



Arkansas Basin Roundtable
Official Records Location
c/o Board of Water Works of Pueblo
Attention: Leslie Martinez
P.O. Box 400
Pueblo CO 81002-0400

November 13, 2010

Mr. Todd Doherty
Interstate Water Management Development Section
Colorado Water Conservation Board
1580 Logan Street, Suite 600
Denver, Colorado 80203

Re: Water Supply Reserve Account Grant Application for the Trinidad/Purgatoire River Reach 4 Demonstration Project

Dear Todd:

Under separate cover you will receive a WSRA grant application for Trinidad/Purgatoire River Reach 4 Demonstration Project. At the November 10, 2010 Arkansas Basin Roundtable meeting, the roundtable agreed by consensus to approve this application for \$75,000 in basin funds and forward it for consideration by the Colorado Water Conservation Board. There were no dissenting opinions. This activity represents a river restoration project in an important watershed of the Arkansas Basin.

My hope is that this grant request can be heard at the January, 2011 CWCB meeting. Please do not hesitate to contact me if you have any questions.

Sincerely,

Gary Barber
Chair

c: Executive Committee, Ark Roundtable



COLORADO WATER CONSERVATION BOARD

WATER SUPPLY RESERVE ACCOUNT GRANT APPLICATION FORM



Trinidad/Purgatoire River
Reach 4 Demonstration Project

Arkansas Basin
Roundtable

Name of Water Activity/Project

Approving Basin Roundtable

\$75,000.00

Amount from Statewide Account

Total Amount of Funds Requested

Amount from Basin Account

\$75,000.00

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)

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/TWMD>.

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.

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

1.	Applicant Name(s):	Jeris Danielson Purgatoire River Water Conservancy District		
	Mailing address:	314 West Main Street Trinidad, CO 81082		
	Taxpayer ID#:	84-0716341	Email address:	Jeris_danielson@hotmail.com
	Phone Numbers: Business:	719-846-7285		
	Home:			
	Fax:	719-846-6941		

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

Name:	
Position/Title	

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 checked="" type="checkbox"/> | Public (Districts) – special, water and sanitation, conservancy, conservation, irrigation, or water activity enterprises. |
| <input 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. |

4. Provide a brief description of your organization

The Purgatoire River Water Conservancy District was created on December 2, 1960, in order to provide a legal entity capable of contracting with the United States for repayment of the irrigation, municipal and industrial component assigned to the Trinidad Project and to provide a management entity to oversee the Project.

Other responsibilities include: surveying existing water resources and basin rivers, taking actions necessary to "secure and insure an adequate supply of water - present and future", constructing water reservoirs, entering into contracts with other water agencies, (such as the Bureau of Reclamation), organizing special assessment districts, providing for instream flows for fisheries and other legal responsibilities needed by the District to fulfill its purposes.

The main feature of the Trinidad Project is Trinidad Dam, located several miles west of the City of Trinidad, on the Purgatoire River in Las Animas County, Colorado. The Colorado Division of Parks and Outdoor Recreation operates Trinidad State Park at the Reservoir site and provides a wide array of recreational opportunities. The District has a history of initiating and participating in water conservation projects, including the rehabilitation of Central Park Lake in Trinidad and involvement in the Tamarisk Control Task Force.

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

N/A

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

Part B. - Description of the Water Activity

1. Name of the Water Activity/Project:

Trinidad/Purgatoire River Reach 4 Demonstration 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

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.

The goal of this project is to improve the aquatic habitat and riparian areas of approximately 2,750 ft (1/2 mile) of the Purgatoire River in downtown Trinidad, Colorado.

Improvements will provide velocity shelter, cover, and quality usable habitat for resident trout during the high flow summer months through the installation of in-channel habitat features. A new handicap accessible trail will be constructed along the river to provide fishing access for persons with disabilities. Three handicap accessible river fishing sites will be constructed adjacent to newly installed habitat features in the project reach.

WSRA funds will be used for materials and equipment for construction of improvements, as listed below:

- 4 full-channel boulder cross-vanes to create new pool habitat
- 8 boulder J-Hook vanes to protect banks and provide cover
- 40 boulder clusters to provide pocket water habitat in riffles
- 3 short boulder vanes to protect existing water quality features
- 70 ft of large wood bank-full benches utilizing existing trees
- 2 large wood/boulder J-Hook vanes for habitat complexity
- Gravel breeze (or equivalent) handicap access trail
- Timbers for construction of handicap accessible areas
- Interpretive signage

This demonstration project is a piece of a larger effort to enhance the Purgatoire River from the Trinidad State Park lake dam through the town of Trinidad, to the Highway 160 Bypass, nearly 5 miles of river. Efforts to remove invasive species along this stretch of river are already underway.

A planning process funded with grant dollars from Trout Unlimited's Embrace-A-Stream program, along with local and regional donations from Trout Unlimited Chapters is complete, followed by a Project Concept and Preliminary Design, which was prepared by Fin-Up Habitat Consultants, Inc.

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 as a structural water project providing for nonconsumptive recreational and environmental needs.

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

The aquatic habitat and riparian improvements 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.

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.

- 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 application is undergoing basin approval process at this time.

We expect letters of support from the City of Trinidad, the Trinidad Chamber of Commerce, Trout Unlimited and Trinidad Community Foundation, among others.

- c) 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.

This grant request will assist in meeting a non-consumptive recreational and environmental need in the Arkansas Basin. The Arkansas Basin Roundtable's resource document "Projects & Methods to Meet the Needs of the Arkansas Basin" lists as its first premise that "the Ark Basin should define 'meeting our needs' by using economic productivity as a measure while considering social and environmental values." This project meets all three of these sustainability values.

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.

- 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 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)

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.

This project will restore fish habitat along a stretch of the Purgatoire River through Trinidad, Colorado. The stretch is approximately ½ mile long. Improvements will provide velocity shelter, cover, and quality usable habitat for resident trout during high flow summer months, but will not increase or decrease overall flow in the river.

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

A feasibility study for a longer reach of the Purgatoire River is underway at this time. This study covers approximately five miles of the Purgatoire River, starting from the dam and heading downstream.

A Project Concept and Preliminary Design was completed in September 2010. See Attachment 5.

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 - Trinidad/Purgatoire River Reach 4 Demonstration Project

GRANT RECIPIENT – Purgatoire River Water Conservancy District

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

INTRODUCTION AND BACKGROUND

This project will improve the aquatic habitat and riparian areas of a stretch of the Purgatoire River that runs through downtown Trinidad, Colorado. It will provide a handicap accessible trail and fishing spots along the river, along with relevant signage.

The Purgatoire River Anglers chapter of Trout Unlimited received a grant from Embrace-A-Stream that funded an assessment of approximately 4 ¾ miles of the Purgatoire River from the Trinidad State Park lake dam through town. That assessment led to this project concept and preliminary design.

OBJECTIVES

- **Final Design** – includes channel geomorphology identification of bank-full elevations throughout the project reach, final planning documents, and the 404 permit application.
- **Habitat Restoration** – provide velocity shelter, cover, and quality usable habitat for resident trout during the high flow summer months through the installation of in-channel habitat features.
- **Community Access** – construction of trails and fishing sites will make fishing handicapped accessible.
- **Education** – provide signage to increase community involvement and awareness.

TASKS

Provide a detailed description of each task using the following format

TASK 1 – Final Project Design and Permitting

Description of Task

Final design includes channel geomorphology identification of bank-full elevations throughout the project reach, development of the final planning document, and the 404 permit application. The work includes coordination with Federal & State agencies as required to complete the permitting and regulatory process. A Scope of Work document will also be created for heavy equipment contracting purposes.

Method/Procedure

Pete Gallagher, of Fin-Up Consultants, created the Project Concept & Preliminary Design documents. He will create final design, apply for applicable permits, and carry final documents through the local approval process.

Deliverable

Final Design and Construction documents

404 Permits

Local Approvals

TASK 2 – Construction of Channel Improvements

Description of Task

Installation of vanes, boulder clusters and wood bank-full benches.

Method/Procedure

Construction will be supervised by Pete Gallagher of Fin-Up Consultants. Heavy equipment and labor will be donated by local companies. Construction is expected to take two weeks.

Deliverable

Improvements will be documented.

TASK 3 – Construction of Handicap Accessible Trail, Fishing Sites, & Signage

Description of Task

Community-build project constructing approximately 600 feet of handicap accessible trail, fishing sites located adjacent to aquatic habitat improvements, and appropriate signage.

Method/Procedure

Construction will be supervised by Pete Gallagher of Fin-Up Consultants. This community-build project will be constructed by volunteers. The Purgatoire River Anglers (local Trout Unlimited Chapter) and the Trinidad Community Foundation will organize the community-build effort. Construction is expected to take less than a week. Post-project monitoring and final report will be prepared by Pete Gallagher.

Deliverable

Improvements will be documented, and a final report delivered upon completion.

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.

BUDGET

TRINIDAD/PURGATOIRE RIVER - REACH 4 DEMONSTRATION PROJECT

	Source of Funds	Grant Request	Matching Funds (\$)	In-Kind (\$Value)	Total Funding (\$)
CASH					
	CWCB	\$ 75,000.00			\$ 75,000.00
	Purgatoire River Water Conservancy District		\$ 15,000.00		\$ 15,000.00
IN-KIND					
	Pioneer Natural Resources, USA, Inc.			\$ 54,400.00	\$ 54,400.00
	Trail Construction volunteer crew-Purgatoire River Anglers			\$ 14,580.00	
TOTAL SOURCE OF FUNDS		\$ 75,000.00	\$ 15,000.00	\$ 68,980.00	\$ 144,400.00
	Use of Funds	Grant Funds	Matching Funds	In-Kind	Total Funding (\$)
Task 1	Final Design, Permitting				
	Channel geomorphology - elevations		\$ 4,000.00		\$ 4,000.00
	Final Planning document		\$ 4,000.00		\$ 4,000.00
	404 Permit application, local approvals, locate		\$ 1,000.00		\$ 1,000.00
Task 2	Construction of Channel Improvements				\$ -
	Heavy Equipment, including operator			\$ 54,400.00	\$ 54,400.00
	Materials				\$ -
	Boulders (650 - 1 - 1 1/2 cubic yd ea)	\$ 37,000.00			\$ 37,000.00
	5 Cottonwood Trees (dead cottonwood is available in the project reach)				\$ -
	10 MR-1 Manta-Ray dead-man anchors rigged with 20ft x 1/4" stainless steel wire rope	\$ 1,750.00			\$ 1,750.00
	Supervision	\$ 10,050.00			\$ 10,050.00
Task 3	Construction of Trail				\$ -
	Trail Materials - Breeze Trail Gravel (\$12/lf x 600') (8 ft wide, 2 ft shoulders, 4" depth)	\$ 7,200.00			\$ 7,200.00
	Fencing - Split post & rail at HC fishing sites	\$ 1,500.00			\$ 1,500.00
	Volunteer Labor-trail building and habitat rehab following construction			\$ 14,580.00	\$ 14,580.00
	Supervision	\$ 3,000.00			\$ 3,000.00
	Signage & Installation (3 x 1500)	\$ 4,500.00			\$ 4,500.00
	Post project monitoring & final report	\$ 3,000.00			\$ 3,000.00
Sub-Totals		\$ 68,000.00	\$ 9,000.00	\$ 68,980.00	\$ 145,980.00
Other Costs					
	Project Admin & Accounting		\$ 1,500.00		\$ 1,500.00
	Other Direct Costs		\$ 4,333.00		\$ 4,333.00
	Contingency (10%)	\$ 6,800.00			\$ 6,800.00
TOTALS		\$ 74,800.00	\$ 14,833.00	\$ 68,980.00	\$ 158,613.00

Project Personnel	Project Manager	Grant Accounting	Total Costs
Hourly Rate:	\$ 150.00	\$ 50.00	
Task 1	60		\$ 9,000.00
Task 2	67		\$ 10,050.00
Task 3	40		\$ 6,000.00
		30	\$ 1,500.00
Total Hours:	167	30	
Cost:		\$ 1,500.00	\$ 26,550.00

Other Direct Costs				
Item	Copies/Printing	Mileage	Lodging/Meals	Total
Units	pages	miles	standard per diem	
Unit Cost:	varies	.50/mile	\$123/day	
Task 1	100	1200	2	
Task 2	100	700	14	
Task 3	250	600	5	
Total Units:	450	2500	21	
Total Cost:	\$ 500.00	\$ 1,250.00	\$ 2,583.00	\$ 4,333.00

In-Kind Contributions	
Project Personnel	Volunteer Labor
Hourly Rate	\$ 20.25
Task 1	
Task 2	
Task 3	14,580.00
Total Cost:	\$ 14,580.00

operator expense is included with heavy equipment cost
30 volunteers x 4 days x 6 hrs per day

SCHEDULE

TIMELINE

	Mar'11	Apr'11	May'11	Jun'11	Jul'11	Aug'11	Sep'11	Oct'11	Nov'11
Grant Approval									
Notice to Proceed									
Complete Final Design									
Obtain Permits									
Channel Construction								***	
Trail Construction									
Signage									
Grand Opening									
Final Report									

*** Irrigation water is released from the lake beginning in April. Construction will begin after these flows have halted for the season.

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:

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

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.

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.