




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: DECEMBER 27, 2023
File: APPLICATION

Applicant Name: JOHN A. CANNING REVOCABLE TRUST

Type of Use: Domestic X Commercial
Industrial Agricultural

Amount: 1.50 AF 0.033 cfs 15 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:** \$1,200

This application is to cover depletions associated with a single family dwelling and ADU (total of 1.75 EQR) and 0.6 acres of irrigation on a proposed lot owned by John A. Canning Revocable Trust (Applicant). Total depletions are estimated at 1.50 acre-feet (AF) as shown on the attached calculation sheet.

The property is located in the NW1/4 SE1/4 of Section 33, Township 7 South, Range 87 West, of the 6th P.M. as shown in **Figure 1** (attached). The physical address of the property is 305 Arlian Road, Carbondale (Eagle County Parcel ID 2391-334-04-002) and is known as Lot 1 of the Arlian Ranch Subdivision. The Applicant proposed to divide the property into two lots (Lot 1A and Lot 1B). Lot 1B will continued to be served by the Arlian Lot 1 Well (Permit No. 34392-F) under BWCD Contract No. 71.

Diversions associated with this contract are associated with Lot 1 A and the proposed Arlian Lot 1A Well located in the NW1/4 SE1/4 of Section 33, Township 7 South, Range 87 West, of the 6th P.M. at a point UTM NAD 83 Z13: 318088.1m E, 4363245.8m N. The Applicant will need to provide the District with a copy of the -F well permit once obtained from the Division of Water Resources. The Applicant also has rights in the Arlian Ranch Ditch.

Water User :	John A. Canning Revocable Trust	
Analysis Date :	December 27, 2023	
District Area:	A-4	
Source Series:	4	
Maximum Demand:	15	0.033
	(GPM)	(CFS)

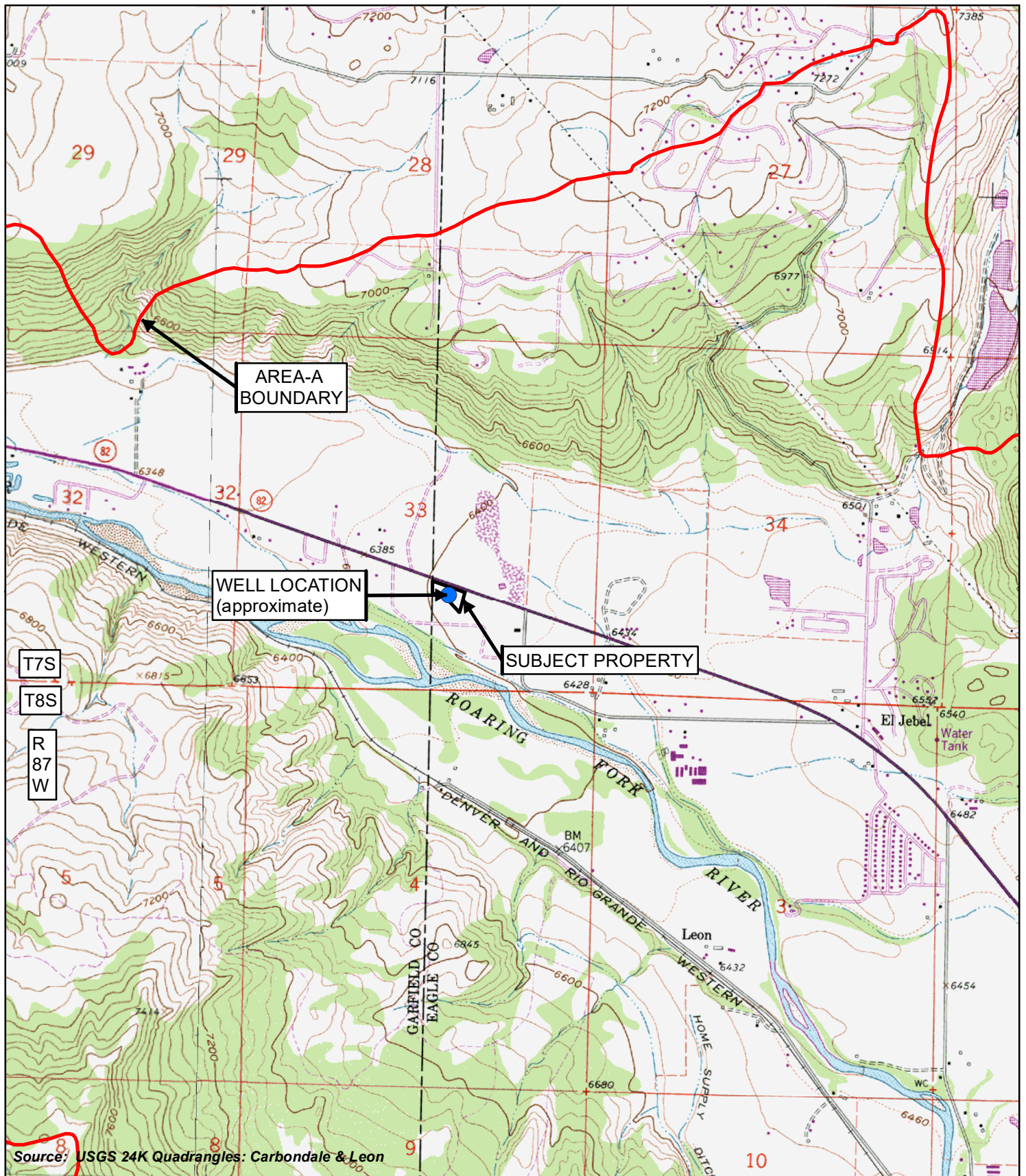
BASALT WATER CONSERVANCY DISTRICT
WATER REQUIREMENTS
(acre feet)

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	0.058	0.000	0.000	0.000	0.000	0.058	0.009	0.000	0.000	0.000	0.000	0.010	0.086	GNM
February	0.053	0.000	0.000	0.000	0.000	0.053	0.008	0.000	0.000	0.000	0.000	0.009	0.083	GNM
March	0.058	0.000	0.000	0.000	0.000	0.058	0.009	0.000	0.000	0.000	0.000	0.010	0.081	GNM
April	0.056	0.000	0.051	0.000	0.000	0.107	0.008	0.000	0.041	0.000	0.000	0.055	0.088	GNM
May	0.058	0.000	0.287	0.000	0.000	0.345	0.009	0.000	0.230	0.000	0.000	0.265	0.123	GNM
June	0.056	0.000	0.361	0.000	0.000	0.417	0.008	0.000	0.288	0.000	0.000	0.330	0.162	GNM
July	0.058	0.000	0.343	0.000	0.000	0.401	0.009	0.000	0.274	0.000	0.000	0.315	0.178	GNM
August	0.058	0.000	0.208	0.000	0.000	0.266	0.009	0.000	0.166	0.000	0.000	0.194	0.168	GNM
September	0.056	0.000	0.190	0.000	0.000	0.246	0.008	0.000	0.152	0.000	0.000	0.178	0.154	GNM
October	0.058	0.000	0.064	0.000	0.000	0.122	0.009	0.000	0.051	0.000	0.000	0.066	0.131	GNM
November	0.056	0.000	0.000	0.000	0.000	0.056	0.008	0.000	0.000	0.000	0.000	0.009	0.104	GNM
December	0.058	0.000	0.000	0.000	0.000	0.058	0.009	0.000	0.000	0.000	0.000	0.010	0.091	GNM
TOTALS -->	0.686	0.000	1.503	0.000	0.000	2.189	0.103	0.000	1.202	0.000	0.000	1.450	1.450	

Assumptions							
(1)	NUMBER OF RESIDENCES	1.75		(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)	2.004	
(3)	Sq. Ft. of Lawn Irrigated	26,136	(0.6 acres)	(10)	% Crop Irrig. Efficiency	80	
	Lawn Application Rate (af/ac)	2.505			Consumption of Irrig. (af/ac)	0.000	
(4)	Acres of Crop Irrigated	0.00		(9-10)	Elevation (feet)	6412	
	Crop Application Rate (af/ac)	0.000					

Area A-4
Roaring Fork River
Type C Well

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



**Figure 1: John A. Canning Revocable Trust
Water Allotment Contract Application
Basalt Water Conservation District**



0 1,000 2,000 4,000 Feet
1 inch = 2,000 feet



Date: 2023-12-27
File: 20033BWCD1-24(4)
Drawn: MDH
Approved: EFM

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

1. Applicant(s) Contact Information

- a. Name: John A. Canning Revocable Trust
- b. Mailing Address: 56 Flying Fish Road, Carbondale, CO 81623
- c. Street Address: 305 Arlian Road, Carbondale, CO 81623
- d. Telephone Numbers: (970) 987-6917
- e. Email Address: tc@crimsonplacemaking.com
- f. If Applicant is represented by an Attorney, please provide the Attorney's contact information, including name, address, telephone, and email:

Erika Gibson: PO Box 878, Glenwood Springs, CO 81602
(970) 279-4764; erika@jvamlaw.com

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

Turner Canning: 305 Arlian Road, Carbondale CO, 81623
(970) 987-6917; tc@crimsonplacemaking.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 home.

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)*:

Applicant is in the process of applying for a minor subdivision of "Lot 1, Resubdivision of Lot 1 Corrected Final Plat, Arlian Ranch, according to the Plat recorded July 15 1987 in Book 456 at Page 31 as Reception No. 362254."

The resulting Lot 1A will be the property to be benefited by this new District contract. An updated legal description will be provided to the District once the subdivision is approved and the final plat is recorded.

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 Arlian Lot 1A Well.

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

Legal Description: NW Quarter, SE Quarter, Section 33, Township 7 N / S, Range 87 E / W, of the 6th Principal Meridian, at a location _____ feet from the _____ Section line and _____ feet from the _____ Section line.

UTM Coordinates (NAD 83):

Northing: 4363245.8 (approximately).

Easting: 318088.1 (approximately).

_____ Zone 12 / X Zone 13.

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

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
☒ 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: pending. (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?

25 shares in the Arlian Ranch Ditch. Existing well (Arlian Lot 1 Well) will serve new Lot 1B under Well Permit 34392-F and District Contract No. 71.

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

n/a

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: 2 (SFD + ADU)

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 26,136 Sq. Ft. or 0.6 Acres

Type of irrigation system (please check)

 X Sprinkler

 Flood (irrigation ditch)

Domestic stock watering (cattle, horses)

Number of animals:

Period of use (months):

Other domestic/municipal uses not listed:

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 Garfield)

I, John A. Canning (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: 12/7/2023

By:

John A. Canning Co DL Br 01/2024

Title: Trustee of John A. Canning Revocable Trust

Subscribed and sworn before me this 7th day of December, 2023 by

John A. Canning

Witness my hand and seal.

Evest J. McQuaig
Notary Public

My commission expires:

10-09-2027

EVEST J MCQUAIG
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 20194030448
MY COMMISSION EXPIRES OCT 9, 2027