

**APPLICATION FOR WATER ALLOTMENT CONTRACT
BASALT WATER CONSERVANCY DISTRICT**

1. Applicant(s) Name(s):

THOMAS P. & JANA M. LANIGAN

Applicant(s) Mailing Address:

PO BOX 1184 BASALT, CO 81621

Applicant(s) Street Address:

1849 UPPER CATTLE CREEK ROAD (OR) EL SEBEL ROAD
GERRONDALE, CO 81623

Applicant(s) Telephone No(s):

(970) 963-1001 HOME 927-4226 WORK

Applicant(s) E-mail Address:

THEJWB INC (WORK)
LANIFAME@MSN.COM (HOME)

Attorney Info (Name, Address, Telephone and Fax Nos., E-mail):

Emergency Contact Information (preferably local) (Name, Address, Telephone and Fax Nos.):

CELL PHONES TOM 948-9948
JANA 309-2899

Contact Information (Name, Address, Telephone and Fax Nos.) of any property manager, caretaker, irrigator, system operator or agent who should be provided a copy of this contract:

2. Type of land use (development) proposed for water allotment contract (i.e. single family home, subdivision, gravel pit, etc.)

MINOR TYPE A SUBDIVISION
FOR SINGLE FAMILY HOME

3. Legal description of property on which District's water rights and/or contract water shall be used; Quarter, Quarter, Section, Township, Range (attach map and vesting deed with proof of ownership)*:

4. Elevation zone of property: _____ 6-7,000 ft., X 7-8,000 ft.,
8-9,000 ft.

5. Name and legal description of water supply diversion point(s): include Quarter Quarter, Section, Township, Range, bearing and distance from nearby Section corner. (Identify if well, spring, pipeline, etc.) If diversion point is a well, please provide the State Permit No. _____ *FUTURE WELL*

Is the well operational/active? _____ Yes, _____ No

Is there currently an operating well meter? _____ Yes, _____ No

Notice: A valid well permit with operating well meter will be required under the contract.

6. Has Applicant applied with the Water Court for water rights, change of water rights and/or a water right plan for augmentation? _____ Yes, No; If yes, what is the Water Court Case No.

7. Proposed waste water treatment system: (please check)

_____ Tap to central waste water treatment facility

Septic tank/leachfield system

_____ Evapotranspiration system

_____ Other:

8. Proposed use of water (please check)

Domestic/Municipal (single family home(s), duplex(s), condominium(s), mobile home(s), apartment). Please complete page three of this application.

_____ Commercial (hotel, office, warehouse, restaurant, bar, retail). Please complete page four of this application.

_____ Industrial (gravel pit, manufacturing). Please complete page four of this application.

_____ Agricultural (crop irrigation, stock watering). Please complete page five of this application.

Date on which the county or other applicable governmental entities approved the land use for which you seek legal water service: PENDING. (Note: Copy of the Resolution of other documentation evidencing such approval should be submitted with application.)

9. What other water rights are associated with or used on the property?

NONE KNOWN

10. What other uses of water occur on the property?

NONE

Please complete this page if you checked domestic/municipal use on Page 2, No. 8

DOMESTIC/MUNICIPAL WATER USES

In-House

Single family residential home(s)

Number of Units: 1

Duplex(s)

Number of Units:

Condominium(s)

Number of Units:

Apartment(s)

Number of Units/Rooms:

Mobil Home(s)

Number of Units:

Irrigation (lawns, parks, open space)

Total area to be irrigated 3,000 Sq. Ft. or Acres

Type of irrigation system (please check)

 Sprinkler

 Flood (irrigation ditch)

Domestic stock watering (cattle, horses)

Number of animals:

Period of use (months):

Other domestic/municipal uses not listed:

Please complete this page if you checked commercial or industrial use on Page 2, No. 8

COMMERCIAL WATER USES

In-House

Hotel: _____

Office(s), square footage: _____

Warehouse/distributor, square footage: _____

Retail, square footage: _____

Restaurant, number of seats: _____

Bar, number of seats: _____

Irrigation (lawns, parks, open space)

Total area to be irrigated _____ Sq. Ft. or _____ Acres

Type of irrigation system (please check)

_____ Sprinkler

_____ Flood (irrigation ditch)

Other Commercial Uses Not Listed:

INDUSTRIAL WATER USES

Please describe your industrial development in some detail:

Irrigation (lawns, parks, open space)

Total area to be irrigated _____ Sq. Ft. or _____ Acres

Type of irrigation system (please check)

_____ Sprinkler

_____ Flood (irrigation ditch)

Please complete this page if you checked agricultural use on Page 2, No. 8.

AGRICULTURAL WATER USE

Irrigation

Type of crop(s) (pasture, alfalfa, beans, etc.) and irrigation system:

Crop: _____ Acres: _____ Sprinkler: _____ Flood:

Crop: _____ Acres: _____ Sprinkler: _____ Flood:

Crop: _____ Acres: _____ Sprinkler: _____ Flood:

Crop: _____ Acres: _____ Sprinkler: _____ Flood:

Stock Watering (cattle, horses)

Number of animals:

Months of use:

Other agricultural uses not listed:

Filed for record the _____ day of _____, A.D. _____,
Reception No. _____



WARRANTY DEED

THIS DEED, Made on this day of April 29, 2005, between
JUDITH ANN JENKINS, FORMERLY KNOWN AS JUDITH ANN OLSON

\$43.00

of the _____ County of _____ and State of COLORADO, of the Grantor(s), and
JANA LANIGAN AND TOM LANIGAN, as Joint Tenants

whose legal address is : PO BOX 1184 BASALT, CO 81621
of the _____ County of EAGLE and State of COLORADO, of the Grantee(s):

WITNESS, That the Grantor(s), for and in consideration of the sum of (\$430,000.00)
*** Four Hundred Thirty Thousand and 00/100 *** DOLLARS

the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee(s), his heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the _____ County of EAGLE and State of Colorado, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

also known as street number **1849 UPPER CATTLE CREEK ROAD, CARBONDALE, CO 81623**

TOGETHER with all and singular and hereditaments and appurtenances thereto belonging, or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right title interest, claim and demand whatsoever of the Grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described with appurtenances, unto the Grantee(s), his heirs and assigns forever. The Grantor(s), for himself, his heirs and personal representatives, does covenant, grant, bargain, and agree to and with the Grantee(s), his heirs and assigns, that at the time of the enrolling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, EXCEPT GENERAL TAXES AND ASSESSMENTS FOR THE YEAR 2005 AND SUBSEQUENT YEARS AND SUBJECT TO THOSE ITEMS AS SET FORTH ON EXHIBIT "B" ATTACHED HERETO AND INCORPORATED HEREIN.

The Grantor(s) shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the Grantee(s), his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, and the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF the Grantor(s) has executed this deed on the date set forth above.

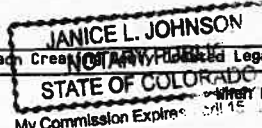
BY: *Judith Ann Jenkins*
JUDITH ANN JENKINS, FORMERLY KNOWN AS JUDITH ANN OLSON

STATE OF Colorado)
County of Basalt) ss.

The foregoing instrument was acknowledged before me on this day of April 29, 2005,
by JUDITH ANN JENKINS, FORMERLY KNOWN AS JUDITH ANN OLSON

My commission expires _____
Witness my hand and official seal.

Janice L. Johnson
Notary Public



Name and Address of Person Creating Copy: _____ Legal Description (38-75-106.5, C.R.S.)
Escrow# Q50008560
Title# V50008560
My Commission Expires 04/15/06
Recorded Return to JANA LANIGAN AND TOM LANIGAN
PO BOX 1184, BASALT, CO 81621

\$8560

EXHIBIT A

A TRACT OF LAND SITUATED IN THE SE1/4 SW1/4 OF SECTION 27, TOWNSHIP 7 SOUTH, RANGE 87 WEST OF THE 6TH PRINCIPAL MERIDIAN, LYING NORTHERLY OF A COUNTY ROAD AS CONSTRUCTED AND IN PLACE, WESTERLY OF THE EASTERLY LINE OF SAID SE1/4 SW1/4, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SE1/4 SW1/4 (BEING THE SAME AS THE NORTHWEST CORNER OF THE SW1/4SE1/4 OF SAID SECTION 27) WHENCE AN IRON POST WITH A BRASS CAP PROPERLY MARKED FOR THE SOUTHEAST CORNER OF SAID SECTION 27 BEARS S. 62 DEGREES 01 MINUTES 24 SECONDS E. 2973.75 FEET, THENCE S. 00 DEGREES 16 MINUTES 13 SECONDS W. 702.36 FEET ALONG THE EASTERLY LINE OF SAID SE1/4 SW1/4 TO A POINT ON THE NORTHERLY LINE OF SAID ROAD, THENCE N. 89 DEGREES 55 MINUTES 42 SECONDS W. 30.69 FEET ALONG THE NORTHERLY LINE OF SAID ROAD, THENCE S. 77 DEGREES 39 MINUTES 36 SECONDS W. 95.46 FEET ALONG THE NORTHERLY LINE OF SAID ROAD, THENCE S. 50 DEGREES 44 MINUTES 02 SECONDS W. 114.52 FEET ALONG THE NORTHERLY LINE OF SAID ROAD, THENCE S. 43 DEGREES 59 MINUTES 16 SECONDS W. 54.67 FEET ALONG THE NORTHERLY LINE OF SAID ROAD, THENCE N. 00 DEGREES 16 MINUTES 13 SECONDS E. 841.15 FEET TO A POINT ON THE NORTHERLY LINE OF SAID SE1/4 SW1/4, THENCE S. 88 DEGREES 29 MINUTES 13 SECONDS E. 250.00 FEET ALONG THE NORTHERLY LINE OF SAID SE1/4 SW1/4 TO THE NORTHEAST CORNER THEREOF, THE POINT OF BEGINNING, COUNTY OF EAGLE, STATE OF COLORADO.

EXHIBIT B

RIGHT OF PROPRIETOR OF A VEIN OR LODGE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED June 10, 1908, IN BOOK 48 AT PAGE 295.

RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES AS RESERVED IN UNITED STATES PATENT RECORDED June 10, 1908, IN BOOK 48 AT PAGE 295.

RIGHT OF WAY OF THE UNITED STATES, ITS PERMITTEES OR LICENSEES TO "ENTER UPON, OCCUPY AND USE ANY PART OF ALL OF THAT PORTION OF SAID LANDS LYING WITHIN 50 FEET OF THE CENTER LINE OF THE TRANSMISSION LINE RIGHT OF WAY OF THE COLORADO POWER COMPANY FOR PURPOSES PROVIDED IN THE ACT OF JUNE 10, 1920, (41 STAT. 1063), AND SUBJECT TO THE CONDITIONS AND LIMITATIONS OF SECTION 24 OF SAID ACT," AS RESERVED BY PATENT RECORDED DECEMBER 20, 1930 IN BOOK 93 AT PAGE 400.

RIGHT OF WAY OF THE UNITED STATES, ITS PERMITTEES AND LICENSEES TO ENTER UPON OCCUPY, AND USE ANY PART OR ALL OF THAT OR ALL OF THAT PORTION OF SAID LANDS LYING WITHIN 50 FEET OF THE CENTER LINE OF THE TRANSMISSION RIGHT OF WAY OF THE COLORADO POWER COMPANY, AS RESERVED BY PATENT RECORDED JANUARY 6, 1926 IN BOOK 93 AT PAGE 359.

ONE-HALF OF ALL MINERALS ON OR UNDER SUBJECT PROPERTY TOGETHER WITH SUCH SURFACE RIGHTS AS MAY BE NECESSARY, AS RESERVED IN INSTRUMENT RECORDED JULY 14, 1955 IN BOOK 148 AT PAGE 23, AND ANY AND ALL ASSIGNMENT THERETO.

TERMS, CONDITIONS AND PROVISIONS OF EASEMENT AS CONTAINED IN DEED RECORDED August 30, 1968 IN BOOK 213 AT PAGE 318.

CLAIMS OF RIGHT, TITLE AND/OR INTEREST IN THE PROPERTY BETWEEN THE SOUTHERLY BOUNDARY LINE AND THE FENCE (AS DEPICTED ON THE SURVEY PREPARED BY ROCKY MOUNTAIN SURVEYING, JOB NUMBER 05504 WHETHER SAID CLAIMS ARISE BY ABANDONMENT, ADVERSE POSSESSION OR OTHER MEANS.

THE AFFECT ON SUBJECT PROPERTY OF PARKING PAD NOT WITHIN SUBJECT PROPERTY AS SHOWN ON IMPROVEMENT LOCATION CERTIFICATE PREPARED BY ROCKY MOUNTAIN SURVEYING, FILE NO. 05504 DATED 2/14/05

Eric Mangeot

From: Tom Lanigan [tl@jwbinc.com]
Sent: Friday, July 31, 2009 10:16 AM
To: Eric Mangeot
Subject: Lanigan Well Info

Attachments: image001.jpg; Proposed Well Location.pdf; Warranty Deed.pdf



image001.jpg (2
KB)



Proposed Well
Location.pdf (61...



Warranty Deed.pdf
(179 KB)

Eric,

I have attached the warranty deed and a draft of the plat showing the existing Snyder well and the proposed location of the new well. The proposed new well could move anywhere across the upper portion of the new lot #2 if necessary depending upon existing leach fields on the adjacent lots.

Tom Lanigan

Project Manager

Office (970) 927-4226

Fax (970) 927-4712

tl@jwbinc.com

Account: R027960

Location

Parcel Number 2391-273-00-001
 Tax Area 007 - - 007
 Situs Address 001849 EL JEBEL RD
 Legal Summary Section: 27 Township: 7 Range: 87
 PCLIN SE1/4SW1/4
 BK-0203 PG-0091 WD
 BK-0471 PG-0450 SWD 09-26-87
 R915310 DC 12-04-87
 R915314 DEC 05-11-05

Owner Information

Owner Name LANIGAN, JANA & TOM -JT
 Owner Address PO BOX 1184
 BASALT, CO 81621

Assessment History

Actual (2009) \$723,350
 Primary Taxable \$57,570
 Tax Area: 007 Mill Levy: 59.0985
 Type Actual Assessed Acres SQFT
 Improvements \$360,350 \$28,680 1978.000
 Land \$363,000 \$28,890 4.280

Transfers

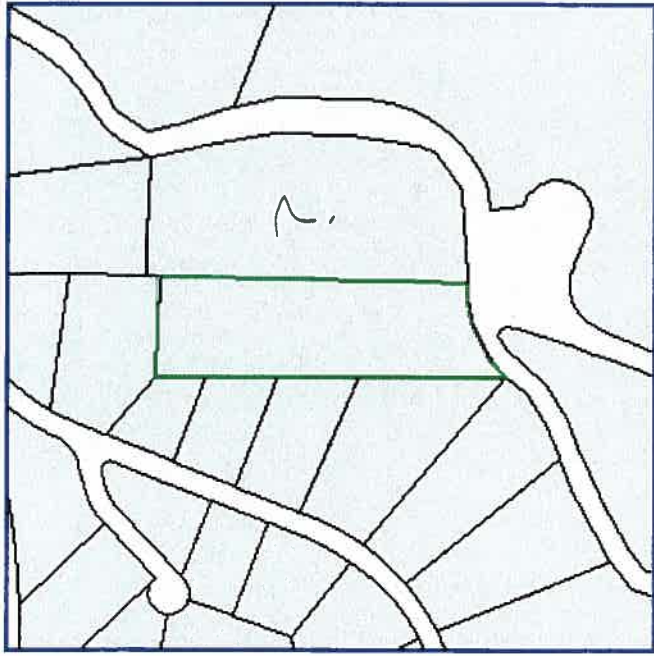
Sale Price	Sale Date	Reception Number	Book Page
\$430,000	04/29/2005	915311	

Images

- [Photo](#)
- [Sketch](#)
- [GIS](#)

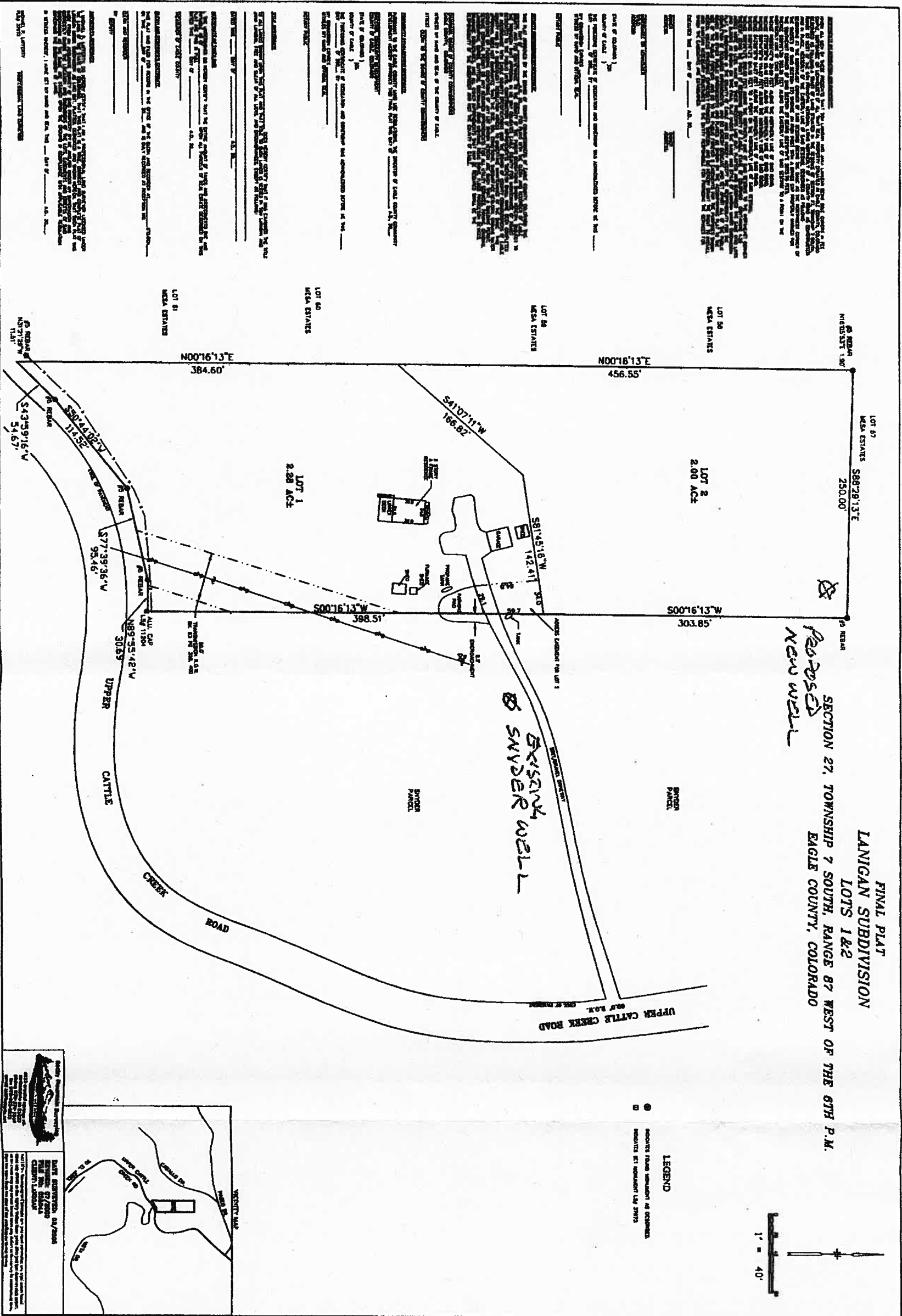
SMYDER WELL NO. 2?
 UTM(X) = 319719.8
 UTM(Y) = 4304667
 ID = 5732

~~FENDER WELL~~



LEON
SN.

UM 1000 83



ETCV - 87200

20 SCALE

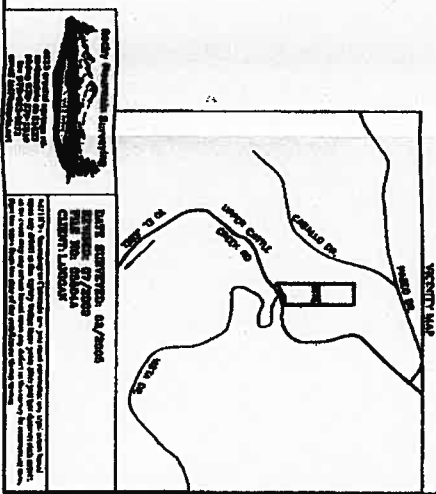
$$\frac{15}{80} = \frac{61.5}{X}$$

$$X = 328'$$


N UP DRIVEWAY

Y = 32' From GRADEN

UM(X) 319603
UM(X) 4304789



Memorandum

To: BWCD BOARD OF DIRECTORS
From: ERIC MANGEOT 
CC: CHRIS GEIGER
Date: JULY 31, 2009
File: APPLICATION
Re: JANA AND TOM LANIGAN

Applicant Name: Jana and Tom Lanigan

Type of Use: Domestic Commercial
Industrial Agricultural

Amount: 0.3 AF 0.033 CFS 15 gpm

Location: Area A Area B Inclusion

County: EAGLE Contiguous:

BWCD Division: 3

Mid Valley Metro District Notice Required?: Yes No

Blue Creek Water Rights Applied? Yes No

Comments: This application seeks a water allotment contract to offset depletions from a single family dwelling and 3,000 square feet of lawn and landscape irrigation for the proposed Lot 2 of the Lanigan Subdivision. Lot 2 of the Lanigan subdivision is located in Missouri Heights off of El Jebel Road as shown on Figure 1.

Lot 1 of the Lanigan Subdivision is served by a decreed well known as the Snyder No. 2. The proposed location for the well on Lot 2 is the NE1/4 SW1/4 of Section 27, T7S, R87W, in the 6th P.M. at a point 2,553 feet from the West section line and 1,371 feet from the South section line based on an exhibit provided by the Applicant.

Mr. Chris Geiger
BWCD Application – Jana and Tom Lanigan
July 31, 2009
Page 2 of 2

Total depletions are 0.3 AF as calculated by Resource. Based on the property location, it is within Division 3.

Water User :	Jana and Tom Lanigan
Analysis Date :	July 31, 2009
District Area:	A
Source Series:	4
Maximum Demand:	15 (GPM) 0.033 (CFS)

**BASALT WATER CONSERVANCY DISTRICT
WATER REQUIREMENTS
(acre feet)**

Month	Total Demand				Consumptive Use						(12)* TOTAL	(13)* Delayed Depletions	(14) Source of Aug/Replace	
	(1) Domestic In-house	(2) Commercial or Other	(3) Lawn Irrigation	(4) Crop Irrigation	(5) Livestock	(6)* TOTAL	(7) Domestic In-house	(8) Commercial or Other	(9) Lawn Irrigation	(10) Crop Irrigation				(11) Livestock
January	0.033	0.000	0.000	0.000	0.000	0.037	0.005	0.000	0.000	0.000	0.000	0.005	0.017	GNM
February	0.030	0.000	0.000	0.000	0.000	0.033	0.005	0.000	0.000	0.000	0.000	0.005	0.017	GNM
March	0.033	0.000	0.000	0.000	0.000	0.037	0.005	0.000	0.000	0.000	0.000	0.005	0.017	GNM
April	0.032	0.000	0.003	0.000	0.000	0.039	0.005	0.000	0.000	0.000	0.000	0.008	0.017	GNM
May	0.033	0.000	0.031	0.000	0.000	0.071	0.005	0.000	0.000	0.000	0.000	0.033	0.017	GNM
June	0.032	0.000	0.040	0.000	0.000	0.080	0.005	0.000	0.000	0.000	0.000	0.041	0.017	GNM
July	0.033	0.000	0.038	0.000	0.000	0.078	0.005	0.000	0.000	0.000	0.000	0.039	0.017	GNM
August	0.033	0.000	0.022	0.000	0.000	0.061	0.005	0.000	0.000	0.000	0.000	0.025	0.017	GNM
September	0.032	0.000	0.021	0.000	0.000	0.058	0.005	0.000	0.000	0.000	0.000	0.023	0.017	GNM
October	0.033	0.000	0.005	0.000	0.000	0.042	0.005	0.000	0.000	0.000	0.000	0.010	0.017	GNM
November	0.032	0.000	0.000	0.000	0.000	0.035	0.005	0.000	0.000	0.000	0.000	0.005	0.017	GNM
December	0.033	0.000	0.000	0.000	0.000	0.037	0.005	0.000	0.000	0.000	0.000	0.005	0.017	GNM
TOTALS →	0.392	0.000	0.160	0.000	0.000	0.607	0.059	0.000	0.128	0.000	0.000	0.205	0.205	

Assumptions

(1)	NUMBER OF RESIDENCES	1	(5)	# of Livestock @ 11 gals/day	0
	# persons/residence	3.5	(7)	% CU for Domestic/Commercial	15
	# gallons/person/day	100	(9)	% Lawn Irrig. Efficiency	80
(2)	Commercial/Other Demand (af)	0.000	(10)	Consumption of Irrig. (af/ac)	1.865
(3)	Sq. Ft. of Lawn Irrigated	3000	(9-10)	% Crop Irrig. Efficiency	80
	Lawn Application Rate (af/ac)	2.331		Consumption of Irrig. (af/ac)	0.000
(4)	Acres of Crop Irrigated	0.00		Elevation (feet)	7000
	Crop Application Rate (af/ac)	0.000			

*(6) (12) (13) Total Includes 5% Transit Loss From Ruedi;
10% for Green Mountain

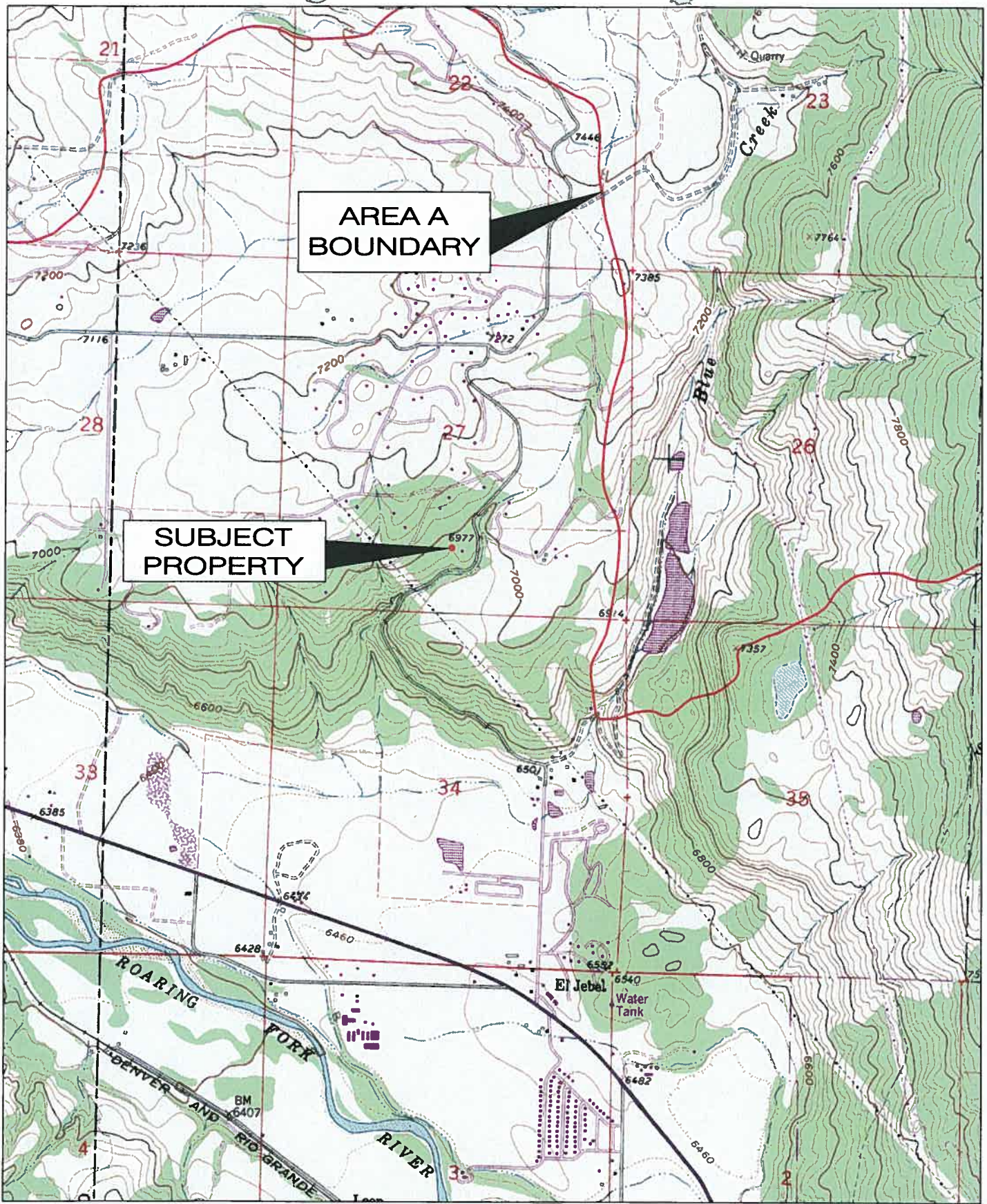
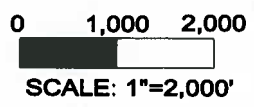


Figure 1: Jana & Tom Lanigan
Location Map

Basalt Water Conservancy District

File: 033-7.2
Date: 07/30/08



RESOURCE ENGINEERING, INC.
 909 Colorado Avenue
 Glenwood Springs, CO 81601
 (970) 945-6777 Voice 945-1137 Facsimile