

Memorandum

To: BWCD BOARD OF DIRECTORS
From: ERIC MANGEOT 
CC: CHRIS GEIGER
Date: JUNE 28, 2018
File: AMENDMENT – ASPEN POLO PARTNERS, LLC (ZONE 1 APPLICATION)

Applicant Name: Aspen Polo Partners, LLP

Type of Use: Domestic X Commercial X (Split Use)
 Industrial _____ Agricultural _____

Amount: 6.6 AF 0.067 cfs 30 gpm

Location: Area A A-4 Area B _____ Inclusion _____
 County: GARFIELD Contiguous: _____
 BWCD Division: 5

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:** Previously Paid

This amendment is to add an additional cabin/ADU and additional evaporation losses to the previously approved specific uses associated with development Zone 1 of the Aspen Polo Partners, LLP property (former TCI Lane property) located at 16411 Highway 82 near the town of Carbondale and east of Catherine's store (E1/2 Section 31 and W1/2 Section 32, T7S, R87W, of the 6th P.M.) as shown on **Figure 1**. All uses proposed to be covered under the amended water allotment contract for Zone 1 are as follows:

- Five Horse Barns each including the following:
 - ADU,
 - Bathrooms,
 - Wash Room,
 - Slop Sink, and
 - Horse Stalls (including washing stations);
- Maintenance Barn including the following 2 ADUs;
- Four Cabins plus one additional cabin/ADU;
- Clubhouse;
- 120 livestock (horses).
- Evaporative losses for up to 0.65 surface acres for three proposed ponds located on the property; and

- 2.5 acres (108,900 square feet) of emergency irrigation during the shoulder months only (April and October).

The source of water supply for the domestic in-house use, commercial irrigation, and horses is a proposed well known as the APP Well No. 1 (Permit No. 82161-F). The well is located in the SE1/4 NE1/4 of Section 31, Township 7 South, Range 87 West of the 6th P.M. at a point 2,054 feet from the north section line and 250 feet of the east section line (UTM NAD83 4363856 N, 315419 E). The source of supply for the emergency irrigation and pond evaporation are several surface ditches as follows:

- Basin Ditch – From CA3082 decree; the headgate is located on the north bank of the Roaring Fork River at a point whence the quarter corner common to Sections 32 and 33, Township 7 South, Range 87 West of the 6th P.M., bears North 40°41' West 1,079 feet.
- Lower Ditch – From CA5884 decree; the point of diversion of said ditch is located on the east bank of the Roaring Fork River whence the North quarter corner of Section 31, Township 7 South, Range 87 West of the 6th P.M. bears North 27°12'12" West 3,873.08 feet.
- Middle Ditch – From CA132 decree; the headgate is located on the north bank of Cummings Springs channel in Garfield County near the eastern line of the land claimed by Alexander Patterson, near the north bank of the Roaring Fork River, on or near Section 32, T7S, R87W, of the 6th P.M.
- C.C. Cerise Gilligan Ditch – From 90CW196 decree; the point of diversion is in the SW ¼, NW ¼ of Section 32, T7S, R87W of the 6th P.M. at a point 1,150 feet east of the west section line and 2,400 feet south of the north section line of said Section 32.

Contract depletions are estimated at 6.6 acre-feet (AF) as estimated by Resource Engineering, Inc. (RESOURCE) on the attached tables.

Water User :	Aspen Polo Partners, LLP
Analysis Date :	June 28, 2018
District Area:	A
Source Series:	4
Maximum Demand:	30 0.067
	(GPM) (CFS)

**BASALT WATER CONSERVANCY DISTRICT
WATER REQUIREMENTS**
(acre feet)
~ Zone 1 ~

Month	Total Demand				Consumptive Use				(14) Source of Aug/Replace GNM				
	(1) Domestic In-house	(2) Commercial	(3) Emergency Irrigation	(4) Pond Evaporation	(5) Horses	(6) TOTAL	(8) Domestic In-house	(9) Commercial		(10) Emergency Irrigation	(11) Pond Evaporation	(12) Horses	(13) TOTAL
January	0.285	0.635	0.000	0.073	0.126	1.119	0.043	0.095	0.000	0.073	0.126	0.370	GNM
February	0.258	0.573	0.000	0.085	0.113	1.030	0.039	0.086	0.000	0.085	0.113	0.356	GNM
March	0.285	0.635	0.000	0.134	0.126	1.180	0.043	0.095	0.000	0.134	0.126	0.437	GNM
April	0.276	0.614	0.230	0.219	0.122	1.462	0.041	0.092	0.184	0.219	0.122	0.725	GNM
May	0.285	0.635	0.000	0.293	0.126	1.338	0.043	0.095	0.000	0.293	0.126	0.612	GNM
June	0.276	0.614	0.000	0.353	0.122	1.365	0.041	0.092	0.000	0.353	0.122	0.669	GNM
July	0.285	0.635	0.000	0.366	0.126	1.411	0.043	0.095	0.000	0.366	0.126	0.692	GNM
August	0.285	0.635	0.000	0.329	0.126	1.375	0.043	0.095	0.000	0.329	0.126	0.652	GNM
September	0.276	0.614	0.000	0.244	0.122	1.256	0.041	0.092	0.000	0.244	0.122	0.549	GNM
October	0.285	0.635	0.278	0.171	0.126	1.494	0.043	0.095	0.222	0.171	0.126	0.722	GNM
November	0.276	0.614	0.000	0.098	0.122	1.109	0.041	0.092	0.000	0.098	0.122	0.388	GNM
December	0.285	0.635	0.000	0.073	0.126	1.119	0.043	0.095	0.000	0.073	0.126	0.370	GNM
TOTALS -->	3.360	7.472	0.508	2.438	1.479	15.257	0.504	1.121	0.407	2.438	1.479	6.542	

		Assumptions		Area A-4	
(1)	(2)	(3)	(4)	(5)	(6)
NUMBER OF RESIDENCES	8.57 EQRs			# of Horses @ 11 gals/day	120
See domestic total/assumptions on Table 1	3.360 AF			% CU for Domestic/Commercial	15
Commercial/Other Demand (af)	AF			% Lawn Irrig. Efficiency	80
See commercial total/assumptions on Table 1				Consumption of Irrig. (af/ac)	2,052
Emergency Irrigation	108,900 square feet			Pond Evaporation	100
Lawn Application Rate (af/ac)	2.565			100 percent consumptive	
April and October Only (from surface ditches)				Elevation (feet)	6320
Pond Evaporation	2.438 AF				
See Table 2					

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

= Domestic Use

= Commercial Use

Roaring Fork River
Uniform Depletions
from well(s)
(No delayed effect)

Irrigation from
surface ditches
(No delayed effect)

TABLE 1
ASPEN POLO PARTNERS, LLP
Facility Domestic / Commercial Demands from Roaring Fork Engineering
(all values in AF unless otherwise noted)

Month	DOMESTIC			COMMERCIAL				
	Horse Barn Domestic	Cabin / ADU Domestic	Domestic Total	Horse Barn Commercial	Maintenance Barn Commercial	Clubhouse Commercial	Clubhouse Members / Guests	Commercial Total
January	0.143	0.143	0.285	0.397	0.153	0.035	0.049	0.635
February	0.129	0.129	0.258	0.359	0.138	0.032	0.044	0.573
March	0.143	0.143	0.285	0.397	0.153	0.035	0.049	0.635
April	0.138	0.138	0.276	0.384	0.148	0.034	0.047	0.614
May	0.143	0.143	0.285	0.397	0.153	0.035	0.049	0.635
June	0.138	0.138	0.276	0.384	0.148	0.034	0.047	0.614
July	0.143	0.143	0.285	0.397	0.153	0.035	0.049	0.635
August	0.143	0.143	0.285	0.397	0.153	0.035	0.049	0.635
September	0.138	0.138	0.276	0.384	0.148	0.034	0.047	0.614
October	0.143	0.143	0.285	0.397	0.153	0.035	0.049	0.635
November	0.138	0.138	0.276	0.384	0.148	0.034	0.047	0.614
December	0.143	0.143	0.285	0.397	0.153	0.035	0.049	0.635
TOTAL =	1,680	1,680	3,360	4,678	1,801	0.417	0.576	7,472
gpd	1,500	1,500		4,176	1,608	372	1,800*	

* weekends only equivalency
See Roaring Fork Engineering Worksheets for additional detail.

**TABLE 2
EVAPORATION CALCULATION - ASPEN POLO PARTNERS, LLP**

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	3.0%	0.11	1.35	0.09	1.06	0.00	0.00	0.11	1.35	0.073
February	3.5%	0.13	1.58	0.09	1.06	0.00	0.00	0.13	1.58	0.085
March	5.5%	0.21	2.48	0.10	1.14	0.00	0.00	0.21	2.48	0.134
April	9.0%	0.34	4.05	0.11	1.30	0.00	0.00	0.34	4.05	0.219
May	12.0%	0.45	5.40	0.12	1.46	0.00	0.00	0.45	5.40	0.293
June	14.5%	0.54	6.53	0.11	1.26	0.00	0.00	0.54	6.53	0.353
July	15.0%	0.56	6.75	0.13	1.57	0.00	0.00	0.56	6.75	0.366
August	13.5%	0.51	6.08	0.18	2.17	0.00	0.00	0.51	6.08	0.329
September	10.0%	0.38	4.50	0.16	1.89	0.00	0.00	0.38	4.50	0.244
October	7.0%	0.26	3.15	0.12	1.42	0.00	0.00	0.26	3.15	0.171
November	4.0%	0.15	1.80	0.10	1.14	0.00	0.00	0.15	1.80	0.098
December	3.0%	0.11	1.35	0.11	1.30	0.00	0.00	0.11	1.35	0.073
	100.0%	3.75	45.00	1.40	16.77	0.00	0.00	3.75	45.00	2.438

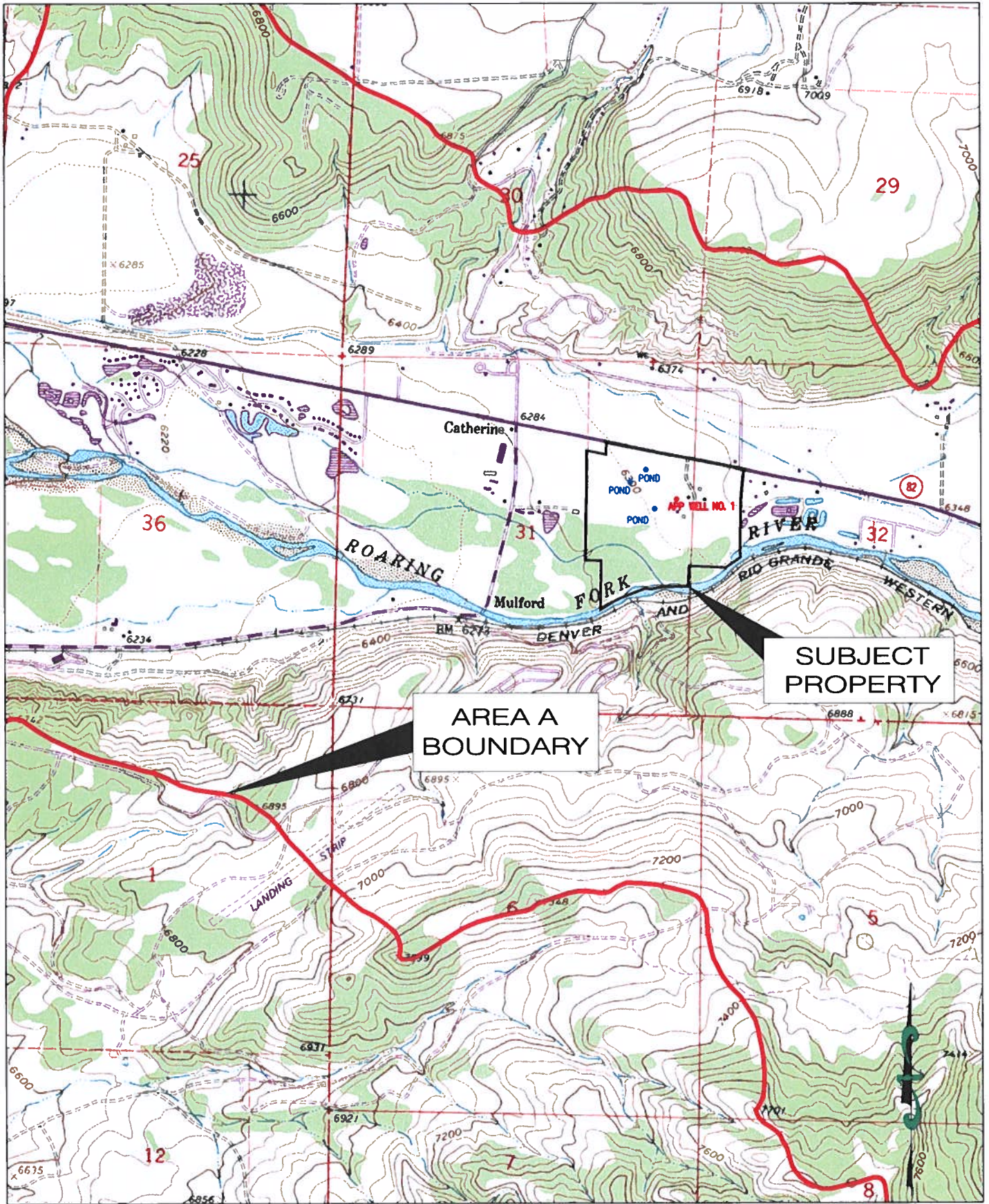
(1) = Monthly distribution of gross annual evaporation rate in accordance with SEO General Criteria.

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



**Figure 1: Contract 701 Amendment
Aspen Polo Partners, LLC (Zone 1)**

File: 033-72
Date: 06/28/2018

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 TO AMEND WATER ALLOTMENT CONTRACT NO. 701
BASALT WATER CONSERVANCY DISTRICT**

Introduction: Applicant currently holds Basalt Water Conservancy District Contract No. 701. Contract 701 currently provides water for 11 residential units (a mix of accessory dwelling units and cabins) in Zone 1 of Applicant's development. By this amendment, Applicant seeks to add one additional accessory dwelling unit to the uses for which Contract 701 is issued. In addition, Applicant seeks to increase the total surface area of ponds and evaporation replacement to be covered.

1. Applicant's Contact Information:

- a. Name: **Aspen Polo Partners, LLP**
- b. Mailing Address: **715 West Main Street
Aspen, CO 81611**
- c. Street Address: **16411 Highway 82
Carbondale, CO 81623**
- d. Telephone Numbers: **(970) 948-6523 (Craig Corona);
(970) 925-5625 (Wright Law Aspen)**

e. Email Address: cc@craigcoronalaw.com

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

**Craig V. Corona
Corona Water Law
420 E. Main Street, Suite 210B
Aspen, CO 81611
(970) 948-6523
cc@craigcoronalaw.com**

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

**Michael Buchanan
(970) 948-0403
emby1516@gmail.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:

See (g) above.

2. Type of land use (development) proposed for *amended* water allotment contract:

**Residential inside one accessory dwelling unit in Zone 1 of the development.
Increased pond size.**

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)*:

Address: 16411 Highway 82, Carbondale, CO 81623

See deed and map attached as Exhibit A. The deed includes the legal description for the entire property owned by Applicant. The property will be developed in two zones. A map showing the two separate zones is attached as Exhibit B.

This application is to amend Contract 701 to add uses in Zone 1 of the development. This application is not meant to affect Applicant's Contract No. 702 in any way.

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 points:

a) Name of Diversion APP Well No. 1 .

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

Legal Description: SE Quarter, NE Quarter, Section 31 , Township 7
S, Range 87 W, 6th Principal Meridian, at a location _____ feet from the
_____ Section line and _____ feet from the _____ Section line.

UTM Coordinates (NAD 83):

Northing: 4363856.14

Easting: 315419.15

_____ Zone 12 / X Zone 13.

APP Well No. 1 Well Permit No.: **Well Permit No. 82161-F**

Is APP Well No. 1 operational/active? X Yes

Is there currently an operating well meter? Yes

6. Legal Water Supply: (please check one)

Contract 701 is included in the District's Umbrella Plan for Augmentation decreed in Case No. 02CW77.

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: **March 12, 2018, Garfield County approved Resolution No. 2018-10, A Resolution of Approval for a Substantial Amendment to the TCI Lane Ranch PUD.**

9. What other water rights are associated with or used on the property? **Basin Ditch, Lower Ditch, Middle Ditch, CC Cerise – Gilligan Ditch, Oscar Cerise Well Nos. 1-4 decreed in Case No. W-890.**

10. What other uses of water occur on the property? **Currently, the property has agricultural irrigation and a commercial greenhouse on Zone 2. Applicant holds Contract No. 702 for residential development on Zone 2.**

Please complete the section below if you selected domestic/municipal use on Page 3, No. 8

DOMESTIC/MUNICIPAL WATER USES

(ADDITIONAL USES)*

In-House

Single family residential home(s) Number of Units: 1

This will be a two-bedroom cabin or ADU – the demand is the same (Exhibit C). If a classification must be assigned, please use ADU.

Duplex(s) Number of Units: _____

Condominium(s) Number of Units: _____

Apartment(s) Number of Units/Rooms: _____

Mobile Home(s) Number of Units: _____

Remark: A schedule of demand calculations is attached with this application as Exhibit C.

Irrigation (lawns, parks, open space)

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

Type of irrigation system (please check)

_____ Sprinkler

_____ Flood (irrigation ditch)

* SEE EXHIBIT C
FOR ALL USES

Domestic stock watering (cattle, horses)

Number of animals:

Period of use (months):

- E

Other domestic/municipal uses not listed: N/A

Other Commercial Uses Not Listed:

Evaporation replacement for fire protection ponds. The proposed surface area of the ponds for which evaporation is covered in Contract No. 701 is now greater than originally

anticipated. The total surface area will be increased by 4,270 square feet (approx. 0.10 acre) pursuant to this amendment for a total pond surface area of 28,270 square feet (approx. 0.65 acre).

Pond surface areas will be increased over the original estimates as follows:

Pond	Original Estimate	Amended Estimate
Pond 1	8,000 square feet	10,720 square feet
Pond 2	8,000 square feet	8,530 square feet
Pond 3	8,000 square feet	9,020 square feet
Total	24,000 square feet	28,270 square feet

VERIFICATION

STATE OF COLORADO)
) ss.
COUNTY OF PITKIN)

I, Marc Ganzi, 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: 6/28/18

By: *[Signature]*

Print Name: Craig V. Corona

Title: Attorney for Applicant

Subscribed and sworn before me this 28th day of June, 20 18 by *[Signature]*.

Witness my hand and seal.

[Signature]
Notary Public

My commission expires: 6-11-2021

BARBARA J. D'AUTRECHY Notary Public State of Colorado Notary ID # 20074042687 My Commission Expires 06-11-2021
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