




LRE Water  
 909 Colorado Avenue  
 Glenwood Springs, CO 81601  
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 (970)-945-1137 Facsimile

# Memorandum

**To:** BWCD BOARD OF DIRECTORS  
**From:** ERIC MANGEOT   
**CC:** CHRIS GEIGER  
**Date:** APRIL 26, 2021  
**File:** AMENDMENT – CONTRACT 752a

**Applicant Name:** Shay and Deborah O’Neill

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

**Amount:** 2.1 AF 0.078 cfs 35 gpm (Previous contract amount = 1.1 AF)

**Location:** Area A A-1 Area B \_\_\_\_\_ Inclusion   
 County: EAGLE 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:** previously paid

This application is to cover depletions associated with a single-family dwelling, one acre of irrigation, 4 horses, and evaporative depletions associated with 2,700 square foot pond. Total contract depletions are 2.1 acre-feet (AF) as shown on the attached tables. The pond is located south of the existing residence (~UTM NAD83 Z13 4360856 N, 344343 E).

The property is approximately 40 acres and is owned by Shay and Deborah O’Neill in Eagle County, Colorado (Parcel No. 247106400015). The parcel is located in the SE1/4 of Section 6, Township 8 South, Range 84 West of the 6<sup>th</sup> P.M. The physical address of the property is 16350 Frying Pan Road. The property is outside of the Division 7 boundary and was previously included into the District. A BWCD map is also attached showing the location of the property.

The primary source of supply for indoor use under the contract is an existing well (Permit No. 85066-F; 15 gpm): Located in the NE1/4 SE1/4 of Section 6, Township 8 South, Range 84 West, of the 6<sup>th</sup> P.M. at a point 1,700 feet from the South section line and 800 feet from the West section line (UTM NAD83 Z13 4360873.6 N, 344355.74 E). The well can also serve as a redundant source of supply for the outdoor use.

The primary source of supply for the outdoor use a proposed surface diversion (20 gpm) located in the NE1/4 SE1/4 of Section 6, Township 8 South, Range 84 West, of the 6<sup>th</sup> P.M. at a point 1,974 feet from the South section line and 387 feet from the West section line (UTM NAD83 Z13 4360955 N, 344479 E). The surface diversion can also serve as a redundant supply for the in-house use.

Water User :	Shay and Deborah O'Neill	
Analysis Date :	April 26, 2021	
District Area:	A-1	
Source Series:	4	
Maximum Demand:	35	0.078
	(GPM)	(CFS)

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

Month	Total Demand						Consumptive Use							(14) Source of Aug/Replace
	(1) Domestic In-house	(2) Pond Evaporation	(3) Domestic Irrigation	(4) Agriculture	(5) Livestock	(6) TOTAL	(7) Domestic In-house	(8) Pond Evaporation	(9) Domestic Irrigation	(10) Agriculture	(11) Livestock	*(12) TOTAL	*(13) Depletions	
January	0.033	0.002	0.000	0.000	0.004	<b>0.040</b>	0.005	0.002	0.000	0.000	0.004	0.013	<b>0.013</b>	GNM
February	0.030	0.007	0.000	0.000	0.004	<b>0.040</b>	0.005	0.007	0.000	0.000	0.004	0.017	<b>0.017</b>	GNM
March	0.033	0.013	0.000	0.000	0.004	<b>0.051</b>	0.005	0.013	0.000	0.000	0.004	0.025	<b>0.025</b>	GNM
April	0.032	0.020	0.000	0.000	0.004	<b>0.056</b>	0.005	0.020	0.000	0.000	0.004	0.032	<b>0.032</b>	GNM
May	0.033	0.027	0.306	0.000	0.004	<b>0.371</b>	0.005	0.027	0.245	0.000	0.004	0.313	<b>0.313</b>	GNM
June	0.032	0.034	0.535	0.000	0.004	<b>0.605</b>	0.005	0.034	0.428	0.000	0.004	0.523	<b>0.523</b>	GNM
July	0.033	0.035	0.487	0.000	0.004	<b>0.560</b>	0.005	0.035	0.390	0.000	0.004	0.482	<b>0.482</b>	GNM
August	0.033	0.029	0.276	0.000	0.004	<b>0.342</b>	0.005	0.029	0.221	0.000	0.004	0.287	<b>0.287</b>	GNM
September	0.032	0.024	0.255	0.000	0.004	<b>0.315</b>	0.005	0.024	0.204	0.000	0.004	0.263	<b>0.263</b>	GNM
October	0.033	0.016	0.021	0.000	0.004	<b>0.075</b>	0.005	0.016	0.017	0.000	0.004	0.047	<b>0.047</b>	GNM
November	0.032	0.009	0.000	0.000	0.004	<b>0.045</b>	0.005	0.009	0.000	0.000	0.004	0.020	<b>0.020</b>	GNM
December	0.033	0.003	0.000	0.000	0.004	<b>0.041</b>	0.005	0.003	0.000	0.000	0.004	0.014	<b>0.014</b>	GNM
<b>TOTALS --&gt;</b>	<b>0.392</b>	<b>0.220</b>	<b>1.880</b>	<b>0.000</b>	<b>0.049</b>	<b>2.541</b>	<b>0.059</b>	<b>0.220</b>	<b>1.504</b>	<b>0.000</b>	<b>0.049</b>	<b>2.035</b>	<b>2.035</b>	

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	80
	Pond Evaporation	0.220	AF		Consumption of Irrig. (af/ac)	1.504
(3)	Sq. Ft. of Lawn Irrigated	43,560		(10)	% Crop Irrig. Efficiency	80
	Lawn Application Rate (af/ac)	1.880			Consumption of Irrig. (af/ac)	0.000
(4)	Acres of Crop Irrigated	0.00		(9-10)	Elevation (feet)	8240
	Crop Application Rate (af/ac)	0.000				

**Area A-1**  
**Pond Creek**  
**Surface Diversion ~ Outdoor Use.**  
**Well ~ Indoor Use.**  
**No Delayed Depletions**

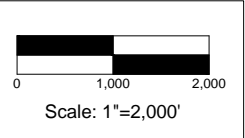
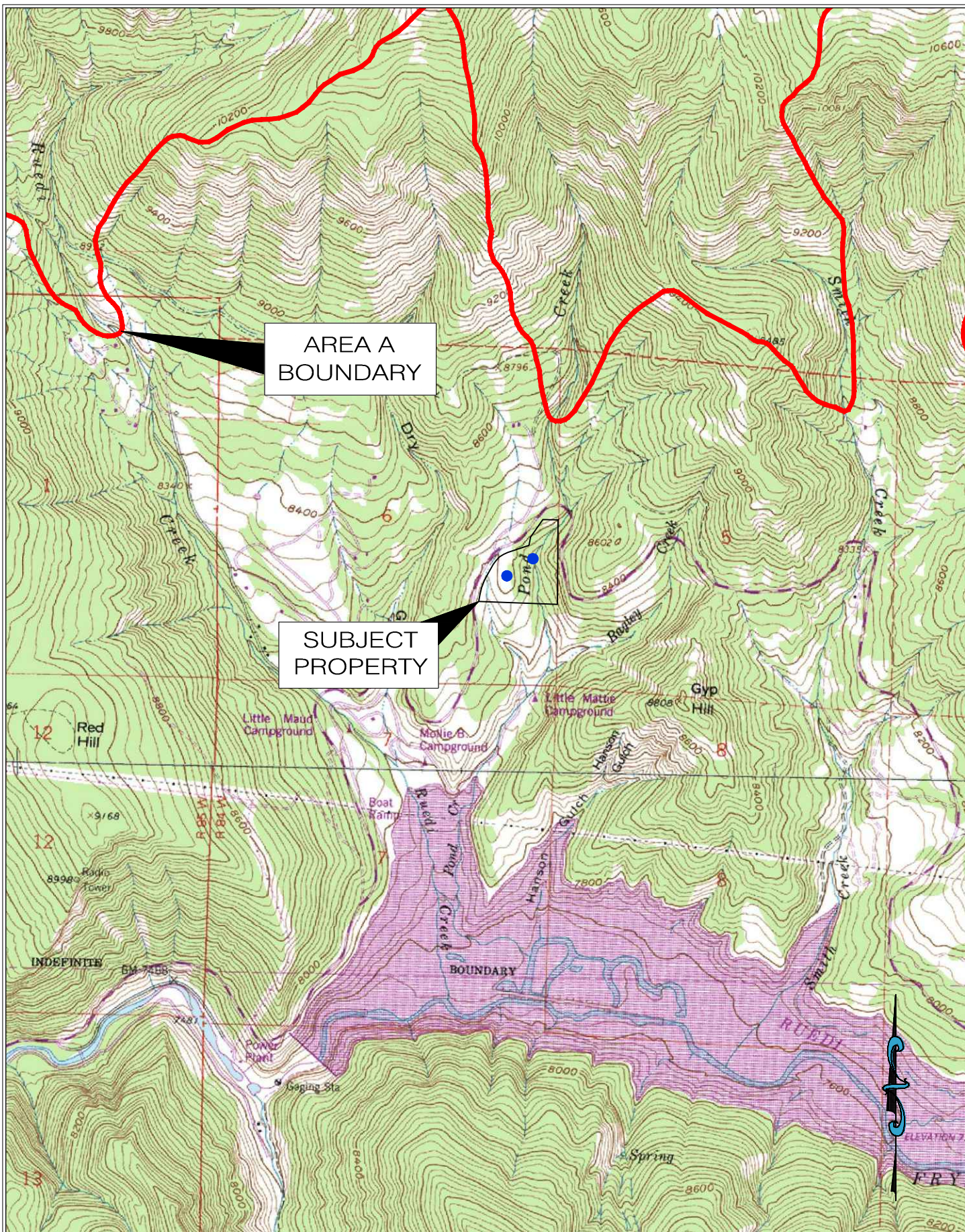
\*(12), (13) Total Includes 5% Transit Loss  
10% from Green Mtn.

**TABLE 1  
CONTRACT 752 EVAPORATION CALCULATION - > 6,500**

Month	SEO Monthly Distribution	(1) Gross Lake Evaporation		(2) Average Precipitation		(3) Effective Precipitation		(4) Net Evaporation		(5) Total Evaporation
		(feet)	(inches)	(feet)	(inches)	(feet)	(inches)	(feet)	(inches)	(acre-feet)
January	1.0%	0.04	0.43	0.07	0.84	0.00	0.00	0.04	0.43	0.002
February	3.0%	0.11	1.28	0.07	0.79	0.00	0.00	0.11	1.28	0.007
March	6.0%	0.21	2.55	0.05	0.58	0.00	0.00	0.21	2.55	0.013
April	9.0%	0.32	3.83	0.11	1.35	0.00	0.00	0.32	3.83	0.020
May	12.5%	0.44	5.31	0.09	1.02	0.00	0.00	0.44	5.31	0.027
June	15.5%	0.55	6.59	0.14	1.73	0.00	0.00	0.55	6.59	0.034
July	16.0%	0.57	6.80	0.10	1.14	0.00	0.00	0.57	6.80	0.035
August	13.0%	0.46	5.53	0.17	1.99	0.00	0.00	0.46	5.53	0.029
September	11.0%	0.39	4.68	0.16	1.96	0.00	0.00	0.39	4.68	0.024
October	7.5%	0.27	3.19	0.13	1.57	0.00	0.00	0.27	3.19	0.016
November	4.0%	0.14	1.70	0.07	0.80	0.00	0.00	0.14	1.70	0.009
December	1.5%	0.05	0.64	0.11	1.32	0.00	0.00	0.05	0.64	0.003
	<b>100.0%</b>	<b>3.54</b>	<b>42.50</b>	<b>1.26</b>	<b>15.09</b>	<b>0.00</b>	<b>0.00</b>	<b>3.54</b>	<b>42.50</b>	<b>0.220</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 (tbd acres) x Column (4) in feet.

Surface Area =                      2,700 square feet  
    0.062 acres



**Figure 1: Shay and Deborah O'Neill**  
 Water Allotment Contract Amendment - Contract 752a  
 Basalt Water Conservancy District

Job No. 20033BWCD1-20(4)  
Date: 04/26/2021

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

1. Applicant(s) Contact Information

a. Name: Shay J O'Neill and Deborah A O'Neill

b. Mailing Address:

16350 Frying Pan Rd  
BASALT CO 81621

c. Street Address:

Same

d. Telephone Numbers: 970-379-2476 , 970-927-0582

e. Email Address: ShayJames321@aol.com

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

None

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

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:

2. Type of land use (development) proposed for water allotment contract (i.e. single family home, subdivision, gravel pit, etc.):

Single Family

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)\*:

16350 Frying Pan Rd Basalt CO 81621

Basalt Water Conservancy District  
Water Allotment Application  
Page 2

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 Pond Creek #2

Type of Diversion (Surface/Pond) <sup>(Well/Domestic)</sup>  
(e.g., a well, spring, ditch, pipeline, etc.)

Legal Description: \_\_\_\_\_ Quarter, \_\_\_\_\_ Quarter, Section \_\_, Township \_\_\_\_  
N / S, Range \_\_\_\_ E / W, of the 6<sup>th</sup> Principal Meridian, at a location  
\_\_\_\_\_ feet from the \_\_\_\_\_ Section line and \_\_\_\_\_ feet  
from the \_\_\_\_\_ Section line.

UTM Coordinates (NAD 83):

Northing: (4360955) <sup>Surface</sup> (752A) <sup>Well</sup>  
Easting: (344479) <sup>(Contract)</sup>

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

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

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?

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

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

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 Acres

Type of irrigation system (please check)

X Sprinkler

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


Domestic stock watering (cattle, horses)

Number of animals: 4

Period of use (months):

Other domestic/municipal uses not listed:

Pond evaporation

2,700 ft<sup>2</sup> 



Please complete this page if you selected commercial use on Page 3, No. 8

COMMERCIAL WATER USES

In-House

Hotel: \_\_\_\_\_

Office(s), square footage: \_\_\_\_\_

Warehouse/distributor, square footage: \_\_\_\_\_

Retail, square footage: \_\_\_\_\_

Restaurant, number of seats: \_\_\_\_\_

Bar, number of seats: \_\_\_\_\_

Irrigation (lawns, parks, open space)

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

Type of irrigation system (please check)

\_\_\_\_\_ Sprinkler

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

Other Commercial Uses Not Listed:

Please complete this page if you selected industrial use on Page 3, No. 8

**INDUSTRIAL WATER USES**

Please describe your industrial development in some detail:

Irrigation (lawns, parks, open space)

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

Type of irrigation system (please check)

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

Please complete this page if you selected agricultural use on Page 3, No. 8.

**AGRICULTURAL WATER USE**

**Irrigation**

Type of crop(s) (pasture, alfalfa, beans, etc.) and irrigation system:

Crop: \_\_\_\_\_ Acres: \_\_\_\_\_ Sprinkler: \_\_\_\_\_ Flood:

Crop: \_\_\_\_\_ Acres: \_\_\_\_\_ Sprinkler: \_\_\_\_\_ Flood:

Crop: \_\_\_\_\_ Acres: \_\_\_\_\_ Sprinkler: \_\_\_\_\_ Flood:

Crop: \_\_\_\_\_ Acres: \_\_\_\_\_ Sprinkler: \_\_\_\_\_ Flood:

**Stock Watering** (cattle, horses)

Number of animals:

Months of use:

**Other agricultural uses not listed:**

VERIFICATION

STATE OF Colorado )  
 ) ss.  
COUNTY OF Pitkin )

I, Shay O'Neill (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: 4/21/2021

By: *Shay O'Neill*

Print Name: Shay O'Neill

Title: Owner

Subscribed and sworn before me this 21 day of April, 2021  
by Shay O'NEILL.

Witness my hand and seal.

*Elsa Nelly Caballero*  
Notary Public

My commission expires:

