

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Omaha District, Wyoming Regulatory Office (CENWO-OD-RWY)
FILE NUMBER: 200340230
PROPERTY OWNER: State of Wyoming, Six Reservoirs in the Buckskin POD
REGULATORY PROJECT MANAGER: Thomas B. Johnson, P.E.
REVIEW/DETERMINATION COMPLETED: In the office **Date:** 3 August 2004

PROJECT LOCATION INFORMATION:

State: Wyoming
County: Campbell
Center coordinates of site by latitude & longitudinal coordinates: 44-23-54 LAT, 105-45-49 LONG
 44-21-15 LAT, 105-42-06 LONG
Approximate size of site/property (including uplands & in acres): The project area covers 3,600 acres
Name of waterway or watershed: Wild Horse Creek Watershed

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
<u>Other water (identify type)</u> Six Stock Reservoirs				Total is 9.63 acre					

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?		X			

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Approved, issued on 3 August 2004.

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):