



LRE Water
909 Colorado Avenue
Glenwood Springs, CO 81601
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Memorandum

To: BWCD BOARD OF DIRECTORS

From: ERIC MANGEOT 

CC: CHRIS GEIGER

Date: JULY 28, 2021

File: AMENDMENT – CONTRACT 726

Applicant Name: Robert and Maureen Oxenberg

Type of Use: Domestic X Commercial
Industrial Agricultural

Amount: 4.3 AF 0.132 cfs 60 gpm (Previous Contract = 4.2 AF)

Location: Area A X Area B Inclusion X (included previously)

County: PITKIN Contiguous: No (To Division Boundary)

BWCD Division: 7

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:** \$5,000

This amendment application is to cover depletions associated with in-house use, 52,000 square feet of irrigation, and pond evaporation, and horses and livestock as further described below. Total contract depletions are 4.3 acre-feet as shown on the attached tables.

The property is approximately 38.67 acres and is owned by Robert and Maureen Oxenberg (Applicants) in Pitkin County, Colorado (Parcel No. 246725400007). The parcel is primarily located in the S1/2 of Section 25, Township 8 South, Range 86 West of the 6th P.M. The physical address of the property is 2520 Lower River Road, Snowmass, Colorado. The property requires inclusion into the District as it is located outside of the Division 7 boundary. A BWCD map is also attached showing the location of the property.

The sources of supply area as follows:

- Oxenberg Well A (15 gpm) – serves large single-family home, 13,000 square feet of irrigation, and 2 horses (or equivalent). The well is located in the NW1/4 SE1/4, Section 25, Township 8 South, Range 86 West of the 6th P.M. in Pitkin County; UTM coordinates: Easting 0332574.67, Northing 4354608.35 (Zone 13).
- Oxenberg Well B (15 gpm) – serves large single-family home, 13,000 square feet of irrigation, and 2 horses (or equivalent). The well is located in the SW1/4 SE1/4, Section 25, Township 8 South, Range 86 West of the 6th P.M. in Pitkin County; UTM coordinates: Easting 0332394.52, Northing 4354312.52 (Zone 13).

- Oxenberg Well C (15 gpm) – serves Barn plus small ADU, 13,000 square feet of irrigation, the Oxenberg Pond as further described below for evaporative losses, and 13 livestock (or equivalent). The well is located in the SE1/4 SE1/4, Section 25, Township 8 South, Range 86 West of the 6th P.M. in Pitkin County; UTM coordinates: Easting 0332525.32, Northing 4354555.66 (Zone 13).
- Oxenberg Lot 6 Well (15 gpm) – serves single family home, ADU, 13,000 square feet of irrigation, and 6 horses (or equivalent). The well is located in the SE1/4 SW1/4, Section 25, Township 8 South, Range 86 West of the 6th P.M. in Pitkin County; UTM coordinates: Easting 0332323, Northing 4354342 (Zone 13). Current Permit No. 95794.

The Oxenberg Pond is located in the SW1/4 SE1/4, Section 25, Township 8 South, Range 86 West of the 6th P.M. at a point 786 feet from the South section line and 2,149 feet from the East section line in Pitkin County (UTM NAD83 Z13: Easting 0332472, Northing 4354456). The surface area of the pond is 0.25 acres AF. Annual filling expected to occur in May from Last Chance Ditch or Eli Cerise Ditch. The source of supply for the evaporation losses can be Oxenberg Well C or the surface ditches (when running).

The Applicants will need to obtain –F well permits with the Division of Water Resources if the contract is approved and executed. The Applicants also have irrigation rights in the Last Chance Ditch First Enlargement (Priority 371) and the Eli Cerise First Enlargement (Priority 372).

Water User :	Robert and Maureen Oxenberg	
Analysis Date :	July 28, 2021	
District Area:	A-3	
Source Series:	4	
Maximum Demand:	60	0.134
	(GPM)	(CFS)

BASALT WATER CONSERVANCY DISTRICT
WATER REQUIREMENTS

(acre feet)

Overall Contract

Month	Total Demand						Consumptive Use							(14) Source of Aug/Replace
	(1) Domestic In-house	(2) Pond Evaporation	(3) Domestic Irrigation	(4) Crop Irrigation	(5) Livestock	(6) TOTAL	(7) Domestic In-house	(8) Pond Evaporation	(9) Domestic Irrigation	(10) Crop Irrigation	(11) Livestock	*(12) TOTAL	*(13) Delayed Depletions	
January	0.225	0.009	0.000	0.000	0.000	0.234	0.034	0.009	0.000	0.000	0.000	0.047	0.175	GNM
February	0.203	0.028	0.000	0.000	0.000	0.231	0.030	0.028	0.000	0.000	0.000	0.064	0.183	GNM
March	0.225	0.056	0.000	0.000	0.000	0.281	0.034	0.056	0.000	0.000	0.000	0.099	0.203	GNM
April	0.217	0.084	0.046	0.000	0.000	0.348	0.033	0.084	0.037	0.000	0.000	0.169	0.245	GNM
May	0.225	0.117	0.533	0.000	0.000	0.875	0.034	0.117	0.426	0.000	0.000	0.635	0.529	GNM
June	0.217	0.145	0.697	0.000	0.000	1.060	0.033	0.145	0.558	0.000	0.000	0.810	0.616	GNM
July	0.225	0.150	0.652	0.000	0.000	1.027	0.034	0.150	0.522	0.000	0.000	0.776	0.586	GNM
August	0.225	0.122	0.386	0.000	0.000	0.732	0.034	0.122	0.309	0.000	0.000	0.511	0.491	GNM
September	0.217	0.103	0.353	0.000	0.000	0.674	0.033	0.103	0.283	0.000	0.000	0.460	0.435	GNM
October	0.225	0.070	0.086	0.000	0.000	0.381	0.034	0.070	0.069	0.000	0.000	0.190	0.318	GNM
November	0.217	0.038	0.000	0.000	0.000	0.255	0.033	0.038	0.000	0.000	0.000	0.077	0.230	GNM
December	0.225	0.014	0.000	0.000	0.000	0.239	0.034	0.014	0.000	0.000	0.000	0.053	0.190	GNM
TOTALS -->	2.646	0.938	2.753	0.000	0.000	6.337	0.397	0.938	2.202	0.000	0.000	3.891	4.202	

Assumptions							
(1)	NUMBER OF RESIDENCES	6.75	EQR	(5)	# of Livestock @ 11 gals/day	0	
	# persons/residence	3.5		(7)	% CU for Domestic	15	
	# gallons/person/day	100		(8)	% CU for Evaporation / Pond	100	
(2)	Oxenberg Pond	0.938	AF	(9)	% Lawn Irrig. Efficiency	80	
	Surface Acres	0.250	Acres		Consumption of Irrig. (af/ac)	1.851	
(3)	Sq. Ft. of Lawn Irrigated	52,000		(10)	% Crop Irrig. Efficiency	80	
	Lawn Application Rate (af/ac)	2.314			Consumption of Irrig. (af/ac)	0.000	
(4)	Acres of Crop Irrigated	0.00		(9-10)	Elevation (feet)	7050	
	Crop Application Rate (af/ac)	0.000					

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

Oxenberg Wells
Area A-3
Roaring Fork River

Water User :	Robert and Maureen Oxenberg
Analysis Date :	July 30, 2018
District Area:	A-3
Source Series:	4
Maximum Demand:	15 0.033
	(GPM) (CFS)

BASALT WATER CONSERVANCY DISTRICT
WATER REQUIREMENTS
(acre feet)
Oxenberg Well A Only

Month	Total Demand						Consumptive Use							(14) Source of Aug/Replace	Type C Well
	(1) Domestic In-house	(2) Pond Evaporation	(3) Domestic Irrigation	(4) Crop Irrigation	(5) Livestock	(6) TOTAL	(7) Domestic In-house	(8) Pond Evaporation	(9) Domestic Irrigation	(10) Crop Irrigation	(11) Livestock	*(12) TOTAL	*(13) Delayed Depletions		
January	0.067	0.000	0.000	0.000	0.002	0.069	0.010	0.000	0.000	0.000	0.002	0.013	0.045	GNM	0.059
February	0.060	0.000	0.000	0.000	0.002	0.062	0.009	0.000	0.000	0.000	0.002	0.012	0.043	GNM	0.057
March	0.067	0.000	0.000	0.000	0.002	0.069	0.010	0.000	0.000	0.000	0.002	0.013	0.043	GNM	0.056
April	0.064	0.000	0.011	0.000	0.002	0.078	0.010	0.000	0.009	0.000	0.002	0.023	0.046	GNM	0.061
May	0.067	0.000	0.133	0.000	0.002	0.202	0.010	0.000	0.107	0.000	0.002	0.130	0.065	GNM	0.085
June	0.064	0.000	0.174	0.000	0.002	0.241	0.010	0.000	0.139	0.000	0.002	0.166	0.085	GNM	0.112
July	0.067	0.000	0.163	0.000	0.002	0.232	0.010	0.000	0.130	0.000	0.002	0.157	0.094	GNM	0.123
August	0.067	0.000	0.096	0.000	0.002	0.165	0.010	0.000	0.077	0.000	0.002	0.098	0.088	GNM	0.116
September	0.064	0.000	0.088	0.000	0.002	0.155	0.010	0.000	0.071	0.000	0.002	0.091	0.081	GNM	0.106
October	0.067	0.000	0.021	0.000	0.002	0.090	0.010	0.000	0.017	0.000	0.002	0.032	0.069	GNM	0.090
November	0.064	0.000	0.000	0.000	0.002	0.066	0.010	0.000	0.000	0.000	0.002	0.013	0.055	GNM	0.072
December	0.067	0.000	0.000	0.000	0.002	0.069	0.010	0.000	0.000	0.000	0.002	0.013	0.048	GNM	0.063
TOTALS -->	0.784	0.000	0.688	0.000	0.025	1.497	0.118	0.000	0.551	0.000	0.025	0.762	0.762		1.000
Assumptions															
(1)	NUMBER OF RESIDENCES					2	(5)	# of Livestock @ 11 gals/day					2	Oxenberg Well A (Type C Well) Area A-3 Roaring Fork River	
	# persons/residence					3.5	(7)	% CU for Domestic					15		
	# gallons/person/day					100	(8)	% CU for Evporation / Pond					100		
(2)	Pond Evaporation						(9)	% Lawn Irrig. Efficiency					80		
								Consumption of Irrig. (af/ac)					1.851		
(3)	Sq. Ft. of Lawn Irrigated					13,000	(10)	% Crop Irrig. Efficiency					80		
	Lawn Application Rate (af/ac)					2.314		Consumption of Irrig. (af/ac)					0.000		
(4)	Acres of Crop Irrigated					0.00	(9-10)	Elevation (feet)					7050		
	Crop Application Rate (af/ac)					0.000									

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

Water User :	Robert and Maureen Oxenberg	
Analysis Date :	July 30, 2018	
District Area:	A-3	
Source Series:	4	
Maximum Demand:	15	0.033
	(GPM)	(CFS)

BASALT WATER CONSERVANCY DISTRICT
WATER REQUIREMENTS
(acre feet)
Oxenberg Well B Only

	Total Demand						Consumptive Use							(14) Source of Aug/Replace	Type A Well		
Month	(1) Domestic In-house	(2) Pond Evaporation	(3) Domestic Irrigation	(4) Crop Irrigation	(5) Livestock	(6) TOTAL	(7) Domestic In-house	(8) Pond Evaporation	(9) Domestic Irrigation	(10) Crop Irrigation	(11) Livestock	*(12) TOTAL	*(13) Delayed Depletions				
January	0.067	0.000	0.000	0.000	0.002	0.069	0.010	0.000	0.000	0.000	0.002	0.013	0.043	GNM	0.057		
February	0.060	0.000	0.000	0.000	0.002	0.062	0.009	0.000	0.000	0.000	0.002	0.012	0.043	GNM	0.057		
March	0.067	0.000	0.000	0.000	0.002	0.069	0.010	0.000	0.000	0.000	0.002	0.013	0.043	GNM	0.057		
April	0.064	0.000	0.011	0.000	0.002	0.078	0.010	0.000	0.009	0.000	0.002	0.023	0.047	GNM	0.062		
May	0.067	0.000	0.133	0.000	0.002	0.202	0.010	0.000	0.107	0.000	0.002	0.130	0.082	GNM	0.108		
June	0.064	0.000	0.174	0.000	0.002	0.241	0.010	0.000	0.139	0.000	0.002	0.166	0.102	GNM	0.134		
July	0.067	0.000	0.163	0.000	0.002	0.232	0.010	0.000	0.130	0.000	0.002	0.157	0.101	GNM	0.132		
August	0.067	0.000	0.096	0.000	0.002	0.165	0.010	0.000	0.077	0.000	0.002	0.098	0.082	GNM	0.108		
September	0.064	0.000	0.088	0.000	0.002	0.155	0.010	0.000	0.071	0.000	0.002	0.091	0.076	GNM	0.100		
October	0.067	0.000	0.021	0.000	0.002	0.090	0.010	0.000	0.017	0.000	0.002	0.032	0.053	GNM	0.070		
November	0.064	0.000	0.000	0.000	0.002	0.066	0.010	0.000	0.000	0.000	0.002	0.013	0.044	GNM	0.058		
December	0.067	0.000	0.000	0.000	0.002	0.069	0.010	0.000	0.000	0.000	0.002	0.013	0.043	GNM	0.057		
TOTALS -->	0.784	0.000	0.688	0.000	0.025	1.497	0.118	0.000	0.551	0.000	0.025	0.762	0.762		1.000		
	Assumptions											Oxenberg Well B (Type A Well) Area A-3 Roaring Fork River					
	(1)	NUMBER OF RESIDENCES				2	EQR	(5)	# of Livestock @ 11 gals/day							2	
		# persons/residence				3.5		(7)	% CU for Domestic							15	
		# gallons/person/day				100		(8)	% CU for Evporation / Pond							100	
	(2)	Pond Evaporation						(9)	% Lawn Irrig. Efficiency							80	
									Consumption of Irrig. (af/ac)							1.851	
(3)	Sq. Ft. of Lawn Irrigated				13,000		(10)	% Crop Irrig. Efficiency				80					
	Lawn Application Rate (af/ac)				2.314			Consumption of Irrig. (af/ac)				0.000					
(4)	Acres of Crop Irrigated				0.00		(9-10)	Elevation (feet)				7050					
	Crop Application Rate (af/ac)				0.000												

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

Water User :	Robert and Maureen Oxenberg
Analysis Date :	July 30, 2018
District Area:	A-3
Source Series:	4
Maximum Demand:	15 0.033
	(GPM) (CFS)

BASALT WATER CONSERVANCY DISTRICT
WATER REQUIREMENTS
(acre feet)
Oxenberg Well C Only

Month	Total Demand						Consumptive Use							(14) Source of Aug/Replace	Ind. Glover	Pump Rate (gpm)
	(1) Domestic In-house	(2) Pond Evaporation	(3) Domestic Irrigation	(4) Crop Irrigation	(5) Livestock	(6) TOTAL	(7) Domestic In-house	(8) Pond Evaporation	(9) Domestic Irrigation	(10) Crop Irrigation	(11) Livestock	*(12) TOTAL	*(13) Delayed Depletions			
January	0.033	0.009	0.000	0.000	0.014	0.056	0.005	0.009	0.000	0.000	0.014	0.031	0.041	GNM	0.022	0.411
February	0.030	0.028	0.000	0.000	0.012	0.070	0.005	0.028	0.000	0.000	0.012	0.049	0.051	GNM	0.027	0.570
March	0.033	0.056	0.000	0.000	0.014	0.103	0.005	0.056	0.000	0.000	0.014	0.082	0.071	GNM	0.038	0.753
April	0.032	0.084	0.011	0.000	0.013	0.141	0.005	0.084	0.009	0.000	0.013	0.123	0.102	GNM	0.054	1.065
May	0.033	0.117	0.133	0.000	0.014	0.297	0.005	0.117	0.107	0.000	0.014	0.267	0.296	GNM	0.158	2.170
June	0.032	0.145	0.174	0.000	0.013	0.365	0.005	0.145	0.139	0.000	0.013	0.333	0.321	GNM	0.171	2.754
July	0.033	0.150	0.163	0.000	0.014	0.360	0.005	0.150	0.130	0.000	0.014	0.329	0.286	GNM	0.152	2.628
August	0.033	0.122	0.096	0.000	0.014	0.265	0.005	0.122	0.077	0.000	0.014	0.239	0.234	GNM	0.125	1.936
September	0.032	0.103	0.088	0.000	0.013	0.237	0.005	0.103	0.071	0.000	0.013	0.211	0.198	GNM	0.106	1.787
October	0.033	0.070	0.021	0.000	0.014	0.139	0.005	0.070	0.017	0.000	0.014	0.117	0.140	GNM	0.075	1.012
November	0.032	0.038	0.000	0.000	0.013	0.083	0.005	0.038	0.000	0.000	0.013	0.061	0.085	GNM	0.045	0.625
December	0.033	0.014	0.000	0.000	0.014	0.061	0.005	0.014	0.000	0.000	0.014	0.036	0.053	GNM	0.028	0.445
TOTALS -->	0.392	0.938	0.688	0.000	0.160	2.178	0.059	0.938	0.551	0.000	0.160	1.878	1.878		1.000	

Assumptions						Oxenberg Well C (Individual Glover)	
(1)	NUMBER OF RESIDENCES	1	EQR	(5)	# of Livestock @ 11 gals/day	13	Area A-3 Roaring Fork River
	# persons/residence	3.5		(7)	% CU for Domestic	15	
	# gallons/person/day	100		(8)	% CU for Evporation / Pond	100	
(2)	Oxenberg Pond	0.938	AF	(9)	% Lawn Irrig. Efficiency	80	
	Surface Acres	0.250	Acres		Consumption of Irrig. (af/ac)	1.851	
	Pond Volume (160,000 gallons) =	0.491	AF				
(3)	Sq. Ft. of Lawn Irrigated	13,000		(10)	% Crop Irrig. Efficiency	80	
	Lawn Application Rate (af/ac)	2.314			Consumption of Irrig. (af/ac)	0.000	
(4)	Acres of Crop Irrigated	0.00		(9-10)	Elevation (feet)	7050	
	Crop Application Rate (af/ac)	0.000					

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

Water User :	Robert and Maureen Oxenberg
Analysis Date :	July 30, 2018
District Area:	A-3
Source Series:	4
Maximum Demand:	15 0.033
	(GPM) (CFS)

BASALT WATER CONSERVANCY DISTRICT
WATER REQUIREMENTS
(acre feet)
Oxenberg Lot 6 Well Only

Month	Total Demand						Consumptive Use							(14) Source of Aug/Replace	Type A Well
	(1) Domestic In-house	(2) Pond Evaporation	(3) Domestic Irrigation	(4) Crop Irrigation	(5) Livestock	(6) TOTAL	(7) Domestic In-house	(8) Pond Evaporation	(9) Domestic Irrigation	(10) Crop Irrigation	(11) Livestock	*(12) TOTAL	*(13) Delayed Depletions		
January	0.058	0.000	0.000	0.000	0.006	0.065	0.009	0.000	0.000	0.000	0.006	0.017	0.046	GNM	0.057
February	0.053	0.000	0.000	0.000	0.006	0.058	0.008	0.000	0.000	0.000	0.006	0.015	0.046	GNM	0.057
March	0.058	0.000	0.000	0.000	0.006	0.065	0.009	0.000	0.000	0.000	0.006	0.017	0.046	GNM	0.057
April	0.056	0.000	0.011	0.000	0.006	0.074	0.008	0.000	0.009	0.000	0.006	0.026	0.050	GNM	0.062
May	0.058	0.000	0.133	0.000	0.006	0.198	0.009	0.000	0.107	0.000	0.006	0.134	0.086	GNM	0.108
June	0.056	0.000	0.174	0.000	0.006	0.237	0.008	0.000	0.139	0.000	0.006	0.169	0.107	GNM	0.134
July	0.058	0.000	0.163	0.000	0.006	0.228	0.009	0.000	0.130	0.000	0.006	0.160	0.106	GNM	0.132
August	0.058	0.000	0.096	0.000	0.006	0.161	0.009	0.000	0.077	0.000	0.006	0.101	0.086	GNM	0.108
September	0.056	0.000	0.088	0.000	0.006	0.151	0.008	0.000	0.071	0.000	0.006	0.094	0.080	GNM	0.100
October	0.058	0.000	0.021	0.000	0.006	0.086	0.009	0.000	0.017	0.000	0.006	0.035	0.056	GNM	0.070
November	0.056	0.000	0.000	0.000	0.006	0.062	0.008	0.000	0.000	0.000	0.006	0.016	0.046	GNM	0.058
December	0.058	0.000	0.000	0.000	0.006	0.065	0.009	0.000	0.000	0.000	0.006	0.017	0.046	GNM	0.057
TOTALS -->	0.686	0.000	0.688	0.000	0.074	1.448	0.103	0.000	0.551	0.000	0.074	0.800	0.800		1.000
Assumptions															
(1) NUMBER OF RESIDENCES							(5) EQR								Oxenberg Lot 6 Well (Type A Well) Area A-3 Roaring Fork River Permit No. 95794
# persons/residence					1.75	3.5	(7)	# of Livestock @ 11 gals/day					6	15	
# gallons/person/day					100		(8)	% CU for Evaporation / Pond					100		
(2) Pond Evaporation							(9)	% Lawn Irrig. Efficiency					80		
								Consumption of Irrig. (af/ac)					1.851		
(3) Sq. Ft. of Lawn Irrigated							(10)	% Crop Irrig. Efficiency					80		
Lawn Application Rate (af/ac)					13,000	2.314		Consumption of Irrig. (af/ac)					0.000		
(4) Acres of Crop Irrigated							(9-10)	Elevation (feet)					7050		
								Crop Application Rate (af/ac)					0.000		

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

TABLE 1
EVAPORATION CALCULATION - >6,500 FEET OXENBERG POND

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	0.45	0.07	0.84	0.00	0.00	0.04	0.45	0.009
February	3.0%	0.11	1.35	0.07	0.79	0.00	0.00	0.11	1.35	0.028
March	6.0%	0.23	2.70	0.05	0.58	0.00	0.00	0.23	2.70	0.056
April	9.0%	0.34	4.05	0.11	1.35	0.00	0.00	0.34	4.05	0.084
May	12.5%	0.47	5.63	0.09	1.02	0.00	0.00	0.47	5.63	0.117
June	15.5%	0.58	6.98	0.14	1.73	0.00	0.00	0.58	6.98	0.145
July	16.0%	0.60	7.20	0.10	1.14	0.00	0.00	0.60	7.20	0.150
August	13.0%	0.49	5.85	0.17	1.99	0.00	0.00	0.49	5.85	0.122
September	11.0%	0.41	4.95	0.16	1.96	0.00	0.00	0.41	4.95	0.103
October	7.5%	0.28	3.38	0.13	1.57	0.00	0.00	0.28	3.38	0.070
November	4.0%	0.15	1.80	0.07	0.80	0.00	0.00	0.15	1.80	0.038
December	1.5%	0.06	0.68	0.11	1.32	0.00	0.00	0.06	0.68	0.014
	100.0%	3.75	45.00	1.26	15.09	0.00	0.00	3.75	45.00	0.938

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

Surface Area = 10,890 square feet
 0.250 acres

Volume = 66,000 gallons
 0.203 AF

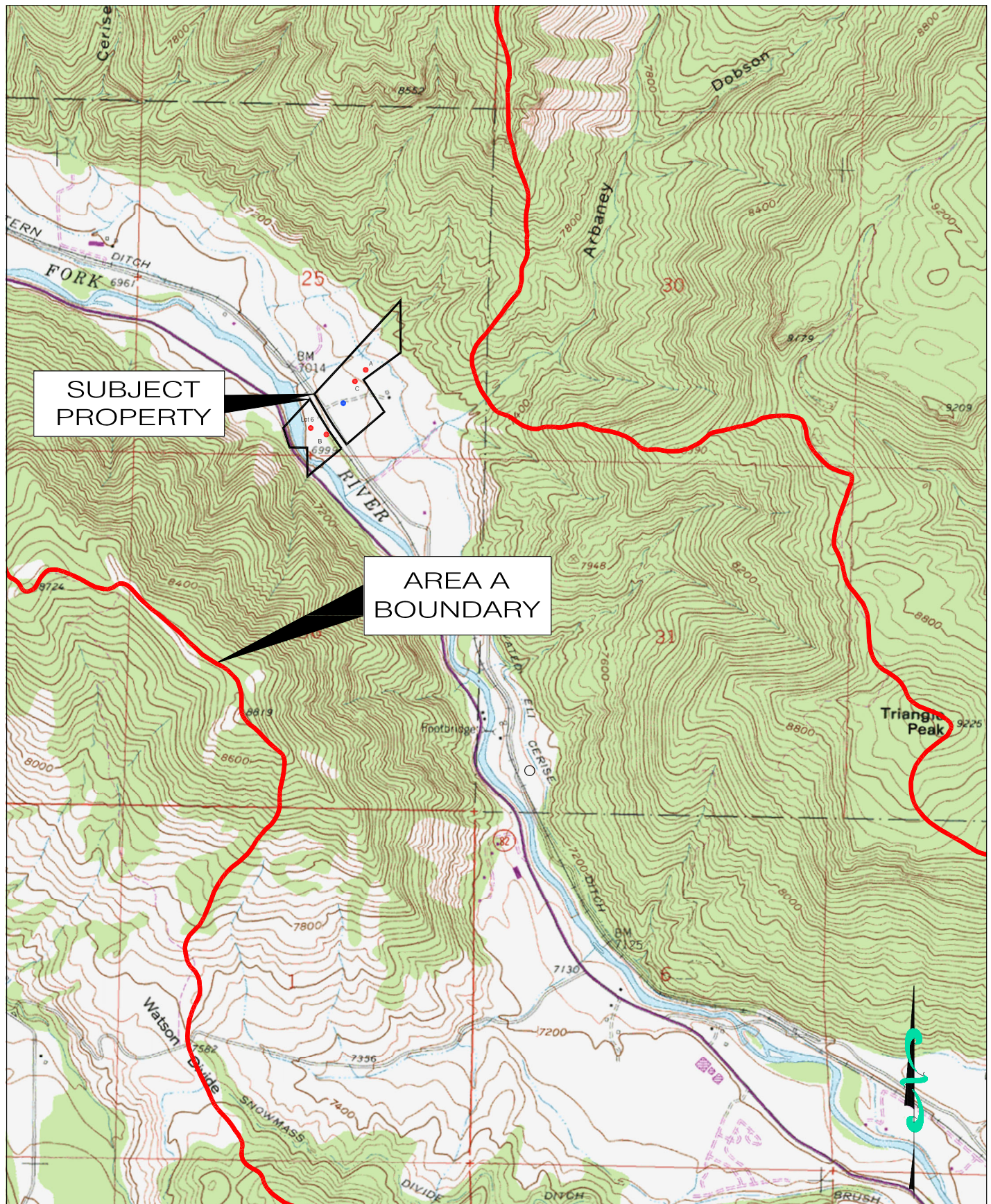
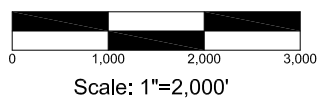


Figure 1: Contract 726 Amendment
Robert and Maureen Oxenberg

Basalt Water Conservancy District

File: 033-7.2
Date: 07/28/2021



RESOURCE
ENGINEERING, INC.

909 Colorado Avenue
Glenwood Springs, CO 81601
(970) 945-6777 Voice 945-1137 Facsimile

**APPLICATION FOR FIRST AMENDMENT TO WATER
ALLOTMENT CONTRACT NO. 726
BASALT WATER CONSERVANCY DISTRICT**

1. Applicants Contact Information

- a. Name: **Robert Oxenberg and Maureen McCluskey Oxenberg**
- b. Mailing Address: **P.O. Box 12381
Aspen, CO 81612**
- c. Street Address: **2520 Lower River Rd.
Snowmass, CO 81654
(Aspen River Valley Ranch Lot 6)**
- d. Telephone Number: **(970) 306-2060**
- e. Email Addresses: **robertoxenberg@gmail.com**
- 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.
Lisa A. Claxton, Esq.
Patrick, Miller & Noto, P.C.
229 Midland Avenue
Basalt, CO 81621
(970) 920-1030
noto@waterlaw.com
claxton@waterlaw.com**
- g. Emergency Local Contact Information, including name, address, telephone, and email:
- Robert Oxenberg
2520 Lower River Rd.
Snowmass, CO 81654
(970) 306-2060
robertoxenberg@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: **N/A.**

2. Type of land use (development) proposed for water allotment contract (i.e. single family home, subdivision, gravel pit, etc.): **Single-family homes.**
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 a parcel map and warranty deed with the legal description are enclosed.**
4. Elevation of property: _____ 6–7,000 ft., X 7–8,000 ft., _____ 8–9,000 ft.
5. Name and legal description of water supply diversion point(s):

- a. Name of Diversion: **Oxenberg Well A, BWCD Contract No. 726.**

Type of Diversion: **Well.**

Legal Description: **SW Quarter, SE Quarter, Section 25, Township 8.0 S, Range 86.0 W, of the 6th Principal Meridian.**

UTM Coordinates (NAD 83):

Northing: **4354608.35.**

Easting: **332574.67.**

Zone **13.**

If diversion point is a well, please provide the Well Permit No.: **Pending.**

Is the well operational/active? **No.**

Is there currently an operating well meter? **No.**

Notice: A valid well permit with operating well meter will be required under the contract.

- b. Name of Diversion: **Oxenberg Well B.**

Type of Diversion: **Well.**

Legal Description: **SW Quarter, SE Quarter, Section 25, Township 8.0 S, Range 86.0 W, of the 6th Principal Meridian.**

UTM Coordinates (NAD 83):

Northing: **4354312.52.**
Easting: **332394.52.**
Zone **13.**

If diversion point is a well, please provide the Well Permit No.: **Pending.**


Is the well operational/active? **No.**

Is there currently an operating well meter? **No.**

Notice: A valid well permit with operating well meter will be required under the contract.

c. Name of Diversion: **Oxenberg Well C.**

Type of Diversion: **Well.**

Legal Description:  **SW Quarter, SE Quarter, Section 25, Township 8.0 S, Range 86.0 W, of the 6th Principal Meridian.**

UTM Coordinates (NAD 83):

Northing: **4354555.66.**
Easting: **332525.32.**
Zone **13.**

If diversion point is a well, please provide the Well Permit No.: **Pending.**

Is the well operational/active? **No.**

Is there currently an operating well meter? **No.**

Notice: A valid well permit with operating well meter will be required under the contract.

d. Name of Diversion: **Oxenberg Lot 6 Well.**

Type of Diversion: **Well.**

Legal Description: SW Quarter, SE Quarter, Section 25, Township 8.0 S, Range 86.0 W, of the 6th Principal Meridian.

UTM Coordinates (NAD 83):

Northing: 4354342.0.

Easting: 332323.0.

Zone 13.

If diversion point is a well, please provide the Well Permit No.: **Pending.**

Is the well operational/active? **Yes.**

Is there currently an operating well meter? **No.**

Notice: A valid well permit with operating well meter will be required under the contract.

6. Legal Water Supply: (please check one)

 X 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. **See page 6.**
☐ 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: **N/A.** (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?

Last Chance Ditch First Enlargement, Priority 371
Eli Cerise Ditch First Enlargement, Priority 372

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

DOMESTIC/MUNICIPAL WATER USES

In-House: Well A and Well B will each serve one (1) single-family home each with a hot tub; Well C will serve one (1) barn with a bathroom and one (1) CDU (1,000 square feet); the Lot 6 Well serves one (1) single-family home with a hot tub and one detached CDU.

Single family residential home(s)	Number of Units: <u>4</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): Well A, Well B, Well C and the Lot 6 Well will each irrigate 13,000 square feet.

Total area to be irrigated 52,000 Sq. Ft. or _____ Acres

Type of irrigation system (please check)

 X Sprinkler

_____ Flood (irrigation ditch)

Domestic stock watering (cattle, horses):

Number of animals: Well A and Well B will each serve two (2) horses or the equivalent; Well C will serve one (1) bull and nine (9) cows or twelve (12) horses; the Lot 6 Well will serve up to six (6) horses or the equivalent.

Period of use (months): **12 months.**

Other domestic/municipal uses not listed: Ditch water will be used for the initial fill of the Oxenberg Pond located at UTM Coordinates (NAD 83): Northing 332472; Easting 4354456 (Zone 13). Well C will be used to top off the pond in the non-irrigation season. The pond or ponds will have a combined total volume of 160,000 gallons and a combined total surface area of 0.25 acre. Evaporation depletions from the pond or ponds will be augmented under this contract. All four wells will be used for fire protection purposes. Each well will have a pumping rate of 15 g.p.m.

Well C will be used be used for dust suppression.

VERIFICATION

STATE OF Colorado)
) ss.
COUNTY OF Eagle)

MMO *Maureen McCluskey Oxenbergs*
I, Robert Oxenberg (name of Applicant or Applicant's duly authorized representative), being first duly sworn, upon oath, depose and state as follows:

- we*
MMO 1) *we* 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: 7/26/21

By: *MMO* Maureen McCluskey Oxenberg

Print Name: Robert Oxenberg - Maureen McCluskey Oxenbergs

Title: owners

Subscribed and sworn before me this 26th day of July, 20 21 by
Robert Oxenberg and Maureen McCluskey Oxenberg

Witness my hand and seal.

Elizabeth Olson-B
Notary Public

My commission expires:
10/13/2023

