



# COLORADO WATER CONSERVATION BOARD

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



**Flathead chub movement associated with the Clear Springs Ranch diversion  
structure in Fountain Creek**

**Name of Water Activity/Project**

**Approving Basin Roundtable**

**Amount from Statewide Account**

**Total Amount of Funds Requested**

**Amount from Basin Account**

**100%**

### **Application Content**

Application Instructions	page 2
Part A – Description of the Applicant	page 3
Part B – Description of the Water Activity	page 6
Part C – Threshold and Evaluation Criteria	page 8
Part D – Required Supporting Material	
Water Rights, Availability, and Sustainability	page 12
Related Studies	page 12
Statement of Work, Detailed Budget, and Project Schedule	page 12
Signature Page	page 17

### **Attachments**

1. Reference Information
2. Insurance Requirements (Projects Over \$100,000)
3. WSRA Standard Contract (Projects Over \$100,000)
4. W-9 Form (Required for All Projects)

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

### **Instructions**

To receive funding from the Water Supply Reserve Account (WSRA), a proposed water activity must be approved by the local Basin Roundtable AND the Colorado Water Conservation Board (CWCB). The process for Basin Roundtable consideration/approval is outlined in Attachment 1.

Once approved by the local Basin Roundtable, the applicant should submit this application, a detailed statement of work, detailed project budget, and project schedule to the CWCB staff by the application deadline.

The application deadlines are:

- Basin Account – 60 days prior to the bi-monthly Board meeting
- Statewide Account – 60 days prior to the March and September Board meeting

Board Meeting Dates	Basin Account Deadlines	Statewide Account Deadlines
3/17 - 3/18/2009	1/16/2009	1/16/2009
5/19 - 5/20/2009	3/19/2009	n/a
7/21 - 7/22/2009	5/21/2009	n/a
9/15 - 9/16/2009	7/15/2009	7/15/2009
11/17 - 11/18/2009	9/17/2009	n/a
January 2010	11/15/2010	n/a
March 2010	1/15/2010	1/15/2010
May 2010	3/15/2010	n/a

When completing this application, the applicant should refer to the WSRA Criteria and Guidelines available at: <http://cwcb.state.co.us/IWMD>.

The application, statement of work, budget, and schedule must be submitted in electronic format (Microsoft Word or text-enabled PDF are preferred) and can be emailed or mailed on a disk to:

Mr. Todd Doherty  
Colorado Water Conservation Board  
Intrastate Water Management and Development Section  
WSRA Application  
1580 Logan Street, Suite 600  
Denver, CO 80203  
[Todd.Doherty@state.co.us](mailto:Todd.Doherty@state.co.us)

If you have questions or need additional assistance, please contact Todd Doherty of the IWMD Section at 303-866-3441 x3210 or [todd.doherty@state.co.us](mailto:todd.doherty@state.co.us).

## 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):	Mr. Anthony Nunez, Pueblo County Commissioner District 1		
	Mailing address:	215 W. 10 <sup>th</sup> Street Pueblo, Colorado 81003		
	Taxpayer ID#:		Email address:	Nunez@co.pueblo.co.us
	Phone Numbers: Business:	(719) 583-6536		
	Home:			
	Fax:	(719) 583-4908		

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

Name:	Mr. Garald Barber
Position/Title	Interim Exec. Dir. Ftn. Crk. Watershed Greenway & Flood Control District

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

- ☐ 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.
- ☒ Public (Districts) – special, water and sanitation, conservancy, conservation, irrigation, or water activity enterprises.
- ☐ Private Incorporated – mutual ditch companies, homeowners associations, corporations.
- ☐ Private individuals, partnerships, and sole proprietors are eligible for funding from the Basin Accounts but not for funding from the Statewide Account.
- ☐ 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

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4. Provide a brief description of your organization

The Fountain Creek Watershed Greenway and Flood Control District was created under SB09-141 in April of 2009 for the purpose of managing, administrating and funding capital improvement projects that will lead to the mitigation of flooding, improved water quality issues, erosion and sedimentation control and improved drainage. In addition, the district will fund the protection of open space as well as develop greenway amenities.

The newly formed district encompasses El Paso and Pueblo Counties. Land use authority is limited to the 100-year floodplain between El Paso and Pueblo counties south of the City of Fountain and north to the City of Pueblo.

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

N/A

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

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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.

None

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

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

1. Name of the Water Activity/Project:

Flathead Chub movement associated with the Clear Springs Ranch diversion structure in Fountain Creek

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

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3. 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.

Flathead chub have been identified as a species of special concern in Colorado. Unpublished data from the U.S. Geological Survey (USGS) and the Colorado Division of Wildlife (CDOW) suggest that flathead chub maybe declining in Fountain Creek upstream of the two most downstream potential barriers in the basin. The Clear Springs Ranch Diversion (CSRD) structure is the farthest downstream barrier on Fountain Creek, located about 37 miles upstream from the confluence with the Arkansas River. In 2011 it is proposed that the CSRD will be retrofitted with a fishway with the intent of improving fish passage. The primary objectives of this proposed project are to determine movement patterns of flathead chub below the CSRD and the extent to which the CSRD currently impedes their upstream movement. ***This grant request will fund the study of the movement patterns associated with spawning of flathead chub and provide information as to when they move, if they migrate upstream to spawn and how far they migrate within the bounds of the sampling locations. In addition, data obtained about the flathead chub may be applicable to other plains fish species and provide a methodology for future fish studies.***

Grant funds will be used to evaluate adult flathead chub movement through extensive “mark recapture efforts” among 9 sites along Fountain Creek (fig. 1). Adult flathead chub will be marked subcutaneously with a Visual Implant alphanumeric tag (VI Alpha tag). VI Alpha tags are a small fluorescing tag that displays an alphanumeric code when exposed to a UV-light. These tags allow researchers to track fish movement when previously marked individuals are recaptured. Because flathead chub are expected to spawn in summer (June – August) and migrate upstream to the CSRD prior to and/or during that time, initial fish marking and recapture efforts will begin in April 2010 and continue through October 2010. Results from this initial effort will determine when flathead chub move, if they migrate upstream to spawn, and how far they migrate within the bounds of the sampling locations (Questions 1 and 2). Additionally, the grade control structure upstream from the CSRD presumably blocks farther upstream migration, and is a likely place to recapture any marked fish that pass through the CSRD. Recaptured fish at this site will allow determination of whether flathead chub pass upstream through the CSRD under its current configuration (Question 3).

A few fishways have been installed in Colorado plains streams, yet none have integrated an understanding of fish movement patterns. Results of this study will allow project managers to ensure that design criteria based on swimming performance of flathead chub are met in the fishway during peak periods of flathead chub movement. Additionally, these results will inform future monitoring efforts, as they will identify the location of flathead chub populations within Fountain Creek that are most likely to use the fishway. Ultimately, results from this study will improve efforts to reconnect stream habitats for many Great Plains fish species and serve as a model for improving fish passage through other man-made barriers in the region. Finally, this project provides the necessary baseline information that will be needed to evaluate the efficacy of the fishway in the future.

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

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### 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.)

This water activity meets the eligibility requirements by providing further information and planning regarding improvements on unrestricted fish movement in Fountain Creek.

- a) The water activity is consistent with Section 37-75-102 Colorado Revised Statutes.<sup>1</sup>

Yes. Studying the movement of the flathead chub will not restrict the ability of the holder of the water right to use or dispose of that water right in any manner permitted by Colorado law and is consistent with CRS 37-75-102.

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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 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.



## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

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- b) The water activity underwent an evaluation and approval process and was approved by the Basin Roundtable (BRT) and 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.

This project has not been approved by the Basin Round Table. It does, however have the support of the Colorado Division of Wildlife, Colorado State University, Colorado Springs Utilities and the Lower Arkansas Valley Conservancy District.

See attached letters of reference.

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

This grant request is of statewide significance. It will be for the study of the movement of the flathead chub, which is a target species listed as a state species of special concern.

Colorado Springs Utilities received a non-consumptive CWCB Statewide Fund grant for the design and planning of a fish passage for an 8' diversion structure located on Clear Springs Ranch, a Colorado Springs Utilities owned property in El Paso County. This application will fund the study of flathead chub specifically where it is and how it moves up and down Fountain Creek in relation to the installation of the fish passage. It will aid in the planning of the fish passage design and the future monitoring of Colorado Springs Ranch diversion structure as well as other impediments along Fountain Creek.

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<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

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- d) 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 CWCBC. 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)

NA

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

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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.)

N/A

**Part D. – Required Supporting Material**

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.

N/A

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

Colorado State University completed a swimming performance test for the flathead chub and Arkansas darter however, no applicable fish movement studies have been performed for plains fish species in Colorado or in the United States.

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** – Flathead chub movement associated with the Clear Springs Ranch diversion structure in Fountain Creek

**GRANT RECIPIENT** – Fountain Creek Watershed Greenway and Flood Control District

**FUNDING SOURCE** – Colorado Water Conservation Board – Water Supply Reserve Account, Basin Account

### **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)

This grant request is for the study of the movement of the flathead chub in Fountain Creek, which is state species of special concern.

Colorado Springs Utilities received a non-consumptive statewide grant for the design and planning of a fish passage for an 8' diversion structure located on Clear Springs Ranch, a Colorado Springs Utilities owned property in El Paso County. This application will fund the study of this fish, specifically where it is and how it moves up and down Fountain Creek in relation to the fish passage. It will aid in the planning of the fish passage design and the future monitoring of Colorado Springs Ranch diversion structure as well as other impediments along Fountain Creek.

### **OBJECTIVES**

List the objectives of the project

The primary objectives of this project are to answer the following questions:

1. When do flathead chub move throughout the year?
2. Do flathead chub migrate upstream to spawn, and if so, how far do they migrate?
3. Do flathead chub pass upstream through the Clear Springs Ranch Diversion (CSRD) as currently operated and configured?

### **TASKS**

Provide a detailed description of each task using the following format

#### **TASK 1 – Marking and Monitoring**

##### Description of Task

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

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In general, the proposed project will rely on a “mark recapture” design where flathead chub are individually marked at predetermined sites and returned to the water (fig. 1, see attachment to this application). Subsequently, sites are revisited periodically where flathead chub are inspected for previous marks. Individuals with previous marks are noted and all newly captured flathead chub are marked and returned to the water. This process continues throughout the study period.

### Method/Procedure

More specifically, flathead chub will be collected from 9 sites located 0-32 km (0-20 miles) downstream from the CSRD and at an additional site just downstream from another potential barrier located 9.6 km (6 miles) upstream from the CSRD (fig. 1, see attachment to this application). Adult flathead chub will be marked subcutaneously with a Visual Implant alphanumeric tag (VI Alpha tag). VI Alpha tags are a small fluorescing tag that displays an alphanumeric code when exposed to a UV-light. These tags allow researchers to track fish movement when previously marked individuals are recaptured. Because flathead chub are expected to spawn in summer (June-August) and migrate upstream to the CSRD prior to and/or during that time, initial fish marking efforts will begin in April 2010 and recapture and monitoring efforts will continue through October 2010 (see schedule below).

### Deliverable

Results from this initial effort will determine when flathead chub move, if they migrate upstream to spawn, and how far they migrate within the bounds of the sampling locations (Questions 1 and 2). Additionally, the grade control structure upstream from the CSRD presumably blocks farther upstream migration, and is a likely place to recapture and monitor any marked fish that pass through the CSRD. Recaptured fish at this site will allow the determination of whether flathead chub pass upstream through the CSRD under its current configuration (Question 3).

A few fishways have been installed in Colorado plains streams, yet none have integrated an understanding of fish movement patterns. Results of this study will allow project managers to ensure that design criteria based on swimming performance of flathead chub are met in the fishway during peak periods of flathead chub movement. Additionally, these results will inform future monitoring efforts, as they will identify the location of flathead chub populations within Fountain Creek that are most likely to use the fishway. Ultimately, results from this study will improve efforts to reconnect stream habitats for many Great Plains fish species and serve as a model for improving fish passage through other man-made barriers in the region. Finally, this project provides the necessary baseline information that will be needed to evaluate the efficacy of the fishway in the future.

One scientific journal article is planned for reporting the results of this project with a draft delivered to the funding entity by November 2011. Additionally, results will be communicated to project managers through oral presentations as appropriate throughout the study period. For example, results (timing of movement, evidence for or against upstream spawning migration) will inform design, construction, and operation of the fishway scheduled to begin in 2011.

**TASK 2 –**

Description of Task

Method/Procedure

Deliverable

**REPEAT FOR TASK 3, TASK 4, TAKE 5, ETC.**

**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.

Total Budget				
				Lump Sum Amount
<b>1. Tasks : Marking and Monitoring</b>				
A. USGS Labor				\$53,800.00
B. CDOW Labor				\$65,650.00
<b>2. Other Direct Costs</b>				
A. Equipment, Materials, Travel				\$24,850.00
<b>Total Estimated Costs</b>				<b>\$144,300.00</b>
<b>In-Kind Contributions</b>				
1. CDOW				\$90,500.00
2. USGS				\$18,800.00
<b>Total In-Kind Contributions</b>				<b>\$109,300.00</b>
Estimated Costs				\$144,300.00
Less In-Kind Contributions				\$109,300.00
<b>Total Requested Grant Amount</b>				<b>\$35,000.00</b>

### 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.

Calendar 2010												
Item				Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Mark recapture												
Briefing												
Calendar 2011												
Item	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Briefing												
Publish results												



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

Form Revised March 2009

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### **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.

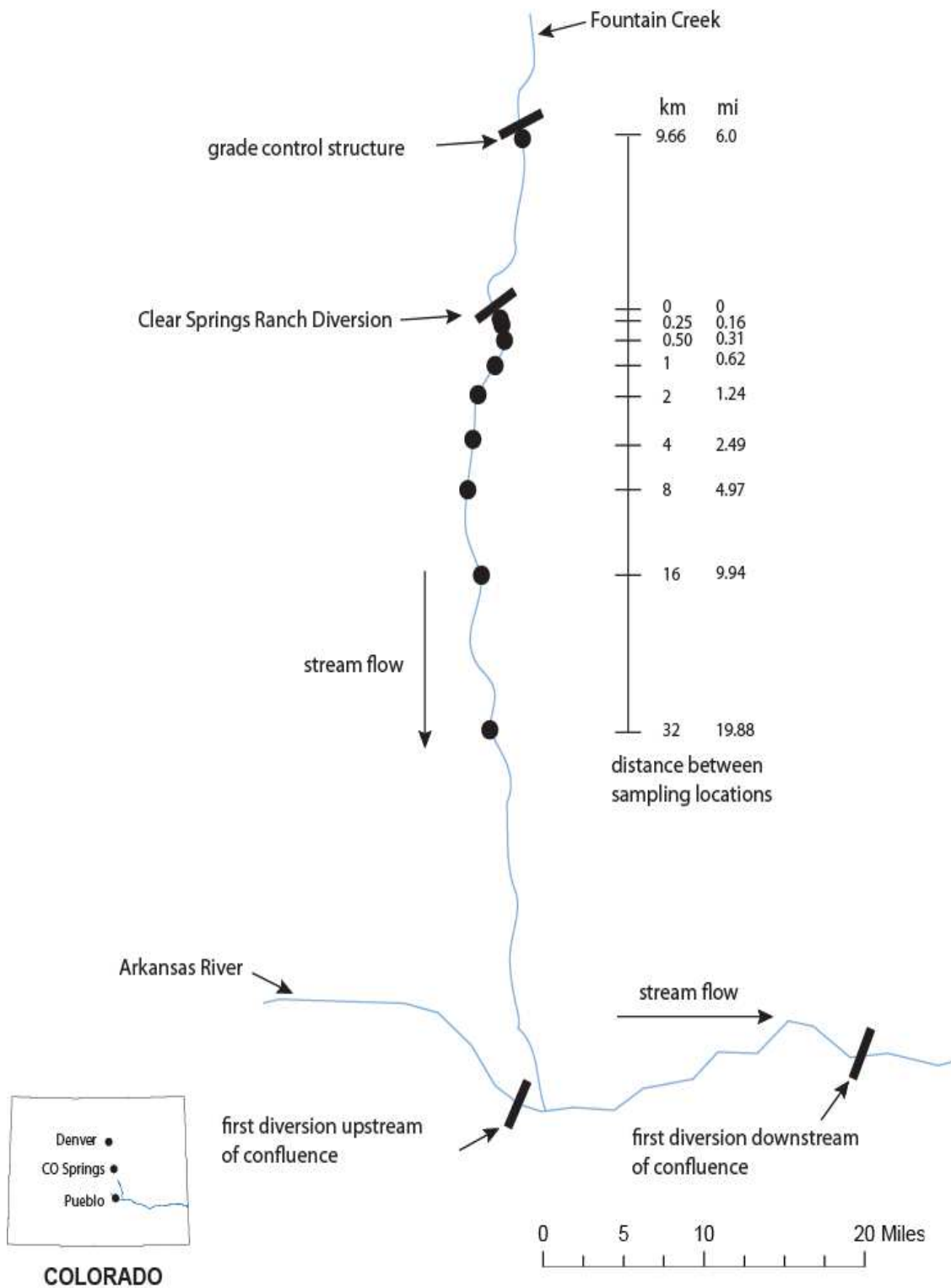


Fig. 1. Study area showing approximate locations of potential barriers to fish movement and the proposed locations (circles) of sampling locations.

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

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

**Signature of Applicant:**

**Print Applicant's Name:**

**Project Title:**

**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)

**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/>

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**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**

## Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

---

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.

**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**.

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

Form Revised March 2009

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### **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

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### **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.