



## MEMORANDUM

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**MEETING TYPE:** BOARD OF COUNTY COMMISSIONERS

**MEETING DATE:** Sept. 12, 2023

**ITEM NAME:** Notice of Intent to Evaluate Potential Fire Suppression Ponds

**SUBMITTED BY:** Brittney Ciarlo, Emergency Manager

**SUMMARY:** Submittal of this letter to the State Engineer will give us a one year period to complete a needs assessment to finalize which ponds we will be able to submit a final application for.

**RECOMMENDATION:** I request the Board to approve the signature of the Notice of Intent to Evaluate Potential Fire Suppression Ponds and submit the letter to the Colorado State Engineer.

**BACKGROUND:** Pursuant to section 37-82-107(3)(a)(III), C.R.S. Each County must evaluate ponds for their use as fire suppression ponds. This will also prevent approved ponds from potentially being drained at the State request. County Commissioner Galusha, all three Fire District Chiefs, DFPC Battalion Chief and myself have met and agreed upon the ponds listed in the letter for evaluation. All serve an area with high potential fire risk and less resource availability. After submitting this letter, we will be granted a one year period to perform a needs assessment before the final applications can be completed.

**BOARD ACTION TAKEN:**

APPROVED

DENIED

OTHER

SIGNATURE OF THE CHAIR: \_\_\_\_\_

**NOTES:**



# HUERFANO — COUNTY — C O L O R A D O

September 12, 2023

Colorado State Engineer Kevin Rein

Transmission via: [DWRPermitsOnline@state.co.us](mailto:DWRPermitsOnline@state.co.us)

Cc: Katie First [kfirst@ccionline.org](mailto:kfirst@ccionline.org), Legislative & Policy Advocate, Colorado Counties, Inc.

**Subject: Notice of Intent to Evaluate Potential Fire Suppression Pond(s)**

Dear State Engineer:

Please accept this letter as our notice of intent to evaluate the following ponds as potential fire suppression ponds pursuant to section 37-82-107(3)(a)(m), C.R.S.. The approximate location and size of the ponds are:

Pond Name	Location (UTM X)*	Location (UTM Y)*	Estimated Surface Acres
M. Garcia Pond	477810.13	4177361.66	.27
Bear Bottom Beaver Pond 1	463327.30	4169705.46	.26
Bear Bottom Beaver Pond 2	463359.11	4169700.00	.30
Bear Bottom Beaver Pond 3	463398.97	4169738.43	.29
Bear Bottom Sheep Pond	463989.55	4169961.06	.59
John Marchiol Pond	491617.00	4133004.55	.92
Tres Valles Pond	490240.46	4156936.88	1.10
Ward Wildes Pond 1	474619.16	4175717.40	.38
Ward Wildes Pond 2	474739.46	4175751.86	.50
Chaparral Pond	493513.17	4140842.80	1.39
Cuchara Valley Ranch	493201.84	4139408.03	0.49
Pando Pond	490537.99	4188617.80	0.67
Yellow Pine Ranch	491615.23	4137419.97	0.62
Montano Ranch LLC	490537.99	4188617.80	0.25

Martin (5)	475076.89	4173889.24	0.62
Big Pond (7)	475122.35	4174699.58	1.5
Pond 6	474569.63	4174915.06	0.17
Storm Pond	474931.01	4176352.95	0.28
Wapiti	475856.38	4177854.77	0.43

\*UTM coordinates in Zone 13, NAD83

This notice indicates that we are conducting a needs assessment in consultation with the local fire authority pursuant to 37-82-107(3)(a)(II), C.R.S.. The needs assessment shall be completed within one year of this notice and in compliance with the rules promulgated by the Division of Fire Prevention and Control (8 CCR 1507-60). This needs assessment will identify which ponds we will submit fire suppression pond applications for. In preparation for submitting applications we will complete the following steps:

1. Ensure that ponds are located in an area where the outbreak of a fire could result in a major wildfire, are far from other water supplies, and are readily accessible by a firefighting entity. The detailed requirements are as described in Rules mentioned above.
2. Ponds were in existence since at least 1972, are less than 6 surface acres, and in total we are not applying for more than 30 acres of ponds total in the county.
3. Identify the refill mechanism of the ponds.
4. Obtain landowner approval for ponds located on private property.
5. If our needs assessment determines that the ponds meets the necessary criteria, we will share the following items with the Substitute Water Supply Plan (SWSP) notification list for the appropriate water division:
  - a. The completed needs assessment
  - b. A copy of our application to the State Engineer
  - c. A statement notifying holders of decreed water rights that they have 140 days after the application submission to provide evidence of material injury to the State Engineer as described in section 37-92-602(8)(i).
6. Submit the completed application, needs assessment, and evidence of the SWSP notice provided above, to the State Engineer's Office for review and approval.

Thank you for your consideration, and please let us know if you need any additional information from the county at this time.

Sincerely,

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**John Galusha, Chairman**

Date

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**Arica Andreatta, Commissioner**

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**Karl Sporleder, Commissioner**