



COLORADO WATER CONSERVATION BOARD



WATER SUPPLY RESERVE ACCOUNT GRANT APPLICATION FORM

Relief Ditch Diversion Dam

Name of Water Activity/Project

Approving Basin Roundtable

\$20,650

Amount from Statewide Account

Total Amount of Funds Requested

Amount from Basin Account

\$20,650

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 \$25,000)
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 calendar days prior to the bi-monthly Board meeting
- Statewide Account – 60 calendar days prior to the September Board meeting

Board Meeting Dates	Basin Account Deadlines	Statewide Account Deadlines
July 20-21, 2010	May 21, 2010	n/a
September 21-22	July 23, 2010	July 23, 2010
November 16-17	September 17, 2010	n/a
January 2011	60 days prior	n/a
March 2011	60 days prior	n/a
May 2011	60 days prior	n/a
July 2011	60 days prior	n/a
September 2011	60 days prior	60 days prior

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
Water Supply Planning Section
WSRA Application
1580 Logan Street, Suite 200
Denver, CO 80203
Todd.Doherty@state.co.us

If you have questions or need additional assistance, please contact Todd Doherty of the Water Supply Planning Section at 303-866-3441 x3210 or 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	Gunnison Gorge Anglers-Trout Unlimited	
	Mailing address:	203 Poplar Way Hotchkiss, CO 81419	
	Taxpayer ID#:	52 1315911	Email address: gmosbo@tds.net
	Phone Numbers: Business:	(970)433-5649	
	Home:	(970)872-3564	
	Fax:	(970)872-3397	

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

Name:	George Osborn
Position/Title	Project Coordinator

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

4. Provide a brief description of your organization

Local chapter of Trout Unlimited---conservation/sportsmens organization

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

Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

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.

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:

Relief Ditch Diversion Dam

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.

This project will develop a design by Crane Associates of a sustainable diversion structure to provide water to the Relief Ditch and remove an existing hazardous instream infrastructure as well as curtail ongoing erosion of the riverbanks. It will eliminate the need for annual bulldozing of the channel bed which will reduce costs for the Relief Ditch Company and further allow for fish passage and safe boater passage. It will provide rehabilitation and stabilization of the eroded areas to restore the riparian habitat and decrease downstream sedimentation. A source for fill material has been identified and a price quoted. The initial phase for which the funding is requested will develop a design for the diversion that is acceptable to the Relief Ditch board of directors, have that proposal reviewed by the independent engineering firm of Flywater, Inc. and bring the project to the point of construction. This grant request is for \$5,000 to match the \$11,000 already committed for developing design alternatives and \$15,650 to provide support services using HEC-RAS modeling, conduct a review of the design by an independent engineering firm and PE stamp certification of the designs. Total request of \$20,650. Identified in the budget section as “Basin Roundtable”.

Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

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.)
 - a) The water activity is consistent with Section 37-75-102 Colorado Revised Statutes.¹
 - b) The water activity will develop a permanent, sustainable diversion structure that will provide the full decreed amount of water to the Relief ditch, while removing the need to use heavy equipment in the stream channel. This will be more efficient and cost effective for the irrigators and retard stream bank erosion while allowing for revegetation of the riparian area. It will further allow safe boater passage and easier fish migration which will increase the recreational usage of the area.

¹ 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

- c) 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 BRTs 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.

- d) The water activity meets the provisions of Section 37-75-104(2), Colorado Revised Statutes.² The Basin Roundtable Chairs shall include in their approval letters for particular WSRA grant applications a description of how the water activity will assist in meeting the water supply needs identified in the basin roundtable's consumptive and/or non-consumptive needs assessments.

² 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

- e) 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)

Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

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.)

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.

The Relief Ditch is claimed by the Relief Ditch Company, a corporation, and is entitled to Priority No. 5, as of March 15, 1890 as determined by the State of Colorado, Water Resources Division No. 4 located in Montrose, CO. The water is supplied from the Gunnison River. The existing headgate is situated on the south side of the river and is located 26.5 chains (1,749 feet) S 45° 30' W of the common corner of Section 3, 4, 9 & 10, Township 15 South, Range 94 West of the 6th Principle Meridian. The site is also found at Latitude N 38° 46', Longitude W 107° 53' on the Smith Mountain USGS Quad sheet. It is located approximately 4 miles downstream of the confluence of the North Fork and the mainstem of the Gunnison River.

The original decree appropriated 50 cfs to the ditch. In addition, a change of the diversion point for a water right from the Chosen Valley Ditch to the Relief Ditch was approved on August 31, 1976 under Case No. W-2762. The Chosen Valley Ditch is entitled to 1 cfs at Priority No. 7 dated August 16, 1896. The total decree to the Relief Ditch at this diversion point is currently 51 cfs

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

A feasibility study was commissioned by the U.S. Bureau of Land Management and completed by Crane Associates in 2004.

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 – Relief Ditch Diversion Dam

GRANT RECIPIENT – Gunnison Gorge Anglers-Trout Unlimited

FUNDING SOURCE -

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)

Develop a design acceptable to the Relief Ditch board of directors to construct a sustainable diversion structure.

OBJECTIVES

Design a diversion structure that will:

- Provide the full allowable amount of water to the Relief Ditch
- Stabilize riverbed and riparian areas
- Allow fish passage
- Allow safe boater passage

TASKS

Provide a detailed description of each task using the following format

Task 1. Identify the legal point of diversion with a legal survey.

Completion : October 15, 2010 Cost: \$4,000

Task 2. Survey multiple cross sections across the river to identify the existing channel thalweg and prepare for a hydraulic analysis. Cross sections will be plotted in an AutoCad format.

Completion: October 15, 2010 Cost: \$6000

Task 3. Develop an existing and proposed conditions hydraulic model of the area a minimum of 500 feet up and downstream of the diversion using HEC-RAS.

Completion: December 15, 2010 Cost: \$8000

Task 4. Design two or three alternatives for a sustainable and cost effective irrigation diversion that allows for a full decree of water into the ditch and is safe for recreational boats and removes impediments to fish passage.

Completion: April 1, 2011 Cost: \$16,000

Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

Task 5. Conduct review of proposed project by independent engineering firm.

Completion: July 15, 2011

Cost: \$15,650

Task 6. Get approval from the Relief Ditch Board of directors for approved alternative through a series of meetings and send recommended design to ACOE.

Completion: July 31, 2011

Cost: \$600

Task 7. Develop cost estimates, construction schedules, material locations and bid packages.

Completion: August 15, 2011

Cost: \$4,000

Task 8. Project coordination and administration (in-kind)

Completion: Ongoing

Cost: \$2,000

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

Expenses	HRF	Basin Roundtable	Cash Match	In-Kind	Total
Survey point of diversion (24 hours x \$125/hr for 2 person crew)	\$2,000		\$2,000		\$4,000
Survey cross sections (48 hours x \$125/hr for 2 person crew)	\$2,000		\$4,000		\$6,000
HEC-RAS model (80 hrs.X\$100/hr)	\$7,000		\$1,000		\$8,000
Design alternatives (160 hrs.X\$100/hr)	\$11,000	\$5,000			\$16,000
Ditch board coordination (6hrs.X\$100/hr)	\$500		\$100		\$600
Cost estimates/Bid packages	\$2,500		\$1,500		\$4,000
Project coordination/administration				\$2,000	\$2,000
Independent engineering review		\$15,650			\$15,650
Total	\$25,000	\$20,650	\$8,600	\$2,000	\$56,250
Match Summary:					
Gunnison Gorge Anglers	\$5,000				
Grand Valley Anglers	\$1,000				
Colorado Trout Unlimited	\$2,000				
BLM	\$1,500				
In Kind Administration	\$2,000				
Total	\$11,500				

Water Supply Reserve Account – Grant Application Form

Form Revised March 2009

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.

Example 1

Task	Start Date	Finish Date
Survey	9/15/10	10/15/10
Modeling	10/15/10	12/15/10
Designs	1/1/11	4/1/11
Design Review	Upon NTP	7/15/11
Approvals	7/15/11	7/31/11
Bid Packages	NTP	8/15/11
Administration	9/15/10	Ongoing

NTP = Notice to Proceed

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.

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

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 200
Denver, CO 80203

To submit applications by Email, send to: 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 21st 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 \$25,000 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.

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.