

TOWN OF GYPSUM WATER RIGHT DEDICATION ORDINANCE INSTRUCTION PACKET FOR DEVELOPERS

The attached forms are to be used by all persons/entities which desire new treated water service or expanded treated water service from the Town. This includes new fixtures or uses served by an existing tap.

1. The forms are to be completed and returned to the Town or contemporaneously with request for annexation, subdivision, re-subdivision, zoning, rezoning, platting, re-platting or a request for a water tap (in the event of a request for a building permit on a previously approved or created lot) where the dedication requirement has not already been satisfied for all intended uses of water.
2. These forms are intended to be used as a guide and tool in compliance with Chapter 13 of the Municipal Code. You are encouraged to review the Town Code which is available at the Town offices for inspection during office hours or also available on our website www.townofgypsum.com
3. The Town Code provides that you are responsible for the reimbursement of the Town's attorney and engineering fees in conjunction with a review of the dedication requirements for your uses. Therefore, your costs can be lessened by a thorough completion of these forms with the supporting documentation requested.
4. Under the Code, the Town has the discretion to determine whether water rights owned by you are adequate for dedication compliance. If not, cash in lieu of the water right dedication fees of \$12,000 per EQR/acre foot shall be assessed.
5. If you have any questions concerning these forms of the Town Code, please contact Lana Bryce, Community Development Director at (970) 524-1729.

WATER DEDICATION APPLICATION FOR ALL USES

1. Developer's name(s) and address(es):

2. Legal description of land to be annexed and/or developed:

3. Total number of acres to be annexed, subdivided, replaced, or provided with municipal water services: _____

4. Current use of property: _____

5. Total number of acres historically irrigated: _____
Total number of acres now being irrigated: _____

6. Water rights and ditches used to historically irrigate land, including amounts and priorities owned or leased: _____

7. Total number of acres intended to remain irrigated as open space upon annexation or Development: Public _____ Private _____

8. Do you intend for any tap made to the Town's municipal water supply system to irrigate lawns, gardens, or open space? If so, describe in detail the lot sizes and the square footage to be irrigated on each lot (in square feet).

9. Do you intend to utilize private, raw water resources to irrigate any lots or areas of lots which are supplied potable water from the Town’s municipal system? If so, describe in detail the square footage of lots irrigated with Town water and with private raw water resources. Describe the source of the raw water by amount, priority, and water right (and District Priority Number).

- a. Attach proof of ownership of water rights (deed), along with decrees, well permits, special use permits, etc.... currently in use at the applicant’s property.
- b. Attach an estimate of the amount of water yield projected from any water rights that the applicant seeks to dedicate and the historic consumptive use calculation for such rights under various hydrologic conditions.
- c. Attach written water conservation measures to be implemented within the proposed development. Such measures should include calculations of how physical implementation will occur, the security to be provided by the applicant to implement the conservation measures, and any proposed water rights dedication fee reductions for residential development should be calculated pursuant to Town code.
- d. Attach written water demand management measures, if any, that may be implemented to address hydrologic variations.

Note: the Town may require other information necessary to complete the review of this application.

10. The Town employs a unit of measurement known as Equivalent Residential Unit (“EQR”) in assessing demand. Section 13.02.030(6) (Definitions) of the Code describes the measurement unit as follows:

“Equivalent Residential Unit” or “EQR”, as used in this chapter, means a number related to the volume of water consumptively used by a single-family residence housing statistical average of three and one-half persons and having not more than 2,500 square feet of irrigated lawn or garden. The demand for water represented by 1.0 EQR assumes that none of the following limits are exceeded:

- a) An average annual requirement of 0.54 acre feet;
- b) a peak monthly water demand of 15,000 gallons; and
- c) a peak daily demand of 900 gallons. The consumptive use, for water uses not associated with use at a single-family residence, is considered to be equal to a volume of water, expressed in EQR units, as determined by the Town with guidance by the schedule provided in the Table of EQRs under section 13.02.050. The Town shall have sole and exclusive discretion in determining whether the basic dedication requirement should be increased or decreased, on a case-by-case basis, after consideration of the place, method, efficiency and operation of the wastewater treatment and consumption of water for the use served. Provided however, for residential uses, it is not the intent hereof for the Town

to reassess the dedication requirement should such limits be exceeded. Residential units shall only be reassessed upon the addition of fixtures, habitable space or a material enlargement of lawn size.”

Accordingly, demands will be computed in accordance with the above definition and the table described below:

Nature of Facility to Be Served	EQR value	Number	Subtotals
1. Residential with Potable Irrigation			
A. Residential unit up to 550 square feet consisting of a studio or one-bedroom/sleeping area with up to 1,000 square feet of irrigated lawn and garden watered by sprinkler or drip irrigation.	0.50		
B. Residential unit between 551 and 1,000 square feet consisting of up to two-bedrooms/sleeping area with up to 1,000 square feet of irrigated lawn and garden watered by sprinkler or drip irrigation.	0.70		
C. Residential unit between 1,001 and 3,000 square feet consisting of up to four-bedrooms/sleeping area with up to 2,500 square feet of irrigated lawn and garden watered by sprinkler or drip irrigation.	1.0		
D. Residences over 3,000 square feet: Each additional 100 square feet of living space.	0.0175		
E. Each additional 100 square feet of irrigated lawn and garden by sprinkler or drip irrigation.	0.03		
2. Residential with Non-potable Irrigation			
A. Residential unit up to 550 square feet consisting of a studio or one-bedroom/sleeping area.	0.25		
B. Residential unit between 551 and 1,000 square feet consisting of up to two-bedrooms/sleeping area.	0.35		
C. Residential unit between 1,001 and 3,000 square feet consisting of up to four-bedrooms/sleeping	1.00		
D. Each additional 100 square feet of living space.	0.0175		
3. Generally			
A. Each additional bedroom over four bedrooms.	0.15		
B. An annual average water demand equal to 0.54 acre-feet.	1.0		
C. An average monthly peak water demand equal to 15,000 gallons.	1.0		
D. A peak daily demand of 900 gallons.	1.0		

	E. Each coin-operated washing machine up to 12 lbs. capacity.	0.35		
	F. Common area irrigation and amenities such as swimming pools, club houses and laundry facilities to be assessed on a case-by-case basis, at the Town's sole discretion, in addition to the EQR values expressed above.			
4.	There shall be no partial EQR credit granted for irrigation area less than the limit in the above table. Any uses described in subparagraph 1 of this table, above, which do not utilize municipal water for any irrigation shall be:			
	A. Entitled to a reduction in EQR rating of 0.5 EQR per 2,500 square feet of lawn or landscaping which is irrigated with non-potable water from a non-municipal system. The maximum credit which can be obtained for residential uses is 50 percent of the total EQR dedication requirement due from the project (however, if credit for any percentage of total EQR is obtained under this Code provision, by irrigation from non-potable water from a non-municipal system, then the Town shall proportionately reduce the water delivered for the residential use);			
	B. Prohibited from having more than one outside hose bib which shall be placed on the front of the residence and shall not be used for any watering of lawns and gardens; and			
	C. Subject to an irrigation plan disclosure statement as described in Section 13.02.200.			
5.	Mobile home or mobile home space:			
	A. Each mobile home or mobile home space in a court with not more than 1,000 square feet of irrigated lawn and garden.	0.80		
6.	Transient rental units, hotels, motels or rental units within residences:			
	A. Manager's unit: Uses single family or multi-family classification as applicable.	0.60		
	B. Each additional room without cooking or kitchen facilities.	0.30		
	C. Each additional room with cooking or kitchen facilities.	0.35		
	D. Coin-operated washing machine 12-pound capacity or less.	0.30		

7.	Dormitories (per each rental bed space) without laundry or kitchen facilities.	0.10		
8.	Recreational vehicle parks:			
	A. For each camping or vehicle space without sewer hook-up.	0.35		
	B. For each camping or vehicle space with sewer hook-up.	0.40		
	C. For common facilities, pump-out and water filling stations, and related facilities, the Town will assess demand based on anticipated volume.			
9.	Bars and restaurants (above fixture EQR's):			
	A. For businesses with less than 25 seats.	1.50		
	B. For each additional seat.	0.04		
10.	Service stations and gas stations:			
	A. Full-service station with two toilets, two lavatories and one hand wash bay.	1.00		
	B. Demands in excess of the above are determined by projected volume.			
11.	Churches and nonprofit organizations with no residence or regular eating facilities.	1.00		
12.	Commercial retail stores with no process water, no residences, and no eating facilities including two restrooms which have a total of two lavatories and two toilets (one each per restroom):	1.00		
	A. For each additional toilet or urinal with manual flush.	0.30		
	B. For each additional toilet or urinal with continuous flow.	1.00		
	C. For each additional lavatory.	0.15		
	D. For each shower or bath or combination.	0.30		
	E. For each manual operated drinking fountain.	0.10		
	F. For each continuous flow drinking fountain.	1.00		
13.	Commercial offices (such as banks, professional office space and other low traffic occupations) with no process water, no residences, and no eating facilities including two restrooms which have a total of two lavatories and two toilets (one each per restroom)	1.00		
	A. For each additional toilet or urinal with manual flush.	0.30		
	B. For each additional toilet or urinal with continuous flow.	1.00		
	C. For each additional lavatory.	0.15		

	D. For each shower or bath or combination.	0.30		
	E. For each manual operated drinking fountain.	0.10		
	F. For each continuous flow drinking fountain.	1.00		
14.	Industrial, including warehouses which include two restrooms which have a total of two lavatories and two toilets (one each per restroom):	1.00		
	A. For every 350 gallons/day of process water with not more than 15 percent consumptive use. Process water includes manufacturing use of water that bottle, consumes, uses, or exports, in any way, water delivered which does not return to the Town's wastewater system.	1.00		
	B. For each additional toilet or urinal with manual flush.	0.30		
	C. For each additional toilet or urinal with continuous flow.	1.00		
	D. For each additional lavatory.	0.15		
	E. For each shower or bath or combination.	0.10		
	F. For each mop sink.	0.10		
	G. For each manually operated drinking fountain.	0.10		
	H. For each continuous flow drinking fountain.	1.00		
15.	Schools including principal's administrative office and school staff but not including cafeteria, gymnasium or athletic field facilities:			
	A. Up to 50 students.	1.00		
	B. Each additional student.	0.02		
	C. Cafeteria, gymnasium and athletic requirements determined on a case-by-case basis at the Town's sole discretion. The foregoing shall be based on the projected maximum usage of the school facilities and shall be subject to a periodic audit as required by Section 13.02.200.			
16.	Swimming pools up to 25,000 gallon capacity:			
	A. Year-round operation	1.00		
	B. Summer only (less than six months).	0.50		
	C. For each additional 500 gallons of capacity.	0.02		
17.	Fire protection sprinkler systems.	0.00		
18.	Irrigation by sprinkler or drip system:			
	A. Residential per 100 square feet.	0.03		
	B. Commercial per 100 square feet.	0.03		
	C. Commercial or residential irrigation of more than 5,000 square feet of lawn or landscaping subject to			

	special rates imposed by the Town at the Town's sole discretion.			
19.	Car Washes:			
	A. All car washes will be based on water delivery requirements and consumptive use projections with EQRs to be determined by the Town at the Town's sole discretion.			
20.	Commercial laundromats			
	A. Each washer up to 12-pound capacity.	0.35		
	B. For each additional pound of capacity over 12 pounds	0.015		
TOTAL EQR (add all subtotals)				

NOTE: Any use of water (including manufacturing, industrial, commercial, or residential) which involves processing may be recalculated to assume a higher degree of consumption should the manufacturing process result in the consumption of water. For example, bottled watering plants, breweries, distilleries, and food manufacturing). Any use not covered under the above categories shall be determined by the Town Manager, in its discretion taking into account the language and principles contained in Sections 13.02.030(6) and 13.02.050 (Table of Dedication Requirements).

The EQR values are derived from the Town Water Right Dedication Ordinance.

NOTE: There shall be no partial EQR credit granted for irrigation of less than the stated square feet lawn or landscaping.

All water rights and water resources owned or controlled by Applicant/Developer (name of Structure, quantity, and priority): _____

Owner(s) name(s): _____

Address(es): _____

Legal description of land to which these water rights are appurtenant: _____

ATTACH: HISTORIC USE AFFIDAVIT containing all information required by Section 13.02.030(8) of the Town Code.

STATEMENT OF APPLICATION: I hereby that the statements and information contained herein constitute to my best knowledge and behalf, a full and complete description of the contemplated use of land to be annexed, replatted, subdivide or for which water service is requested and a full and complete description of the water rights proposed for dedication. I agree to conform to all provisions of the Town of Gypsum Municipal Code pertaining to water and

water service. I understand that the Town of Gypsum reserves the right to inspect the premises for which this water dedication is intended and to adjust to water dedication requirement for any discrepancy between the ultimately required need or the use served and the information contained in this application.

Applicant's Signature

STATE OF COLORADO)
) ss.
COUNTY OF EAGLE)

The foregoing documents was acknowledged before me this _____ day of _____,
20____, by _____.

WITNESS my hand and official seal.

My commission expires: _____.

Notary Public