



Resource Engineering, Inc.  
 909 Colorado Avenue  
 Glenwood Springs, CO 81601  
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# Memorandum

**To:** BWCD BOARD OF DIRECTORS  
**From:** ERIC MANGEOT *EM*  
**CC:** CHRIS GEIGER  
**Date:** MAY 24, 2018  
**File:** APPLICATION – ASPEN-BASALT INVESTMENT COMPAY

**Applicant Name:** Aspen-Basalt Investment Company

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

**Amount:**  3.2  AF  0.067  cfs  30  gpm

**Location:** Area A  A-4  Area B   Inclusion    
 County:  EAGLE  Contiguous:    
 BWCD Division:  6

**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:**  \$3,000

This application is to cover depletions associated with an existing mobile home park owned by Aspen-Basalt Investment Company (Applicant) near Emma, Colorado. During a recent field review by the Applicant's consultants, it was discovered that two wells service the property. The two wells are the Shafer Well (Permit No. 15049-F, 83CW47) and the Aspen Basalt Mobile Home Park Well (unpermitted). In order to provide a legal water supply for the Aspen Basalt Mobile Home Park Well, a water allotment contract with BWCD is sought. Zancanella and Associates (Applicant's Engineer) concluded that 23 mobile home units and 1.15 acres of irrigation was connected to the unpermitted well.

The total estimated demand is approximately 12.012 acre-feet (AF) and depletions are 3.132 AF as estimated by the Applicant's Engineer. Please note that RESOURCE corrected the Applicant's Engineer's transit losses to plus 10 percent of consumptive use (from 5 percent) for inclusion into the District's Umbrella Augmentation Plan and when the contract would be augmented by Green Mountain Reservoir. A copy of the District's water requirement table and supporting engineering is attached. The property is located at 1900 Willits Lane near Basalt in Eagle County (Parcel No. 246511100021) as shown on *Figure 1* and the Applicant's vicinity map. Sewer service is provided by Mid-Valley Metropolitan District.

The Aspen Basalt Mobile Home Park Well is located in the SW1/4 NE1/4 of Section 11, Township 8 South, Range 87 West, of the 6<sup>th</sup> P.M. at a point 2,637 feet from the North section line and 1,455 feet from the East section line. According to the Applicant, the well can pump at a rate of up to 30 gallons per minute (gpm).

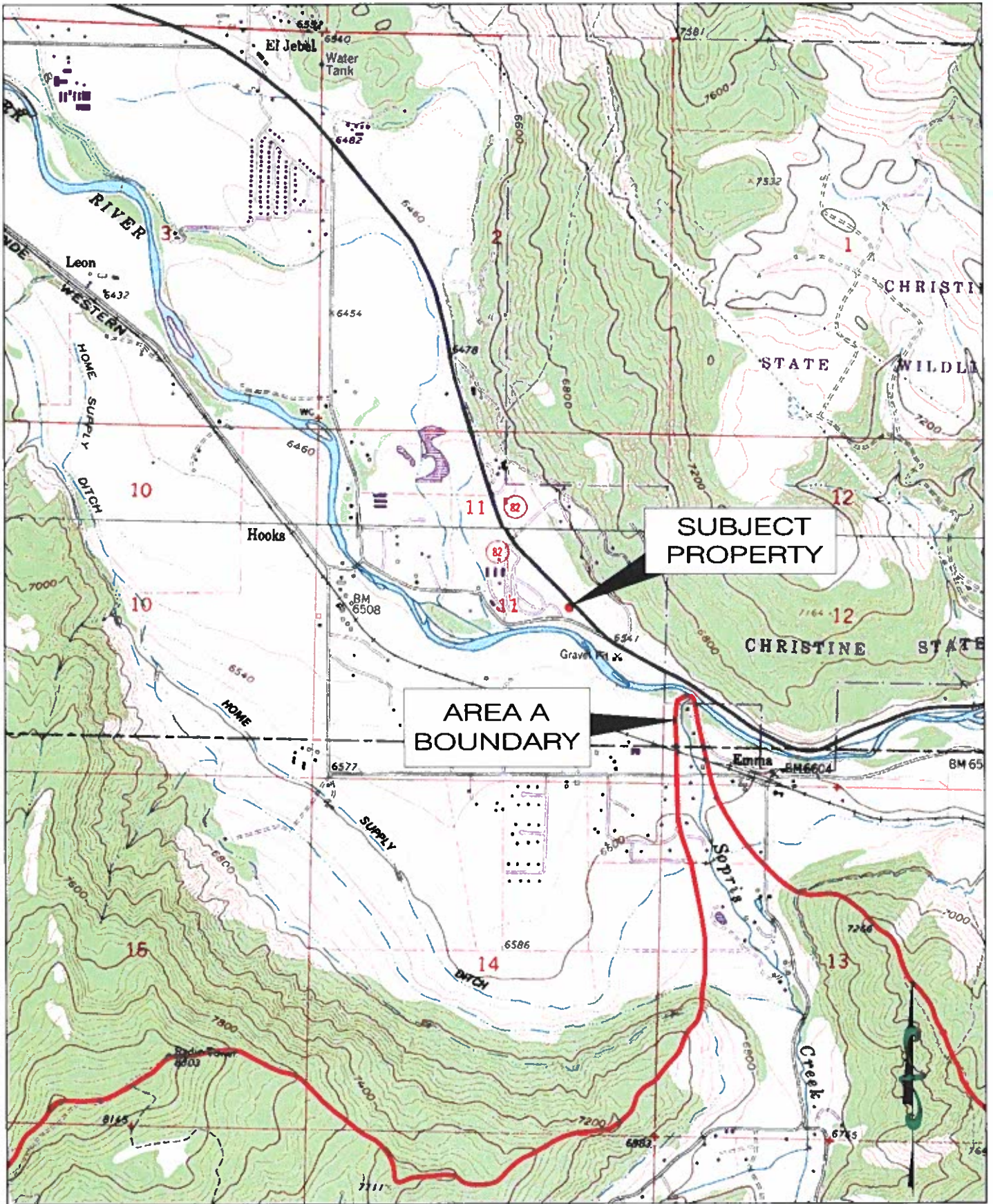
Water User :	Aspen-Basalt Investment Company
Analysis Date :	May 24, 2018
District Area :	A
Source Series:	4
Maximum Demand:	30 0.067 (GPM) (CFS)

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

Month	Total Demand					Consumptive Use					*(13) Well Delayed Depletions	(14) Source of Aug/Replace GNM		
	(1) Domestic In-house	(2) Commercial or Other	(3) Domestic Irrigation	(4) Commercial Irrigation	(5) Livestock	(6) TOTAL	(7) Domestic In-house	(8) Commercial or Other	(9) Domestic Irrigation	(10) Commercial Irrigation			(11) Livestock	*(12) TOTAL
January	0.766	0.000	0.000	0.000	0.000	0.766	0.038	0.000	0.000	0.000	0.000	0.042	0.092	GNM
February	0.692	0.000	0.000	0.000	0.000	0.692	0.035	0.000	0.000	0.000	0.000	0.038	0.169	GNM
March	0.766	0.000	0.000	0.000	0.000	0.766	0.038	0.000	0.000	0.000	0.000	0.042	0.092	GNM
April	0.741	0.000	0.100	0.000	0.000	0.841	0.037	0.000	0.080	0.000	0.000	0.129	0.163	GNM
May	0.766	0.000	0.416	0.000	0.000	1.182	0.038	0.000	0.333	0.000	0.000	0.408	0.286	GNM
June	0.741	0.000	0.688	0.000	0.000	1.429	0.037	0.000	0.550	0.000	0.000	0.646	0.495	GNM
July	0.766	0.000	0.674	0.000	0.000	1.440	0.038	0.000	0.539	0.000	0.000	0.635	0.506	GNM
August	0.766	0.000	0.573	0.000	0.000	1.339	0.038	0.000	0.458	0.000	0.000	0.546	0.459	GNM
September	0.741	0.000	0.416	0.000	0.000	1.157	0.037	0.000	0.333	0.000	0.000	0.407	0.407	GNM
October	0.766	0.000	0.129	0.000	0.000	0.895	0.038	0.000	0.103	0.000	0.000	0.156	0.227	GNM
November	0.741	0.000	0.000	0.000	0.000	0.741	0.037	0.000	0.000	0.000	0.000	0.041	0.143	GNM
December	0.766	0.000	0.000	0.000	0.000	0.766	0.038	0.000	0.000	0.000	0.000	0.042	0.092	GNM
TOTALS -->	9.016	0.000	2.996	0.000	0.000	12.012	0.451	0.000	2.397	0.000	0.000	3.132	3.132	

		Assumptions		Area A-4 Roaring Fork River Existing Unpermitted Well Applicant Engineer Supplied Glover	
(1)	NUMBER OF RESIDENCES	(5)	# of Livestock @ 11 gals/day	(7)	% CU for Domestic/Commercial
	# persons/residence	23	0		
	# gallons/person/day	3.5			
(2)	Commercial/Other Demand (af)	100	5		
	Office		80		
			2.084		
(3)	Sq. Ft. of Lawn Irrigated	50,000			
	Lawn Application Rate (af/ac)	2.605			
			80		
(4)	Acres of Crop Irrigated	0.00			
	Crop Application Rate (af/ac)	0.000			
			6520		

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



**Figure 1: Aspen-Basalt Investment Company**

Basalt Water Conservancy District

File: 033-7.2  
Date: 05/24/2018



Scale: 1"=2,000'

**RESOURCE ENGINEERING, INC.**

909 Colorado Avenue  
Glenwood Springs, CO 81601  
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**Table 1  
Aspen Basalt Mobile Home Park - ABMHP Well Augmentation, 100% Replacement**

Overall Demand and Consumptive Use Parameters	
(A) Lots	23 [ ]
(B) Total Equivalent Residential Units	23 [EQRs]
(C) Indoor Water Demand	350 [gal/day/EQR]
(D) Percent of Indoor Demand Used Consumptively	5 [%]
(E) Landscape Area/Lot	1,300 [ft <sup>2</sup> ]
(F) Park Space Landscaped Area	0.46 [acres]
(G) Total Irrigated Area	1.15 [acres]
(H) Irrigation Efficiency	80 [%]

(1) Month [ ]	(2) Days [ ]	(3) Monthly Parameters			(4) Consumptive Pumping Impact Factor [%]	(5) Irrigation Return Flow Impact Factor [%]	(6) Demands			(7) Outside [ac-ft]	(8) Indoor [ac-ft]	(9) Average Rate [gpm]	(10) Delayed Well Depletions To Stream [ac-ft]			(11) Indoor As Surface Runoff [ac-ft]			(12) Irrigation As Surface Runoff Percolation [ac-ft]			(13) Return Flows As Deep Percolation [ac-ft]			(14) Net Depletions Total Return Flows [ac-ft]			(15) Replacement Total [ac-ft]		
		(3) Irrigation Requirement [ft]	(4) Pumping Factor [%]	(5) Return Flow [%]			(6) Indoor [ac-ft]	(6) Outside [ac-ft]	(6) Total [ac-ft]				(10) Indoor [ac-ft]	(10) Outside [ac-ft]	(10) Total [ac-ft]	(11) Indoor [ac-ft]	(11) Outside [ac-ft]	(11) Total [ac-ft]	(12) Indoor [ac-ft]	(12) Outside [ac-ft]	(12) Total [ac-ft]	(13) Indoor [ac-ft]	(13) Outside [ac-ft]	(13) Total [ac-ft]	(14) Indoor [ac-ft]	(14) Outside [ac-ft]	(14) Total [ac-ft]	(15) Indoor [ac-ft]	(15) Outside [ac-ft]	(15) Total [ac-ft]
January	31	0.000	6.76%	0.00%	0.00%	0.766	0.000	0.766	5.59	0.812	0.000	0.812	0.728	0.000	0.000	0.728	0.000	0.000	0.728	0.084	0.000	0.084	0.088	0.000	0.088	0.162	0.088			
February	28	0.000	6.75%	0.00%	0.00%	0.692	0.000	0.692	5.59	0.812	0.000	0.812	0.728	0.000	0.000	0.728	0.000	0.000	0.728	0.084	0.000	0.084	0.088	0.000	0.088	0.155	0.088			
March	31	0.000	6.75%	0.00%	0.00%	0.741	0.100	0.841	6.34	0.872	0.100	0.972	0.704	0.010	0.010	0.714	0.000	0.000	0.714	0.084	0.010	0.094	0.273	0.000	0.273	0.473	0.273			
April	30	0.070	7.25%	3.23%	0.00%	0.741	0.100	0.841	6.34	0.872	0.100	0.972	0.704	0.010	0.010	0.714	0.000	0.000	0.714	0.084	0.010	0.094	0.273	0.000	0.273	0.473	0.273			
May	31	0.290	8.89%	13.15%	22.91%	0.741	0.688	1.429	10.78	1.292	0.688	1.980	0.704	0.069	0.069	0.773	0.000	0.000	0.773	0.084	0.069	0.153	0.450	0.000	0.450	0.483	0.483			
June	30	0.480	10.75%	22.91%	22.26%	0.766	0.674	1.440	10.51	1.322	0.674	2.000	0.728	0.057	0.057	0.785	0.000	0.000	0.785	0.084	0.057	0.141	0.438	0.000	0.438	0.438	0.438			
July	31	0.470	11.01%	19.06%	19.06%	0.766	0.573	1.339	9.77	1.259	0.573	1.832	0.728	0.042	0.042	0.770	0.000	0.000	0.770	0.084	0.042	0.126	0.389	0.000	0.389	0.389	0.389			
August	31	0.400	10.48%	14.39%	14.39%	0.741	0.416	1.157	8.73	0.961	0.416	1.377	0.728	0.013	0.013	0.741	0.000	0.000	0.741	0.084	0.013	0.097	0.216	0.000	0.216	0.216	0.216			
September	30	0.290	8.89%	13.15%	22.91%	0.741	0.416	1.157	8.73	0.961	0.416	1.377	0.728	0.013	0.013	0.741	0.000	0.000	0.741	0.084	0.013	0.097	0.216	0.000	0.216	0.216	0.216			
October	31	0.090	8.00%	4.77%	0.22%	0.766	0.000	0.766	5.59	0.812	0.000	0.812	0.728	0.000	0.000	0.728	0.000	0.000	0.728	0.084	0.000	0.084	0.088	0.000	0.088	0.137	0.137			
November	30	0.000	6.76%	0.00%	0.00%	0.766	0.000	0.766	5.59	0.812	0.000	0.812	0.728	0.000	0.000	0.728	0.000	0.000	0.728	0.084	0.000	0.084	0.088	0.000	0.088	0.137	0.137			
December	31	0.000	6.76%	0.00%	0.00%	0.766	0.000	0.766	5.59	0.812	0.000	0.812	0.728	0.000	0.000	0.728	0.000	0.000	0.728	0.084	0.000	0.084	0.088	0.000	0.088	0.137	0.137			
Annual	365	2.090	100.00%	100.00%	100.00%	9.018	2.998	12.014	7.44	12.016	8.569	20.585	9.189	0.300	0.300	9.489	0.000	0.000	9.489	2.847	0.300	3.147	2.980	0.000	2.980	2.980	2.980			

- (A) Number of Lots to be served by the ABMHP, i.e., not the shared Shelter Well.
- (B) Number of Equivalent Residential Units
- (C) Based on 100 gal/person/day and 3.5 persons per EQR
- (D) MPMO Saver
- (E) Irrigated landscape area per lot
- (F) Park Space Landscaped Area
- (G) Total Landscaped Area
- (H) Assumed irrigation efficiency associated with sprinklers
- (1) Months in calendar year order.
- (2) Days in each month.
- (3) Consumptive Irrigation Requirement calculated for Bluegrass using modified Blaney-Childs method with Pcrotop elevation adjustment, normal conditions at site.
- (4) Delayed impact factor for well pumping, calculated with Glover transient well depletion approach for dynamic equilibrium.  $T = 95,000$  gal/ft.  $S = 0.20$ . Distance from well to Colorado River.  $D = 400$  ft. Aquifer Width.  $W = 800$  ft.
- (5) Delayed impact factor for return flow, calculated with transient parallel drain approach for dynamic equilibrium.
- (6)  $K = 500$  gal/ft<sup>2</sup>.  $S = 0.20$ . Distance from centroid of irrigation to Colorado River.  $D = 400$  ft.
- (7) Equals (8) times (3) divided by (4).
- (8) Equals (5) times (3) divided by (4).
- (9) Equals (6) plus (7).
- (10) Equals (8) converted to gallons per minute
- (11) Equals (8) Annual Value times (5)
- (12) Equals (8) times 95%
- (13) Equals 10% times (7); assumes 50% of irrigation return flows accrue as surface runoff.
- (14) Equals (11) + (12) + (13)
- (15) Equals (14) - (14)
- (16) Equals (15) + 5% transit loss

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

1. Applicant(s) Contact Information

- a. Name: **Aspen-Basalt Investment Co.**
- b. Mailing Address: **c/o Robert Levine, Managing Member  
5005 Old Cedar Lake Rd.  
St. Louis Park, MN 55416**
- c. Street Address: **Aspen-Basalt Mobile Home Park  
1900 Willits Lane  
Basalt, CO 81621**
- d. Telephone Number: **(952) 374-1555**
- e. Email Addresses: **[rlevine@5005properties.com](mailto:rlevine@5005properties.com);  
[lizaspen@comcast.net](mailto:lizaspen@comcast.net)**
- f. If Applicant is represented by an Attorney, please provide the Attorney's contact information, including name, address, telephone, and email:
- Paul L. Noto, Esq.  
Danielle L. Van Arsdale, Esq.  
Patrick, Miller & Noto, P.C.  
197 Prospector Road, Ste. 2104A  
Aspen, CO 81611  
(970) 920-1030  
[noto@waterlaw.com](mailto:noto@waterlaw.com)  
[vanarsdale@waterlaw.com](mailto:vanarsdale@waterlaw.com)**
- g. Emergency Local Contact Information, including name, address, telephone, and email:
- Yasmeen Torres, Manager  
Miguel Anchondo, Manager  
1900 Willits Lane  
Basalt, CO 81621  
(970) 618-2999**
- 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: **See above.**

2. Type of land use (development) proposed for water allotment contract (i.e. single family home, subdivision, gravel pit, etc.): **Subdivision (mobile home park).**
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): **The address is provided above and the vesting deed with an attached legal description is enclosed. We also enclose an updated legal description of the property as well as a memorandum from Zancanella & Associates, Inc. that includes a parcel map.**
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: Aspen Basalt Mobile Home Park Well

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

Legal Description: SW Quarter, NE Quarter, Section 11, Township 8 S. Range 87 W., of the 6<sup>th</sup> Principal Meridian, at a location 1,455 feet from the East Section line and 2,437 feet from the North Section line.

UTM Coordinates (NAD 83):

Northing: \_\_\_\_\_

Easting: \_\_\_\_\_

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

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

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 Fryingspan 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.

9. 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.)

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

**Shafer Well; Case No. 83CW47, Div. 5 Water Court; Well Permit No. 15049-F**

11. What other uses of water occur on the property? N/A

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: <u>23</u>

Irrigation (lawns, parks, open space)

Total area to be irrigated \_\_\_\_\_ Sq. Ft. or 1.15 Acres

Type of irrigation system (please check)

  X   Sprinkler

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

Domestic stock watering (cattle, horses): N/A

Number of animals:

Period of use (months):

Other domestic/municipal uses not listed: **Fire protection. Please see enclosed Zancanella memo table 1 for a summary of all uses.**





## SCHEDULE A

### LEGAL DESCRIPTION

#### PARCEL A:

A parcel of land situated in Tracts No. 51, 59 and 60 of Section 11, Township 8 South, Range 87 West of the Sixth Principal Meridian, lying Southwesterly of the Southwesterly right of way line of Colorado State Highway No. 82 and Northerly of the Northerly right of way line of a County Road as constructed and in place, said parcel of land is described as follows:

Beginning at a point whence an iron post with a brass cap found in place and properly marked for Angle Point No. 3 of said Tract No. 51 and Angle Point No. 2 of said Tract No. 59 bears N 74°17'45" W 275.33 feet;  
thence S 73°07'10" E 37.55 feet;  
thence 133.91 feet along the arc of a curve to the left, having a radius of 46.70 feet, the chord of which bears N 32°01'29" E 37.55 feet;  
thence 133.91 feet along the arc of a curve to the left, having a radius of 46.70 feet, the chord of which bears N 32°01'29" E 92.53 feet;  
thence N 23°58'25" E 117.79 feet to a point on the Southwesterly right of way line of said highway;  
thence S 46°36'33" E 92.72 feet along said Southwesterly right of way line of said highway  
thence S 46°33'05" E 1321.01 feet along said Southwesterly right of way line of said highway, to a point on the Northerly right of way line of said County Road;  
thence N 63°25'58" W 427.96 feet along the Northerly right of way line of said County Road;  
thence 250.07 feet along the arc of a curve to the left, having a radius of 445.79 feet, the chord of which bears N 79° 30'11" W 246.80 feet;  
thence S 84°25'35" W 595.78 feet along the Northerly right of way line of said County Road;  
thence N 00°26'20" W 590.19 feet;  
thence N 66°01'15" E 69.66 feet To The Point Of Beginning

#### PARCEL B

A parcel of land situated in Tract No. 59 and 60 of Section 11, Township 8 South, Range 87 West of the Sixth Principal Meridian, lying Southerly of the Southerly right of way line of a County Road as constructed and in place and Northerly of the center of the Roaring Fork River, said parcel of land is described as follows:

Beginning at a point on the Southerly right of way line of said County Road whence an iron post with a brass cap found in place and properly marked for Angle Point No. 2 of said Tract No. 59 bears N 15°20'04" W 781.04 feet;  
thence N 84°25'35" E 601.01 feet along the Southerly right of way line of said County Road;  
thence 216.41 feet along the arc of a curve to the right, having a radius of 385.79 feet, the chord of which bears S 79° 30'11" E 213.58 feet;  
thence S 63°25'58" E 381.81 feet along the Southerly right of way line of said County Road;  
thence S 24°45'31" W 229.14 feet to a point in the center of said river;  
thence N 36°02'00" W 56.88 feet along the center of said river;  
thence N 35°14'00" W 269.20 feet along the center of said river;  
thence S 81°03'00" W 159.72 feet along the center of said river;  
thence N 76°04'00" W 269.19 feet along the center of said river;  
thence S 82°18'00" W 322.88 feet along the center of said river;  
thence S 87°51'00" W 124.97 feet along the center of said river;  
thence N 00°35'30" W 101.48 feet to a point on the Southerly right of way line of said County Road, The Point Of Beginning.

LESS AND EXCEPTING FROM THE ABOVE PARCELS the land conveyed to State Department of Highways Division of



Highways, State of Colorado instrument recorded January 23, 1986 in Book 435 at Page 134 as Reception No. 331388 which is more particularly described as follows:

A tract of parcel of land No. 301 of the State Department of Highways, Division of Highways, State of Colorado, Project No. FC 082-1(6) Section 3 in Government Tract 59 of Section 11, Township 8 South, Range 87 West of the Sixth Principal Meridian, in Eagle County, Colorado, said Tract or parcel being more particularly described as follows:

Beginning at a point on a line between Cor. No. 4 and Cor. No. 5 of Government Tract 59, T. 8 S., R 8 S, R 87 W., 6th P.M. from which Corn. No. 4 of said Tract 59, a GLO brass cap monument, bears North, a distance of 494.8 feet;

1. thence South, along a line between Cor. No. 4 and Cor. No. 5 of said Tract 59, a distance of 48.6 feet to the northerly right of way line of a county road;

2. thence S 63°26' E., along said northerly line, a distance of 122.7 feet to the southerly right of way line of S.H. No. 82 (March 1984);

3. thence along said southerly line, along the arc of a curve to the right, having a radius of 1960.0 feet, a distance of 17.5 feet (the chord of this arc bears N. 46°54'30" W a distance of 17.5 feet);

4. thence N 46°39' W continuing along said southerly line, a distance of 133.3 feet, more or less, To The Point Of Beginning.

COUNTY OF EAGLE  
STATE OF COLORADO.