



## COLORADO WATER CONSERVATION BOARD

### WATER SUPPLY RESERVE ACCOUNT 2009-2010 GRANT APPLICATION FORM



**San Luis Peoples Ditch – Upgrade and Rehabilitation Project - Phase I  
Rio Grande Basin**

**Name of Water Activity/Project**

**Approving Basin Roundtable**

**\$40,000**

**Amount from Statewide Account**

**Total Amount of Funds Requested**

**Amount from Basin Account**

**\$40,000**

### **Application Content**

Part A – Description of the Applicant	page 2
Part B – Description of the Water Activity	page 4
Part C – Threshold and Evaluation Criteria	page 6
Part D – Required Supporting Material	
Water Rights, Availability, and Sustainability	page 10
Related Studies	page 11
Statement of Work, Detailed Budget, and Project Schedule	page 12
Signature Page	page 16

### **Attachments**

1. Reference Information	page 17
2. Insurance Requirements (Projects Over \$100,000)	page 18
3. WSRA Standard Contract (Projects Over \$100,000)	page 20
4. W-9 Form (Required for All Projects)	page 21
5. Rehabilitation Project Attachments (1a-4c)	page 22
6. Letters of Support	page 30

# **Water Supply Reserve Account – Grant Application Form**

Form Revised March 2009

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

### Part A. - Description of the Applicant (Project Sponsor or Owner);

1.	Applicant Name(s):	San Luis Peoples Ditch Company		
	Mailing address:	P. O. 354 San Luis, Colorado 81152		
	Taxpayer ID#:	84-057-8511	Email address:	trujillofarms@gojade.org
	Phone Numbers: Business:	719-379-3675		
	Home:	719-588-3707		
	Fax:			

### 2. Person to contact regarding this application if different from above:

Name:	Conrad Trujillo
Position/Title	President

### 3. Eligible entities that may apply for grants from the WSRA include the following. What type of entity is the Applicant?

<input type="checkbox"/>	Public (Government) – municipalities, enterprises, counties, and State of Colorado agencies. Federal agencies are encouraged to work with local entities and the local entity should be the grant recipient. Federal agencies are eligible, but only if they can make a compelling case for why a local partner cannot be the grant recipient.
<input type="checkbox"/>	Public (Districts) – special, water and sanitation, conservancy, conservation, irrigation, or water activity enterprises.
<input checked="" type="checkbox"/>	Private Incorporated – mutual ditch companies, homeowners associations, corporations.
<input type="checkbox"/>	Private individuals, partnerships, and sole proprietors are eligible for funding from the Basin Accounts but not for funding from the Statewide Account.
<input type="checkbox"/>	Non-governmental organizations – broadly defined as any organization that is not part of the government.

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

### 4. Provide a brief description of your organization

The San Luis Peoples Ditch (Peoples Ditch), "acequia", is a gravity-fed irrigation system in the oldest community in Colorado. Operating under Water District 24 of Division 3, the People's Ditch holds the first adjudicated water rights granted by a court decree in Colorado, dating April 10, 1852. The People's Ditch serves 22 shareholders (affiliated water users) and irrigates approximately 2100 acres of hay & other row crops. The majority of shareholders are descendants of the original founders of the acequia and some have owned family shares for nine generations. The Peoples Ditch was incorporated in 1967 and the company's 20 share holders have 1624 shares with assessments of \$7.85 per share and 2 garden plots at a \$25 assessment fee. The San Luis Peoples Ditch water users irrigate 2,100 acres of farm land and are all considered to be primary acres. The Peoples Ditch Board seats are held by the shareholders. Assessments are used to pay the salary of one fulltime ditch-rider with the remainder used for maintenance and operation. The San Luis Peoples Ditch Board of Directors will be taking fiscal responsibility and administrative lead of this project.

### 5. If the Contracting Entity is different then the Applicant (Project Sponsor or Owner) please describe the Contracting Entity here.

Same as Above

### 6. Successful applicants will have to execute a contract with the CWCB prior to beginning work on the portion of the project funded by the WSRA grant. In order to expedite the contracting process the CWCB has established a standard contract with provisions the applicant must adhere to. A copy of this standard contract is included in Attachment 3. Please review this contract and check the appropriate box.

☒ The Applicant will be able to contract with the CWCB using the Standard Contract

☐ The Applicant has reviewed the standard contract and has some questions/issues/concerns. Please be aware that any deviation from the standard contract could result in a significant delay between grant approval and the funds being available.

### 7. The Tax Payer Bill of Rights (TABOR) may limit the amount of grant money an entity can receive. Please describe any relevant TABOR issues that may affect the applicant.

**The San Luis Peoples Ditch is a 501(c) 12 non-profit corporation. TABOR does not apply.**

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

### Part B. - Description of the Water Activity

1. Name of the Water Activity/Project:

**The San Luis Peoples Ditch Up-grade and Rehabilitation Project**

2. What is the purpose of this grant application? (Please check all that apply.)

☐

Environmental compliance and feasibility study

☐

Technical Assistance regarding permitting, feasibility studies, and environmental compliance

☐

Studies or analysis of structural, nonstructural, consumptive, nonconsumptive water needs, projects

Study or Analysis of:

☒

Structural project or activity

☐

Nonstructural project or activity

☐

Consumptive project or activity

☐

Nonconsumptive project or activity

☐

Structural and/ or nonstructural water project or activity

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

- 1. Please provide an overview/summary of the proposed water activity (no more than one page). Include a description of the overall water activity and specifically what the WSRA funding will be used for.**

The San Luis Peoples Ditch Company consists of approximately 2 miles of earthen ditch and 5 miles of concrete lined ditch. The actual infrastructure of the Ditch is in poor condition due to its age. The Company plans to rehabilitate the Ditch in three (3) Phases. In the following description of the Ditch references will be made to the items planned for rehabilitation in each Phase.

The Ditch takes water from the Culebra River into the earthen canal. The existing concrete diversion was constructed in the mid 1960's and the steel turnouts and sluice were completed later. The Culebra Creek diversion is in good condition and is not planned for replacement but the associated head gates and valving require replacement which will occur in Phase 3 of the rehabilitation. As the Ditch flows northwest it historically receives flows from the Rito Seco Ditch through a structure and slice valves. This structure and associated valving has deteriorated and will also be addressed in Phase 3 of the rehabilitation. In addition, excess surface water from the area between the Ditch and the mountains flows into the Ditch. The Ditch has historically acted as an area catchment and drain, with the corresponding high sediment loads. The effect of these additional flows and sediment causes operational problems for the Ditch. The Ditch changes from an earthen ditch to a concrete lined ditch before the crossing of the old Rito Seco River bed. This lined portion of the ditch was installed in the 1960's. This concrete lined section crosses an area with a high water table, with 12 month surface flows including periods of winter freezing. The section of the ditch to Colorado Highway 159 has deteriorated significantly. The Ditch is then conveyed over the old Rito Seco River channel. This Crossover structure incorporates the ability for ditch flows to be diverted into the old Rito Seco River streambed, which in turn flow to the Culebra River. This Crossover structure and associated head gates have deteriorated and can no longer be relied upon to adequately divert the excess flows from the Ditch into the old river channel. Phase 1 of the rehabilitation process will replace the concrete lined portion of the ditch to Highway 159 and the Crossover structure and its associated sluice valves, and the rework of a portion of the earthen lined ditch. The irrigation of land begins some 200 feet downstream of the Crossover structure. The Ditch passes through the Chavez and Serna farms that have been subjected to flooding because the condition of the ditch has deteriorated to the point it can no longer contain its decreed flow. Damage has occurred on the Chavez and Serna properties due to the flooding and the issue can longer remain unaddressed. Phase 2 of the Ditch's rehabilitation includes the removal and replacement of the existing concrete lined ditch and the addition of pipelines through the subject farms. *(See attachment 1a)*

### **A description of each phase follows:**

The overall project consists of three phases. Phase I is the portion for which this application of \$40,000 for the Rio Grande Basin Account applies.

- Phase I – the most immediate area of concern is the replacement of the Rito Seco crossing diversion structure behind a residential area. This residential area is referred to as the Medina and Cruz residence for the purpose of this project. This diversion structure was built in 1945. The concrete walls have deteriorated, are cracked and crumbling. The culvert has rust holes and is leaking water, the water gates jam and is difficult to open and close. *(See attachment 2a)*.

The Town of San Luis is noted for the flash floods that occur every summer season.

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

During a cloud burst in the summer of 2009, a drop structure in La Vega which diverts water from the Rito Seco into the Peoples ditch, and excess water into the Culebra, has proven to be of no use diverting excess flow. The failure to divert excess water causes flooding of the residential areas, as the Peoples Ditch is unable handle high flows. The flash flood occurred over the Rito Seco Tributary sending an estimated 100 cfs of water down the Peoples Ditch which went over its banks and into the resident's yards and homes. The head gate at the Rito Seco crossing diversion structure would not open due to jamming and the water had nowhere to go but into the residences. The San Luis Peoples Ditch Board is primarily focused in on Phase 1 of the project in hopes that construction can take place before the 2010 spring irrigation begins.

- Phase II – is the replacement of the cement lining along the Peoples Ditch at the Serna and Chavez farms, with a trash rack and 1600ft. pipeline. The last construction of the cement lining in the ditch was done in 1967. It is now deteriorated including broken cement, deterioration of banks due to seepage, deterioration of cement around head gates and cracks. The condition has caused the cement to bulge, break and contribute to bank erosion. In the targeted section areas of the project where the south bank of the ditch has sunk and lost stability, its carrying capacity has diminished by 30%. Lateral ditches are then necessary which doesn't always send the water where the irrigation is needed. (*See attachment 2b*)
- Phase III- is the replacement of the diversion structure at the Culebra River. The structure is in need of replacement due to rusted gates and a culvert that was to move sediment that accumulate at the head gate into the Culebra River, is malfunctioning. (*See attachment 2c*)

The effects of these problems include poor water quality and flow resulting in operational difficulty and meeting irrigational needs.

### Part C. – Threshold and Evaluation Criteria

1. Describe how the water activity meets these **Threshold Criteria**. (Detailed in Part 3 of the Water Supply Reserve Account Criteria and Guidelines.)
  - The San Luis Peoples Ditch proposes an eligible water activity as identified in Senate Bill 06-179 involving a three phase stabilization and structural replacement portion of the Peoples Ditch.
  - The Peoples Ditch is an eligible entity that is a mutual nonprofit ditch company classified under the U.S. tax code, section 501(c)(12)
  - The Peoples Ditch is requesting funds from the SB 179 Rio Grande Basin Account and is complying with all application, submission, review, and approval deadlines and procedures.
2. The water activity is consistent with Section 37-75-102 Colorado Revised Statutes.<sup>1</sup>

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<sup>1</sup> 37-75-102. Water rights - protections. (1) It is the policy of the General Assembly that the current system of allocating water within Colorado shall not be superseded, abrogated, or otherwise impaired by this article. Nothing in this article shall be interpreted to repeal or in any manner amend the existing water rights adjudication system. The General Assembly affirms the state constitution's recognition of water rights as a private usufructuary property right, and this article is not intended to restrict the ability of the holder of a water right to use or to dispose of that water right in any manner permitted under Colorado law. (2) The General Assembly affirms the protections for contractual and property rights recognized by the contract and takings protections under the state constitution and related statutes. This article shall not be implemented in any

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

- The proposal is eligible for funding under Senate Bill 06-179 because: (1) it is being submitted for approval to the Rio Grande Interbasin Roundtable pursuant to article 75 of title 37, C.R.S. (2) it meets the eligibility categories described below; and (3) this proposal is submitted for approval by the Rio Grande Interbasin Roundtable in conformity to criteria and guidelines jointly developed by the IBCC and CWC.B.
- The water activity is consistent with Section 37-75-102 C.R.S. because this project repairs, and upgrades an existing channel course and structures that have actively been in use for over 150 years. This project does not supercede, abrogate, or otherwise impair the State's current system of allocating water within Colorado nor does it in any manner repeal or amend the existing water rights adjudication system. This project does not affect the State Constitution's recognition of water rights as a private usufructuary property right nor is it intended to restrict the ability of the holder of a water right to use or to dispose of that water right in any manner permitted under Colorado law.
- By repairing, restoring, replacing and stabilizing the Peoples Ditch, we mitigate any further flood damage and water is conserved for the farmers along the Peoples Ditch. This in turn addresses its shortfall in water need for consumptive use for irrigation in the Rio Grande Basin..
- The water activity underwent an evaluation and approval process and was approved by the Basin Roundtable (BRT). The application includes a description of the results of the BRT's evaluation and approval of the activity. At a minimum, the description must include the level of agreement reached by the roundtable, including any minority opinion(s) if there was not general agreement for the activity. The description must also include reasons why general agreement was not reached (if it was not), including who opposed the activity and why they opposed it. Note- If this information is included in the letter from the roundtable chair simply reference that letter.

### **See the letter from the Rio Grande Basin Round table**

3. The water activity meets the provisions of Section 37-75-104(2), Colorado Revised Statutes.<sup>2</sup> Specifically describe how the water activity either furthers the Roundtable's basin-wide water needs assessment

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way that would diminish, impair, or cause injury to any property or contractual right created by intergovernmental agreements, contracts, stipulations among parties to water cases, terms and conditions in water decrees, or any other similar document related to the allocation or use of water. This article shall not be construed to supersede, abrogate, or cause injury to vested water rights or decreed conditional water rights. The General Assembly affirms that this article does not impair, limit, or otherwise affect the rights of persons or entities to enter into agreements, contracts, or memoranda of understanding with other persons or entities relating to the appropriation, movement, or use of water under other provisions of law.

<sup>2</sup> 37-75-104 (2)(c). Using data and information from the Statewide Water Supply Initiative and other appropriate sources and in cooperation with the on-going Statewide Water Supply Initiative, develop a basin-wide consumptive and nonconsumptive water supply needs assessment, conduct an analysis of available unappropriated waters within the basin, and propose projects or methods, both structural and nonstructural, for meeting those needs and utilizing those unappropriated waters where appropriate. Basin Roundtables shall actively seek the input and advice of affected local governments, water providers, and other interested stakeholders and persons in establishing its needs assessment, and shall propose projects or methods for meeting those needs. Recommendations from this assessment shall be forwarded to the Interbasin Compact Committee and other basin roundtables for analysis and consideration after the General Assembly has approved the Interbasin Compact Charter.

## **Water Supply Reserve Account – Grant Application Form**

Form Revised March 2009

or meets a consumptive or non-consumptive water supply need identified in the Roundtable's working needs assessment.

- The water activity proposed by the San Luis Peoples Ditch Company meets the provisions of Section 37-75-104(2), C.R.S. by actively seeking the input and advise of all local affected county and municipal governments which include the Town of San Luis, Costilla County Commissioners, the Culebra Conservancy District, the Acequia Association, the office of Natural Resource Conservation Services and the local water Commissioner. All land owners and priority shares on the Peoples Ditch system are aware of the problems along the Peoples Ditch and are anticipating that with this funding Phase I can be completed in early 2010. Due to the age of the structure in question, there is no other resolution but to replace the diversion structure and build a concrete wall along the north and south banks of the ditch to prevent any further flooding. (See attachment 1a). The Peoples Ditch shareholders are committed to taking the lead in removing the old structure and installing new core and diversion gates using proven structures and technologies which, combined will solve the flooding problems being addressed by Phase 1.

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

1. Matching Requirement: For requests from the Statewide Fund, the applicants is required to demonstrate a 20 percent (or greater) match of the request from the Statewide Account. Sources of matching funds include but are not limited to Basin Funds, in-kind services, funding from other sources, and/or direct cash match. Past expenditures directly related to the project may be considered as matching funds if the expenditures occurred within 9 months of the date the application was submitted to the CWCB. Please describe the source(s) of matching funds. (NOTE: These matching funds should also be reflected in your Detailed Budget in Part D of this application)

**Although no Statewide funds are being requested at this time for Phase I, the Culebra Conservancy District has committed to matching funds for the project in the amount of \$20,000 (See attachments, letters of support).**

2. For Applications that include a request for funds from the Statewide Account, describe how the water activity meets the **Evaluation Criteria**. (Detailed in Part 3 of the Water Supply Reserve Account Criteria and Guidelines.)

### Evaluation Criteria – Part 3

#### **Promoting Collaboration and Cooperation**

a. The water activities addresses multiply needs or issues, including consumptive and/or non-consumptive needs, or the needs and issues of multiple interests or multiple bases:

Multiple consumptive and non-consumptive needs have been identified by the San Luis Peoples Ditch Company landowners, water users and stakeholders. This Project:

- Helps prevent flooding in residential areas in the San Luis community
- Helps conserve water and creates stable water flow to meet shareholders ditch water decrees.
- Helps meet agricultural water needs by reducing sediment loading, overcoming difficulties in diverting irrigation water and avoiding damage to diversion and irrigation structures.
- Greatly reduces present and future risks of flooding.
- Promotes enhanced water quality benefiting downstream farmers.
- Limits further deterioration of the ditch.
- Promotes cost effectiveness by minimizing maintenance and operational flexibility, optimizing existing and future water supply.
- Helps offset human impact on the Peoples Ditch, particularly those relating to futile efforts by the shareholders to fix the problem, efforts which exacerbated further ditch bank instability and contributed to the deteriorating conditions.
- Supports the overall cooperation with the residents of San Luis, Costilla County, NRCS, the Acequia Association, the Culebra Conservancy District and the Water Commissioner by eliminating flooding concerns and water conservation issues.
- Supports basin and interbasin cooperation by reducing the propagation of maintenance issues for the Peoples Ditch Company and for Rio Grande Compact water users.

### **Part D – Required Supporting Materials**

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

### 1. Water Rights, Availability, and Sustainability

This information is needed to assess the viability of the water project or activity. Please provide a description of the water supply source to be utilized, or the water body to be affected by, the water activity. This should include a description of applicable water rights and the name/location of water bodies affected by the water activity.

The water source used by the applicants comes directly from the Culebra River and the Rito Seco Creek a tributary to the Culebra River. The San Luis Peoples Ditch is the first adjudicated water right in the state of Colorado - “All water, water rights and water privileges and ditch rights and ditch privileges of The San Luis Peoples Ditch and the Rito Seco as decreed thereto to appropriated therefore and owned by the various users thereof and including all laterals, canals, drains drainage ditches, waste ditches and any and all easements and rights of way therefore, used therewith or in anywise pertaining to the foregoing and including but not by way of limitation the water and water rights decreed thereto under priority No. 1 to the San Luis Peoples Ditch and the Rito Seco Feeder pursuant to the original construction date of April 10, 1852, date of adjudication June 4, 1889; Priority No 46 as of the date of June 1889 for 3.75 cubic feet of water per second of time and .85 of on cubic foot of water per second of time as of the date November 16, 1926, as such was adjudicated in Civil Action No. 885 in the District Court of Costilla County, Colorado” All water and water rights now owned or to be acquired by the shareholders of the Peoples Ditch are as follows:

- 13.5 cfs decreed on June 14, 1889
- 3.75 cfs decreed on December 14, 1905
- .85 cfs decreed in 1934

San Luis Peoples Ditch Shareholders (approx) Acreage, Shares and Assessments

Name	Acreage	Shares	Assessment
1. Gallegos, Corpus Ranches	355	259	\$ 2,033.15
2. Garcia, Thomas	279	208	\$ 1,632.80
3. Allen, Gallegos	205	155	\$ 1,216.75
4. Peña, Devon	175	135	\$ 1,059.75
14. Emory, Todd	176	97	\$ 431.75
5. Sanchez Family	136	105	\$ 824.25
6. Montoya, Norbert	133	103	\$ 808.55
7. Arman-Smith, Mabel	20	52	\$ 722.20
8. Trujillo, Gerald	80	74	\$ 580.90
10. Vialpando, Joe	80	70	\$ 549.50
11. Romero, Felix	70	60	\$ 471.00
12. Ferran Family	90	60	\$ 471.00
15. Chavez Ranch	69	53	\$ 416.05
13. Trujillo, Conrad	62	57	\$ 447.45
16. Salazar. Fabian	54	30	\$ 235.50
17. Serna, Mary	41	28	\$ 219.80

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

18. Pacheco, Marcella	32	25	\$ 196.25
19. Ortega, Prax	23	18	\$ 141.30
20. Romero, George	12	9	\$ 70.65
21. Morine (Estate)	8	6	\$ 47.10
22. Ortega, Prax		GP*	\$ 25.00
23. Medina, Gene		GP*	\$ 25.00
Totals	2,100	1604	\$ 12,641.40
Shares in abatement		20	
Grand Total	2,100	1624	\$12,641.40
*Garden Plot			

*(See attachment 3a)*

2. Please provide a brief narrative of any related or relevant previous studies.

A study was done by the Natural Resource Conservation Service located in San Luis. The study identified the following to mitigate the flooding problem being addressed in Phase I. The recommended mitigation measures are:

- Replacement of the deteriorated water control structure.
- Replacement of the failed concrete ditch lining.

3. Statement of Work, Detailed Budget, and Project Schedule

The statement of work will form the basis for the contract between the Applicant and the State of Colorado. In short, the Applicant is agreeing to undertake the work for the compensation outlined in the statement of work and budget, and in return, the State of Colorado is receiving the deliverables/products specified. Please note that costs incurred prior to execution of a contract or purchase order are not subject to reimbursement.

Please provide a detailed statement of work using the following template. Additional sections or modifications may be included as necessary. Please define all acronyms. If a grant is awarded an independent statement of work document will be required with correct page numbers.

## **Statement of Work**

**WATER ACTIVITY NAME – Rehabilitation and Replacement**

**GRANT RECIPIENT – San Luis Peoples Ditch Company**

**FUNDING SOURCE – Water Supply Reserve Account – Rio Grande Basin Round Table Basin Account Funds**

### **INTRODUCTION AND BACKGROUND**

Provide a brief description of the project. (Please limit to no more than 200 words; this will be used to inform reviewers and the public about your proposal)

As stated above, Phase I of the overall rehabilitation of the Peoples Ditch will be addressed with this funding request of \$40,000 from the Rio Grande Basin Account. Phase I consists of:

- The replacement of the Crossover of the old Rito Seco river bed located behind a residential area. This residential area is referred to as the Medina and Cruz residences for the purpose of this project. This Crossover and associated diversion structure was built in 1945. The concrete walls have deteriorated, are cracked and crumbling. The associated culvert has rust holes and is leaking water, the water gates jam and is difficult to open and close.

### **OBJECTIVES**

List the objectives of the project

1. Allow for the Peoples Ditch to take its legally decreed water from the Culebra River.
2. Improve management of water control and time on the diversion, sluicing and turnout water control structures.
3. Significantly reduce sediment and trash problems in the ditch conveyance system.
4. Reduce water seepage losses along the ditch system and head gate leakage.
5. Control Rito Seco Creek flood waters and sediment from entering the ditch system.

### **TASKS**

Provide a detailed description of each task using the following format

Phase I – To construct 134ft. reinforced concrete ditch between highway 159 to the Rito Seco structure with a combination Rito Seco sluice, pipe flume and canal turnout control gates. The entire structure will be reconstructed using a modern functionality design by the NRCS. The flume will be replaced with a 24' by 60' steel pipe flume. The Rito Seco gate structure will also be replaced, which is part of the diversion structure and is used to carry the water over the Rito Seco into the Peoples Ditch. (*See attachments 3a*)

Phase II – Replace the 2 ft. bottom 3' depth concrete lining of the ditch at the Chavez and Serna Farms, approximately 1600 ft of cement lining.

## **Water Supply Reserve Account – Grant Application Form**

Form Revised March 2009

Phase III – Reconstruction of the diversion steel sluice and turnout structures at the main diversion on the Culebra River into the Peoples Ditch. The diversion steel turnouts and sluice structure are malfunctioning and accumulates sand and debris build up which clogs the head gate. Also in this phase a steel box structure will be installed on the People's Ditch and the Rito Seco junction at the Vega Commons to control the excess water and sediment from the Rito Seco flooding.

### **PHASE I - Replacement of Diversion Structure and culvert**

#### Description of Task

Task 1 – Remove the old Rito Seco concrete crossing structure and associated control head gate.

Task 2 – Replace 134 ft of concrete lined ditch upstream of crossing

Task 3 – Build a new crossover structure with control head gates.

Task 4 – Dredge the earthen ditch from highway 159 to new concrete ditch and clean out culverts below the highway

#### Method/Procedure

Task 1: Using Peoples Ditch shareholders' equipment to remove the old structure and cement from the ditch. Soil and road base will be brought in to elevate both north and south banks approximately 24" high and from highway 159 to the crossover structure wall, approximately 450'. Construct a 250' or 112 cubic yards of concrete reinforced ditch connection to the new crossover structure.

Task 2 & 3: Reline 134 feet the portion of the ditch and build the crossover structure using a third party contractor. Access & mobilization of equipment, divert and pump water, form and reinforce a 30 cubic yards concrete crossover structure with associated head gate. If construction is done during cold weather, heating and blanketing will be required. Fabricate and install head gate, install pipe fume, back fill structure and demobilization.

Dredge the remaining length of the ditch from highway 159 to concrete reinforced ditch and clean out culverts below the highway

Estimated cost: \$142,000

#### Deliverable

Fall of 2010

## **Water Supply Reserve Account – Grant Application Form**

Form Revised March 2009

### **REPORTING AND FINAL DELIVERABLE**

**Reporting:** The applicant shall provide the CWCB a progress report every 6 months, beginning from the date of the executed contract. The progress report shall describe the completion or partial completion of the tasks identified in the statement of work including a description of any major issues that have occurred and any corrective action taken to address these issues.

**Final Deliverable:** At completion of the project, the applicant shall provide the CWCB a final report that summarizes the project and documents how the project was completed. This report may contain photographs, summaries of meetings and engineering reports/designs.

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

### BUDGET

Provide a detailed budget by task including number of hours and rates for labor and unit costs for other direct costs (i.e. mileage, \$/unit of material for construction, etc.). A detailed and perfectly balanced budget that shows all costs is required for the State's contracting and purchase order processes. Sample budget tables are provided below. Please note that these budget tables are examples and will need to be adapted to fit each individual application. Tasks should correspond to the tasks described above.

<b>Phase I Replacement of Diversion Structure</b>	<b>Matching Funds</b>	<b>In-Kind</b>	<b>Total Project Costs</b>
Task 1 – Remove of concrete crossing structure.			See task 4
Task 2 – Replace concrete ditch			
Task 3 – Replace crossover structure			
Task 4 – Dredge ditch			\$15,000
Engineering/design NRCS		\$6,000	\$6,000
Administration		\$1,000	\$6,000
San Luis Peoples Ditch		\$15,000	
Costilla County Water Conservancy District	\$20,000		\$20,000
<b>WRSA*</b>	\$40,000		\$40,000
NRCS (EQIP)	\$60,000		\$60,000
<b>Total Costs for Phase I</b>	<b>\$120,000</b>	<b>\$22,000</b>	<b>\$142,000</b>

\* WRSA is matched at with \$102,000 or a 1:2.55 of Cash and In-Kind

Note: NRCS Estimate for Third Party Contractor Bid Items is \$125,000.00

### SCHEDULE

Provide a project schedule including key milestones for each task and the completion dates or time period from the Notice to Proceed (NTP). This dating method allows flexibility in the event of potential delays from the procurement process. Sample schedules are provided below. Please note that these schedules are examples and will need to be adapted to fit each individual application.

Task	Start Date	Finish Date
1. Removal of concrete	Upon NTP	NTP + 10 days
2. Replace concrete ditch	Upon NTP	NTP + 60 days
3. Replace crossover structure	Upon NTP	NTP + 90 days
4. Dredge ditch	Upon NTP	12/31/10

NTP = Notice to Proceed

## **Water Supply Reserve Account – Grant Application Form**

Form Revised March 2009

### **PAYMENT**

Payment will be made based on actual expenditures and invoicing by the applicant. Invoices from any other entity (i.e. subcontractors) cannot be processed by the State. The request for payment must include a description of the work accomplished by major task, and estimate of the percent completion for individual tasks and the entire water activity in relation to the percentage of budget spent, identification of any major issues and proposed or implemented corrective actions. The last 5 percent of the entire water activity budget will be withheld until final project/water activity documentation is completed. All products, data and information developed as a result of this grant must be provided to the CWCB in hard copy and electronic format as part of the project documentation. This information will in turn be made widely available to Basin Roundtables and the general public and help promote the development of a common technical platform.

The above statements are true to the best of my knowledge:

**Signature of Applicant:**

**Print Applicant's Name:**

**Project Title: San Luis Peoples Ditch – Upgrade and Rehabilitation Project – Phase I**

### **Return this application to:**

Mr. Todd Doherty  
Intrastate Water Management and Development Section  
COLORADO WATER CONSERVATION BOARD  
1580 Logan Street, Suite 600  
Denver, CO 80203

To submit applications by Email, send to: [todd.doherty@state.co.us](mailto:todd.doherty@state.co.us)

## **Water Supply Reserve Account – Grant Application Form**

Form Revised March 2009

### **Attachment 1 Reference Information**

The following information is available via the internet. The reference information provides additional detail and background information.

Colorado Water Conservation Board (<http://cwcb.state.co.us/>)

Loan and Grant policies and information are available at – <http://cwcb.state.co.us/Finance/>

Interbasin Compact Committee and Basin Roundtables (<http://ibcc.state.co.us/>)

Interbasin Compact Committee By-laws and Charter (under Helpful Links section) –

<http://ibcc.state.co.us/Basins/IBCC/>

#### Legislation

House Bill 05-1177 - Also known as the Water for the 21<sup>st</sup> Century Act –

<http://cwcbweblink.state.co.us/DocView.aspx?id=105662&searchhandle=28318>

House Bill 06-1400 – Adopted the Interbasin Compact Committee Charter –

<http://cwcbweblink.state.co.us/DocView.aspx?id=21291&searchhandle=12911>

Senate Bill 06-179 – Created the Water Supply Reserve Account –

<http://cwcbweblink.state.co.us/DocView.aspx?id=21379&searchhandle=12911>

#### Statewide Water Supply Initiative

General Information – <http://cwcb.state.co.us/IWMD/>

Phase 1 Report – <http://cwcb.state.co.us/IWMD/SWSITechnicalResources/SWSIPhaseIReport/>

**Attachment 2**  
**Insurance Requirements**

NOTE: The following insurance requirements taken from the standard contract apply to WSRA projects that exceed \$100,000 in accordance with the policies of the State Controller's Office. Proof of insurance as stated below is necessary prior to the execution of a contract.

**13. INSURANCE**

Grantee and its Sub-grantees shall obtain and maintain insurance as specified in this section at all times during the term of this Grant: All policies evidencing the insurance coverage required hereunder shall be issued by insurance companies satisfactory to Grantee and the State.

**A. Grantee**

**i. Public Entities**

If Grantee is a "public entity" within the meaning of the Colorado Governmental Immunity Act, CRS §24-10-101, et seq., as amended (the "GIA"), then Grantee shall maintain at all times during the term of this Grant such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities under the GIA. Grantee shall show proof of such insurance satisfactory to the State, if requested by the State. Grantee shall require each Grant with Sub-grantees that are public entities, providing Goods or Services hereunder, to include the insurance requirements necessary to meet Sub-grantee's liabilities under the GIA.

**ii. Non-Public Entities**

If Grantee is not a "public entity" within the meaning of the GIA, Grantee shall obtain and maintain during the term of this Grant insurance coverage and policies meeting the same requirements set forth in **§13(B)** with respect to sub-Grantees that are not "public entities".

**B. Sub-Grantees**

Grantee shall require each Grant with Sub-grantees, other than those that are public entities, providing Goods or Services in connection with this Grant, to include insurance requirements substantially similar to the following:

**i. Worker's Compensation**

Worker's Compensation Insurance as required by State statute, and Employer's Liability Insurance covering all of Grantee and Sub-grantee employees acting within the course and scope of their employment.

**ii. General Liability**

Commercial General Liability Insurance written on ISO occurrence form CG 00 01 10/93 or equivalent, covering premises operations, fire damage, independent Grantees, products and completed operations, blanket Grantual liability, personal injury, and advertising liability with minimum limits as follows: **(a)** \$1,000,000 each occurrence; **(b)** \$1,000,000 general aggregate; **(c)** \$1,000,000 products and completed operations aggregate; and **(d)** \$50,000 any one fire. If any aggregate limit is reduced below \$1,000,000 because of claims made or paid, Sub-grantee shall immediately obtain additional insurance to restore the full aggregate limit and furnish to Grantee a certificate or other document satisfactory to Grantee showing compliance with this provision.

**iii. Automobile Liability**

Automobile Liability Insurance covering any auto (including owned, hired and non-owned autos) with a minimum limit of \$1,000,000 each accident combined single limit.

## **Water Supply Reserve Account – Grant Application Form**

Form Revised March 2009

### **iv. Additional Insured**

Grantee and the State shall be named as additional insured on the Commercial General Liability and Automobile Liability Insurance policies (leases and construction Grants require additional insured coverage for completed operations on endorsements CG 2010 11/85, CG 2037, or equivalent).

### **v. Primacy of Coverage**

Coverage required of Grantee and Sub-grantees shall be primary over any insurance or self-insurance program carried by Grantee or the State.

### **vi. Cancellation**

The above insurance policies shall include provisions preventing cancellation or non-renewal without at least 45 days prior notice to the Grantee and the State by certified mail.

### **vii. Subrogation Waiver**

All insurance policies in any way related to this Grant and secured and maintained by Grantee or its Sub-grantees as required herein shall include clauses stating that each carrier shall waive all rights of recovery, under subrogation or otherwise, against Grantee or the State, its agencies, institutions, organizations, officers, agents, employees, and volunteers.

## **C. Certificates**

Grantee and all Sub-grantees shall provide certificates showing insurance coverage required hereunder to the State within seven business days of the Effective Date of this Grant. No later than 15 days prior to the expiration date of any such coverage, Grantee and each Sub-grantee shall deliver to the State or Grantee certificates of insurance evidencing renewals thereof. In addition, upon request by the State at any other time during the term of this Grant or any sub-grant, Grantee and each Sub-grantee shall, within 10 days of such request, supply to the State evidence satisfactory to the State of compliance with the provisions of this **§13**.

**Attachment 3**

**Water Supply Reserve Account Standard Contract**

NOTE: The following contract is required for WSRA projects that exceed \$100,000. (Projects under this amount will normally be funded through a purchase order process.) Applicants are encouraged to review the standard contract to understand the terms and conditions required by the State in the event a WSRA grant is awarded. Significant changes to the standard contract require approval of the State Controller's Office and often prolong the contracting process.

It should also be noted that grant funds to be used for the purchase of real property (e.g. water rights, land, conservation easements, etc.) will require additional review and approval. In such cases applicants should expect the grant contracting process to take approximately 3 to 6 months from the date of CWCB approval.

## **Water Supply Reserve Account – Grant Application Form**

Form Revised March 2009

### **Attachment 4**

#### **W-9 Form**

NOTE: A completed W-9 form is required for all WSRA projects prior execution of a contract or purchase order. Please submit this form with the completed application.

# Water Supply Reserve Account – Grant Application Form

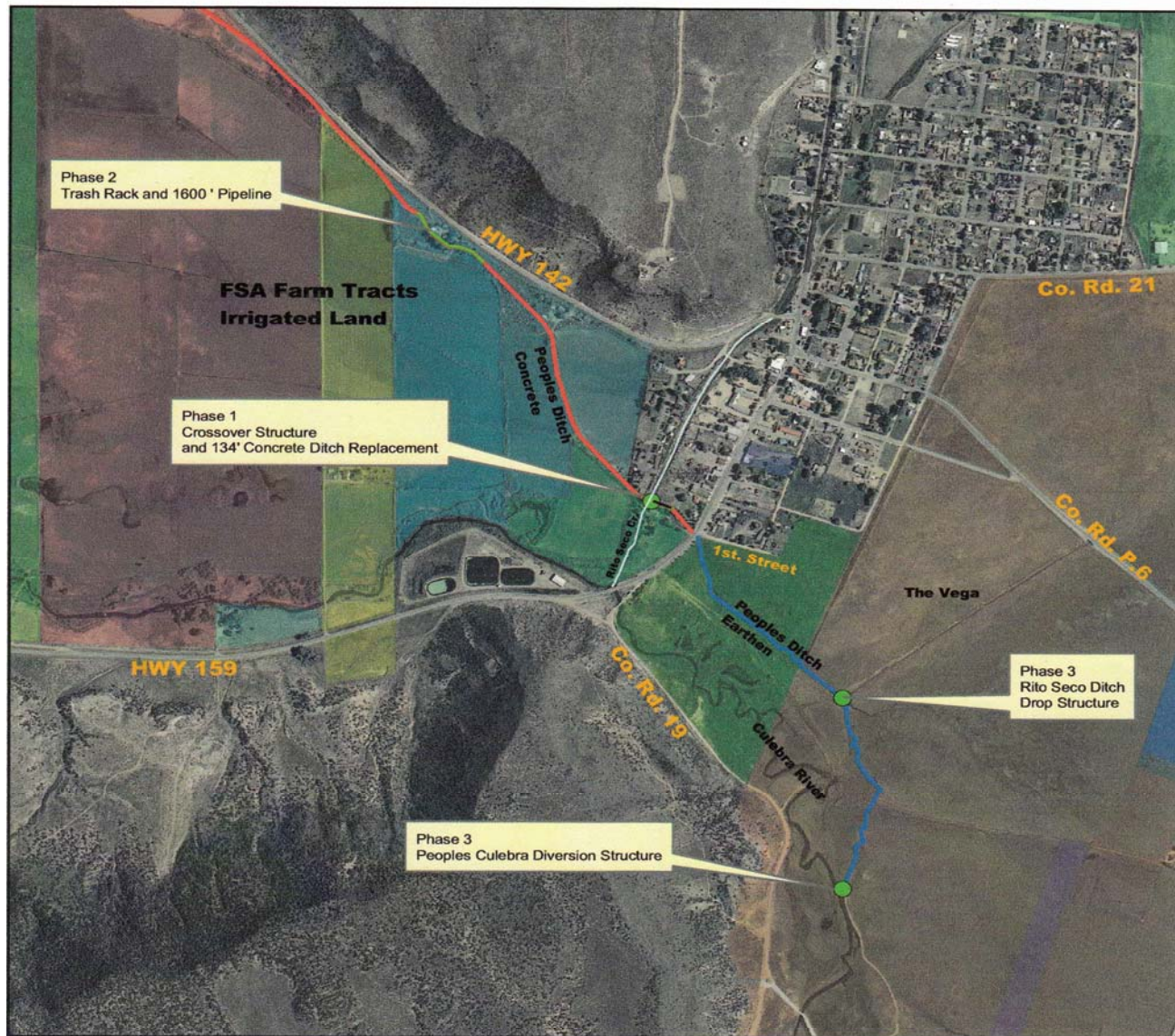
Form Revised March 2009

## Conservation Plan Map

Date: 12/21/2009

Customer(s): SAN LUIS PEOPLES DITCH  
District: COSTILLA CONSERVATION DISTRICT

Field Office: SAN LUIS SERVICE CENTER  
Agency: USDA - NRCS  
Assisted By: Raymond C Gekosky



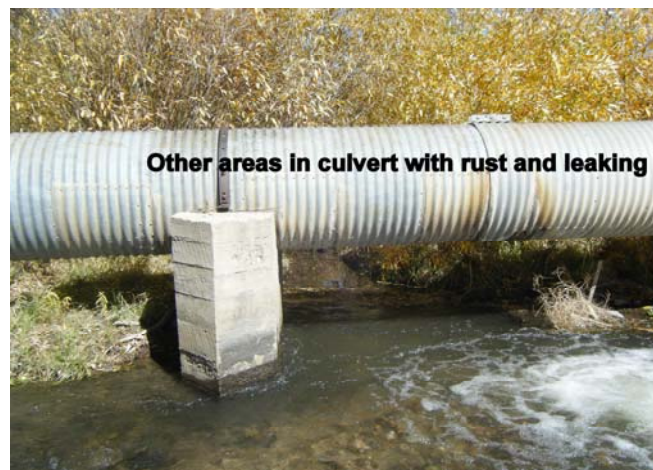
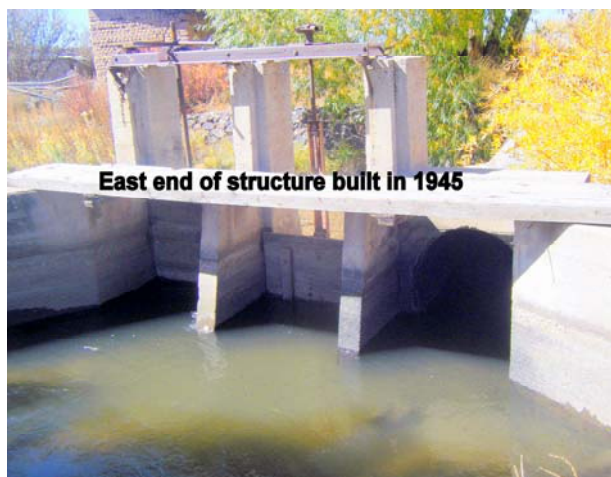
1,250 0 1,250 2,500 3,750 5,000 Feet

### Legend

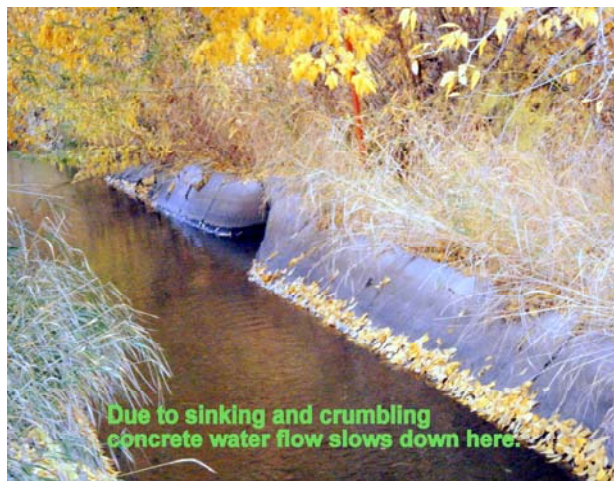
- Ditch Replacement Pipeline
- Planned Structure Replacement
- Concrete
- Earthen



Attachment 2a (Phase I)



Attachment 2b (Phase II)



# Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

## Attachment 2c (Phase III)



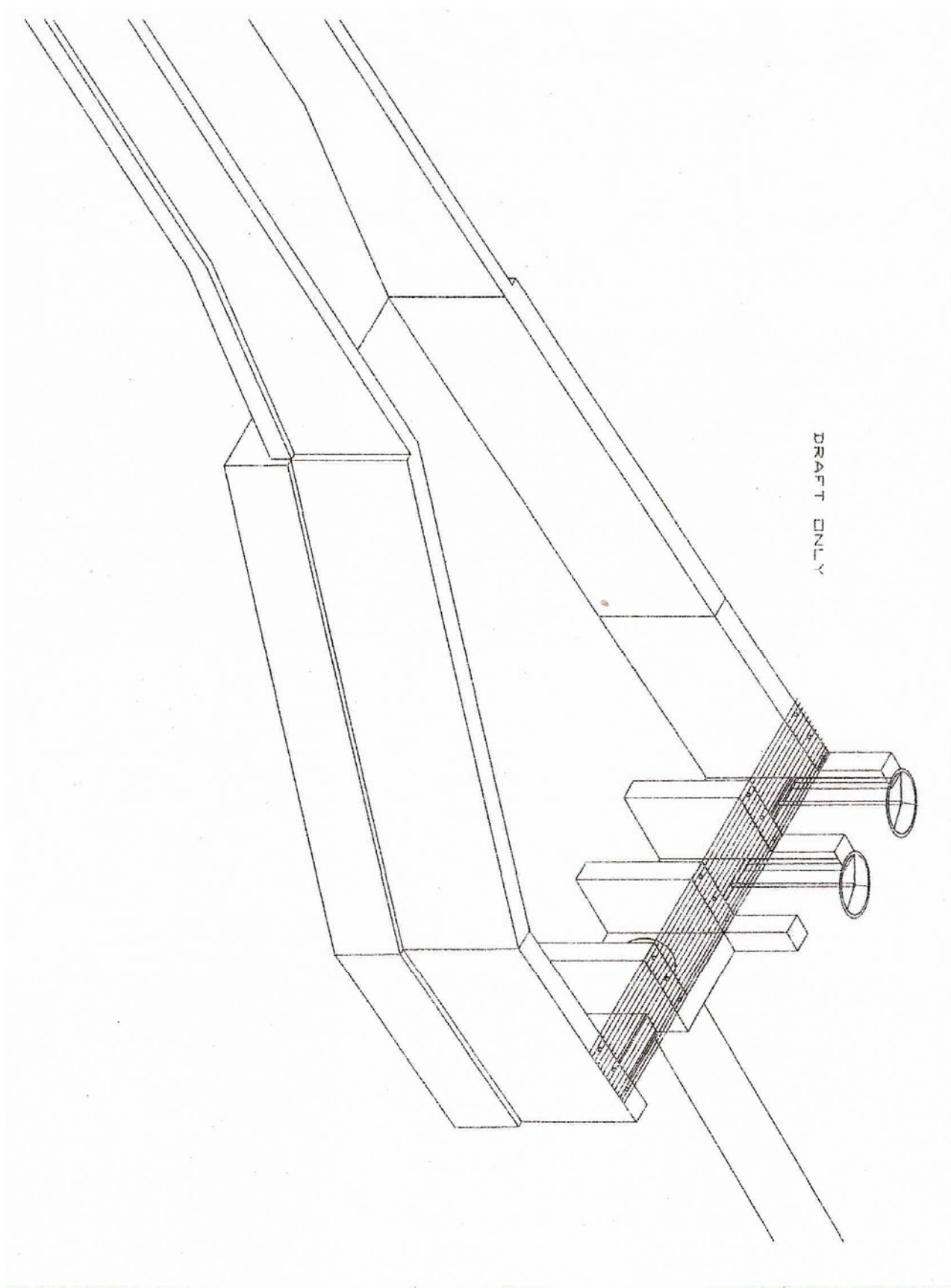
## Form Revised March 2009

## Attachment 3a

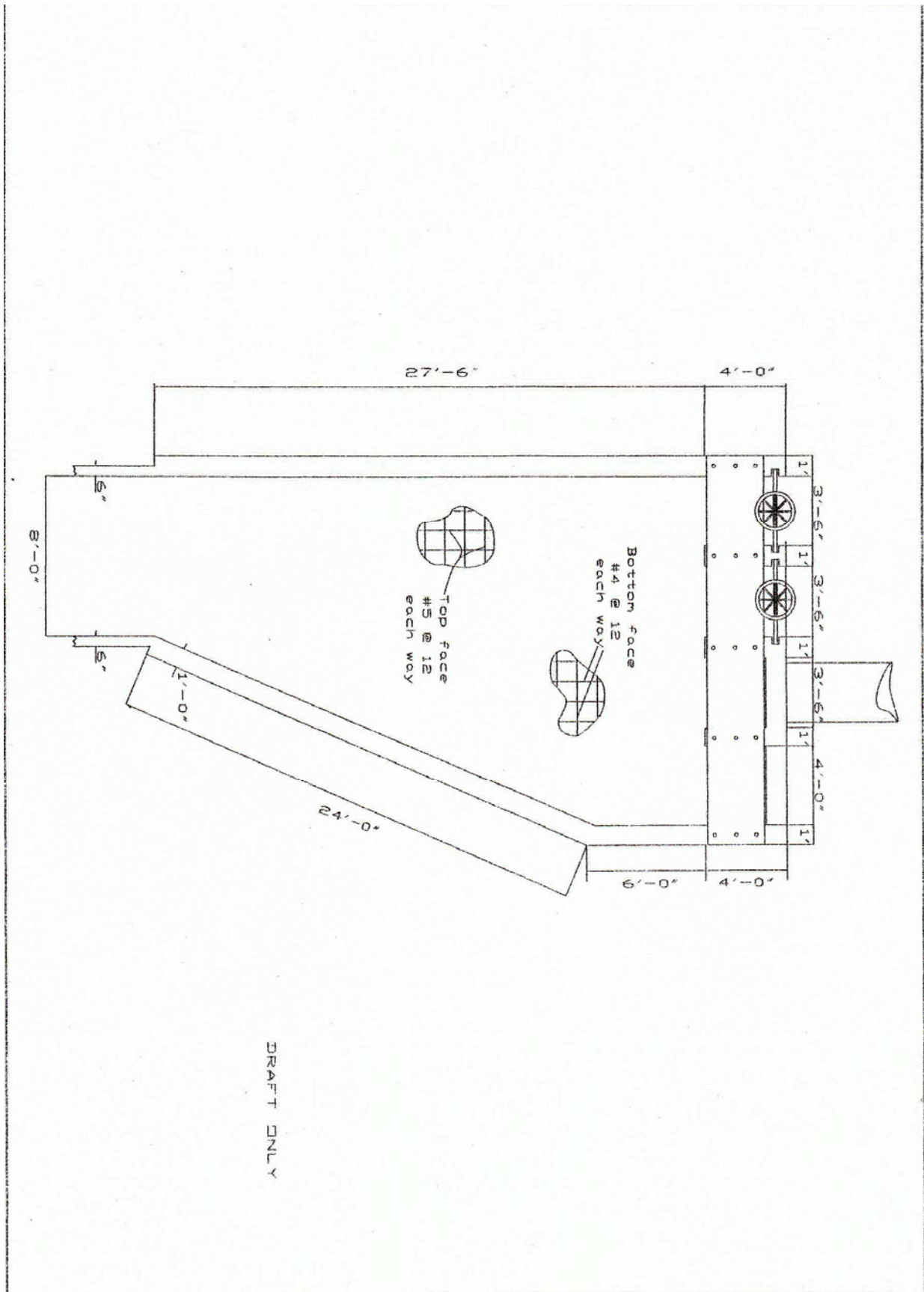


# Water Supply Reserve Account – Grant Application Form

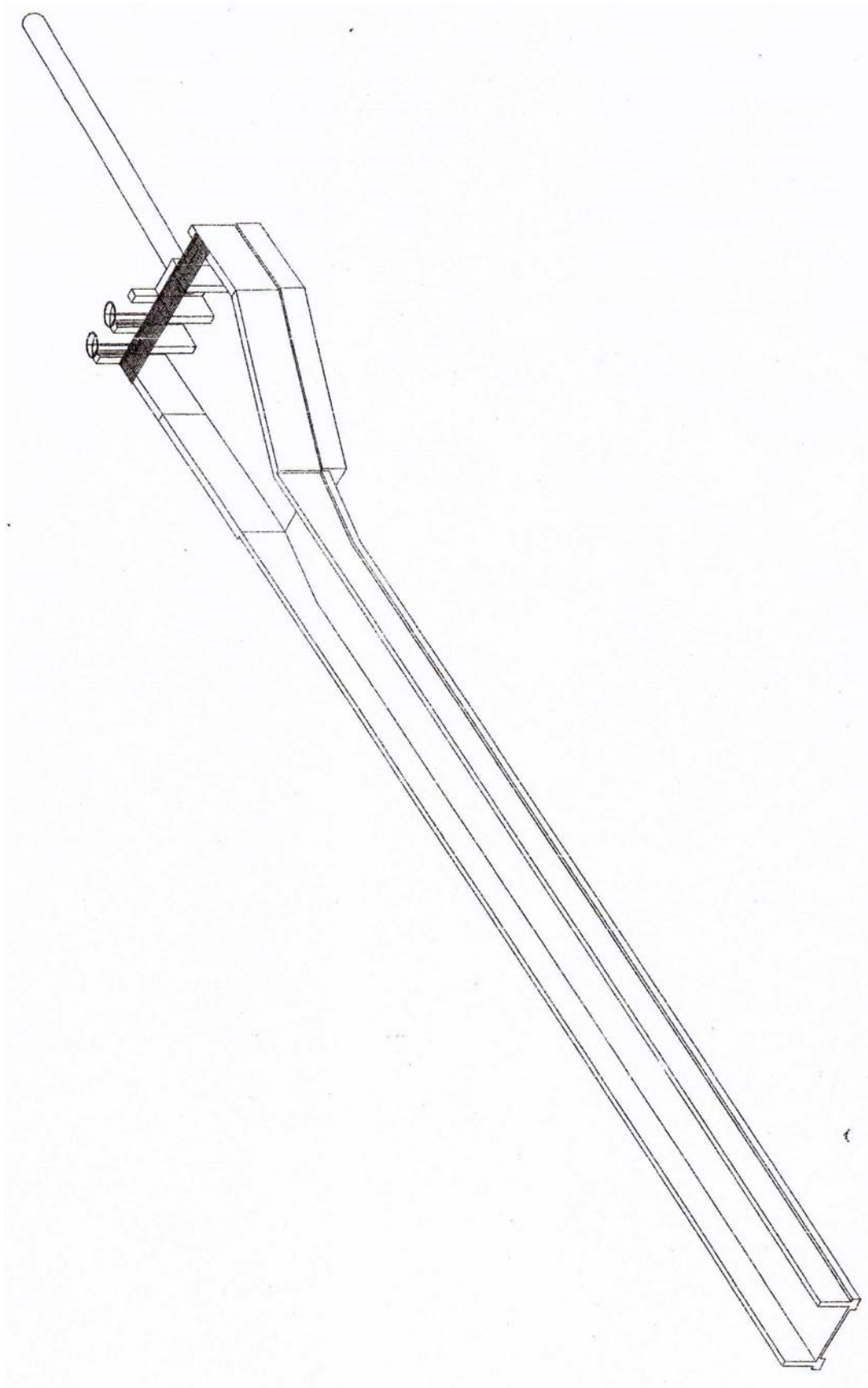
Form Revised March 2009



**Water Supply Reserve Account – Grant Application Form**  
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**Water Supply Reserve Account – Grant Application Form**  
Form Revised March 2009



# **Letters of Support for the Peoples Ditch Upgrade and Rehabilitation Project**