




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: FEBRUARY 29, 2024
File: APPLICATION

Applicant Name: Saint Finnbar Farm LLC

Type of Use: Domestic X Commercial
Industrial Agricultural

Amount: 2.7 AF 0.04 cfs 18 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:** \$1,200

This application is to cover depletions associated with associated with the Miller Pond/Well located on a property owned by Saint Finnbar Farm LLC (Applicant). Total depletions are estimated at 2.7 acre-feet (AF) as shown on the attached calculation sheets.

The property is in the W1/2 of Section 31, Township 7 South, Range 87 West, of the 6th P.M. as shown in **Figure 1** (attached). The physical address of the property is 34 Saint Finnbar Farm Road, Carbondale (Garfield County Parcel No. 239131218006; Lot 6 St. Finnbar Farm).

Diversions from the Middle Ditch will be used for the initial fill of the Miller Pond/Well and anytime it is in-priority under free river conditions. This application does not seek to augment any of the Middle Ditch usage. Groundwater will also come in from the Miller Pond/Well bottom. Due to the lack of dominion and control of the groundwater, evaporative loss from the entire surface area of the pond/well will be included in the contract. The Applicant also desires to have the ability to utilize a groundwater well to replace evaporative losses when surface diversions to the Miller Pond/Well are out-of-priority and in the shoulder seasons or anytime Miller Ditch is unavailable.

The Miller Pond/Well is in the SW1/4 NW1/4 of Section 31, Township 7 South, Range 87 West of the 6th P.M. at a point UTM NAD 83 Z13: 313925m E, 4363893m N. The maximum evaporation rate of the pond is 2.65 gpm.

Groundwater will be diverted into the pond/well either from an existing well or proposed well as follows:

- Existing Well (Permit No. 56624-F; 15 gpm) located in the SW1/4 NW1/4 of Section 31, Township 7 South, Range 87 West of the 6th P.M. at a point UTM NAD 83 Z13: 314014m E, 4363779m N. Please note that this

well permit is expired and includes domestic uses under BWCD Contract 324. The Applicant will apply for a new well permit that includes these domestic uses plus the replacement of evaporation that will be augmented under this new contract request.

Water User :	Saint Finnbar Farm LLC
Analysis Date :	February 29, 2024
District Area:	A-4
Source Series:	4
Maximum Demand:	18 0.040
	(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	0.000	0.073	0.000	0.000	0.000	0.073	0.000	0.073	0.000	0.000	0.000	0.081	0.080	GNM
February	0.000	0.085	0.000	0.000	0.000	0.085	0.000	0.085	0.000	0.000	0.000	0.094	0.096	GNM
March	0.000	0.133	0.000	0.000	0.000	0.133	0.000	0.133	0.000	0.000	0.000	0.148	0.132	GNM
April	0.000	0.218	0.000	0.000	0.000	0.218	0.000	0.218	0.000	0.000	0.000	0.242	0.215	GNM
May	0.000	0.290	0.000	0.000	0.000	0.290	0.000	0.290	0.000	0.000	0.000	0.323	0.295	GNM
June	0.000	0.351	0.000	0.000	0.000	0.351	0.000	0.351	0.000	0.000	0.000	0.390	0.372	GNM
July	0.000	0.363	0.000	0.000	0.000	0.363	0.000	0.363	0.000	0.000	0.000	0.403	0.396	GNM
August	0.000	0.327	0.000	0.000	0.000	0.327	0.000	0.327	0.000	0.000	0.000	0.363	0.369	GNM
September	0.000	0.242	0.000	0.000	0.000	0.242	0.000	0.242	0.000	0.000	0.000	0.269	0.299	GNM
October	0.000	0.169	0.000	0.000	0.000	0.169	0.000	0.169	0.000	0.000	0.000	0.188	0.213	GNM
November	0.000	0.097	0.000	0.000	0.000	0.097	0.000	0.097	0.000	0.000	0.000	0.108	0.133	GNM
December	0.000	0.073	0.000	0.000	0.000	0.073	0.000	0.073	0.000	0.000	0.000	0.081	0.089	GNM
TOTALS -->	0.000	2.420	0.000	0.000	0.000	2.420	0.000	2.420	0.000	0.000	0.000	2.689	2.689	

Assumptions					
(1)	NUMBER OF RESIDENCES	0	(5)	# of Livestock @ 11 gals/day	0
	# persons/residence	3.5			
	# gallons/person/day	100	(7)	% CU for Domestic/Commercial	15
(2)	Pond Evaporation (0.66 Surface Acres)	2.420 AF	(9)	% Lawn Irrig. Efficiency Consumption of Irrig. (af/ac)	80 N/A
(3)	Sq. Ft. of Lawn Irrigated Lawn Application Rate (af/ac)	0 N/A	(10)	% Crop Irrig. Efficiency Consumption of Irrig. (af/ac)	80 0.000
(4)	Acres of Crop Irrigated Crop Application Rate (af/ac)	0.00 0.000	(9-10)	Elevation (feet)	6240

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

Area A-4
Roaring Fork River
Individual Glover from Groundwater
Wells Centroid.

TABLE 1
MILLER POND WELL EVAPORATION CALCULATION - ST. FINNBAR FARM LLC (6,240 feet)

Month	SEO Monthly Distribution	(1) Gross Lake Evaporation		(2) Average Precipitation		(3) Effective Precipitation		(4) Net Evaporation		(5) Total Pond Evaporation
		(feet)	(inches)	(feet)	(inches)	(feet)	(inches)	(feet)	(inches)	(acre-feet)
January	3.0%	0.11	1.32	0.10	1.20	0.00	0.00	0.11	1.32	0.073
February	3.5%	0.13	1.54	0.09	1.03	0.00	0.00	0.13	1.54	0.085
March	5.5%	0.20	2.42	0.10	1.20	0.00	0.00	0.20	2.42	0.133
April	9.0%	0.33	3.96	0.10	1.24	0.00	0.00	0.33	3.96	0.218
May	12.0%	0.44	5.28	0.11	1.32	0.00	0.00	0.44	5.28	0.290
June	14.5%	0.53	6.38	0.11	1.30	0.00	0.00	0.53	6.38	0.351
July	15.0%	0.55	6.60	0.13	1.59	0.00	0.00	0.55	6.60	0.363
August	13.5%	0.50	5.94	0.14	1.71	0.00	0.00	0.50	5.94	0.327
September	10.0%	0.37	4.40	0.14	1.64	0.00	0.00	0.37	4.40	0.242
October	7.0%	0.26	3.08	0.12	1.38	0.00	0.00	0.26	3.08	0.169
November	4.0%	0.15	1.76	0.10	1.23	0.00	0.00	0.15	1.76	0.097
December	3.0%	0.11	1.32	0.10	1.25	0.00	0.00	0.11	1.32	0.073
	100.0%	3.67	44.00	1.34	16.09	0.00	0.00	3.67	44.00	2.420

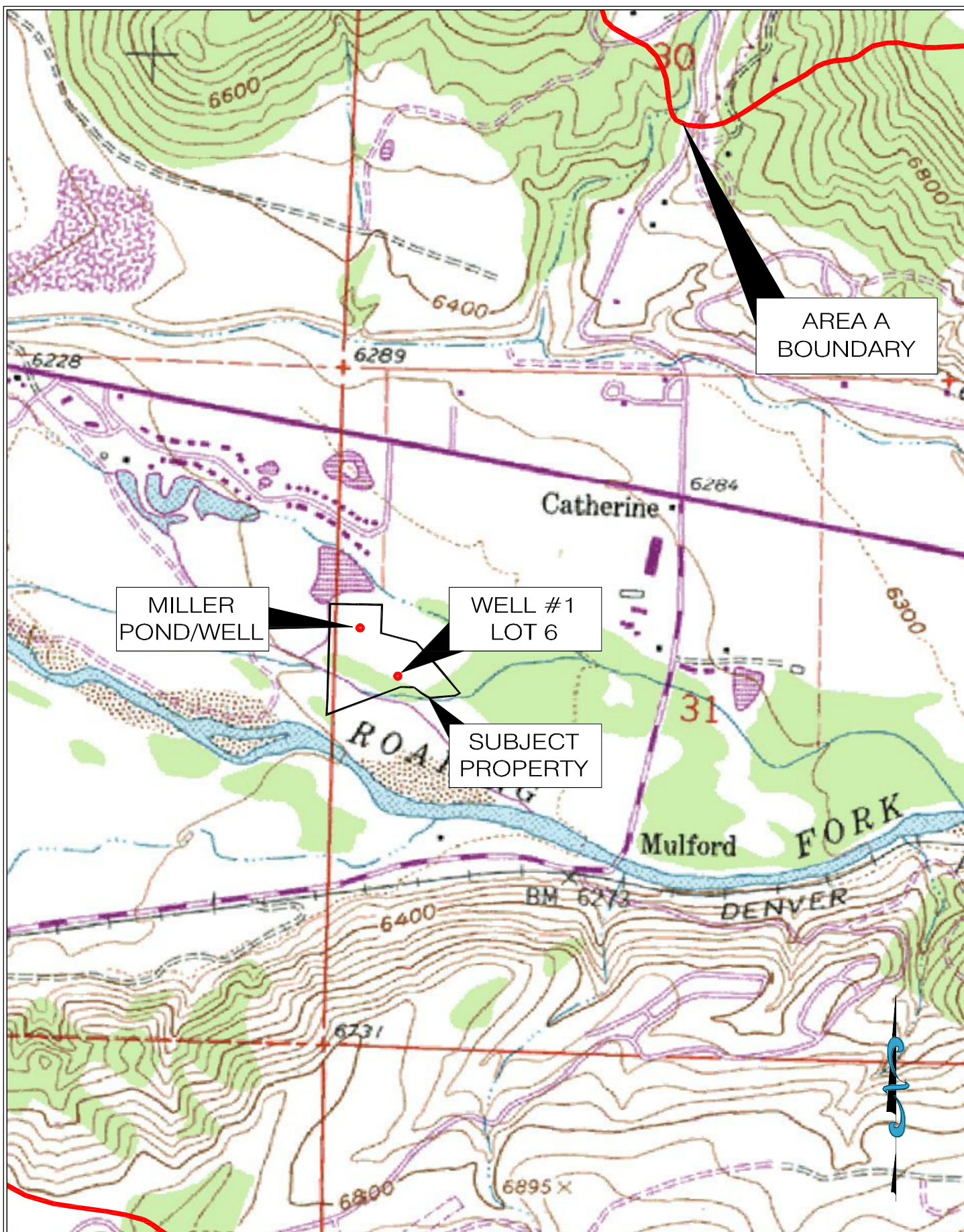
(1) = Monthly distribution of gross annual evaporation rate in accordance with SEO General Criteria.

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



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

1. Applicant(s) Contact Information

- a. Name: **Saint Finnbar Farm LLC**
- b. Mailing Address: **34 Saint Finnbar Farm Road
Carbondale, CO 81623**
- c. Street Address: **34 Saint Finnbar Farm Road
Carbondale, CO 81623**
- d. Telephone Numbers: **(970) 390-9584**
- e. Email Address: **barclaymiller@mac.com**
- f. If Applicant is represented by an Attorney, please provide the Attorney's contact information, including name, address, telephone, and email:

**Scott C. Miller
John M. Sittler
229 Midland Ave
Basalt, CO 81621
(970) 920-1030
miller@waterlaw.com
sittler@waterlaw.com**

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

**Tom Zancanella
Zancanella & Associates
1011 Grand Ave
Glenwood Springs, CO 81601
(970) 945-5700**

- 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:

Please send contract to Applicant c/o Scott Miller, with a copy to Tom Zancanella at the contact addresses above.

2. Type of land use (development) proposed for water allotment contract (i.e. single family home, subdivision, gravel pit, etc.): **Contract will cover a new pond of 0.66 acre surface area and 3.26 AF pond volume, on a residential site (Lot 6 of St. Finnbar subdivision).**

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)*: **34 Saint Finnbar Farm Road, Carbondale, CO 81623. A map and vesting deed with legal description are attached.**

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: **"Miller Pond/Well" on Lot 6, St. Finnbar.**

Type of Diversion: **Pond/Well to be filled from groundwater infiltration into unlined pond; and 1 on-site wells, locations as follows:**

Pond Location: UTM NAD83 Z13: Northing – 4363893.0, Easting – 313925.0.

Well locations used for filling:

- **Existing Well #1, Lot 6: Located in the SW ¼ NW ¼, Section 31, Township 7 South, Range 87 West, 6th P.M., at a point 2,460 feet from the north section line and 615 feet from the west section line (per BWCD Decree 01CW305 and BWCD Contract #3.3.5.324 – St. Finnbar Wells). (UTM NAD83 Z13: Northing 4363779 – Easting 314014)**

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

See Well Permit No. 56624-F (expired). Applicant will apply for new well permit similar to 55624-F (augmented under existing BWCD Contract 3.3.5.324) and add pond filling with replacement of evaporation to be augmented under this Contract request. If Applicant drills a second well (Well #2), Applicant will apply for a well permit for pond filling to be augmented under this Contract request.

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) N/A

Basalt Water Conservancy District
Water Allotment Application
Page 4

- ☐ 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: **N/A** (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?

Middle Ditch; Well #1, Lot 6.

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

Domestic and irrigation.

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: _____

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 _____ Acres

Type of irrigation system (please check)

_____ Sprinkler

_____ Flood (irrigation ditch)

Domestic stock watering (cattle, horses)

Number of animals:

Period of use (months):

Other domestic/municipal uses not listed:

Pond filling and evaporation replacement. This application is for the initial fill of 0.66 acre-feet for the Miller Pond well; and for replacement of pond evaporation from 0.66 acre of surface area.

VERIFICATION

STATE OF Colorado)
COUNTY OF Eagle) ss.

I, JOHN SITTLER (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: 1/15/24

By: [Signature]
Print Name: JOHN M. SITTLER
Title: ATTORNEY FOR APPLICANT

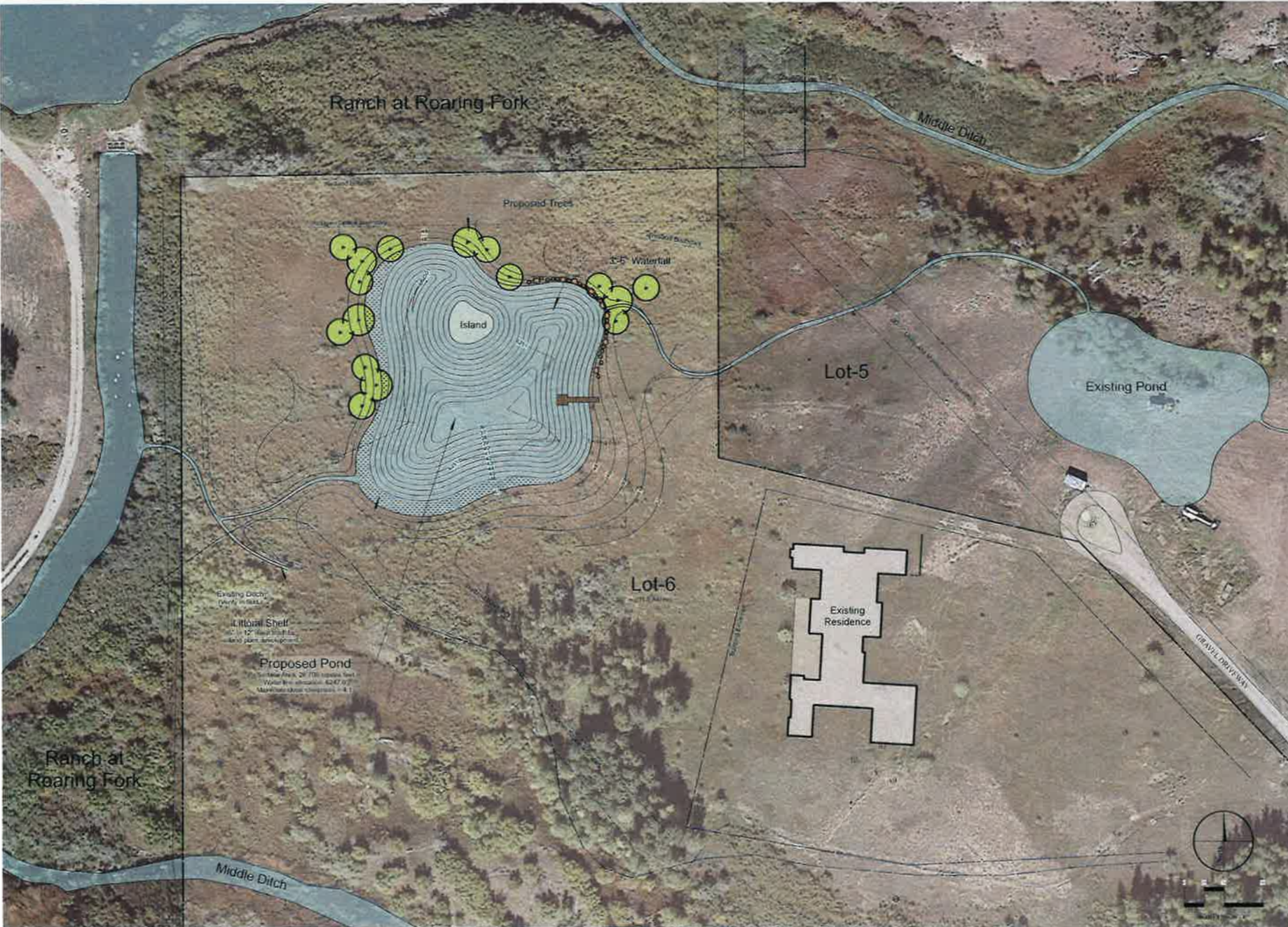
Subscribed and sworn before me this 15th day of January, 2024 by
John Sittler

Witness my hand and seal.

My commission expires: 5.4.27

[Signature]
Notary Public

Mary Suzanne Gregory
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID# 20234016783
MY COMMISSION EXPIRES 05/04/2027



Conceptual Landscape Plan
Miller Residence
Lot 6, St. Finbar Farms, Garfield County, Colorado

Date: August 23, 2022
Revised: August 29, 2022

Sheet:
L - 1