



**ORIGINAL PERMIT APPLICANT(S)**

MBMH LLC

**APPROVED WELL LOCATION**

Water Division: 5      Water District: 38  
Designated Basin: N/A  
Management District: N/A  
County: PITKIN  
Parcel Name: BRUSH CREEK VILLAGE  
Lot: 5      Block: 9      Filing: 1  
Physical Address: N/A  
SW 1/4 NE 1/4 Section 20 Township 9.0 S Range 85.0 W Sixth P.M.

**AUTHORIZED AGENT**

PATRICK MILLER & NOTO PC (CLAXTON, LISA)  
PATRICK MILLER & NOTO PC (GREGORY, SUZANNE)  
PATRICK MILLER & NOTO PC (MILLER, SCOTT C.)

**UTM COORDINATES (Meters, Zone:13, NAD83)**

Easting: 335590.2      Northing: 4346861.7

**PERMIT TO USE AN EXISTING WELL**

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

**CONDITIONS OF APPROVAL**

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-90-137(2) for the expansion of use of well permit no. 297672. on the condition that this well is operated as an alternate point of diversion to the Basalt Conduit (if applicable per decree) and in accordance with one or more of the augmentation plans approved by the Div. 5 Water Court for the Basalt Water Conservancy District in Case Nos. 87CW0155, 93CW0319, 98CW0026/98CW0089, 01CW0305, & 02CW0077 (and Case No. 10CW0047 if in Area A-3 as described in decree), or operating pursuant to an approved substitute water supply plan. If this well is not operated in accordance with the terms of said decree(s) or SWSP, it will be subject to administration including orders to cease diverting water. BWCD contract #820.
- 4) Issuance of this permit hereby cancels permit no. 297672.
- 5) **CONDITION REVOKED ON 10/18/2023 REPLACED BY CONDITION #6.**  
The use of ground water from this well is limited to ordinary household purposes inside one (1) single family dwelling, the irrigation of not more than 5,600 square feet of home gardens and lawns and a 1,600 square foot pond/spa/water feature that will use 0.07 acre-feet to fill in May and refill in July.
- 6) The use of ground water from this well is limited to ordinary household purposes inside one (1) single family dwelling, the irrigation of not more than 5,600 square feet of home gardens and lawns and three separate pond/spa/water features that total 1,600 square feet and that will use 0.07 acre-feet to fill in May and refill in July.
- 7) The pumping rate of this well shall not exceed 15 GPM.
- 8) The annual withdrawal of ground water from this well shall not exceed 0.913 acre-foot.
- 9) The return flow from the use of this well must be through either a central treatment system, a septic tank and leach field system, or an evaporative system, whichever does not exceed the amount specified in the Basalt contract.
- 10) The owner shall mark the well in a conspicuous location with well permit number(s), name of the aquifer, and court case number(s) as appropriate. The owner shall take necessary means and precautions to preserve these markings.
- 11) This well shall be located not more than 200 feet from the location specified on this permit.
- 12) A totalizing flow meter must be installed on this well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (recorded at least annually) and submitted to the Division Engineer upon request.

