




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

# Memorandum

**To:** BWCD BOARD OF DIRECTORS  
**From:** ERIC MANGEOT   
**CC:** CHRIS GEIGER  
**Date:** MAY 11, 2023  
**File:** APPLICATION

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**Applicant Name:** Woody Ventures, LLC

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

**Amount:**   1.2   AF   0.056   cfs   25   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:**   \$2,250  

This application is to cover depletions associated with 3 single family dwellings, 3 ADUs, and up to 15,000 square feet of lawn and landscape irrigation for 3 lots on a subdivision property owned by Woody Ventures, LLC (Applicant). Total contract depletions are 1.2 acre-feet as shown on the attached table.

The properties are located within the Division 6 boundary and are located at 203, 205, and 207 Tree Farm Drive, Carbondale (Parcel Nos. 239135301001, 239135301002, and 239135301003) in Eagle County. Water usage will be on and limited to these 3 lots of the approved Lane Family Conservation Subdivision shown on **Figure 1**. Given the well be shared, LRE Water recommends that a term and condition be added to the contract that a well share agreement or covenant be provided to the District before the contract is considered active. The District's attorney may also recommend an alternative term and condition for the Board's consideration.

The source of supply is from the Lot 1-3 Well located in the SW1/4, SW1/4, Section 35, Township 7 South, Range 87 West of the 6th P.M. at the point UTM NAD83 Z13 320578.8m N, 4362763.5m E. The Applicants will need to provide the District with a copy of the -F well permit. Based on a nearby well the Applicant expects the well to produce at least 25 gallons per minute (gpm). In the event the well produces less, the District will lower the diversion rate to the lesser amount in its database.

Water User :	Woody Ventures, LLC (Lots 1-3)	
Analysis Date :	May 11, 2023	
District Area:	A-4	
Source Series:	4	
Maximum Demand:	25	0.056
	(GPM)	(CFS)

BASALT WATER CONSERVANCY DISTRICT  
WATER REQUIREMENTS  
(acre feet)

Month	Total Demand						Consumptive Use						(13)* Delayed Depletions	(14) Source of Aug/Replace
	(1) Domestic In-house	(2) Pond Evap.	(3) Lawn Irrigation	(4) Crop Irrigation	(5) Livestock	(6) TOTAL	(7) Domestic In-house	(8) Pond Evap.	(9) Lawn Irrigation	(10) Crop Irrigation	(11) Livestock	(12)* TOTAL		
January	0.200	0.000	0.000	0.000	0.000	0.200	0.030	0.000	0.000	0.000	0.000	0.033	0.094	GNM
February	0.180	0.000	0.000	0.000	0.000	0.180	0.027	0.000	0.000	0.000	0.000	0.030	0.092	GNM
March	0.200	0.000	0.000	0.000	0.000	0.200	0.030	0.000	0.000	0.000	0.000	0.033	0.088	GNM
April	0.193	0.000	0.025	0.000	0.000	0.219	0.029	0.000	0.020	0.000	0.000	0.055	0.087	GNM
May	0.200	0.000	0.162	0.000	0.000	0.362	0.030	0.000	0.130	0.000	0.000	0.178	0.087	GNM
June	0.193	0.000	0.206	0.000	0.000	0.399	0.029	0.000	0.165	0.000	0.000	0.215	0.092	GNM
July	0.200	0.000	0.195	0.000	0.000	0.395	0.030	0.000	0.156	0.000	0.000	0.207	0.097	GNM
August	0.200	0.000	0.117	0.000	0.000	0.317	0.030	0.000	0.094	0.000	0.000	0.138	0.102	GNM
September	0.193	0.000	0.107	0.000	0.000	0.301	0.029	0.000	0.086	0.000	0.000	0.128	0.103	GNM
October	0.200	0.000	0.034	0.000	0.000	0.233	0.030	0.000	0.027	0.000	0.000	0.063	0.103	GNM
November	0.193	0.000	0.000	0.000	0.000	0.193	0.029	0.000	0.000	0.000	0.000	0.032	0.102	GNM
December	0.200	0.000	0.000	0.000	0.000	0.200	0.030	0.000	0.000	0.000	0.000	0.033	0.098	GNM
TOTALS -->	2.352	0.000	0.847	0.000	0.000	3.199	0.353	0.000	0.677	0.000	0.000	1.145	1.145	

Assumptions						
(1)	NUMBER OF RESIDENCES	6	(5)	# of Livestock @ 11 gals/day	0	
	# 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
				Consumption of Irrig. (af/ac)	1.986	
(3)	Sq. Ft. of Lawn Irrigated	15,000	(10)	% Crop Irrig. Efficiency	80	
	Lawn Application Rate (af/ac)	2.483		Consumption of Irrig. (af/ac)	0.000	
(4)	Acres of Crop Irrigated	0.00	(9-10)	Elevation (feet)	6560	
	Crop Application Rate (af/ac)	0.000				

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

Lot 1-3 Well (Pending Permit)  
Well Type B  
Area A-4  
Roaring Fork River



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

1. Applicant Contact Information

- a. Name: **Woody Ventures LLC**
- b. Mailing Address: **c/o David Marrs  
401 Tree Farm Drive  
Carbondale, CO 81623**
- c. Street Address: **203, 205, and 207 Tree Farm Drive  
Carbondale, CO 81623**
- d. Telephone Numbers: **970-963-5696**
- e. Email Address: **dave@geronimoventures.biz**
- f. If Applicant is represented by an Attorney, please provide the Attorney's contact information, including name, address, telephone, and email:  
  
Scott Miller  
Lisa Claxton  
Patrick, Miller & Noto, P.C.  
229 Midland Ave.  
Basalt, CO 81621  
(970) 920-1030  
miller@waterlaw.com  
claxton@waterlaw.com
- g. Emergency Local Contact Information, including name, address, telephone, and email: **N/A**
- 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.): **Three single-family homes and three accessory dwelling units.**
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)\*:

Lot 1: Lot 1, Lane Family Conservation Subdivision  
203 Tree Farm Drive, Carbondale, CO 81623

Lot 2: Lot 2, Lane Family Conservation Subdivision  
205 Tree Farm Drive, Carbondale, CO 81623

Lot 3: Lot 3, Lane Family Conservation Subdivision  
209 Tree Farm Drive, Carbondale, CO 81623

A map of the property is attached as **Exhibit A**. The vesting deed with proof of ownership is attached as **Exhibit B**.

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 Diversion: **Lots 1-3 Well.**

Type of Diversion: **Well.**

Legal Description: SW Quarter, SW Quarter, Section 35, Township 7.0 S, Range 87 W, of the 6<sup>th</sup> Principal Meridian.

UTM Coordinates (NAD 83):

Northing: 4362763.5.

Easting: 320578.8.

Zone 13.

If diversion point is a well, please provide the Well Permit No. N/A.

Is the well operational/active? \_\_\_\_\_ Yes, X No

Is there currently an operating well meter? \_\_\_\_\_ Yes, X 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  
X 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: The plat approved by the Eagle County Board of County Commissioners was filed for record in the Eagle County records on December 20, 2022 as reception no. 202219146. The plat is attached as Exhibit C. (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? **N/A.**
10. What other uses of water occur on the property? **Irrigation of lawn and landscape areas and fire protection.**

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: <u>3 SFDs &amp; 3 ADUs</u>
Duplex(s)	Number of Units: <u>N/A</u>
Condominium(s)	Number of Units: <u>N/A</u>
Apartment(s)	Number of Units/Rooms: <u>N/A</u>
Mobile Home(s)	Number of Units: <u>N/A</u>

Irrigation (lawns, parks, open space)

Total area to be irrigated 15,000 Sq. Ft. or \_\_\_\_\_ Acres

Type of irrigation system (please check)

X Sprinkler

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

Domestic stock watering (cattle, horses)

Number of animals: N/A

Period of use (months): N/A

Other domestic/municipal uses not listed: **Fire Protection.**



VERIFICATION

STATE OF COLORADO )  
 ) ss.  
COUNTY OF Eagle )

I, David Marrs, 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: 5-01-23

By: [Signature]

Print Name: David Marrs

Title: General Manager of Woody Ventures LLC

Subscribed and sworn before me this 1<sup>st</sup> day of May, 2023 by David Marrs.

Witness my hand and seal.

[Signature]  
Notary Public

My commission expires: Feb 23<sup>rd</sup> 2025

