

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

1. Applicant(s) Name(s): *ASHTON R. LEE*
- Applicant(s) Mailing Address: *413 DIAMOND H RANCH RD  
CARBONDALE CO. 81623*
- Applicant(s) Street Address: *SAME*
- Applicant(s) Telephone No(s): *970-704-0250*
- Applicant(s) E-mail Address: *ASHTON.R.LEE@HOTMAIL.COM*

Attorney Info (Name, Address, Telephone and Fax Nos., E-mail):  
*JOSLYN WOOD 970-963-3900  
 201 MAIN ST JUV@HKWLMWFIRM.COM  
 CARBONDALE CO 81623*

Emergency Contact Information (preferably local) (Name, Address, Telephone and Fax Nos.): *SUSAN LEE  
847-830-8914 (CELL)*

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.)

*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)\*:

*ASPEN GLEN LOT B-3*

4. Elevation zone of property:  6-7,000 ft.,  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. PUMP IN RIVER

Is the well operational/active?  Yes,  No

Is there currently an operating well meter?  Yes,  No

PUMP IN ROARING  
FORK RIVER

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: WATER USED ONLY FOR IRRIGATION. HOUSEHOLD WATER PART OF ROARING FORK SAN. DIST.

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: 4/6/1995. (Note: Copy of the Resolution of other documentation evidencing such approval should be submitted with application.) ASPEN GLEN PLAT DATE

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

HOUSE HOOKED IN TO ROARING FORK SAN. DIST.

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

HAVE AN OLD UNUSED WELL (SEEBERG #3, PERMIT #23055)  
RIVER WATER TO BE USED FOR  
DOMESTIC IRRIGATION ONLY.

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: \_\_\_\_\_

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 \_\_\_\_\_ Sq. Ft. or 1.5 Acres

Type of irrigation system (please check)

Sprinkler

Flood (irrigation ditch)

TOTAL LOT IS 1.945 ACRES. HOWEVER SOME IS BUILT ON, AND THE RIVER IS BED.

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: \_\_\_\_\_

**VERIFICATION**

STATE OF COLORADO )  
COUNTY OF GARFIELD ) ss.

I, ASHTON R. LEE (name of Applicant or Applicant's duly authorized representative), being first duly sworn, upon oath, depose and state as follows:

- 1) I am the Applicant or a duly authorized officer, manager, agent or attorney-in-fact for the Applicant for this Application for Water Allotment Contract;
- 2) I have read and know the contents of this Application;
- 3) The information contained herein is an accurate and complete description of the Applicant's intended use of the Basalt Water Conservancy District's water rights;
- 4) The Applicant acknowledges that the accuracy and truth of all statements in this Application are conditions of approval of this Application by the Basalt Water Conservancy District and of the Contract to be made pursuant to such approval; and
- 5) I acknowledge that this application shall be subject to the District's Water Allotment Contract as approved and issued by the District.

Date: JUNE 2, 2009

By: Ashton R Lee

Print Name: ASHTON R LEE

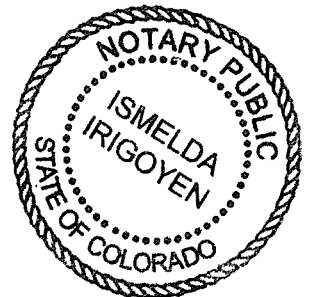
Title: HOMEOWNER

Subscribed and sworn before me this 2<sup>nd</sup> day of June, 2009 by Ashton R. Lee.

Witness my hand and seal.

Ismelda Irigoyen  
Notary Public

My commission expires: Dec. 22, 2010



**WARRANTY DEED**

RF \$6.00  
DF \$310.00

**THIS DEED**, made this 31 day of July, 2007, between  
Alexander Korn

of the said County of and State of California, Grantor, and  
Ashton R. Lee and Susan S. Lee

whose legal address is: **473 W. Diamond A Ranch Road, Carbondale CO  
81623**

of the said County of Garfield and State of Colorado, grantee:

**WITNESS**, that the grantor, for and in consideration of the sum of  
**( \$3,100,000.00 ) Three Million One Hundred Thousand dollars and Zero cents**, 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 grantees, their heirs and assigns forever, not in tenancy in common but in joint tenancy, all  
the real property, together with improvements, if any, situate, lying and being in the County of Garfield and State of  
Colorado described as follows:

**LOT B-3**

**ASPEN GLEN, FILING NO. 1**

**ACCORDING TO THE PLAT THEREOF RECORDED APRIL 6, 1995 AS RECEPTION NO. 476330 AND THE  
AMENDED PLAT OF LOTS B3 AND B4 RECORDED MAY 18, 1999 AS RECEPTION NO. 545773.**

**COUNTY OF GARFIELD  
STATE OF COLORADO**

also known by street and number as: **473 West Diamond A Ranch Road, Carbondale, CO 81623**

**TOGETHER** with all and singular the 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, 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 the appurtenances, unto the grantee,  
his heirs and assigns forever. And the grantor, for himself, his heirs, and personal representatives, does covenant, grant,  
bargain, and agree to and with the grantee, his heirs and assigns, that at the time of the ensealing 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

The grantor shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and  
peaceable possession of the grantee, 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, the plural the singular, and the use of any gender  
shall be applicable to all genders.

**IN WITNESS WHEREOF**, the grantor has executed this deed on the date set forth above.

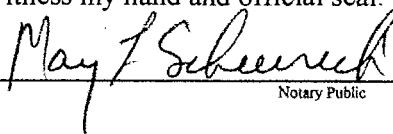
  
Alexander Korn

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF GARFIELD        )

The foregoing instrument was acknowledged before me this 31 day of July, 2007. by Alexander Korn

My commission expires: \_\_\_\_\_.

Witness my hand and official seal.

  
Notary Public

**MARY L. SCHEURICH  
NOTARY PUBLIC  
STATE OF COLORADO**  
My Commission Expires May 22, 2009

Return to: Ashton R. Lee, 473 West Diamond A Ranch Road, Carbondale, CO 81623

**QUIT CLAIM DEED**

**THIS DEED**, is made this 22<sup>nd</sup> day of December, 2008, between **Ashton R. Lee and Susan Lee and Cynthia Yates Price and Lester J. Price**, whose legal address is 473 Diamond A Ranch Road, Carbondale, Colorado 81623 ("Grantor") and **Ashton R. Lee and Susan Lee**, as joint tenants with the right of survivorship, whose legal address is 473 Diamond A Ranch Road, Carbondale, Colorado 81623 ("Grantee").


**WITNESSETH**, that the Grantor, for and in consideration of the sum of **TEN DOLLARS (\$10.00)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold, conveyed and **QUIT CLAIMED**, and by these presents does remise, release, sell, convey and **QUIT CLAIM** unto the Grantee, its successors and assigns forever, all the right, title, interest, claim and demand which the Grantor has in and to the following described property, together with improvements, if any, situate, lying and being in the County of ~~Butte~~ and State of Colorado described as follows:

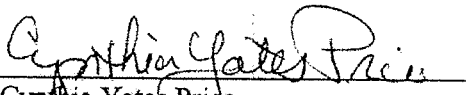
**Lot B3,**  
 Aspen Glen Filing No. 1, according to the Plat recorded April 6, 1995 as Reception No. 476330, and the Amended Plat recorded May 19, 1999 as Reception No. 545773, and according to the Amended Plat of Lots B3 and B5, recorded as Reception No. 756553 on September 29, 2008.

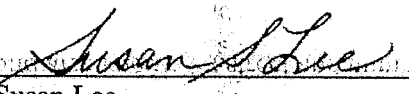
and also known by street and number as: **473 Diamond A Ranch Road, Carbondale, Colorado 81623.**

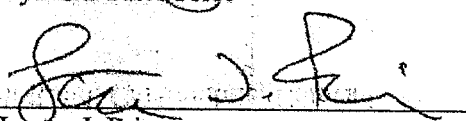
**TO HAVE AND TO HOLD** the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereto appertaining, and all the estate, right, title, interest and claim whatsoever, of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, his successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

  
 Ashton R. Lee

  
 Cynthia Yates Price

  
 Susan Lee

  
 Lester J. Price

STATE OF COLORADO )  
 ) ss.  
 COUNTY OF GARFIELD )


The foregoing instrument was acknowledged before me this 22 day of December, 2008, by Ashton R. Lee and Susan Lee.

Witness my hand and official seal. Anne M. Canan  
 Notary Public

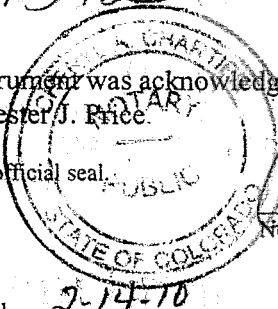
My commission expires: 12-13-12

**ANNE M. CANAN  
 NOTARY PUBLIC  
 STATE OF COLORADO**  
 My Commission Expires 12/13/2012

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of December, 2008, by Cynthia Yates Price and Lester J. Price.

Witness my hand and official seal.   
 Notary Public

Witness my hand and official seal. 2-14-10







Resource Engineering, Inc.  
909 Colorado Avenue  
Glenwood Springs, CO 81601  
(970)-945-6777 Voice  
(970)-945-1137 Facsimile

# Memorandum

**To:** BWCD BOARD OF DIRECTORS  
**From:** ERIC MANGEOT *EM*  
**CC:** CHRIS GEIGER  
**Date:** AUGUST 17, 2009  
**File:** APPLICATION  
**Re:** ASHTON R. AND SUSAN S. LEE

**Applicant Name:** Ashton R. and Susan S. Lee

**Type of Use:** Domestic  X  Commercial       
Industrial      Agricultural    

**Amount:**  3.5  AF  0.033  CFS  15  gpm

**Location:** Area A  X  Area B      Inclusion      *AREA A-4*

County:  GARFIELD  Contiguous:    

BWCD Division:  3

**Mid Valley Metro District Notice Required?:** Yes      No  X

**Blue Creek Water Rights Applied?** Yes      No  X

**Comments:** This application seeks a water allotment contract to offset depletions from 65,340 square feet (1.5 acres) of lawn and landscape irrigation for Lot B-3 of the Aspen Glen Subdivision. The property is served by the Roaring Fork Water and Sanitation District (RFWSD). However, the Applicant desires to use non-potable water for irrigation from the Roaring Fork River and has received permission from RFWSD. The physical address of the property is 473 W Diamond A Ranch Road.

Water will be diverted from a surface diversion located in the SE1/4 SW1/4 of Section 20, T7S, R88W, in the 6<sup>th</sup> P.M. at a point 158 feet from the South section line and 1,512 feet from the West section line.

Mr. Chris Geiger  
BWCD Application – Ashton R. and Susan S. Lee  
August 17, 2009  
Page 2 of 2

Total depletions are 3.5 AF as calculated by Resource. Based on the property location, it is within Division 3.

Water User :	Ashton R & Susan S Lee
Analysis Date :	August 17, 2009
District Area:	A
Source Series:	4
Maximum Demand:	15 0.033 (GPM) (CFS)

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

Month	Total Demand				Consumptive Use						(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	(12)* TOTAL
January	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	GNM
February	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	GNM
March	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	GNM
April	0.000	0.000	0.174	0.000	0.000	0.191	0.000	0.000	0.139	0.000	0.000	0.153	0.153	GNM
May	0.000	0.000	0.745	0.000	0.000	0.820	0.000	0.000	0.596	0.000	0.000	0.656	0.656	GNM
June	0.000	0.000	0.912	0.000	0.000	1.003	0.000	0.000	0.729	0.000	0.000	0.802	0.802	GNM
July	0.000	0.000	0.877	0.000	0.000	0.964	0.000	0.000	0.701	0.000	0.000	0.771	0.771	GNM
August	0.000	0.000	0.539	0.000	0.000	0.593	0.000	0.000	0.432	0.000	0.000	0.475	0.475	GNM
September	0.000	0.000	0.491	0.000	0.000	0.540	0.000	0.000	0.393	0.000	0.000	0.432	0.432	GNM
October	0.000	0.000	0.192	0.000	0.000	0.211	0.000	0.000	0.154	0.000	0.000	0.169	0.169	GNM
November	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	GNM
December	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	GNM
<b>TOTALS →</b>	0.000	0.000	3.930	0.000	0.000	4.323	0.000	0.000	3.144	0.000	0.000	3.459	3.459	

**Assumptions**

(1)	NUMBER OF RESIDENCES	0	(5)	# of Livestock @ 11 gals/day	0
	# persons/residence	3.5			
	# gallons/person/day	100	(7)	% CU for Domestic/Commercial	15
(2)	Commercial/Other Demand (af)	0.000	(9)	% Lawn Irri. Efficiency Consumption of Irri. (af/ac)	80 2.130
(3)	Sq. Ft. of Lawn Irrigated Lawn Application Rate (af/ac)	65340 2.663	(10)	% Crop Irri. Efficiency Consumption of Irri. (af/ac)	80 0.000
(4)	Acres of Crop Irrigated Crop Application Rate (af/ac)	0.00 0.000	(9-10)	Elevation (feet)	6035

Note:

No Delayed Depletions.  
Surface Diversion

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



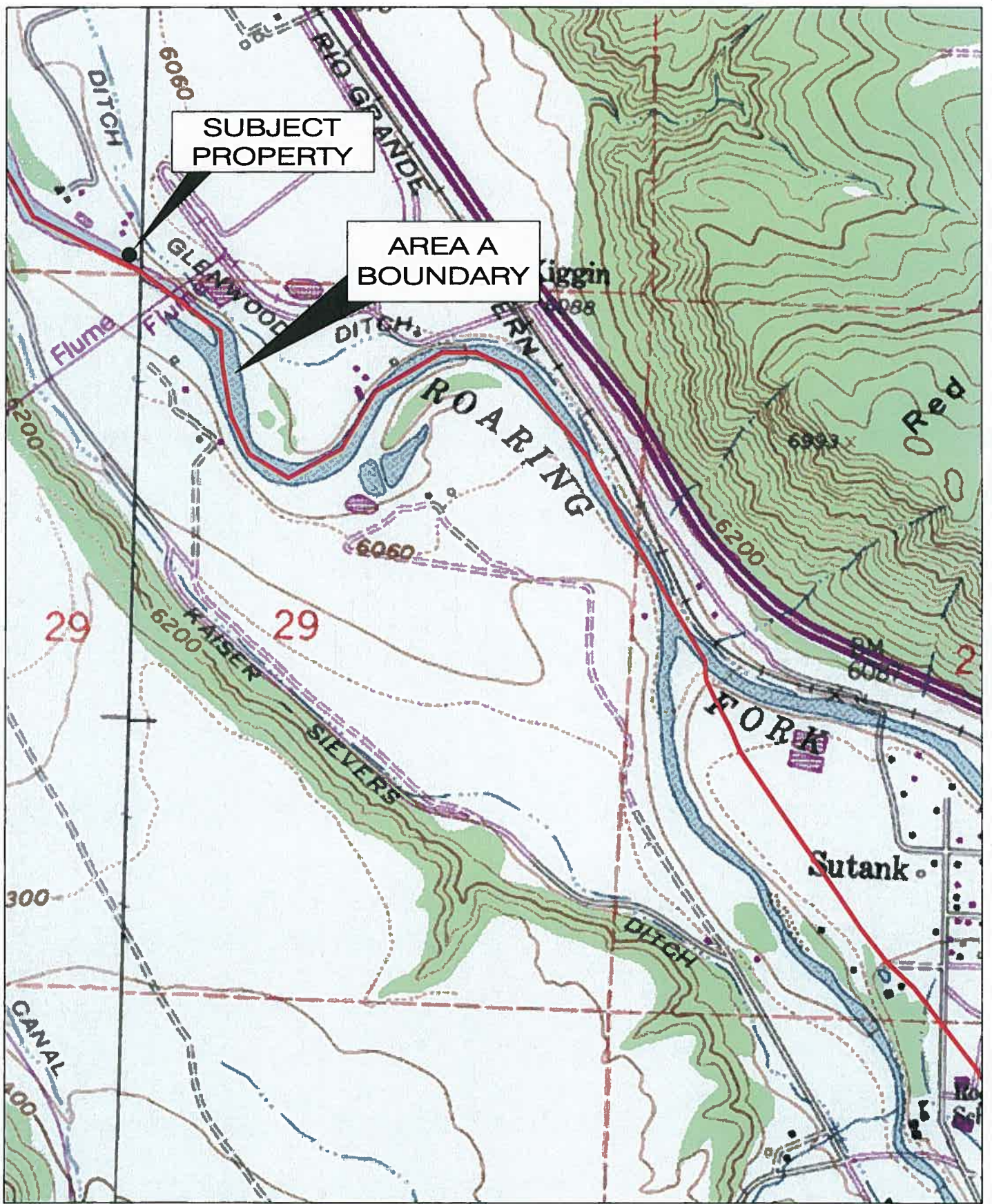


Figure 1: Ashton R. & Susan S. Lee  
Location Map

Basalt Water Conservancy District

File: 033-7.2  
Date: 08/17/09

0 500 1,000

SCALE: 1"=1,000'

**RESOURCE**  
ENGINEERING, INC.

909 Colorado Avenue  
Glenwood Springs, CO 81801  
(970) 945-6777 Voice 945-1137 Facsimile