

# Memorandum

**To:** BWCD BOARD OF DIRECTORS  
**From:** ERIC MANGEOT *EM*  
**CC:** CHRIS GEIGER  
**Date:** AUGUST 28, 2014  
**File:** APPLICATION – ROARING FORK OFFICE PARTNERSHIP, LLC

---

**Applicant Name:** Roaring Fork Office Partnership, LLC

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

**Amount:** 0.7 AF 0.033 cfs 15 gpm

**Location:** Area A A-3 Area B  Inclusion   
County: PITKIN Contiguous:   
BWCD Division: 7

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

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

**02CW77 Umbrella Plan Water Rights Applied?** Yes  No  **Cost:** \$2,000

This application is to cover depletions associated with a single family dwelling and 12,196.8 square feet (0.28 acres) of lawn and landscape irrigation on a property adjacent to the Roaring Fork Golf Club (RFC) in Pitkin County, Colorado (Parcel ID 246717330002). The physical address of the property is 24398 Highway 82, Basalt and is 0.923 acres. The property currently serves as an administration office for RFC and is covered by a private augmentation plan (95CW357 / BWCD Contract No. 271); however the parcel is now being converted to a residential site. Total depletions are 0.7 acre-feet (AF) as estimated by Resource Engineering, Inc. and is located in Division 7 of the District.

Diversions are to be from an existing well (Permit No. 50083-F) located in the SE1/4 SW1/4 of Section 17, Township 8 South, Range 86 West, of the 6<sup>th</sup> P.M. at a point 1,100 feet from the South section line and 2,600 feet from the West section line. The well is currently known as the RFC Well No. 7. The Applicant will need to obtain a new well permit to cover the new uses.

A copy of the water requirement table is attached along with a BWCD map showing the location of the property.

Water User :	Roaring Fork Office Partnership, LLC
Analysis Date :	August 28, 2014
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 GNM	
	(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	0.033	0.000	0.000	0.000	0.000	0.033	0.005	0.000	0.000	0.000	0.000	0.005	0.038	GNM
February	0.030	0.000	0.000	0.000	0.000	0.030	0.005	0.000	0.000	0.000	0.000	0.005	0.038	GNM
March	0.033	0.000	0.000	0.000	0.000	0.033	0.005	0.000	0.000	0.000	0.000	0.005	0.038	GNM
April	0.032	0.000	0.018	0.000	0.000	0.050	0.005	0.000	0.014	0.000	0.000	0.021	0.041	GNM
May	0.033	0.000	0.130	0.000	0.000	0.163	0.005	0.000	0.104	0.000	0.000	0.120	0.071	GNM
June	0.032	0.000	0.166	0.000	0.000	0.199	0.005	0.000	0.133	0.000	0.000	0.152	0.089	GNM
July	0.033	0.000	0.157	0.000	0.000	0.190	0.005	0.000	0.126	0.000	0.000	0.144	0.087	GNM
August	0.033	0.000	0.094	0.000	0.000	0.128	0.005	0.000	0.075	0.000	0.000	0.088	0.071	GNM
September	0.032	0.000	0.086	0.000	0.000	0.118	0.005	0.000	0.069	0.000	0.000	0.081	0.066	GNM
October	0.033	0.000	0.025	0.000	0.000	0.059	0.005	0.000	0.020	0.000	0.000	0.028	0.046	GNM
November	0.032	0.000	0.000	0.000	0.000	0.032	0.005	0.000	0.000	0.000	0.000	0.005	0.038	GNM
December	0.033	0.000	0.000	0.000	0.000	0.033	0.005	0.000	0.000	0.000	0.000	0.005	0.038	GNM
TOTALS -->	0.392	0.000	0.677	0.000	0.000	1.069	0.059	0.000	0.542	0.000	0.000	0.661	0.661	

**Assumptions**

	(1) NUMBER OF RESIDENCES	(2) Commercial/Other Demand (af)	(3) Sq. Ft. of Lawn Irrigated Lawn Application Rate (af/ac)	(4) Acres of Crop Irrigated Crop Application Rate (af/ac)	(5) # of Livestock @ 11 gals/day		(7) % CU for Domestic/Commercial	(9) % Lawn Irrig. Efficiency Consumption of Irrig. (af/ac)	(10) % Crop Irrig. Efficiency Consumption of Irrig. (af/ac)	(9-10) Elevation (feet)
					(6) # persons/residence	(7) % CU for Domestic/Commercial				
	1	0.000	12,196.8	0.00	1	0				
	3.5	0.000	2,439	0.000	3.5	15				
	100	0.000		0.000	100	80				
		Office		6688		1.951				

\*(12), (13) Total Includes 5% Transit Loss  
10% from Green Min.

Area A-3  
Well Type A  
Permit No. 50083-F  
Roaring Fork River

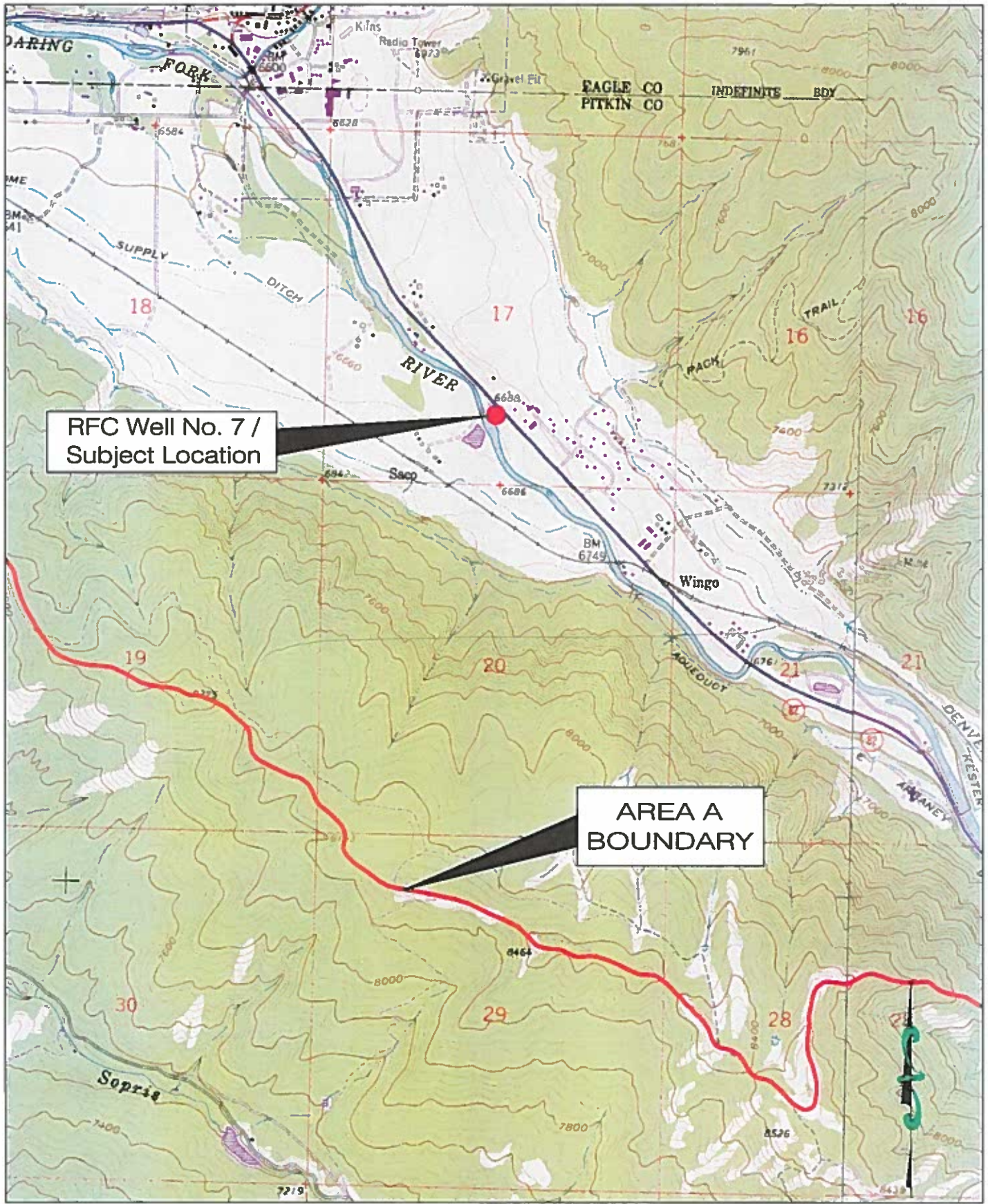
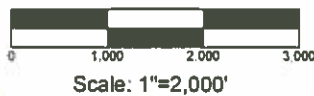


Figure 1: Roaring Fork Office Partnership, LLC

Basalt Water Conservancy District

File: 033-7.2  
Date: 08/28/14



**RESOURCE ENGINEERING, INC.**  
 909 Colorado Avenue  
 Glenwood Springs, CO 81801  
 (970) 945-6777 Voice 945-1137 Facsimile



August 27, 2014

Scott C. Miller  
shareholder  
miller@waterlaw.com

reply to Aspen office  
licensed in CO

Ms. Melody Morris  
Basalt Water Conservancy District  
c/o Resource Engineering, Inc.  
909 Colorado Avenue  
Glenwood Springs, CO 81601

*Via Email & US Mail*

RE: Basalt Water Conservancy District Water Allotment Contract (our file #375F)

ASPEN OFFICE  
197 Prospector Drive  
Suite 2104 A  
Aspen, CO 81611  
T. 970.920.1030  
F. 970.925.6647

BASALT OFFICE  
Waterlaw Riverwalk  
229 Midland Avenue  
Basalt, CO 81621  
T. 970.920.1030  
F. 970.927.1030

DENVER OFFICE  
999 18th Street  
30th Floor  
Denver, CO 80202  
T. 303.893.9700  
F. 303.893.7500

PHOENIX OFFICE  
2415 E. Camelback  
Suite 700  
Phoenix, AZ 85016  
T. 800.282.5458  
F. 970.927.1030

TULSA, OK OFFICE  
7633 E. 63rd Place  
Suite 300-18  
Tulsa, OK 74133  
T. 800.282.5458  
F. 970.927.1030

www.waterlaw.com  
Professional Corp.

Dear Melody:

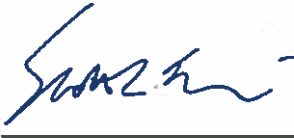
Enclosed is an application for a water allotment contract for the Roaring Fork Office Partnership, LLC. The application is for a new contract for RFC Well No. 7 to augment one single-family home and 15,000 square feet of irrigation. The applicant would like this contract to be covered under the BWCD Umbrella Plan. We also enclose a check for \$600 for the application fee.

This well was previously decreed in Case No. 95CW357 as a commercial well for the Roaring Fork Club. However, the parcel is now being converted to a residential site, and thus, the club will be abandoning the previous water right.

Thank you, and if there is anything else you need in order to process this application, please let me know.

Very truly yours,

Patrick | Miller | Kropf | Noto  
A Professional Corporation

By:   
Scott C. Miller  
[miller@waterlaw.com](mailto:miller@waterlaw.com)

SCMrlm  
Enclosure  
cc: Ms. Karen Baxter  
Ms. Britt Choate

# Pitkin County Assessor

## Parcel Detail Information

[Assessor Property Search](#) | 
 [Assessor Subset Query](#) | 
 [Assessor Sales Search](#)  
[Clerk & Recorder Reception Search](#) | 
 [Treasurer Tax Search Search](#)  
[GIS Map](#) | 
 [GIS Help](#)

[Basic Building Characteristics](#) | 
 [Value Summary](#)

[Parcel Detail](#) | 
 [Value Detail](#) | 
 [Sales Detail](#) | 
 [Residential/Commercial Improvement Detail](#)  
[Owner Detail](#) | 
 [Land Detail](#) | 
 [Photographs](#)

Tax Area	Account Number	Parcel Number	Property Type	2013 Mill Levy
028	R016512	246717330002	COMMERCIAL	83.855

### Primary Owner Name and Address

ROARING FORK PTNS LLP
PO BOX 620
BASALT, CO 81621

[Additional Owner Detail](#)

### Business Name

ADMINISTRATION OFFICE
-----------------------

### Legal Description

Subdivision: ROARING FORK CLUB PUD Block: 2 Lot: 2 ADMINISTRATION OFFICE
---

### Location

Physical Address:	24398 HWY 82 BASALT
Subdivision:	ROARING FORK CLUB PUD
Land Acres:	0.923
Land Sq Ft:	0

### 2014 Property Value Summary

	Actual Value	Assessed Value
<b>Land:</b>	400,000	116,000
<b>Improvements:</b>	927,100	268,860
<b>Total:</b>	1,327,100	384,860

<b>Sale Date:</b>	
<b>Sale Price:</b>	

#### [Additional Sales Detail](#)

#### Basic Building Characteristics

<b>Number of Residential Buildings:</b>	0
<b>Number of Comm/Ind Buildings:</b>	1

Commercial/Industrial Building Occurrence 0 Characteristics	
<b>OFFICE BASALT:</b>	5,674
<b>OFFICE BASEMENT WAREHOUS:</b>	2,150
<b>Total Area:</b>	7,824
<b>Property Class:</b>	OFFICES-IMPROVEMENTS
<b>Actual Year Built:</b>	1997
<b>Effective Year Built:</b>	1997
<b>Quality of Construction:</b>	GOOD-BASE
<b>Exterior Wall:</b>	GOOD BASE
<b>Interior Wall:</b>	GOOD-BASE
<b>Neighborhood:</b>	ROARING FORK CLUB COMMERCIAL

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

**1. Applicant's Contact Information**

- a. Name: Roaring Fork Office Partnership, LLC
- b. Mailing Address: P.O. Box 620  
Basalt, CO 81621
- c. Street Address: 24398 Hwy 82 #Office  
Basalt, CO 81621
- d. Telephone Numbers: (970) 927-1100
- e. Email Address: [kbaxter@rfclub.com](mailto:kbaxter@rfclub.com)
- f. If Applicant is represented by an Attorney, please provide the Attorney's contact information, including name, address, telephone, and email:

Scott C. Miller, Esq.  
229 Midland Ave.  
Basalt, CO 81621  
(970) 920-1028  
[miller@waterlaw.com](mailto:miller@waterlaw.com)

- g. Emergency Local Contact Information, including name, address, telephone, and email:

Chris Wilson  
RFC Golf Course Superintendent  
P.O. Box 5460  
Basalt, CO 81621  
(970) 927-6060  
cwilson@rfclub.com

h. Contact Information of property manager, caretaker, irrigator, system operator, or agent who should be provided a copy of this contract, including name, address, telephone, and email: NA.

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 and address of property on which District's water rights and/or contract water will be used (attach map and vesting deed with proof of ownership)\*: See attached deed.
4. Elevation 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):

Name of Diversion: RFC Well No. 7.

Type of Diversion: Well (e.g., a well, spring, ditch, pipeline, etc.)

Legal Description: SE Quarter, SW Quarter, Section 17, Township 8 South, Range 86 West, of the 6<sup>th</sup> Principal Meridian, at a location 1100 feet from the south section line and 2600 feet from the west section line.

UTM Coordinates (NAD 83):

Northing: 4357890.

Easting: 325954.

Zone 12 /  Zone 13. From CDSS

If diversion point is a well, please provide the Well Permit No. 50083-F (Applicant will apply for a new permit pursuant to this contract).

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. Legal Water Supply: (please check one)

Applicant requests consideration by the District to be included in the District's Umbrella Plan for Augmentation decreed in Case No. 02CW77.\*

\*Note: Certain applicants may qualify to be included in the District's Umbrella Plan at the District's discretion. In order to be included in the District's Umbrella Plan, the Applicant's depletions must occur within the District's defined "Area A" and the Applicant must reimburse the District its *pro rata* share of the District's expenses in obtaining the Umbrella Plan decree. Costs of reimbursement are contingent upon location and intensity of the uses, and range from \$1,200 for contractees with less than 2 units (EQRs) in certain areas, to \$5,000 for more than 8 EQRs in Area A-3 (generally the Roaring Fork drainage above its confluence with the Fryingpan Rivers).

Applicant will obtain its own plan for augmentation by applying to the Water Court, Water Division 5 within 2 years of this application. If Applicant has already applied for its own change/approval of plan for augmentation, the Water Court Case Number is: \_\_\_\_\_.

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 four of this application.
- Commercial (hotel, office, warehouse, restaurant, bar, retail). Please complete page five of this application.
- Industrial (gravel pit, manufacturing). Please complete page six of this application.
- Agricultural (crop irrigation, stock watering). Please complete page seven of this application.

Date on which the county or other applicable governmental entities approved the land use for which you seek legal water service: NA. Property is currently zoned commercial, but is in the process of being converted to residential zoning through the Town of Basalt.

9. What other water rights are associated with or used on the property? None.
10. What other uses of water occur on the property? None.

Please complete the section below if you selected domestic/municipal use on Page 3,  
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: \_\_\_\_\_

Mobile Home(s) Number of Units: \_\_\_\_\_

#### Irrigation (lawns, parks, open space)

Total area to be irrigated 12,196.8 Sq. Ft. or \_\_\_\_\_ Acres

Type of irrigation system (please check)

X  Sprinkler

\_\_\_\_\_ Flood (irrigation ditch)

#### Domestic stock watering (cattle, horses)

Number of animals:

Period of use (months):

Other domestic/municipal uses not listed: NA



**SPECIAL WARRANTY DEED**

THIS DEED, made this 25<sup>th</sup> day of August, 1997, between Roaring Fork Club, L.P., of the County of Pitkin, State of Colorado, grantor, and Roaring Fork Office Partnership, LLP, whose legal address is Post Office Box 1669, Basalt, Colorado 81621, of the County of Pitkin, State of Colorado, grantee:

*no consideration*

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 granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Pitkin, State of Colorado, described as follows:


Lot 2, Block 2, Roaring Fork Club Planned Unit Development, Town of Basalt, Pitkin County, Colorado, according to the plat thereof recorded in the records of the Pitkin County Clerk and Recorder in Plat Book 43 at Page 55.

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 except for:

See Exhibit A, attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the grantee, its heirs and assigns forever. And the grantor, for itself, its heirs and personal representatives, does covenant, grant, and agree that it shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, its heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor.

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

ROARING FORK CLUB, LP  
By: WILHELM FAMILY LIMITED PARTNERSHIP, General Partner  
By: FORSYTHE WEST INVESTMENT, INC., General Partner  
By:   
David A. Wilhelm, President

  
488475 00/18/1997 03:38P SPEC WD DAVIS SILVI  
1 of 3 R 16.00 D 0.00 N 0.00 PITKINCO COLORADO

**EXHIBIT A**  
**EXCEPTIONS TO TITLE AND RESERVATIONS**

1. Ad valorem taxes for 1996, due and payable in 1997.
2. Right of the proprietor of a vein or lode to extract or remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted as reserved in United States Patent recorded June 29, 1894 in book 55 at Page 47.
3. An undivided one-third of all oil, gas and other minerals in the subject lands, together with the right to enter upon the same to explore, drill, mine and remove the same, upon payment of surface damages, as set forth in instrument recorded March 17, 1959 in Book 187 at Page 94, and any and all assignments thereof.
4. Easement and right of way for an electric transmission or distribution line or system, as granted to Colorado-Ute Electric Association, Inc., in instrument recorded August 16, 1963 in Book 203 at Page 344 and November 8, 1963 in Book 204 at Page 543.
5. Easement and right of way as granted to The Mountain States Telephone and Telegraph Company in instrument recorded August 26, 1971 in Book 257 at Page 420.
6. All matters set forth on the final plat of the Roaring Fork Club Planned Unit Development, Town of Basalt, Pitkin County, Colorado, according to the plat thereof recorded in the records of the Pitkin County Clerk and Recorder in Plat Book 43 at Page 55.
7. Reservations. Grantor hereby reserves to itself and its successors and assigns the following:
  - (a) A nonexclusive easement for grading, drainage, irrigation, bridges, retaining walls, signage, fencing and landscaping purposes located adjacent to and along each side of all roadways and cart paths which may be constructed within Lot 2 of the Roaring Fork Club South Minor Subdivision by Grantor for the purpose of installation, maintenance, repair and replacement of the grade, drainage, bridges and retaining walls within and part of the roadways and cart paths.
  - (b) A nonexclusive easement over and across those portions of Lot 2, Roaring Fork Club South Minor Subdivision, as may be required for the installation, construction and maintenance of utilities, retaining walls, drainage structures, water tanks and other facilities of the Roaring Fork Club to be constructed by or at the direction of Grantor within said lot, including vehicular access for those purposes.

E:\DJ\MR\FCRFC-Special Warranty Deed RFOP

- 3 -

  
408475 09/16/1997 03:30P SPEC MD DAVIS SILVI  
3 of 3 R 10.00 D 0.00 N 0.00 PITKINCO COLORADO



Colorado Secretary of State  
 Date and Time: 12/31/2012 07:44 AM  
 ID Number: 20021182310  
 Document number: 20121722686  
 Amount Paid: \$1.00

Document must be filed electronically.  
 Paper documents are not accepted.  
 Fees & forms are subject to change.  
 For more information or to print copies  
 of filed documents, visit [www.sos.state.co.us](http://www.sos.state.co.us).

ABOVE SPACE FOR OFFICE USE ONLY

**Statement of Conversion**

filed pursuant to § 7-90-201.7 (3) of the Colorado Revised Statutes (C.R.S.)

1. For the converting entity, its ID number (if applicable), entity name or true name, form of entity, jurisdiction under the law of which it is formed, and principal address are

ID number	<u>20021182310</u> <i>(Colorado Secretary of State ID number)</i>
Entity name or true name	<u>ROARING FORK OFFICE PARTNERSHIP, LLP</u>
Form of entity	<u>Limited Liability Partnership</u>
Jurisdiction	<u>Colorado</u>
Street address	<u>24398 Highway 82</u> <i>(Street number and name)</i>
	<u>Basalt</u> <u>CO</u> <u>81621</u> <i>(City) (State) (ZIP/Postal Code)</i>
	<u>United States</u> <i>(Province – if applicable) (Country)</i>
Mailing address (leave blank if same as street address)	<u>P. O. Box 620</u> <i>(Street number and name or Post Office Box information)</i>
	<u>Basalt</u> <u>CO</u> <u>81621</u> <i>(City) (State) (ZIP/Postal Code)</i>
	<u>United States</u> <i>(Province – if applicable) (Country)</i>

2. The entity name of the resulting entity is ROARING FORK OFFICE PARTNERSHIP, LLC  
*(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)*

3. The converting entity has been converted into the resulting entity pursuant to section 7-90-201.7, C.R.S.

4. *(If applicable, adopt the following statement by marking the box and include an attachment.)*

This document contains additional information as provided by law.

5. *(Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)*

*(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)*

The delayed effective date and, if applicable, time of this document are \_\_\_\_\_  
*(mm/dd/yyyy hour:minute am/pm)*

**Notice:**

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that such document is such individual's act and deed, or that such individual in good faith believes such document is the act and deed of the person on whose behalf such individual is causing such document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S. and, if applicable, the constituent documents and the organic statutes, and that such individual in good faith believes the facts stated in such document are true and such document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is identified in this document as one who has caused it to be delivered.

6. The true name and mailing address of the individual causing this document to be delivered for filing are

<u>Veraldi</u>	<u>Lisa</u>		
<i>(Last)</i>	<i>(First)</i>	<i>(Middle)</i>	<i>(Suffix)</i>
<u>555 17th Street</u>			
<i>(Street number and name or Post Office Box information)</i>			
<u>Suite 3200</u>			
<u>Denver</u>	<u>CO</u>	<u>80202</u>	
<i>(City)</i>	<i>(State)</i>	<i>(ZIP/Postal Code)</i>	
<u>United States</u>			
<i>(Province – if applicable)</i>	<i>(Country)</i>		

*(If applicable, adopt the following statement by marking the box and include an attachment.)*

- This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

**Disclaimer:**

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).





Colorado Secretary of State  
 Date and Time: 12/31/2012 07:44 AM  
 ID Number: 20021182310  
 Document number: 20121722686  
 Amount Paid: \$1.00

Document must be filed electronically.  
 Paper documents are not accepted.  
 Fees & forms are subject to change.  
 For more information or to print copies  
 of filed documents, visit [www.sos.state.co.us](http://www.sos.state.co.us).

ABOVE SPACE FOR OFFICE USE ONLY

**Articles of Organization**

filed pursuant to § 7-80-203 and § 7-80-204 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name of the limited liability company is

**ROARING FORK OFFICE PARTNERSHIP, LLC**

*(The name of a limited liability company must contain the term or abbreviation "limited liability company", "ltd. liability company", "limited liability co.", "ltd. liability co.", "limited", "l.l.c.", "llc", or "ltd.". See §7-90-601, C.R.S.)*

*(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)*

2. The principal office address of the limited liability company's initial principal office is

Street address **24398 Highway 82**  
*(Street number and name)*

**Basalt** **CO** **81621**  
*(City) (State) (ZIP/Postal Code)*  
**United States**  
*(Province - if applicable) (Country)*

Mailing address **P. O. Box 620**  
 (leave blank if same as street address) *(Street number and name or Post Office Box information)*

**Basalt** **CO** **81621**  
*(City) (State) (ZIP/Postal Code)*  
**United States**  
*(Province - if applicable) (Country)*

3. The registered agent name and registered agent address of the limited liability company's initial registered agent are

Name **Myler David J.**  
 (if an individual) *(Last) (First) (Middle) (Suffix)*

or

(if an entity)  
*(Caution: Do not provide both an individual and an entity name.)*

Street address **211 Midland Avenue**  
*(Street number and name)*

**Suite 201**  
**Basalt** **CO** **81621**  
*(City) (State) (ZIP Code)*

Mailing address (leave blank if same as street address) *(Street number and name or Post Office Box information)*

\_\_\_\_\_  
(City) CO (State) \_\_\_\_\_ (ZIP Code)

(The following statement is adopted by marking the box.)

The person appointed as registered agent has consented to being so appointed.

4. The true name and mailing address of the person forming the limited liability company are

Name  
(if an individual) Light James W.  
(Last) (First) (Middle) (Suffix)

or

(if an entity)  
(Caution: Do not provide both an individual and an entity name.)

Mailing address 24398 Highway 82  
(Street number and name or Post Office Box information)  
Basalt CO 81621  
(City) (State) (ZIP/Postal Code)  
United States  
(Province - if applicable) (Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

The limited liability company has one or more additional persons forming the limited liability company and the name and mailing address of each such person are stated in an attachment.

5. The management of the limited liability company is vested in

(Mark the applicable box.)

one or more managers.

or

the members.

6. (The following statement is adopted by marking the box.)

There is at least one member of the limited liability company.

7. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains additional information as provided by law.

8. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are \_\_\_\_\_  
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

9. The true name and mailing address of the individual causing the document to be delivered for filing are

<u>Veraldi</u>	<u>Lisa</u>		
<i>(Last)</i>	<i>(First)</i>	<i>(Middle)</i>	<i>(Suffix)</i>
<u>555 17th Street</u>			
<i>(Street number and name or Post Office Box information)</i>			
<u>Suite 3200</u>			
<u>Denver</u>	<u>CO</u>	<u>80202</u>	
<i>(City)</i>	<i>(State)</i>	<i>(ZIP/Postal Code)</i>	
<u></u>	<u>United States</u>	<u></u>	
<i>(Province – if applicable)</i>	<i>(Country)</i>		

*(If the following statement applies, adopt the statement by marking the box and include an attachment.)*

- This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

**Disclaimer:**

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).

Form No.  
GWS-25

OFFICE OF THE STATE ENGINEER  
COLORADO DIVISION OF WATER RESOURCES

818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203  
(303) 866-3581

LIC

WELL PERMIT NUMBER	<u>050083</u>	<u>F</u>
DIV. 5	CNTY. 49	WD 38
DES. BASIN		MD

APPLICANT

ROARING FORK CLUB LP  
% PATRICK & STOWELL  
730 E DURANT ST  
ASPEN CO 81611-

(970)920-1028

CHANGE/EXPANSION OF USE OF EXISTING WELL

APPROVED WELL LOCATION

PITKIN COUNTY

SE 1/4 SW 1/4 Section 17  
Twp 8 S RANGE 86 W 6th P.M.

DISTANCES FROM SECTION LINES

1100 Ft. from South Section Line  
2600 Ft. from West Section Line

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT  
CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-90-137(2) and the Decision of the State Engineer in Hearing case no. 97-SE-19. Approved for the change/expansion of use of an existing well, 47783-F (canceled), appropriating ground water tributary to the Roaring Fork River, as an alternate point of diversion to the Basalt Conduit, on the condition that the well shall be operated only when the Basalt Water Conservancy District's substitute water supply plan, approved by the State Engineer, is in effect and when a water allotment contract between the well owner and the Basalt Water Conservancy District for the release of replacement water from Ruedi Reservoir is in effect, or under an approved plan for augmentation. BWCD contract #3.3.5.271.
- 4) The use of ground water from this well is limited to commercial office use on the Roaring Fork Club property. All use of this well will be curtailed unless the water allotment contract or a plan for augmentation is in effect.
- 5) The maximum pumping rate shall not exceed 15 GPM.
- 6) The average annual amount of ground water to be appropriated shall not exceed 1.31 acre-feet. The combined average annual amount of ground water to be appropriated by all wells operating under BWCD contract #3.3.5.271 shall not exceed 51.63 acre-feet.
- 7) A totalizing flow meter must be installed on this well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (recorded at least annually) and submitted to the Division Engineer upon request.
- 8) The well must be located not more than 200 feet from the location specified on this permit, and not less than 600 feet from any existing well, excluding the wells identified in Hearing 97-SE-19.
- 9) The owner shall mark the well in a conspicuous place with well permit number(s), name of the aquifer, and court case number(s) as appropriate. The owner shall take necessary means and precautions to preserve these markings. JD 6-16-98

APPROVED  
JD2

*Hal D. Simpson*  
State Engineer

*Jeff Deaton*  
By

Receipt No. 0417965

DATE ISSUED JUN 17 1998

EXPIRATION DATE JUN 17 1999