



WATERLAW®

PATRICK | MILLER | NOTO

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Reply to Aspen or Basalt Office  
\*licensed in CO and ND



*Via Email*

**RE: Water rights summary for 1500 Ute Avenue**



Per your request, we have completed a summary of the water rights and water resources available to 1500 Ute Avenue. We understand that you may provide this letter to potential buyers of the property for their information.

**I. City of Aspen tap.**

ASPEN:  
197 Prospector Dr.  
Suite 2104 A  
Aspen, CO 81611  
T. 970.920.1030  
F. 970.925.6847

The City of Aspen provides domestic water to the property. A previous owner obtained a utility connection permit (“UCP”) in 1981. The UCP, attached as **Exhibit A**, allows for water service of 2.04 EQRs. However, we spoke with the City of Aspen Water Department who confirmed that it amended the account in the late 1980s to allow 2.49 ECUs (a measurement similar to EQRs) where it remains today. We believe the increase was to conform with the existing water uses.

BASALT:  
Waterlaw Riverwalk  
229 Midland Avenue  
Basalt, CO 81621  
T. 970.920.1030  
F. 970.927.1030

The property is in the City of Aspen Service Area 2. The monthly water bills are comprised of four sets of charges:

DENVER:  
999 18th St.  
30th Floor  
Denver, CO 80202  
T. 303.893.9700  
F. 303.893.7900

- 1) A demand charge based on the customer’s ECU rating. In Service Area 2, each ECU is \$12.44 per month, or a total of \$30.98 for the property.
- 2) A variable charge based on the number of gallons of treated water that the customer uses during a three-month meter-reading cycle.
- 3) A pumping charge based on the thousands of gallons delivered to the customer via pumping during a three-month meter-reading cycle.
- 4) A fire protection charge based on the ECU rating. The fire protection charge in Service Area 2 is \$8.12 per ECU, or \$20.22 for the property.

SCOTTSDALE:  
16427 N. Scottsdale Rd.  
Suite 410  
Scottsdale, AZ 85254  
T. 800.282.5458  
F. 970.927.1030

In addition to domestic service to the home, the UCP allows for 3,000 square feet of lawn and landscape irrigation on the property. The City of Aspen Water Department confirmed that this allotment includes two hose bibs.

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Most of the water rights that supply Aspen’s municipal water system divert from Castle and Maroon Creeks and have priorities dating back to the 1880s. These early priority



dates help ensure that city water customers have a consistent and reliable supply throughout the year. The City's 2021 Drinking Water Quality Report confirms the excellent domestic water quality. The trace amounts of contaminants found in the drinking water supply exist in quantities far below the state's maximum allowed levels.

## II. Stevenson Well.

The Stevenson Well is also located on the property. The Division 5 Water Court decreed the well in Case No. W-1467 for 0.0778 cubic feet per second for domestic and irrigation purposes, with an adjudication date of July 3, 1972, and an appropriation date of September 10, 1960. The decree is attached as **Exhibit B**. The well is permitted under State Engineer's Office well permit no. 7184, attached as **Exhibit C**. A previous owner of the property drilled the well in October 1960 to a depth of 77 feet. The well test at the time of construction demonstrated a pumping rate of 30 gallons per minute. We do not believe that the well is currently being used, but perhaps it could be revived for additional water uses such as irrigation.

## III. Roaring Fork River.

The property has several hundred feet of river frontage on the upper Roaring Fork River. The property boundary extends to roughly the center of the river. Under Colorado law, private property owners own the bed and banks of the river itself, meaning that the public cannot wade or otherwise walk through the river across the property. This private river frontage is a unique and valuable asset to the property.

We hope this information is helpful. Thank you, and if you have any questions or would like to discuss this matter further, please give me a call.

Very truly yours,

Patrick | Miller | Noto  
A Professional Corporation

By: 

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