

structure for the impounding of water over non-tidal swamp lands for the propagation of muskrats.

(b) *Nothing in this section shall be construed to extend to or affect in any way "farm ponds" constructed for purposes of soil-conservation, propagation of fish, watering of stock, and fire protection, except as in this sub-section provided. Farm ponds in order to be exempt shall be formed by the construction of an all-earth dam or embankment with an all-earth spillway; the possible depth of water at the spillway level of the dam or embankment shall not exceed nine (9) feet; the water surface area of the pond at the spillway level shall not exceed 60,000 square feet; the drainage area contributory to or diverted to the pond shall not exceed one hundred acres; the dam or embankment forming the pond shall not be closer than five hundred feet to a place for human habitation or public road so situated as to be endangered by the breaking or failure of the dam or embankment.*

*Prior consent in writing for the construction of any such farm pond shall be obtained from all abutting property owners within a distance of five hundred feet downstream from the dam or embankment. Copies of such consents and of the location and construction plans and specifications of the dam or embankment shall be filed with the Commission before the construction thereof is commenced. Any proposed construction or change which would increase the possible depth of water at the spillway level of an existing farm pond, or which would increase the water surface area of any existing farm pond, shall be subject to the procedures and requirements specified in this sub-section. Notice of the proposed removal or destruction of any such dam or embankment shall be sent to the Commission at least thirty days in advance thereof.*

SEC. 2. *And be it further enacted, That this Act shall take effect June 1, 1950.*

Approved March 28, 1950.

## CHAPTER 73

(House Bill 15)

AN ACT to repeal and re-enact, with amendments, Section 30 of Article 5 of the Annotated Code of Maryland (1939

EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

Strike-out indicates matter stricken out of bill.