



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: FEBRUARY 23, 2015  
File: APPLICATION – KW GLENWOOD SPRINGS, LLC

**Applicant Name:** KW Glenwood Springs, LLC

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

**Amount:** 0.9 AF 0.033 cfs 15 gpm

**Location:** Area A A-4 Area B \_\_\_\_\_ Inclusion \_\_\_\_\_  
County: GARFIELD Contiguous: \_\_\_\_\_  
BWCD Division: 1

**Mid Valley Metro District Notice Required?** Yes \_\_\_\_\_ No X

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

**02CW77 Umbrella Plan Water Rights Applied?** Yes X No \_\_\_\_\_ **Cost:** \$1,200

This application is to cover depletions associated with a 27,000 square feet commercial warehouse facility and 15,540 square feet of lawn and landscape irrigation for a proposed lot to be located within a portion of "Parcel 2A" as set forth on certain "Eastbank Parcel 2 Lot Split" plat recorded on January 19, 2012 as Reception No. 813402 and situated in the south half of Section 35, Township 6 South, Range 89 West of the 6<sup>th</sup> P.M. in Garfield County, Colorado (Parcel No. 218535304001). Total depletions are 0.9 acre-feet (AF) as estimated by Resource Engineering, Inc. The property is currently owned by Eastbank, LLC and is located in Division 1 of the District. However, as part of the contract application, the Applicant has submitted a letter from Eastbank, LLC receiving permission to obtain a District water allotment on their property for the proposed commercial uses.

Diversions are to be from a proposed well to be located in the NE1/4 SW1/4 of Section 35, Township 6 South, Range 85 West, of the 6<sup>th</sup> P.M. at a point 2,410 feet from the South section line and 2,560 from the West section line.

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

Water User :	KW Glenwood Springs, LLC
Analysis Date :	February 23, 2015
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					*(13) Delayed Depletions	(13) 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	0.000	0.021	0.000	0.000	0.000	0.021	0.000	0.003	0.000	0.000	0.000	0.003	0.049	GNM
February	0.000	0.019	0.000	0.000	0.000	0.019	0.000	0.003	0.000	0.000	0.000	0.003	0.049	GNM
March	0.000	0.021	0.000	0.000	0.000	0.021	0.000	0.003	0.000	0.000	0.000	0.003	0.049	GNM
April	0.000	0.020	0.043	0.000	0.000	0.063	0.000	0.003	0.035	0.000	0.000	0.041	0.054	GNM
May	0.000	0.021	0.178	0.000	0.000	0.198	0.000	0.003	0.142	0.000	0.000	0.160	0.093	GNM
June	0.000	0.020	0.216	0.000	0.000	0.236	0.000	0.003	0.173	0.000	0.000	0.193	0.116	GNM
July	0.000	0.021	0.208	0.000	0.000	0.229	0.000	0.003	0.167	0.000	0.000	0.187	0.114	GNM
August	0.000	0.021	0.128	0.000	0.000	0.149	0.000	0.003	0.103	0.000	0.000	0.116	0.093	GNM
September	0.000	0.020	0.117	0.000	0.000	0.137	0.000	0.003	0.094	0.000	0.000	0.106	0.087	GNM
October	0.000	0.021	0.047	0.000	0.000	0.068	0.000	0.003	0.038	0.000	0.000	0.045	0.061	GNM
November	0.000	0.020	0.000	0.000	0.000	0.020	0.000	0.003	0.000	0.000	0.000	0.003	0.050	GNM
December	0.000	0.021	0.000	0.000	0.000	0.021	0.000	0.003	0.000	0.000	0.000	0.003	0.049	GNM
TOTALS -->	0.000	0.244	0.937	0.000	0.000	1.181	0.000	0.037	0.750	0.000	0.000	0.865	0.865	

Assumptions		Area A-4 Well Type A Alluvial Well To Be Drilled Roaring Fork River	
(1)	(5)	(7)	(9)
NUMBER OF RESIDENCES	0	# of Livestock @ 11 gals/day	0
# persons/residence	3.5	% CU for Domestic/Commercial	15
# gallons/person/day	100	% Lawn Irrig. Efficiency Consumption of Irrig. (af/ac)	80
Commercial/Other Demand (af)	0.000	% Crop Irrig. Efficiency Consumption of Irrig. (af/ac)	2.151
<b>14.5 Employees @ 15 gpd</b> <i>(data from Applicant's Engineer)</i>	<b>0.244 AF</b>	Elevation (feet)	5960
Sq. Ft. of Lawn Irrigated	15,450	*(12), (13) Total Includes 6% Transit Loss 10% from Green Mtn.	
Lawn Application Rate (af/ac)	2.689		
Acreage of Crop Irrigated	0.00		
Crop Application Rate (af/ac)	0.000		

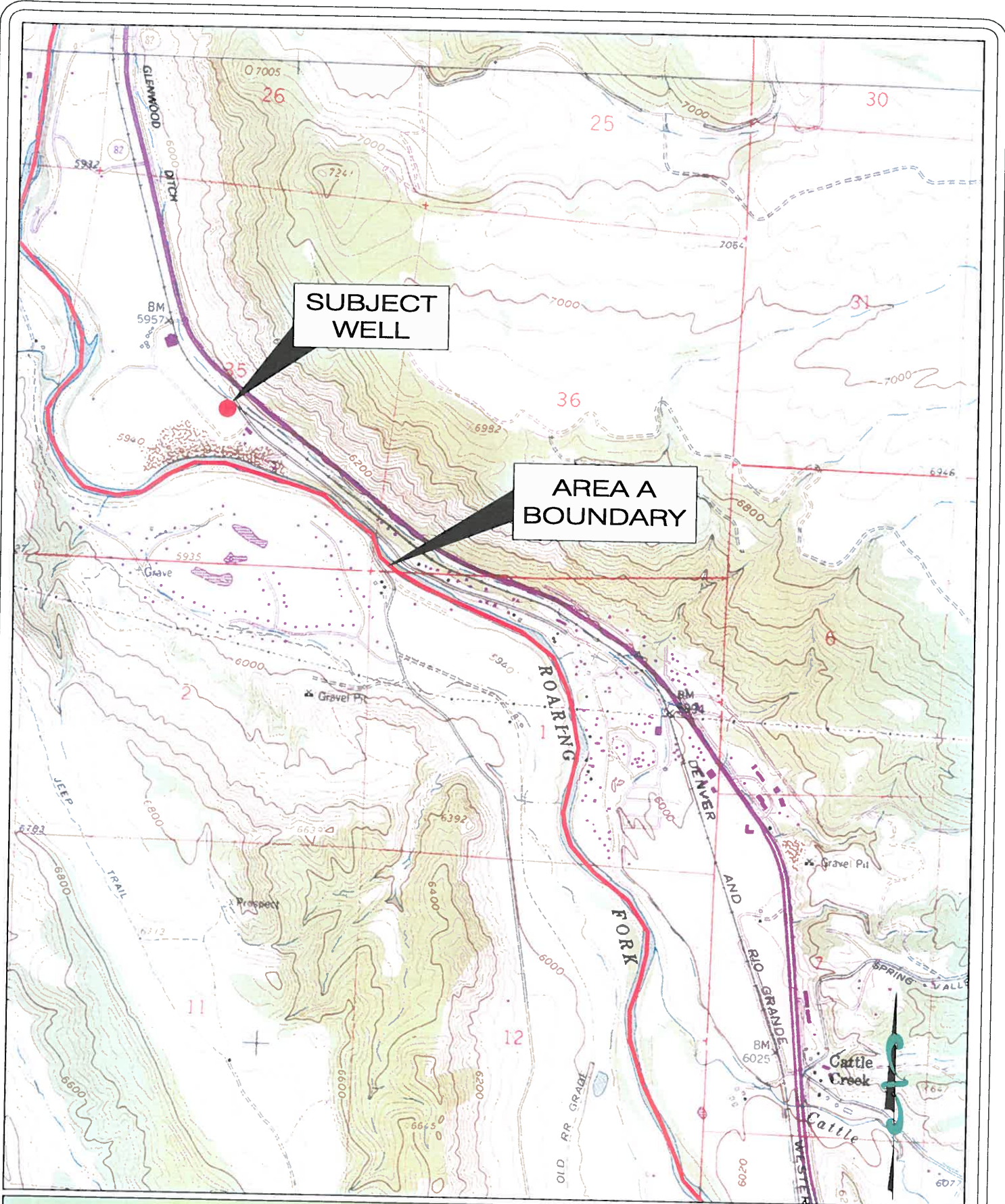
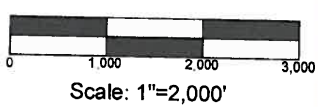


Figure 1: KW Glenwood Springs, LLC File: 033-7.2 Date: 02/23/15

Basalt Water Conservancy District



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



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

1. Applicant(s) Contact Information

- a. Name: KW Glenwood Springs LLC
- b. Mailing Address: 2525 E. Broadway, Suite 201  
Tucson, AZ 85716
- c. Street Address: (Same)
- d. Telephone Numbers: (619) 435-1614
- e. Email Address: [kevin@thekiernancompanies.com](mailto:kevin@thekiernancompanies.com)
- f. If Applicant is represented by an Attorney, please provide the Attorney's contact information, including name, address, telephone, and email:  
Nicole Garrimone-Campagna  
420 Seventh Street, Suite 100  
Glenwood Springs, CO 81601  
(970) 947-1936  
[ngarrimone@garfieldhecht.com](mailto:ngarrimone@garfieldhecht.com)
- g. Emergency Local Contact Information, including name, address, telephone, and email:  
Nicole Garrimone-Campagna  
420 Seventh Street, Suite 100  
Glenwood Springs, CO 81601  
(970) 947-1936  
[ngarrimone@garfieldhecht.com](mailto:ngarrimone@garfieldhecht.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:  
N/A

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

Commercial warehouse and distribution center

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)\*:

Applicant has a leasehold interest in the property, described as follows:

Part of Parcel 2A

EASTBANK PARCEL 2 LOT SPLIT

According to the plat filed January 18, 2012 at Reception No. 813402

County of Garfield, State of Colorado

(The exact legal description will be created upon minor subdivision approval by Garfield County, at which point we believe the description will be: Lot 1, Eastbank, LLC Minor Subdivision.)

4. Elevation of property:  X  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:  KW Well

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

Legal Description: NE Quarter, SW Quarter, Section 35, Township 6 S, Range 89 W, of the 6<sup>th</sup> Principal Meridian, at a location 2410 feet from the South Section line and 2560 feet from the West Section line, Garfield County.

UTM Coordinates (NAD 83):

Northing: 4373132.305

Easting: 302595.497

\_\_\_\_\_ Zone 12 /  X  Zone 13.

If diversion point is a well, please provide the Well Permit No. (to be issued after BWCD contract).

Is the well operational/active? \_\_\_\_\_ Yes, X No

Is there currently an operating well meter? \_\_\_\_\_ Yes, X No

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

6. Legal Water Supply: (please check one)

X 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

X 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: Applicant is applying for such land use approvals. Proof of legal water supply is required prior to County approval. (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.
10. What other uses of water occur on the property? None.

Please complete this page if you selected agricultural use on Page 3, 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:



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: _____
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 \_\_\_\_\_ 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 selected commercial use on Page 3, No. 8

COMMERCIAL WATER USES

In-House

Hotel: \_\_\_\_\_

Office(s), square footage: \_\_\_\_\_

Warehouse/distributor, square footage: 27,000 square feet

Retail, square footage: \_\_\_\_\_

Restaurant, number of seats: \_\_\_\_\_

Bar, number of seats: \_\_\_\_\_

Irrigation (lawns, parks, open space)

Total area to be irrigated 15,450 Sq. Ft. or \_\_\_\_\_ Acres

Type of irrigation system (please check)

  X   Sprinkler

       Flood (irrigation ditch)

Other Commercial Uses Not Listed:     Fire protection

Please complete this page if you selected industrial use on Page 3, No. 8

### 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)

**VERIFICATION**

STATE OF Colorado )  
COUNTY OF San Miguel ) ss.

I, Kevin Kiernan (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.

KW Glenwood Springs, LLC,  
an Arizona limited liability company

By: KMK FX, LLC, an Arizona limited liability company, Manager

By: Four Pine, LLC, an Arizona limited liability company, Member

Date: 2.13.15

By: [Signature]  
Kevin M. Kiernan, Manager

Subscribed and sworn before me this 13<sup>th</sup> day of February, 2015 by Kevin M. Kiernan

Witness my hand and seal.  
My commission expires:

[Signature]  
Notary Public

My Commission Expires  
September 06, 2015

