RESOURCE ENGINEERING INC.

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

To: BWCD BOARD OF DIRECTORS

From: ERIC MANGEOT

CC: CHRIS GEIGER

Date: MARCH 21, 2016

File: APPLICATION

Applicant Name: Barbara Starkey Living Trust

Type of Use: Domestic __X__ Commercial _____
Industrial _____ Agricultural _____

Amount: __3.2__ AF ___ cfs ___ gpm (15 gpm; 0.033 cfs APOD claimed in 87CW155)

Location: Area A __A-3__ Area B _____ Inclusion __X__
County: __PITKIN__ Contiguous: __No__ (To Division Boundary)
BWCD Division: __7__

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:** __$2,000__

This application is to cover depletions associated with a caretaker unit (1 EQR) and 65,340 square feet (~ 1.50 acres) of lawn and landscape irrigation and 4 livestock on a property owned by the Barbara Starkey Living Trust (Applicant). Total contract depletions are 3.2 acre-feet as shown on the attached table.

The property required inclusion into the District as it is located outside of the Division 7 boundary. However, the property was previously included as part of BWCD Contract No. 60a. Contract 60a covers a single family dwelling and 2,500 square feet of lawn and landscape irrigation and is a part of the 87CW155 batch plan decree. This contract seeks additional uses under the District's Umbrella Plan decree 02CW77.

The Applicant's property is a 15.88 acre parcel in Pitkin County, Colorado. The parcel is known as Lot C of the Aspen River Valley Ranch Subdivision (Parcel No. 264726100001). The physical address of the property is 1700 Lower River Road, Snowmass. A BWCD map is also attached showing the location of the property.

The source of water is and existing well known as the Gibbons Well No. 1 located in the NE1/4 SE1/4 of Section 26, Township 8 South, Range 86 West of the 6th P.M. at a point 2,630 feet from the South section line and 250 feet from the East section line. The Gibbons Well No. 1 was claimed as an alternate point of diversion in the 87CW155 decree.

Water User :	Barbara Starkey Living Trust
Analysis Date :	March 21, 2016
District Area:	A
Source Series:	4
Maximum Demand:	87CW155 APOD
	(GPM) (CFS)

BASALT WATER CONSERVANCY DISTRICT
WATER REQUIREMENTS
(acre feet)

	Total Demand						Consumptive Use							
Month	(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	*(13) Delayed Depletions	(14) Source of Aug/Replace
January	0.033	0.000	0.000	0.000	0.004	0.039	0.005	0.000	0.000	0.000	0.004	0.010	0.181	GNM
February	0.030	0.000	0.000	0.000	0.004	0.036	0.005	0.000	0.000	0.000	0.004	0.009	0.181	GNM
March	0.033	0.000	0.000	0.000	0.004	0.039	0.005	0.000	0.000	0.000	0.004	0.010	0.181	GNM
April	0.032	0.000	0.067	0.000	0.004	0.108	0.005	0.000	0.050	0.000	0.004	0.065	0.197	GNM
May	0.033	0.000	0.718	0.000	0.004	0.793	0.005	0.000	0.539	0.000	0.004	0.602	0.344	GNM
June	0.032	0.000	0.937	0.000	0.004	1.022	0.005	0.000	0.703	0.000	0.004	0.783	0.427	GNM
July	0.033	0.000	0.878	0.000	0.004	0.961	0.005	0.000	0.658	0.000	0.004	0.734	0.420	GNM
August	0.033	0.000	0.520	0.000	0.004	0.585	0.005	0.000	0.390	0.000	0.004	0.439	0.344	GNM
September	0.032	0.000	0.476	0.000	0.004	0.538	0.005	0.000	0.357	0.000	0.004	0.403	0.318	GNM
October	0.033	0.000	0.119	0.000	0.004	0.164	0.005	0.000	0.089	0.000	0.004	0.108	0.223	GNM
November	0.032	0.000	0.000	0.000	0.004	0.038	0.005	0.000	0.000	0.000	0.004	0.010	0.185	GNM
December	0.033	0.000	0.000	0.000	0.004	0.039	0.005	0.000	0.000	0.000	0.004	0.010	0.181	GNM
TOTALS -->	0.392	0.000	3.715	0.000	0.049	4.364	0.059	0.000	2.786	0.000	0.049	3.184	3.184	

Assumptions

(1)	NUMBER OF RESIDENCES	1		(5)	# of Livestock @ 11 gals/day	4
	# persons/residence	3.5				
	# gallons/person/day	100		(7)	% CU for Domestic/Commercial	15
(2)	Commercial/Other Demand (af)	0.000	Office	(9)	% Lawn Irrig. Efficiency	75
					Consumption of Irrig. (af/ac)	1.865
(3)	Sq. Ft. of Lawn Irrigated	65,340		(10)	% Crop Irrig. Efficiency	80
	Lawn Application Rate (af/ac)	2.487			Consumption of Irrig. (af/ac)	0.000
(4)	Acres of Crop Irrigated	0.00		(9-10)	Elevation (feet)	7000
	Crop Application Rate (af/ac)	0.000				

Area A-3
Existing Type A Well 31155-F
Roaring Fork River

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

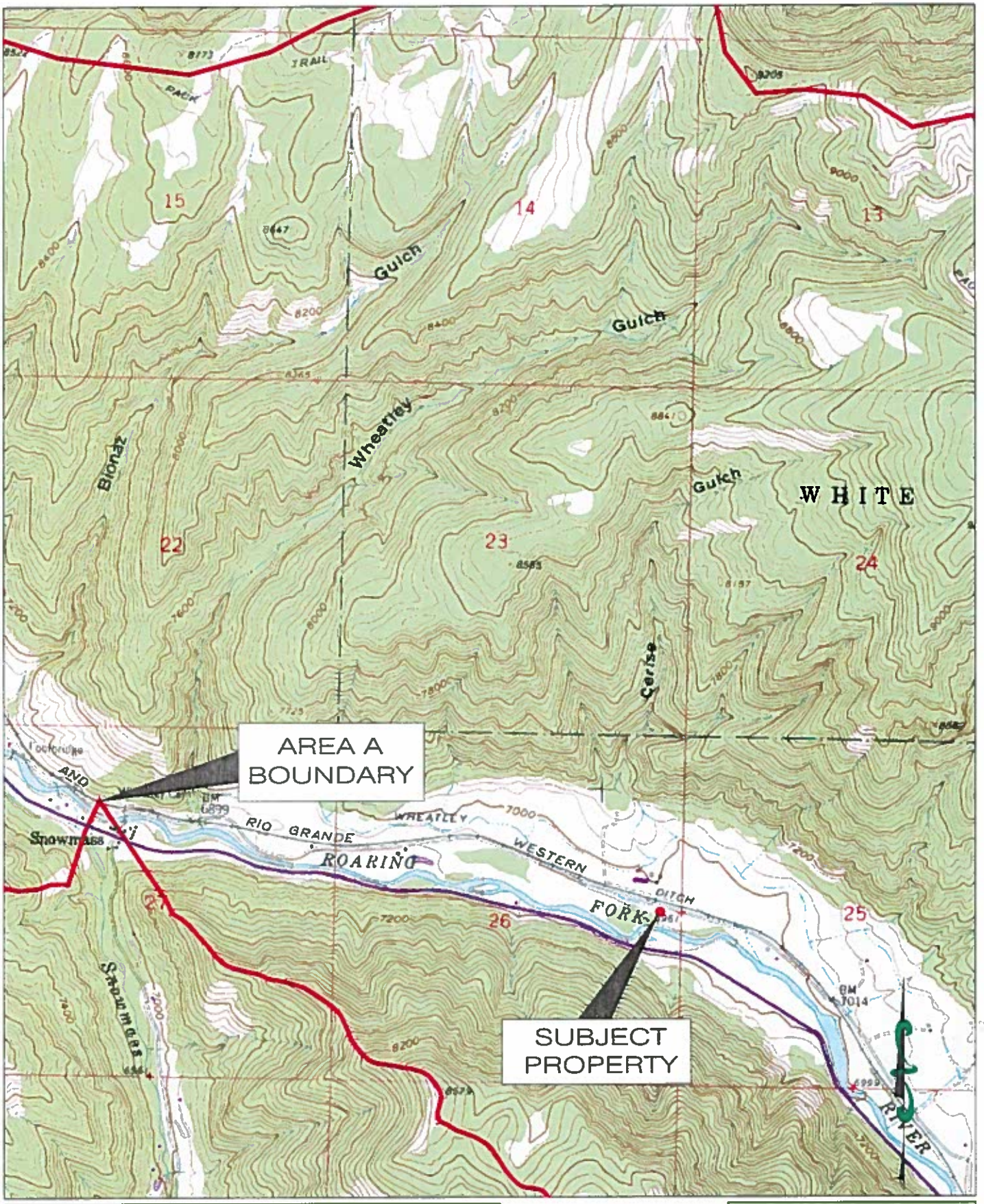

Figure 1: Barbara Starkey Living Trust

File: 033-7.2
Date: 03/21/16

Basalt Water Conservancy District

0 1,000 2,000 3,000

Scale: 1"=2,000'

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Rev. 03/13

APPLICATION FOR WATER ALLOTMENT CONTRACT
BASALT WATER CONSERVANCY DISTRICT

1. Applicant(s) Contact Information

   a. Name: **Barbara Starkey Living Trust**

   b. Mailing Address: **c/o Law Office of Bruce V. Grakal**
   1880 Century Park E., Suite 900
   Los Angeles, CA 90067.

   c. Street Address: **1700 Lower River Road, Snowmass, CO 81615.**

   d. Telephone Numbers: **(310) 917-1950.**

   e. Email Address: **sue@bvglaw.com.**

   f. If Applicant is represented by an Attorney, please provide the Attorney's contact information, including name, address, telephone, and email:

   Kevin L. Patrick
   197 Prospector Road
   Aspen, CO 81611
   (970) 920-1030
   patrick@waterlaw.com

   g. Emergency Local Contact Information, including name, address, telephone, and email: **N/A.**

   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.): **Single family home (caretaker dwelling unit) and barn.**

3. Legal description and address of property on which District's water rights and/or contract water will be used:

   A Tract of Land situate in Tracts 70 and 72, Sections 25 and 26, Township 8 South, Range 86 West of the 6th Principal Meridian, being more particularly described as follows: Beginning at a point whence A.P. 8 of Tract 71 of said Township and Range bears N 00° 08'06" E 1422.81 feet; thence S 75° 12'43"E 365.50 feet; thence S 15° 51'38" W 30.00 feet; thence S 33° 03'47" W 384.43 feet; thence S 06° 33'05" W 759.08 feet; thence N 33° 46'06" W 1751.69 feet; thence S 74° 25'43" E 960.00 feet to the point of beginning. County of Pitkin, State of Colorado

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: **Gibbons Well No. 1.**

   Type of Diversion: **Well.**

   Legal Description: NE Quarter, SE Quarter, Section 26, Township 8 S., Range 86 W., of the 6th Principal Meridian, **at a location 2630 feet from the South Section line and 250 feet from the East Section line.**

   If diversion point is a well, please provide the Well Permit No. **31155-F**.

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

   Is there currently an operating well meter? ___X___ Yes, _____ 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
____ Septic tank/leachfield system
_____ Evapotranspiration system
__X__ Other: **Mound**

8. Proposed use of water (please check)

__X__ 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: **N/A**. (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?

0.96 cubic feet of Wheatley Ditch, Priority Nos. 259, 260, 367.

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

Irrigation.

Basalt Water Conservancy District
Water Allotment Application
Page 5

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 **(caretaker dwelling unit)**

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 1.5 Acres

Type of irrigation system (please check)

X Sprinkler

_____ Flood (irrigation ditch)

Domestic stock watering (cattle, horses)

Number of animals: 4 horses.

Period of use (months): ~~6 months~~ 12 (summer season estimated May-October) (NO DIFFERENCE IN CONSUMPTIVE AMOUNT)

Other domestic/municipal uses not listed:

Barn with bathroom/washing facilities (no residence in barn). Barn will have washing and sanitary facilities used by the occupants of the main home and caretaker unit so there will be no additional water consumption in the barn except for the livestock.

VERIFICATION

STATE OF California)
) ss.
COUNTY OF Los Angeles)

I, Bruce Grakal, 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: 3-9-16

By: _____

Print Name: Bruce V. Grakal

Title: *Representative, Barbara Starkey Living Trust*

Subscribed and sworn before me this ____ day of _____, 2016 by _____.

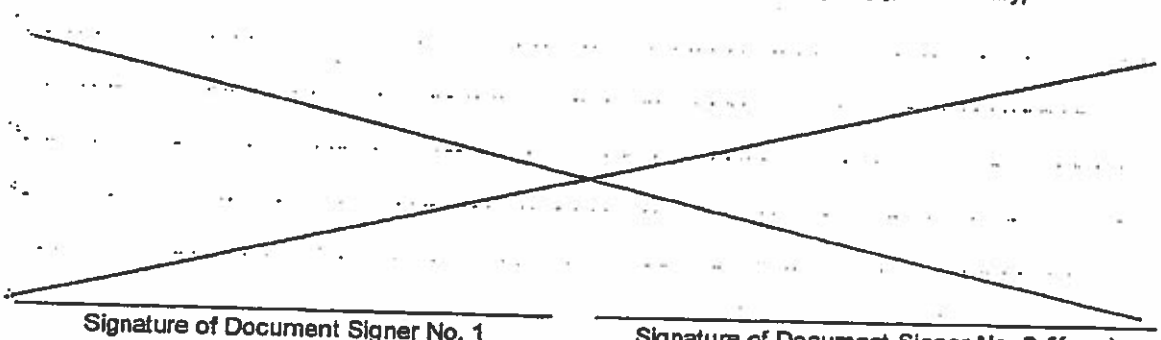
Witness my hand and seal.

_____
Notary Public

My commission expires:

CALIFORNIA JURAT WITH AFFIANT STATEMENT GOVERNMENT CODE § 8202

☐ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–6 to be completed only by document signer[s], not Notary)



Signature of Document Signer No. 1 Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 9th day of March, 2016, by
Date Month Year
(1) Bruce V. Barkal
(and (2) _____),
Name(s) of Signer(s)
proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

PAT GREENE
Commission # 2079832
Notary Public - California
Los Angeles County
My Comm. Expires Sep 25, 2018

Signature Pat Greene
Signature of Notary Public

Seal
Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

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