from the bottom of spillway to the crest of the dam.

⁵ If construction in reservoir intercepts groundwater, a well permit is required. (Well permit applications can be found at www.water.state.co.us/pubs/forms.asp)

IN THE DISTRICT COURT IN AND FOR
WATER DIVISION NO. 5
STATE OF COLORADO

CASE NO. W- 1061



IN THE MATTER OF THE)
APPLICATION FOR)
WATER RIGHTS OF)
ROBERT ARNOLD)
IN THE ROARING FORK)
RIVER OR ITS TRIBUTARIES)
TRIBUTARY INVOLVED:)
IN PITKIN COUNTY)

RULING OF THE REFEREE

ABSOLUTE DECREE FOR
UNDER GROUND WATER RIGHTS

And the Referee having made the investigations required by Article 21 of Chapter 148, C.R.S. 1963, as amended does hereby make the following ruling, to wit:

This application was referred to the Water Referee of Water Division No. 5 on the 12th day of July, 1972.

1. Name of Applicant **Robert Arnold**
Address **R. R. 1, Box 94, Carbondale, Colorado**
2. The name of the structure is **Arnold Well.**
3. The Legal description of the structure is: **The well is located in Tract 63, Section 14, T. 8 S., R. 87 W. of the 6th P.M. at a point 937.12 feet East of the West line and 318 feet South of the North line of said Tract 63.**
4. The depth of the well is **60 feet.**
5. The date of initiation of appropriation is **September 12, 1970.**
6. The amount of water claimed is **0.088 cubic foot per second of time.**
7. The use of the water is **domestic and stock water.**
8. The State Engineer's number is **42878.**
9. The Priority date is **September 12, 1970.**
10. The date of the application was **June 29, 1972.**

It is the ruling of the Referee that the statements in the application are true and that the above described water right is approved and granted the indicated priority; subject, however, to all earlier priority rights of others.

It is accordingly ordered that this ruling shall become effective upon filing with the Water Clerk, subject to Judicial review as provided by law.

Done at the City of Glenwood Springs, Colorado this 6th day of FEBRUARY, 1973.

Jean Cole
Water Referee
Water Division No. 5
State of Colorado

No protest was filed in this matter. The foregoing ruling is confirmed and approved, and is made the Judgment and Decree of this court.

Dated: March 16, 1973
[Signature]
Water Judge

FOR OFFICE USE ONLY

DAM NAME _____ NO. _____ WATER DIV: _____ DIST: _____

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Name: Kew Snyder Telephone: (717) 487-4871

Address: _____
Street / P.O. Box/ Rural Route City State Zip Code

Responsible Person: Kew Snyder Telephone: (_____) _____

Address: SAME
Street / P.O. Box/ Rural Route City State Zip Code

Contractor: Bill Willis Telephone: (970) 675-8444

STRUCTURE INFORMATION

Name of Dam: Buzzard Creek Pond Water Division: 5 Water District: 72

Location²:

• Option 1 →

OR

• Option 2 →

1/4 / 1/4 Sect: _____ 1/4 of the _____ 1/4; Sect: _____, Township: _____, Range: _____, _____ P.M.
Distance of dam from Section lines _____ ft from N S, _____ ft from E W

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Reservoir: Surface Area¹: _____ acres, Capacity¹: _____ acre feet, Drainage Area: _____ acres

Emergency Spillway: Width: _____ ft., Side Slopes: _____ H:1V, Freeboard⁴: 3 inches

Outlet Drain: Type: _____, Size: _____ inches, Location: _____

Stream Name or Water Source⁵: Run off from surface

Proposed Water Use: Wildlife Water Court Case No. (If applicable) N/A

Signature of Owner

Date

DIVISION ENGINEER'S REQUIREMENTS: _____

Signature of Division Engineer

Date

DWR (03/07)

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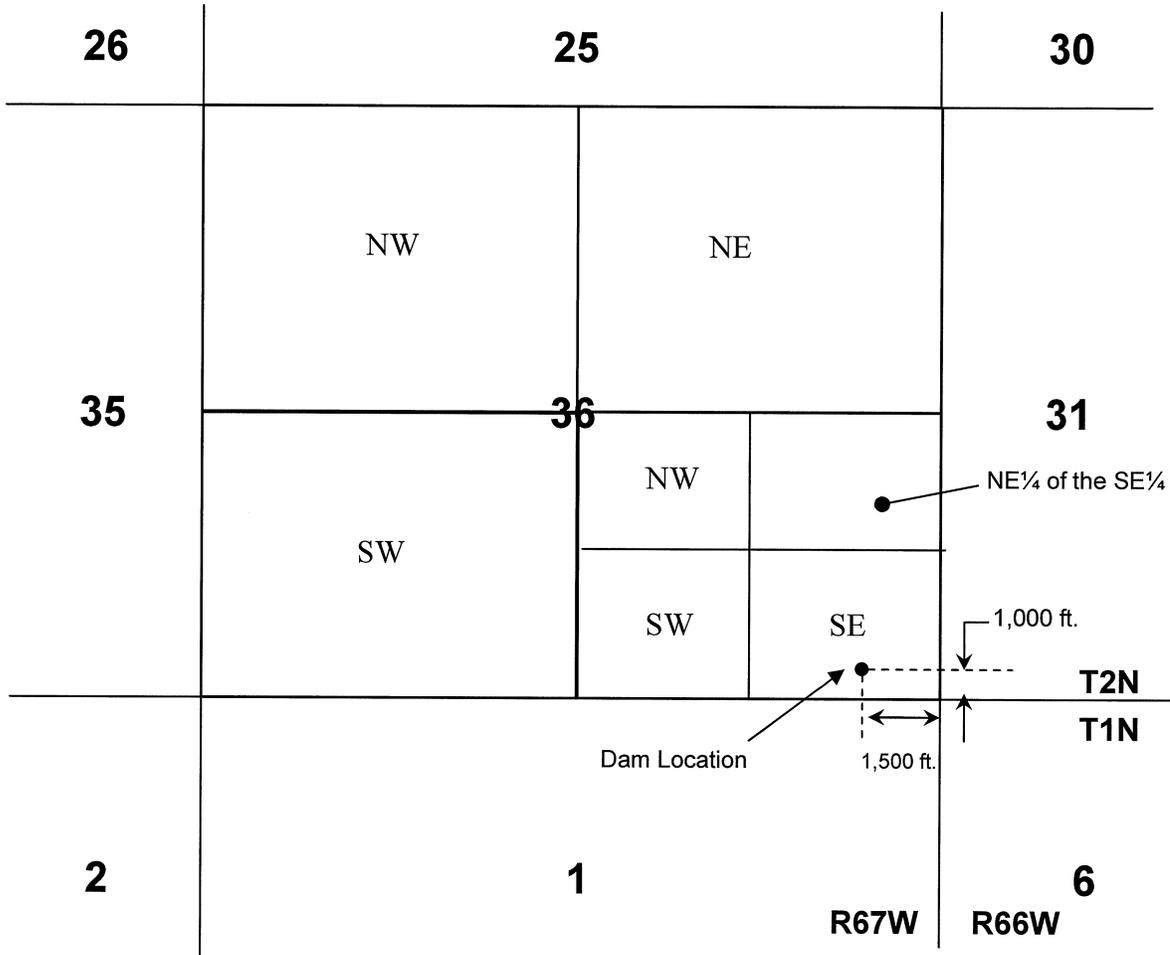
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LOCATION SPECIFYING EXAMPLE



**Section 36, Township 2 North, Range 67 West, 6th PM
(S36 T2N R67W)**

Dam is located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36
1,000 feet North of the South Section Line
1,500 feet West of the East Section Line