


Memorandum

To: BWCD BOARD OF DIRECTORS
From: ERIC MANGEOT 
CC: CHRIS GEIGER
Date: MAY 30, 2018
File: APPLICATION – RFC PROPERTIES, LLC

Applicant Name: RFC Properties, LLC

Type of Use: Domestic Commercial _____
Industrial _____ Agricultural _____

Amount: 3.5 AF N/A cfs N/A 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 0.844 surface acres from two ponds on a 16.32 acre parcel owned by RFC Properties, LLC located in Section 17, Township 8 South, Range 86 West of the 6th P.M. The physical address of the property is 100 Arbaney Ranch Road in Basalt. Contract depletions are estimated at 3.5 acre-feet (AF) as estimated by Resource Engineering, Inc. (RESOURCE) as shown on the attached tables.

Evaporation from the surface area of two ponds is proposed to be covered under a new contract as follows:

1. RFC Pond #3 Enlargement – up to 11,520 square feet of additional water surface associated with RFC Pond #3. Case No. 96CW55 currently augments 61,940 square feet associated with RFC Pond #3. The enlargement is located in the SE1/4 SW1/4 of Section 17, Township 8 South, Range 86 West of the 6th P.M. at a point 2,520 feet from the north section line and 2,020 feet from the west section line of said Section 17, Pitkin County.
2. Kittle Pond – Up to 25,250 square feet of water surface. Kittle Pond is located in the SE1/4 NW1/4 of Section 17, Township 8 South, Range 86 West of the 6th P.M. at a point 2,120 feet from the North section line and 1,790 feet from the West section line of said Section 17, Pitkin County.

A BWCD map showing the location of the ponds is attached.

The source of water for the pond is the Kester Ditch. The headgate of the Kester Ditch is located in the NW1/4 NW1/4 of Section 27, Township 8 South, Range 86 West of the 6th P.M. at a point whence the Southeast corner of Section 21, Township 8 South, Range 86 West, 6th P.M. bears N15°20'W, 320 feet, in Pitkin County.

Water User :	RFC Properties, LLC
Analysis Date :	May 30, 2018
District Area:	A
Source Series:	4
Maximum Demand:	--- (GPM) (CFS)

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

Month	Total Demand					Consumptive Use					(12)* TOTAL	(13) Source of Aug/Replace	
	(1) Domestic In-house	(2) Evap.	(3) Lawn Irrigation	(4) Crop Irrigation	(5) Livestock	(6) TOTAL	(7) Domestic In-house	(8) Evap	(9) Lawn Irrigation	(10) Crop Irrigation			(11) Livestock
January	0.000	0.032	0.000	0.000	0.000	0.032	0.000	0.032	0.000	0.000	0.000	0.035	GNM
February	0.000	0.095	0.000	0.000	0.000	0.095	0.000	0.095	0.000	0.000	0.000	0.104	GNM
March	0.000	0.190	0.000	0.000	0.000	0.190	0.000	0.190	0.000	0.000	0.000	0.209	GNM
April	0.000	0.285	0.000	0.000	0.000	0.285	0.000	0.285	0.000	0.000	0.000	0.313	GNM
May	0.000	0.396	0.000	0.000	0.000	0.396	0.000	0.396	0.000	0.000	0.000	0.435	GNM
June	0.000	0.491	0.000	0.000	0.000	0.491	0.000	0.491	0.000	0.000	0.000	0.540	GNM
July	0.000	0.506	0.000	0.000	0.000	0.506	0.000	0.506	0.000	0.000	0.000	0.557	GNM
August	0.000	0.412	0.000	0.000	0.000	0.412	0.000	0.412	0.000	0.000	0.000	0.453	GNM
September	0.000	0.348	0.000	0.000	0.000	0.348	0.000	0.348	0.000	0.000	0.000	0.383	GNM
October	0.000	0.237	0.000	0.000	0.000	0.237	0.000	0.237	0.000	0.000	0.000	0.261	GNM
November	0.000	0.127	0.000	0.000	0.000	0.127	0.000	0.127	0.000	0.000	0.000	0.139	GNM
December	0.000	0.047	0.000	0.000	0.000	0.047	0.000	0.047	0.000	0.000	0.000	0.052	GNM
TOTALS -->	0.000	3.165	0.000	0.000	0.000	3.165	0.000	3.165	0.000	0.000	0.000	3.482	

Assumptions

(1)	NUMBER OF RESIDENCES	0	(5)	# of Livestock @ 11 gals/day	0
	# persons/residence	3.5	(7)	% CU for Domestic/Commercial	15
	# gallons/person/day	100	(9)	% Lawn Irrig. Efficiency	80
(2)	Pond Evaporation	0.844 acres	(10)	Consumption of Irrig. (af/ac)	0.000
(3)	Sq. Ft. of Lawn Irrigated	0		% Crop Irrig. Efficiency	80
	Lawn Application Rate (af/ac)	0.000		Consumption of Irrig. (af/ac)	0.000
(4)	Acres of Crop Irrigated	0.00	(9-10)	Elevation (feet)	6800
	Crop Application Rate (af/ac)	0.000	*(12)	Total Includes 5% Transit Loss	

Area A-3
Pond Evaporation Only
Roaring Fork River
Kester Ditch
No Delayed Depletions

10% from Green Mtn.

**TABLE 1
RFC PROPERTIES, LLC EVAPORATION CALCULATION >6,500 FEET**

Month	SEO Monthly Distribution	(1) Gross Lake Evaporation		(2) Average Precipitation		(3) Effective Precipitation		(4) Net Evaporation		(5) Total Pond 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	0.032
February	3.0%	0.11	1.35	0.07	0.79	0.00	0.00	0.11	1.35	0.095
March	6.0%	0.23	2.70	0.05	0.58	0.00	0.00	0.23	2.70	0.190
April	9.0%	0.34	4.05	0.11	1.35	0.00	0.00	0.34	4.05	0.285
May	12.5%	0.47	5.63	0.09	1.02	0.00	0.00	0.47	5.63	0.396
June	15.5%	0.58	6.98	0.14	1.73	0.00	0.00	0.58	6.98	0.491
July	16.0%	0.60	7.20	0.10	1.14	0.00	0.00	0.60	7.20	0.506
August	13.0%	0.49	5.85	0.17	1.99	0.00	0.00	0.49	5.85	0.412
September	11.0%	0.41	4.95	0.16	1.96	0.00	0.00	0.41	4.95	0.348
October	7.5%	0.28	3.38	0.13	1.57	0.00	0.00	0.28	3.38	0.237
November	4.0%	0.15	1.80	0.07	0.80	0.00	0.00	0.15	1.80	0.127
December	1.5%	0.06	0.68	0.11	1.32	0.00	0.00	0.06	0.68	0.047
	100.0%	3.75	45.00	1.26	15.09	0.00	0.00	3.75	45.00	3.165

(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 (0.844 acres) x Column (4) in feet.

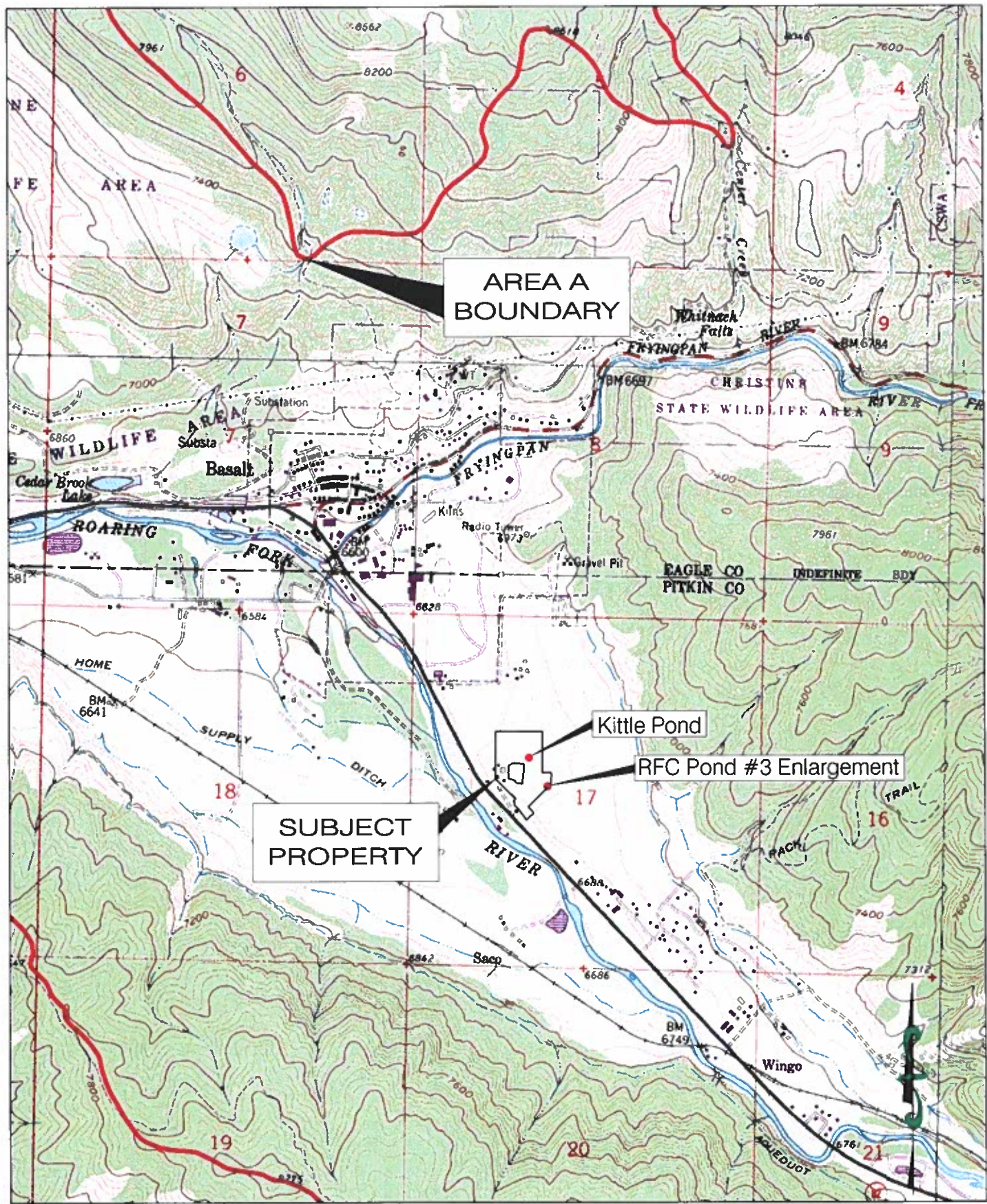
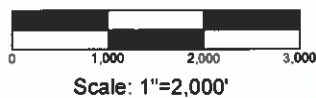


Figure 1: RFC Properties, LLC

Basalt Water Conservancy District

File: 033-72
Date: 05/30/2018



RESOURCE ENGINEERING, INC.
 909 Colorado Avenue
 Glenwood Springs, CO 81601
 (970) 945-8777 Voice 945-1137 Facsimile

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

1. Applicant(s) Contact Information

- a. Name: **RFC Properties, LLC**
- b. Mailing Address: **c/o Dennis Carruth
100 Arbaney Ranch Road
Basalt, CO 81621**
- c. Street Address: **same as mailing address**
- d. Telephone Number: **(303) 263-1970**
- e. Email Address: **dennis@carruthproperties.com**
- f. If Applicant is represented by an Attorney, please provide the Attorney's contact information, including name, address, telephone, and email:

**Scott Miller
Patrick Miller & Noto, P.C.
229 Midland Ave.
Basalt, CO 81621
(970) 920-1030
miller@waterlaw.com**

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

**Geoff Hasley
ghasley@rfclub.com
(970) 927-2700**

- 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:

**David Lee
dlee@rfclub.com
(970) 618-5241**

2. Type of land use (development) proposed for water allotment contract (i.e. single family home, subdivision, gravel pit, etc.): **Planned Unit Development within the Town of Basalt.**
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 and parcel map.**
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 Diversions RFC Pond #3 Enlargement .

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

Legal Description: ^{SE SW} ~~SW~~^{NE} ~~NE~~ of Section 17, Township 8 South, Range 86 West of the 6th P.M. at a point ^{2,520} ~~2,350~~ feet from the ^{NORTH} ~~SOUTH~~ section line and ^{2,250} ~~2,250~~ feet from the West section line of said Section 17, Pitkin County.

EP
SEE
5/29/0
EMAIL

Notice: The RFC Pond #3 Enlargement has not yet been constructed. The existing surface area of RFC Pond #3 is 61,940 ft² and is augmented under Case No. 96CW55. Applicant herein seeks to augment only the proposed expanded surface area of 11,520 ft².

6. Name and legal description of water supply diversion point(s):

Name of Diversions Kittle Pond .

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

Legal Description: SE¹/₄, NW¹/₄ of Section 17, Township 8 South, Range 86 West of the 6th P.M., at a point 2,120 feet from the North section line and 1790 feet from the West section line of said Section 17, Pitkin County.

Notice: Kittle Pond has not yet been constructed. Applicant herein seeks to augment the proposed surface area of 25,250 ft².

7. 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: _____.

8. Proposed waste water treatment system: (please check) NA

- Tap to central waste water treatment facility
- Septic tank/leachfield system
- Evapotranspiration system
- Other:

9. 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. (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?

RFC Pond #3 and Kester Ditch

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

Golf course irrigation, aesthetics, recreation, piscatorial, and pond filling (Kester Ditch).

Golf course irrigation, aesthetics, recreation, piscatorial and fire protection (RFC Pond #3).

DOMESTIC/MUNICIPAL WATER USES

In-House

Single family residential home(s)	Number of Units: <u>NA</u>
Duplex(s)	Number of Units: <u>NA</u>
Condominium(s)	Number of Units: <u>NA</u>
Apartment(s)	Number of Units/Rooms: <u>NA</u>
Mobile Home(s)	Number of Units: <u>NA</u>

Irrigation (lawns, parks, open space) **NA**

Total area to be irrigated _____ Sq. Ft. or _____ Acres

Type of irrigation system (please check)

_____ Sprinkler

_____ Flood (irrigation ditch)

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

Number of animals:

Period of use (months):

Other domestic/municipal uses not listed:

Pond evaporation
