

CDWR declares Barn Pond man-made

By Finn McNally
Herald Reporter

The Colorado Division of Water Resources (CDWR) released an analysis on Aug. 5 of the Twin Lakes Barn Pond and the channel that feeds it which concludes that the channel is a man-made ditch and the pond is man-made as well.

The analysis was conducted by CDWR engineer Rachel Zancanella. Zancanella conducted a field investigation on July 9 through July 11, 2024. Zancanella and CDWR staff were investigating the claim that the channel that feeds Barn Pond is not a natural stream but instead a man-made ditch. Zancanella came to the conclusion that the claim was true.

In her report, Zancanella states that an important indicator for whether or not a channel is a natural stream or a man-made ditch is the path it takes relative to topographic lines. Generally, a natural stream will take the path of least resistance and will take the most direct path downhill, perpendicular to topographic contour lines. Conversely, ditches often run parallel to contour lines in order to deliver water to a desired destination. Zancanella found that after the channel feeding Barn Pond splits from West Bartlett Gulch, it begins fol-

lowing contour lines rather than heading downhill.

Another indicator that CDWR considered was that at one point the channel takes a ninety-degree turn and cuts through a large mound called a glacial moraine. The report determined that the channel's cut through the moraine was man-made and found hand-cut pieces of timber in that section that resembled the construction method of dams in the early 1900s.

Finally, Zancanella and CDWR determined that the pond itself was man-made. Based on aerial photography of the area, it was determined that Barn Pond did not exist before 1990. The field investigation further found that Barn Pond contained a stack of tires, flower pots and scrap metal.

Zancanella's report concluded that based on its physical conditions, the channel that feeds Barn Pond is not the natural flow of West Bartlett Gulch and is a man-made ditch. Despite her findings, Zancanella said that no further action is required as the ditch was cut off on May 11, 2024 by Alan Elias of AngelView Estates. Elias did not obtain a permit to cut off the ditch by deepening the other fork of West Bartlett Gulch. However, Zancanella told community members that if Elias had not cut off



Photo by Finn McNally

The Twin Lakes Barn Pond has been drying up since its channel was cut off in May. Both the pond and the channel have been determined by the Colorado Division of Water Resources to be man-made and the channel was been deemed an illegal diversion of West Bartlett Gulch.

the channel, she would have done so herself.

Finally, Zancanella said that the flow of West Bartlett Gulch will need to remain in the eastern split of the West Fork unless a lawful means of diversion is established and the water lost to evaporation is accounted for. She said that CDWR would work with any parties interested in this path.

"With respect to the water supply for the 'Barn Pond,' if interested parties wish to

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Water diversion right would cost \$500,000

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organize and pursue a water right and plan for augmentation for the ‘Barn Pond,’ please select a representative and contact our office for further information. Please include the land owners of the Barn Pond, the U.S. Forest Service in the process,” Zancanella said.

Elias has said in the past that he is interested in restoring Barn Pond. A spokesperson for Elias said that Elias and AngelView looked into an augmentation for water diversion but that the right would cost \$500,000 over 20 years and therefore was not financially viable. Elias spent \$100,000 on studies to determine other options including filling the pond from a nearby well or trucking in water to fill it.

Rick Akin, a Twin Lakes resident whose house is adjacent to Barn Pond channel, was opposed to the channel being cut off and is now looking to



Contributed photo

The Colorado Division of Water Resources conducted a field investigation of the Twin Lakes Barn Pond and ditch which found tires and scrap metal in the basin of the pond..

restore flow to Barn Pond. He told a nonprofit that would manage the returned and would pay for the leased water. *The Denver Post* that he is creating Barn Pond channel should flow be

City Council approves special election, delays decision on ballot measure

By Finn McNally
Herald Reporter

The Leadville City Council voted during their Aug. 6 meeting to approve a resolution which calls for a special election to be held on Nov. 5, 2024. The special election will allow ballot measures regarding a city-wide sales tax to be submitted.

City Council has not made an official decision to submit a ballot measure of their own for this election, but the special election is still required for the ballot measure that Pb Swims is submitting which proposes a 0.5-per-

cent city-wide sales tax to create a fund for an aquatic center. On the city council’s agenda was a resolution to submit their own ballot measure which would propose a one-percent sales tax for an aquatic center and other potential city uses.

During their work session on July 31, a majority of the present city council members voiced support for the one-percent tax measure. However, during discussion at their Aug. 6 meeting, council members voiced new concerns with the resolution. Council members discussed

whether the city should run the one-percent tax in an effort to join forces with Pb Swims or to run their own separate 0.5-percent tax for their chosen use. There was also no clear consensus on what use the tax would go toward with areas such as roads, deferred maintenance and early child care being most considered.

City Council ultimately voted to table their discussion on a ballot measure resolution until their meeting on Aug. 20.

For the record

In the Aug. 8 edition of the *Herald*, the newspaper incorrectly published that Dr. Steve Emerman was asked to evaluate CJK Milling’s application by the Concerned Citizens for Lake County (CC4LC) in June of 2023. CC4LC asked Emerman to conduct the evaluation in June of 2024 and therefore Emerman evaluated the most recent iteration of CJK’s application.

Leadville WEATHER	High	Low	Precipitation
Monday, Aug. 5	72	41	.08 in. of rain
Tuesday, Aug. 6	76	42	.01 in. of rain
Wednesday, Aug. 7	79	41	.23 in. of rain
Thursday, Aug. 8	74	38	Trace of rain
Friday, Aug. 9	67	46	.18 in. of rain
Saturday, Aug. 10	70	40	.38 in. of rain
Sunday, Aug. 11	68	37	.07 in. of rain

Weather data courtesy of Leadville’s Charles Kuster



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