


# Memorandum

To: BWCD BOARD OF DIRECTORS  
From: ERIC MANGEOT  
CC: CHRIS GEIGER   
Date: FEBRUARY 23, 2018  
File: APPLICATION

**Applicant Name:** Peter and Sondra Welles

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

**Amount:** 1.0 AF 0.033 cfs 15 gpm

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

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

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

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

This application is to cover depletions associated with 2 single family residences (or single family residence plus ADU), 10,000 square feet of lawn and landscape irrigation, 5 livestock, and a pool and hot tub (6,300 square feet total) on a property owned by Peter and Sondra Welles; herein referred to as Applicants. Total contract depletions are 1.0 acre-feet as shown on the attached tables. The depletions include an annual fill of the pool and hot tub in May.

The property is located within the Division 4 boundary and is located at 5343 County Road 100 near Carbondale in Garfield County as shown on **Figure 1**. The property is also known as Parcel B of the Hotchkiss-Lincicome Exemption. Parcel B was under a recent lot line adjustment and now contains 19.97 acres.

The source of supply is from the Welles Well located in the SE1/4, NEW1/4, Section 25, Township 7 South, Range 88 West of the 6th P.M. at a distance of 1,728 feet from the North section line and 573 feet from the East section line.

BWCD Contact No. 221 is also associated with this property and is in the District's 98 Consolidated Decree. However, the well was dry and needed to be redrilled at a location more than 200 feet from the decreed location which is the primary reason the Applicants are coming in for a new Umbrella Plan contract. Therefore, Contract 221 is requested to be terminated once the new contract is in effect.

Water User :	Peter and Sondra Welles
Analysis Date :	February 23, 2018
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) Well Delayed Depletions	(14) Source of Aug/Replace			
	(1) Domestic In-house	(2) May Fill + Evap.	(3) Domestic Irrigation	(4) Agriculture	(5) Livestock	(6) TOTAL	(7) Domestic In-house	(8) May Fill + Evap.	(9) Domestic Irrigation			(10) Agriculture	(11) Livestock	(12) TOTAL
January	0.067	0.001	0.000	0.000	0.005	0.073	0.010	0.001	0.000	0.000	0.005	0.018	0.078	GNM
February	0.060	0.003	0.000	0.000	0.005	0.068	0.009	0.003	0.000	0.000	0.005	0.018	0.079	GNM
March	0.067	0.005	0.000	0.000	0.005	0.077	0.010	0.000	0.000	0.000	0.005	0.023	0.079	GNM
April	0.064	0.008	0.013	0.000	0.005	0.091	0.010	0.008	0.010	0.000	0.005	0.037	0.079	GNM
May	0.067	0.156	0.105	0.000	0.005	0.333	0.010	0.156	0.084	0.000	0.005	0.281	0.079	GNM
June	0.064	0.014	0.136	0.000	0.005	0.220	0.010	0.014	0.109	0.000	0.005	0.151	0.079	GNM
July	0.067	0.015	0.128	0.000	0.005	0.214	0.010	0.015	0.102	0.000	0.005	0.145	0.078	GNM
August	0.067	0.012	0.076	0.000	0.005	0.160	0.010	0.012	0.061	0.000	0.005	0.097	0.078	GNM
September	0.064	0.010	0.070	0.000	0.005	0.149	0.010	0.010	0.056	0.000	0.005	0.089	0.078	GNM
October	0.067	0.007	0.019	0.000	0.005	0.098	0.010	0.007	0.016	0.000	0.005	0.041	0.078	GNM
November	0.064	0.004	0.000	0.000	0.005	0.073	0.010	0.004	0.000	0.000	0.005	0.020	0.077	GNM
December	0.067	0.001	0.000	0.000	0.005	0.073	0.010	0.001	0.000	0.000	0.005	0.018	0.078	GNM
TOTALS -->	0.784	0.236	0.547	0.000	0.062	1.629	0.118	0.236	0.438	0.000	0.062	0.938	0.938	

		Assumptions			Area A-4 307760, Well Type E Roaring Fork River	
(1)	NUMBER OF RESIDENCES	2	(5)	# of Livestock @ 11 gals/day	5	
	# persons/residence	3.5	(7)	% CU for Domestic/Commercial	15	
	# gallons/person/day	100		% Lawn Irrig. Efficiency	80	
(2)	Commercial/Other Demand (af)	0.000	(9)	Consumption of Irrig (af/ac)	1,920	
	Pool and Hot Tub Evap	0.092		% Crop Irrig. Efficiency	80	
	Total Volume	~ 47,000	(10)	Consumption of Irrig (af/ac)	0.000	
(3)	Sq. Ft. of Lawn Irrigated	10,000	(9-10)	Elevation (feet)	6800	
	Lawn Application Rate (af/ac)	2,400		*(12), (13) Total Includes 5% Transit Loss 10% from Green Mtn.		
(4)	Acres of Crop Irrigated	0.00				
	Crop Application Rate (af/ac)	0.000				

**TABLE 1  
EVAPORATION CALCULATION - >6,500 FEET HOT TUB and Pool**

Month	SEO Monthly Distribution	(1) Gross Lake Evaporation		(2) Average Precipitation		(3) Effective Precipitation		(4) Net Evaporation		(5) Total Evaporation (acre-feet)
		(feet)	(inches)	(feet)	(inches)	(feet)	(inches)	(feet)	(inches)	
January	1.0%	0.04	0.45	0.07	0.84	0.00	0.00	0.04	0.45	0.001
February	3.0%	0.11	1.35	0.07	0.79	0.00	0.00	0.11	1.35	0.003
March	6.0%	0.23	2.70	0.05	0.58	0.00	0.00	0.23	2.70	0.005
April	9.0%	0.34	4.05	0.11	1.35	0.00	0.00	0.34	4.05	0.008
May	12.5%	0.47	5.63	0.09	1.02	0.00	0.00	0.47	5.63	0.011
June	15.5%	0.58	6.98	0.14	1.73	0.00	0.00	0.58	6.98	0.014
July	16.0%	0.60	7.20	0.10	1.14	0.00	0.00	0.60	7.20	0.015
August	13.0%	0.49	5.85	0.17	1.99	0.00	0.00	0.49	5.85	0.012
September	11.0%	0.41	4.95	0.16	1.96	0.00	0.00	0.41	4.95	0.010
October	7.5%	0.28	3.38	0.13	1.57	0.00	0.00	0.28	3.38	0.007
November	4.0%	0.15	1.80	0.07	0.80	0.00	0.00	0.15	1.80	0.004
December	1.5%	0.06	0.68	0.11	1.32	0.00	0.00	0.06	0.68	0.001
	<b>100.0%</b>	<b>3.75</b>	<b>45.00</b>	<b>1.26</b>	<b>15.09</b>	<b>0.00</b>	<b>0.00</b>	<b>3.75</b>	<b>45.00</b>	<b>0.092</b>

(1) = Monthly distribution of gross annual evaporation rate in accordance with SEO General Criteria.

(2) = Monthly precipitation from local weather station.

(3) = Equal to 0 per State Policy No. 2004-3.

(4) = Net Evaporation = Column (1) - Column (3)

(5) = Column (4) x Open Water Surface Area (fbd acres) x Column (4) in feet.

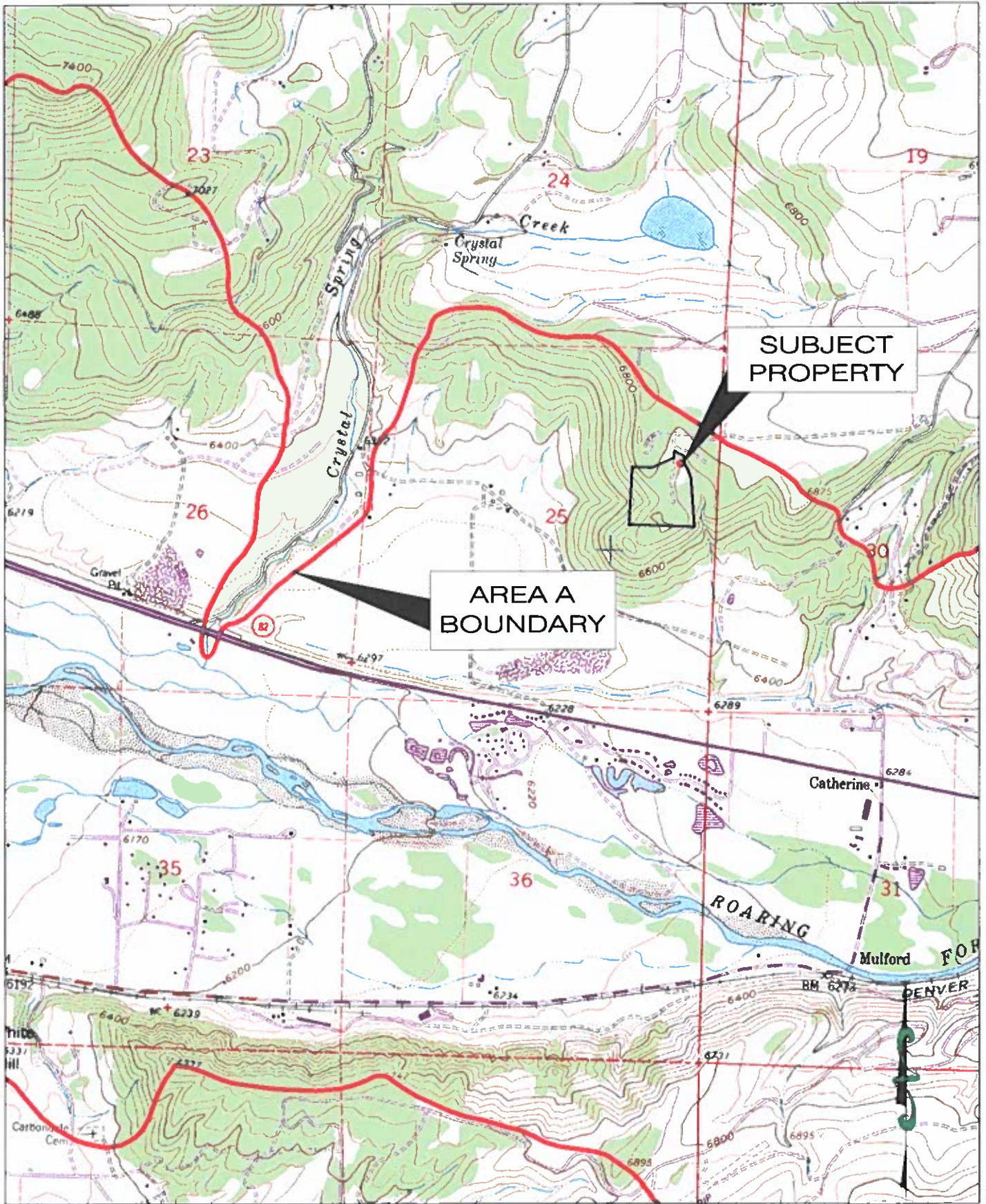


Figure 1: Peter and Sondra Welles

File: 033-72  
Date: 02/23/18

Basalt Water Conservancy District



Scale: 1"=2,000'

**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: Peter S. Welles and Sondra T. Welles
  - b. Mailing Address: 5343 County Road 100 Carbondale, CO 81623
  - c. Street Address: Same
  - d. Telephone Numbers: 970-963-7480
  - e. Email Address: psw65w@gmail.com
  - f. If Applicant is represented by an Attorney, please provide the Attorney's contact information, including name, address, telephone, and email:  
Joseph Kowar, Esq.  
323 W. Main St. Suite 301  
Aspen, CO 81611  
joe@kowar.com  
970-948-1552
  - g. Emergency Local Contact Information, including name, address, telephone, and email: Joseph Kowar, see above
  - 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: Joseph Kowar see above
2. Type of land use (development) proposed for water allotment contract (i.e. single family home, subdivision, gravel pit, etc.): Single Family Home with ADU
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)\*:  
  
5343 County Road 100 Carbondale, CO 81623  
  
SEE AMENDED FINAL PLAT RECEPTION #903166  
  
PARCEL B LEGAL DESCRIPTION on Page 2

A PARCEL OF LAND WHICH IS PART OF THE SE1/4NE1/4 OF SECTION 25. TOWNSHIP 7 SOUTH. RANGE 88 WEST OF THE 6th PRINCIPAL MERIDIAN. GARFIELD COUNTY, COLORADO. SAID PARCEL OF LAND IS MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP FOUND IN PLACE AND PROPERLY MARKED FOR THE E1/4 CORNER OF SAID SECTION 25: THENCE N 89°05'36"W ALONG THE SOUTH LINE OF SAID SE1/4NE1/4 (WITH ALL BEARINGS CONTAINED HEREIN RELATIVE TO A BEARING OF S 01°47'00"W ON THE EAST LINE OF THE NE1/4 OF SAID SECTION 25) 322.81 FEET TO THE TRUE POINT OF BEGINNING: THENCE N 89°05'36"W ALONG THE SOUTH LINE OF SAID SE1/4NW1/4 988.00 FEET TO THE SW CORNER OF SAID SE1/4NE1/4: THENCE N 02°03'18"E ALONG THE WEST LINE OF SAID SE1/4NE1/4 862.81 FEET: THENCE EAST 301.87 FEET: THENCE N 64°53'59"E 359.00 FEET: THENCE N 00°52'35"E 78.23 FEET: THENCE 37.73 FEET ALONG THE ARC OF A 170.00 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS N 07°14'08"E 37.65 FEET: THENCE 66.65 FEET ALONG THE ARC OF A 130.00 FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS S 50°33'37"E 65.93 FEET: THENCE S 05°07'43"E 110.64 FEET: THENCE S 31°05'45"E 117.77 FEET: THENCE S 19°16'40"E 143.94 FEET: THENCE S 04°54'50"E 716.49 FEET TO THE TRUE POINT OF BEGINNING. CONTAINING 19.97 ACRES MORE OR LESS.

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: Welles Well

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

Legal Description: SE Quarter, NE Quarter, Section 25, Township 7 S, Range 88 W, of the 6<sup>th</sup> Principal Meridian, at a location 1728 feet from the N Section line and 573 feet from the E Section line.

UTM Coordinates (NAD 83):

Northing: 4365652

Easting: 313760

Zone 12 /  Zone 13.

If diversion point is a well, please provide the Well Permit No. 307760

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: \_\_\_\_\_.** (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?**  
Basalt Water Conservancy Contract 221 which shall be terminated when a new Contract has been approved.
  
- 10. What other uses of water occur on the property?**  
All existing and proposed water uses are shown on 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: <u>1 plus ADU</u>
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 10,000 Sq. Ft. or \_\_\_\_\_ Acres

Type of irrigation system (please check)

X  Sprinkler

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

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

Number of animals: 5

Period of use (months): 0

**Other domestic/municipal uses not listed:**

Hot Tub: approximately 8 square feet.

Pool: Surface Area = 20' x 50' x 6' deep; Volume = 6,000 cubic feet

VERIFICATION

STATE OF Colorado )  
 ) ss.  
COUNTY OF Ft. Collins )

I, Joseph Kowar (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: 2/23/2018

By: Joseph Kowar  
Print Name: Joseph Kowar  
Title: Attorney

Subscribed and sworn before me this 23 day of February, 2018 by Joseph Kowar.

Witness my hand and seal.

Nina W. Ethridge  
Notary Public

My commission expires: 9/15/2019

