



COLORADO WATER CONSERVATION BOARD

DIRECTOR'S REPORT

NOVEMBER 2011

STATE OF COLORADO

Colorado Water Conservation Board

Department of Natural Resources

1313 Sherman Street, Room 721
Denver, Colorado 80203
Phone: (303) 866-3441
Fax: (303) 866-4474
www.cwcb.state.co.us



MEMORANDUM

TO: Colorado Water Conservation Board

FROM: Jennifer Gimbel
Brent Newman
CWCB Staff

DATE: November 15-16, 2011

SUBJECT: **Agenda Item 5d**, November 2011 CWCB Board Meeting Director's Report

John W. Hickenlooper
Governor

Mike King
DNR Executive Director

Jennifer L. Gimbel
CWCB Director

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~INTERSTATE AND FEDERAL~

DNR SUBMITS COMMENTS ON DESIGNATION OF REVISED CRITICAL

HABITAT: On October 15th, the state Department of Natural Resources (DNR) provided comments on the U.S. Fish and Wildlife Service's "*Proposed Designation of Revised Critical Habitat for the Southwestern Willow Flycatcher*". In a letter to the Division of Policy and Directives Management, the Department responded on behalf of the State of Colorado to the federal agency's proposed expansion of critical habitat designation for the endangered Southwestern Willow Flycatcher. The response letter, signed by DNR Executive Director Mike King, is included with this Report as Attachment 2. (*Brent Newman*)

GRAND CANYON TRUST LITIGATION: In the ongoing litigation between the Grand Canyon Trust (appellant), and the U.S. Bureau of Reclamation (appellees), a milestone was reached on October 18th. The U.S. Court of Appeals for the Ninth Circuit entered an order denying the appellant's motion for injunctive relief. In the order, the court stated that "The briefing schedule established previously shall remain in effect." The Board will receive an update in Executive Session regarding this litigation. (*Ted Kowalski & Brent Newman*)

INNOVATIVE WATER TRANSFERS WORKSHOP: On October 27th-28th, the Western Governors' Association, Western States Water Council and the CWCB hosted a workshop in Denver on Innovative Water Transfers. This workshop was the second out of a series of three workshops lead by the WGA/WSWC to identify ways to allow for water-sharing among urban, environmental and agricultural uses while minimizing impacts on rural communities. The project is supported by a grant from the Walton Family Foundation. The objective is to focus on state-level programs, institutional arrangements and administrative practices that can facilitate innovative water transfers. The goals of the project are to (1) present an overview of water transfers and agricultural practices in the West and develop several case studies to identify lessons learned from on-the-ground transfers in the West, (2) conduct three workshops to gather insights from those working on the issue of transfers, (3) define the issues that should be considered in undertaking water transfers, such as third-party effects and hydrology factors and (4) create a "toolbox" of policies and practices states may consider in developing their water transfer programs and conducting their water supply planning. The final report will be presented to the WGWC members in the summer of 2012 and the Governors in the fall of 2012.

Part of this effort includes a series of three workshops to gain input from stakeholders. The first workshop was held in Bend, Oregon which served to kick off the project. These workshops have drawn on the expertise of state water resource administrators, local irrigation district managers, scholars, environmental groups, and water users. The third and final workshop will be held on December 12th-13th which precedes the annual Colorado River Water Users Association meeting on December 14th-16th. (*Todd Doherty*)

U.S.-MEXICO BI-NATIONAL NEGOTIATIONS CONTINUE: The principals for the Colorado River Basin States continue to work with U.S. and Mexican federal officials and other stakeholders to explore opportunities to improve water management in a way that could benefit both countries. In addition, the workgroups have held a number of meetings in September and October. We will update the Board at the upcoming Board meeting in Executive Session. (*Ted Kowalski*)

GLEN CANYON TECHNICAL WORK GROUP (TWG) AND ADAPTIVE MANAGEMENT WORK GROUP (AMWG) MEETINGS:

The Technical Work Group Knowledge Assessments (KAs) and fall meeting occurred on October 18th-20th, 2011 in Phoenix, AZ. Jack Schmidt (the new GCRMC Director) structured the KAs differently this year. His Staff provided great presentations about the scientific work that has been done over the last decade, and how this work has improved the level of certainty about what we know and what we need to know. The Desired Future Conditions (DFC) work continues, and the DFC Workgroup hopes to finalize the DFC Report to present to the AMWG by February 2012, for forwarding onto the Secretary later in 2012. *(Ted Kowalski)*

LTEMP SCOPING BEGINS: The U.S. National Park Service and the U.S. Bureau of Reclamation have provided notice to solicit comments and hold public scoping meetings on the adoption of a Long Term Experimental and Management Plan for the Operation of Glen Canyon Dam (“LTEMP”). The CWCB, on behalf of the State of Colorado, expects to work with the other Colorado River Basin states to submit scoping comments and work through the Environmental Impact Statement (“EIS”) process, which is expected to take at least two years. A copy of the Federal Register Notice is included with this Director’s Report as Attachment 3. For more information, visit: <http://ltempeis.anl.gov/index.cfm>. *(Ted Kowalski)*

~STATEWIDE~

GROUND WATER COMMISSION MEETING: No Ground Water Commission (GWC) meetings have been held since the last CWCB meeting. The Ground Water Commission will hold its next meeting on November 18th, 2011, in Castle Rock, CO. For more information visit: <http://water.state.co.us/groundwater/CGWC/Pages/default.aspx>. *(Suzanne Sellers)*

FLOODPLAIN MAP MODERNIZATION/RISK MAP UPDATE:

FY12 Activities: FEMA and the CWCB have scheduled a Discovery meeting for the San Luis and Purgatoire watersheds for mid November 2011.

FY11 Activities: CWCB in coordination with FEMA has held Discovery meetings for the St. Vrain, Clear Creek and Cache La Poudre watersheds. The CWCB has received a grant from FEMA for about \$200,000 for Lidar acquisition for future Risk Map projects. Risk Map projects have been approved by FEMA for both the St. Vrain and Clear Creek watersheds. The CWCB has received \$456,240 from FEMA for the Clear Creek Risk Map project and \$354,320 for the St. Vrain Risk Map project. Both of these projects are now underway.

FY10 Activities: Work is underway for Chaffee, Logan and Pitkin Counties. Preliminary mapping for Pitkin County is almost completed. A meeting was held with Pitkin County to discuss the preliminary mapping as well as present Risk Map products available to the communities. The Risk Map products will be funded by FEMA. Hydraulic tasks and floodplain mapping tasks are continuing for Logan County. The LIDAR data for Chaffee County is being provided by the USGS and due to technical difficulties during the capture of the data, the topographic data will be delayed until December 2011.

FY09 Activities: The South Platte approximate floodplain delineation has been completed and approved by FEMA for Morgan County. The Morgan County DFIRM schedule has been delayed due to the levee in the Town of Wiggins. The Town is currently in the process

of certifying the levee. The Beaver Creek study through the Town of Brush is underway and the preliminary report should be submitted to FEMA for review in early fall 2011.

The Prowers County DFIRM is progressing towards completing the floodplain mapping. The hydrology and hydraulic analyses have been completed and approved. Preliminary floodplain mapping is complete but not yet approved. There are three levees to analyze in the county and will be affected by the recent FEMA memo on de-accredited levees. A meeting was held with the communities in Prowers County to discuss the preliminary mapping for Prowers County, Lamar, Granada, and Holly. A preliminary schedule was recently sent to the communities outlining steps needed to certify the levee. This project is currently on hold awaiting new guidance for levee mapping.

FY08 Activities: Montrose County DFIRMs will become effective on January 6, 2012. The Elbert County and Rio Grande County DFIRMs are now effective. Gunnison County DFIRMs are now in the preliminary phase.

The Pueblo County DFIRM has been put on hold due to the recent FEMA memo on de-accredited levees. The Fountain Creek hydrology has been approved and most of the hydraulic analyses and floodplain mapping has been completed in the County. A meeting was held in August with the Levee Conservancy District to discuss levee certification. Since then, the District has disbanded. The project is on hold waiting for the new levee guidance to be distributed.

The Pueblo County Arkansas River Levee floodplain study is in progress, finalization is still progressing. This project was delayed due to the Fountain Creek hydrology and is now put on hold due to their de-accredited levee which is impacted by the recent FEMA memo.

FY07 Activities: Summit County DFIRM has been delayed due to Zone D delineations; however, the revised delineations have been completed and approved. Summit County DFIRMs will be effective in November 2011. La Plata County received their effective maps in August 2010. Park County has gone effective in December 2009. Delta County maps became effective in July 2010. Teller County and Archuleta County have gone effective since September 2009.

FY 06 Activities: Weld County detailed study work continues to progress. Weld County has identified levees in the Town of Evans. The DFIRM may be delayed due to the recent memo from FEMA on de-accredited levees. The levee memo affects only the Town of Evans within Weld County and the Town has elected to wait for the FEMA guidance to be distributed. In addition, Atkins is currently working on incorporating LOMRs into the DFIRM. Fremont County DFIRMs are expected to go effective on January 6, 2012. Clear Creek County is in the 90-day appeal period, which ends on November 8, 2011.

FY 05 Activities: Mesa County DFIRM became effective in June 2010. The Garfield County DFIRM are now in the preliminary phase. The Montezuma County DFIRM went effective September 28th 2008.

FY 04/03 Activities: All of the Boulder County levees have been identified. The South Boulder Creek Study has been completed and approved. Incorporation of this study into the DFIRM is now complete. FEMA has provided Provisionally Accredited Levees (PAL)

agreements for two levees in the County. The Boulder County preliminary maps were sent in March 2010. A final meeting took place in July 2010 and a public meeting will be held after all comments have been addressed on the maps. A second round of comments has been provided to Atkins by the City of Boulder. Atkins is currently addressing the comments. A meeting will be scheduled in November to address all comments and plan a public meeting. (Thuy Patton)

COLORADO HEALTHY RIVERS FUND (CHRF) UPDATE: As of June 30th, 2011, CHRF received \$95,914 in donations through the Colorado Tax Check-off Program. The Designees approved funding for 6 projects totaling \$90,000. The Designees include Jennifer Gimbel, Barbara Biggs, Robert Sakata, and Dick Parachini. Robert and Dick represent the Water Quality Control Commission. The 2011 grant applications chosen for funding are all project grants (no planning grants awarded). They represent the South Platte, Arkansas, and Gunnison River Basins. One project is Statewide in scope. Project objectives include sediment loading analysis & reduction, riparian zone re-vegetation, invasive species removal, and water quality sampling & analysis. CWCB was able to fund several other CHRF applications through the Multi-Objective Watershed Protection Severance Tax Program. These projects include diversion dam reconstruction on the Mancos River, tamarisk removal in the Dolores River Watershed, and bank stabilization/riparian zone re-vegetation on the Eagle River in Edwards. (Chris Sturm)

~COLORADO RIVER BASIN~

UPPER COLORADO STAKEHOLDER GROUP UPDATE: On September 16th, 2011, the Bureau of Land Management (BLM) issued their Colorado River Valley Draft Resource Management Plan (DRMP)/Draft Environmental Impact Statement (DEIS) and the Kremmling DRMP/DEIS. The preferred alternative for each document is Alternative B. Alternative B is further divided into two options; B1 and B2. Between the two documents, Alternative B1 would find four Colorado River segments suitable while Alternative B2 would defer Wild and Scenic River suitability determination, and adopt and implement the Stakeholder Group's proposed Management Plan. Under either Alternative B1 or B2, two segments of Deep Creek would be found suitable. Comments on the Colorado River Valley DRMP/DEIS are due December 15th, 2011 and comments on the Kremmling DRMP/DEIS are due January 17th, 2012. The BLM is hosting several public open house meetings for each of the DRMP/DEIS. For more information or electronic copies of these documents, see the following links:

http://www.blm.gov/co/st/en/BLM_Programs/land_use_planning/rmp/kfo-gsfo/crv.html and http://www.blm.gov/co/st/en/BLM_Programs/land_use_planning/rmp/kfo-gsfo/kremmling.html (Suzanne Sellers)

CWCB AND CPW RESPOND TO DRAFT ENVIRONMENTAL ASSESSMENT AND FONSI: In a letter to the Eastern Area Colorado Office of the Bureau of Reclamation (BOR), the CWCB and the Colorado Division of Parks and Wildlife (CPW) responded to the BOR's Draft Environmental Assessment (EA) and "Finding of No Significant Impact" (FONSI) for the Colorado Water Users' Commitment to Provide 10,825 Acre-Feet to the 15-Mile Reach of the Upper Colorado River. In the letter, the two agencies express support for the implementation of the "proposed action alternative" referred to in the Draft EA. Also, the agencies concur with the "potential mitigation options" associated with the preferred alternative, and the issuing of a FONSI by the BOR regarding these actions. The letter, signed by Director Gimbel of CWCB

and Director Cables of CPW, is included with this Report as Attachment 4. (*Ted Kowalski & Brent Newman*)

COLORADO RIVER SALINITY: The Colorado Basin Salinity Control Forum met in Santa Fe, New Mexico on October 25th-26th. The Forum continues to work with the Bureau of Reclamation on alternatives for the Paradox Valley Unit.

On October 21st, Department of the Interior Salazar announced \$20.1 million in federal funding to be awarded to four irrigation districts in Western Colorado. This funding will go to improving irrigation systems, and reducing the amount of salinity in the Colorado River. Secretary Salazar stated that these projects, “when completed, will prevent more than 23,000 tons of salt from entering the Colorado River every year.” The awards were granted to:

- Stewart Ditch and Reservoir Company of Paonia, CO
- Uncompahgre Valley Water Users Association of Montrose, CO
- Grand Valley Irrigation Company of Grand Junction, CO
- Minnesota Canal and Reservoir Company of Paonia, CO

A press release from the Department of the Interior is included with this Report, as Attachment 11. (*Steve Miller & Brent Newman*)

UPPER COLORADO RIVER BASIN WATER FORUM: The inaugural Upper Colorado River Basin Water Forum was held on October 31st in Grand Junction. This Forum, presented by the Water Center at Colorado Mesa University, brought together water experts working in the Upper Colorado River Basin for an informative and interesting exchange of ideas regarding current projects in the Upper Basin as well as concepts for future projects. Presenters included federal, state, and non-governmental representatives, providing a broad view of the various initiatives currently underway. CWCB Section Chief Ted Kowalski provided a brief overview of the Colorado River Basin Water Supply and Demand Study, a collaborative project between federal, state, and other entities which seeks to determine how to address the increasing demands and dwindling supplies on the Southwest’s most crucial river system. (*Brent Newman*)

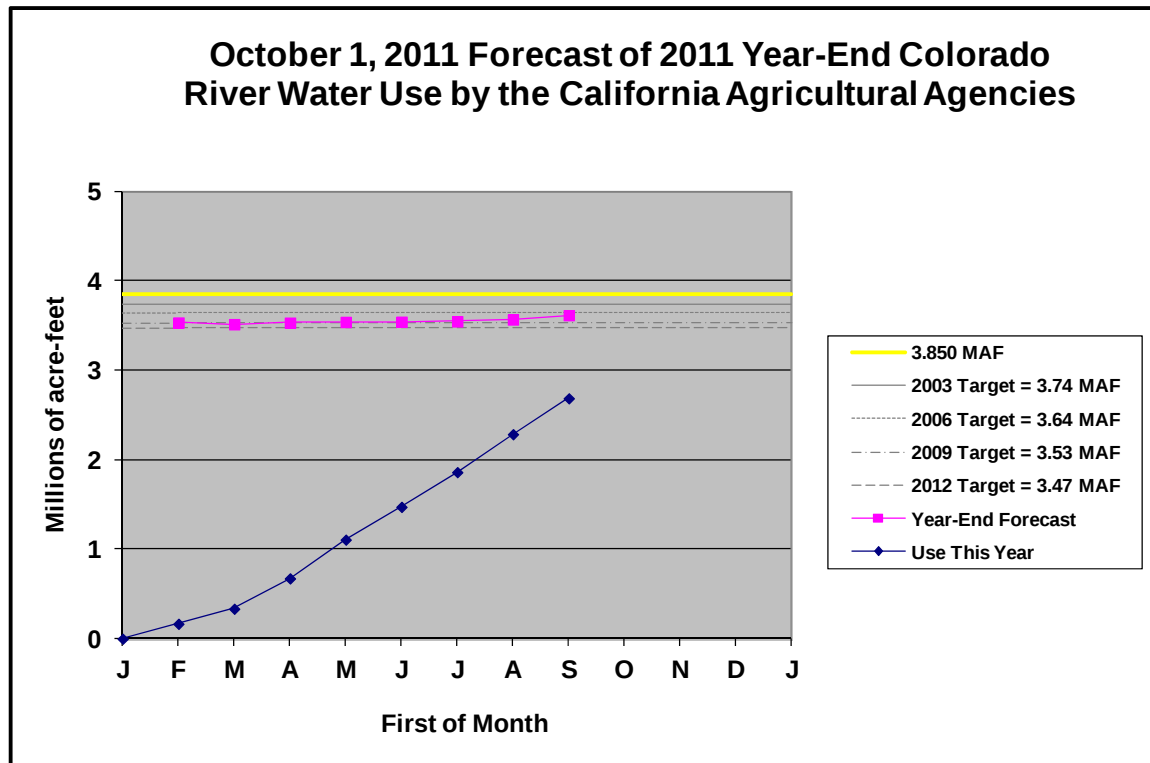
SUCCESSFUL COLORADO RIVER SYMPOSIUM: In September, the Water Education Foundation again hosted its bi-annual Colorado River Symposium at Bishop’s Lodge in Santa Fe, New Mexico. Both Ted Kowalski and Jennifer Gimbel spoke on topical Colorado River issues and the Symposium was a great success. There were lively debates and discussions about the current and future challenges and solutions relating to Colorado River management. (*Ted Kowalski*)

COLORADO RIVER WATER AVAILABILITY STUDY (CRWAS): The model and reporting refinements are currently being initiated. The second round of public outreach with the BRT’s has been completed. The second round presented the updated modeling results as well as the demonstration of the online data viewing tool. The CWCB Board workshop will be held prior the November meeting to demonstrate the data viewing tool, to update the Board on the second round of BRT outreach and to address the questions the Board had regarding Phase 2 funding request. (*Ray Alvarado*)

COLORADO RIVER WATER USE: As of October 1st, 2011, storage in the major Upper Basin reservoirs decreased by 489,420 acre-feet and storage in the Lower Basin reservoirs

increased by 178,400 acre-feet during September 2011. Total system active storage as of October 2nd was 38.662 million acre-feet (MAF), or 65 percent of capacity, which is 5.621 MAF more than one year ago. (Upper Basin reservoirs increased by 2.651 MAF, and Lower Basin reservoirs increased by 2.970 MAF.)

The preliminary year-end estimate for 2011 California agricultural consumptive use of Colorado River water under the first three priorities and the sixth priority of the 1931 *California Seven Party Agreement* is 3.615 MAF. The target under the Interim Surplus Guidelines (ISG) for 2009 was 3.530 MAF, and the target for 2012 is 3.470 MAF. (*Andy Moore*)



~ARKANSAS RIVER BASIN~

ARKANSAS RIVER DECISION SUPPORT SYSTEM (ARKDSS): In November 2010, the Board approved \$500,000 for high-priority tasks identified early in the feasibility study. These include H-I Model enhancements and consumptive use and irrigate acreage data collection, mainly in the upper basin. CWCB and DWR staff are working on scoping these tasks so that they can go out to bid in the near future. (*Ray Alvarado*)

BUREAU OF RECLAMATION EXPLORES CRITERIA FOR MARKET RATE PRICING FOR EXCESS CAPACITY CONTRACTS FOR THE FRYINGPAN-ARKANSAS PROJECT: In September, Director Gimbel informed the Board about an August 10th, 2011 meeting that the Bureau of Reclamation held to collect information and ideas about the proper criteria related to excess capacity contracts. The Bureau of Reclamation suggested that this work may result in a Temporary Directive and Standard for the Bureau of Reclamation, and it could have west-wide implications, despite the fact that it is limited to excess capacity

contracts for the Fry-Ark project at first. On September 30th, 2011, Director Gimbel submitted a comment letter, included with this Director's Report as Attachment 9, about this process and the CWCB's desire to continue to provide meaningful input into this process. (*Ted Kowalski*)

ARKANSAS RIVER COMPACT ADMINISTRATION: The Arkansas River Compact Administration (ARCA) will hold the 2011 Annual Meeting on Thursday, December 8th, at the Lamar Community Building, located at 610 South Sixth Street, Lamar, CO. This date is a change from the traditional Annual Meeting date of the second Tuesday in December, which was authorized by revisions to the ARCA Bylaws adopted in a special telephonic meeting on September 27th. The adoption of the revised bylaws was spurred by the conflict each December between the ARCA Annual Meeting and the biannual meeting of the Upper Colorado River Commission. Director Gimbel sits on both the Administration and the Commission, and the difficult timing of these meetings had presented a conflict in past years. The revised bylaws will allow the CWCB Director to attend both meetings, and was a collaborative effort between members of ARCA as well as representatives from the Attorney General's offices in Kansas and Colorado. (*Steve Miller & Brent Newman*)

~PLATTE RIVER BASIN~

PLATTE RIVER RECOVERY PROGRAM: The Platte River Recovery Implementation Program ("Program") Governance Committee held a meeting on September 13-14, 2011 in Scott's Bluff, NE and a teleconference on October 18, 2011. The primary agenda items were approval of a partnership related to the Whooping Crane telemetry tracking project; approval of a University of Nebraska-Lincoln IGERT student project; recommendation to seek technical scientific advice from ISAC related to the Platte River caddisfly as it pertains to Program management actions; moved to enter negotiations to develop a sponsorship agreement for the J2 reservoir project and approved various stages of land acquisition transactions. Ms. Sellers participated in Water Advisory Committee, Technical Advisory Committee, Land Advisory Committee meetings, conference calls and workshops. Additionally, Ms. Sellers attended a tour of the Pathfinder Dam project in Casper, WY on October 24, 2011. The next Governance Committee meeting will be held on December 6-7, 2011 in Denver. The primary agenda item will be the 2012 Master Plan and Budget. For more information, please visit: <http://www.platteriverprogram.org/Pages/default.aspx>. (*Suzanne Sellers*)

SOUTH PLATTE DECISION SUPPORT SYSTEM (SPDSS): The South Platte alluvial groundwater modeling has been calibrated for the 1950-2005 study period. The calibration of the model had unique challenges because of the scope and breadth of the basin and hydrogeology; however the consulting firm was able to achieve a calibrated model. The surface water model for Water Districts 1 and 64 is still progressing and the modeling team meet with Dave Nettles, Division 1 engineer, to go over the administrative issues and how to handle them in the modeling arena. We are hopeful that a peer review meeting will be held by late summer or early fall to present results and get feedback. (*Ray Alvarado*)

SOUTH PLATTE RIVER OPERATIONS AND MAINTENANCE: In partnership with CWCB staff, the Urban Drainage and Flood Control District (UDFCD) and Naranjo Civil Engineering have undertaken a project to make public safety improvements to Union Avenue Chute #1 that is connected to infrastructure of the City of Englewood water treatment plant intake. In the 1990s, the CWCB stepped in and funded a project to turn one large drop that was

considered a safety hazard into a series of five more gentle drops. CWCB staff was requested to investigate public safety concerns at these chutes in 2007. Following this investigation, McLaughlin Water Engineers was hired to design modifications needed to make this a safer facility. Construction has been delayed due to the regulatory approval and the need to create temporary access and permanent project agreements with the City of Englewood.

At an adjacent location, McLaughlin will also be hired by UDFCD to look at modifying the severely degraded Oxford Avenue Chutes downstream of Union with special attention being paid to designing features that will accommodate different types of recreation and function well at a lower range of flows for the whitewater community (300-400 cfs). This project is in the contracting phase: a total of \$115K of Severance Tax funds and \$345,000 UDFCD will be used for design and construction. (*Joe Busto*)

SOUTH PLATTE RIVER TRAIL DEDICATION: On October 15th Jennifer Gimbel and Barbara Biggs attended an event hosted by South Suburban Parks and Recreation to plant 200 trees and dedicate one mile of new recreation trail along the east bank of the South Platte River within the CWCB's right-of-way. This was a \$1M project and the final in a \$27M Legacy Trails Grant by Great Outdoors Colorado. According to those at the event, it will be a significant amenity and provides valuable connections to nearby east- west trail systems. The project was approved by the CWCB at its meeting in January 2011. The new trail and trees are on land owned by the CWCB as part of the flood control project completed by the Corps of Engineers and maintained by the CWCB and its partners. The trail is situated between South Prince Street and the Big Dry Creek Pedestrian Bridge. Director Gimbel stated that the CWCB was happy to be a partner on this project. (*Joe Busto*)



~RIO GRANDE RIVER BASIN~

ALAMOSA LEVEE UPDATE: A meeting was held with the City of Alamosa (City) on August 30th, 2011 to discuss the upcoming FEMA Risk Map update for the San Luis watershed, which includes the City and its surroundings. As directed by the CWCB board at its July 2011 meeting, the circumstances of the Rio Grande levee through the City was raised, including the levee certification process and how that may affect the community's flood risk. The City was agreeable to coordinating with the CWCB to ensure that proper public outreach is identified and implemented throughout the mapping process.

The Rio Grande levee through the City of Alamosa will be a significant source of analysis during this study. The Alamosa levee was completed by the Corps of Engineers (Corps) in 1998. Recent inspections have uncovered concerns by Flood Protection Section staff members and others regarding maintenance, land use, and access. As part of the remapping process, FEMA will require the City to obtain a certification of the levee by a Colorado Professional Engineer in order for it to portray protection for the regulatory (100-year) flood.

Although the CWCB is not typically involved in certifying levees, due to the significant historical issues related to the levee between the City and the Corps, the CWCB will work with the community to resolve their concerns in order to obtain accreditation from FEMA.

An initial levee assessment of approximately 4.5 miles of the levee, with funding assistance from the CWCB, will be conducted to evaluate the potential to obtain accreditation from FEMA in order to continue showing the levee as providing protection from the regulatory flood. This will be the first phase of a multi-phased approach to levee certification. Phase I will define the nature and extent of certification issues and will include collection of available levee documentation, an evaluation of the collected levee information relative to satisfying certification requirements, an inspection of the levee system, and outlining an approach leading to certification of the design criteria and submittal of various operational and maintenance plans for obtaining accreditation.

The Discovery meeting and kick off for the project has been scheduled for November 17th, 2011. (Thuy Patton)

~SAN JUAN/SAN MIGUEL-DOLORES RIVER BASIN~

RIVER PROTECTION WORKGROUP: The River Protection Workgroup (RPW) Steering Committee met on October 11th, 2001 in Durango to discuss the status of each of the 5 local workgroups (Animas, San Juan, Piedra, Vallecito/Pine and Hermosa workgroups) and to plan for the future regional discussion for the larger San Juan basin in Colorado.

The Animas River RPW workgroup held a meeting on September 22nd in Silverton, CO and its next meeting is scheduled for October 27th, 2011 at the same location. A presentation on water quality in the area of focus was presented by the Animas River Stakeholders Group (a separate organization). The Animas River workgroup also held a tour on September 22nd to view several of the Outstanding Remarkable Values (ORVs) within the area of focus.

Lastly, the RPW held its first meeting of the Piedra River workgroup on October 4th, 2011 in Pagosa Springs, CO. During this meeting, an overview of the RPW wild and scenic river process and the purpose and the intent of the work group was provided. Also during this meeting, specific information was discussed regarding the Piedra River drainage.

For more information, see the following link: <http://ocs.fortlewis.edu/riverprotection>. (Suzanne Sellers)

~AGENCY UPDATES~

COLORADO WATER OFFICIALS ASSOCIATION ANNUAL MEETING AND STATE ENGINEER FORUM: On September 29th, 2010, the Colorado Water Officials Association held its annual conference in South Fork, Colorado. This year's conference was entitled "Water Use in the High Desert-Colorado's South Slope" and included discussions on topics surrounding water use in the San Luis Valley. At the same location on September 30th, 2011, the Division of Water Resources held its annual State Engineer Forum, entitled "Colorado Water – How Can Our State Agencies Cooperate." Jennifer Gimbel and other DNR agency representatives gave presentations at the Forum. A number of CWCB staff members attended both events, which provided not only an educational opportunity, but a chance to meet and coordinate with DWR staff members from all water divisions. (Jeff Baessler)

STREAM AND LAKE PROTECTION SECTION DE MINIMIS CASES: The following table summarizes the applications that have the potential to injure the Board's instream flow water rights, but their impacts are considered de minimis. In each of these cases, the cumulative

impact to the Board's rights is 1% or less. Pursuant to ISF Rule 8(e) (the de minimis rule), staff has not filed Statements of Opposition in these cases and has provided the required notification to the Division Engineer and applicants. (*Rob Viehl*)

Case No.	Applicant	Stream/ Case Number	ISF Amount	<u>Percent Injury</u>	<u>Cumulative % Injury</u>	Previous Cases
2-92CW084	Carolyn Dietz	Three Elk Creek/ 2-80CW071	4 cfs (summer) 4 cfs (winter)	0.00519 % 0.00176 %	0.05314 % 0.01378%	8
2-92CW084	Doyle E. Saddler & Sarah Jane Saddler Living Trust	North Fork South Arkansas River/ 2-77W4659	10 cfs (summer) 10 cfs (winter)	0.00208% 0.00070 %	0.01091 % 0.00328 %	4
2-94CW005	F. Winona Nicks	Cottonwood Creek/ 2-79CW115	20 cfs (summer) 20 cfs (winter)	0.00188 % 0.00021 %	0.63226 % 0.30144 %	145
2-92CW084	Dan R. Crist	Cottonwood Creek/ 2-79CW115	20 cfs (summer) 20 cfs (winter)	0.00313% 0.00217 %	0.63414% 0.30165 %	146
2-06CW032	Gregory Kettering & Dale M. Hansen	Cottonwood Creek/ 2-79CW115	20 cfs (summer) 20 cfs (winter)	0.00313% 0.00217 %	0.63727% 0.30382 %	147
2-92CW084	Richard & Sharon Couch	Cottonwood Creek/ 2-79CW115	20 cfs (summer) 20 cfs (winter)	0.00313% 0.00217 %	0.64045% 0.30599 %	148
2-11CW049	Leroy S. Schmidt	Monument Creek/ 2-80CW081	1.5 cfs (summer) 1.5 cfs (winter)	0.04065% 0.03934 %	0.04065% 0.03934 %	0

SUSTAINING COLORADO WATERSHEDS CONFERENCE: Staff recently acted as Chair of the Sustaining Colorado Watershed Conference. The conference provided a forum for Colorado water professionals to engage in watershed protection and restoration topics. Workshops, presentations, and a field trip were organized by the Colorado Foundation for Water Education, the Colorado Riparian Association, and the Colorado Watershed Assembly (Conference Partners). The presentations were organized in three conference tracks, which included: Protecting and Restoring Our Watersheds, Education and Policy, and Water Quantity & Quality. Workshops were hosted by the Non-Point Source Program of the State Water Quality Control Division, Volunteers for Outdoor Colorado, and the Colorado Foundation for Water Education. The field trip took place on the floodplain of the Eagle River. Participants experienced hands on demonstrations of riparian planting techniques, cross sectional survey methodology, water quality sampling, vegetative monitoring, and other valuable stream restoration techniques. Several staff members actively participated in the conference including: Chris Sturm (conference chair), Linda Bassi (speaker), Kevin Reidy (speaker), and Jacob Bornstein (speaker). (*Chris Sturm*)

BENEFITS AND POTENTIAL IMPACTS OF WEATHER MODIFICATION UPDATE: On October 17th, 2011, Director Gimbel, staff member Joe Busto, and Arlen Huggins, a noted scientist from the Desert Research Institute, addressed the Water Resources Review Committee

(“Committee”) members. In particular, there were concerns expressed prior to and during the meeting that winter seeding negatively affects moisture on the eastern plains. Mr. Huggins’ goals were to explain the differences between summer and winter seeding, the benefits of both forms of seeding, and the influence of mountains and orographic lift on winter snowfall. Mr. Huggins showed precipitation data since 1929 for Lamar and 1939 for Bailey, which demonstrated no downward trend in the data on the plains or the Rockies when looking at pre- and post-cloud seeding eras. Mr. Huggins also answered questions posed by the Colorado Farm Bureau that were emailed to their President by the Committee. Mr. Huggins talking points, as well as the questions posed by the Farm Bureau, are available from staff. At the meeting, staff shared suspension criteria and regulatory tools with a concerned citizen and will update the website to ensure that this information is readily available to the public when needed. (*Joe Busto*)

WEATHER MODIFICATION RULES AND REGULATIONS UPDATE: CWCB staff is working with Susan Schneider and Will Stenzel, of the Attorney General’s Office, to draft new weather modification rules and regulations (“rules”). The permitting program was renewed for seven years in 2010 by Senate Bill 10-90 (“SB90”) which required the Executive Director of the Department of Natural Resources to update the rules by July 1, 2012. The AGO and CWCB staff have been reviewing rules from other states and discussing those rules with representatives of other states. An advisory committee was formed and requests for participation were sent to the state climatologist, permit holders, ski areas, Gunnison County, the City of Grand Junction, and water conservancy and conservation districts. The rules will also be discussed with the North American Weather Modification Council, which is a non-profit organization comprised of state level representatives for the nine western states with cloud seeding programs. Presentations and opportunities for public comment will be needed at the January, March, and May Board meetings in order to meet this legislative mandate. The Legislature gave the original permitting authority to the DNR Executive Director. That authority has been subsequently delegated to the CWCB since 1987. Senate Bill 90 specifically requires the Executive Director to promulgate the new rules. Therefore, AGO’s recommendation is to meet the terms of the legislation and have the Executive Director promulgate the rules. The Board will fully participate, provide comments, and recommend their adoption. (*Joe Busto*)

COMMUNITY RATING SYSTEM – 2012 UPDATE: The Community Rating System (CRS) is a program implemented by FEMA to complement the National Flood Insurance Program (NFIP). While the NFIP establishes minimum standards for communities that participate in the program, the CRS offers insurance discounts for implementing additional activities that communities voluntarily undertake that are stricter than the minimums established by the NFIP.

The statewide Community Rating System Committee of the Colorado Association of Stormwater and Floodplain Managers (CASFM) is participating in the 2012 update of the CRS Coordinator’s Manual. CWCB staff attended webinars and meetings about the changes to the program and have submitted comments to the CRS Task Force. The comments from the CASFM committee helped to shape the final recommendations from the CRS Task Force to FEMA. The new edition of the CRS Coordinator’s Manual will be released in early 2012. Staff also participated in the Emergency Management Institute’s (EMI) field deployed course *NFIP/Community Rating System*, which was held October 11th -14th in Longmont, and was attended by nearly 30 Colorado professionals. (*Jamie Prochno*)

RECENTLY DECREED ISF WATER RIGHTS: On September 27th, 2011 the Division 6 Water Court decreed an instream flow water right to the CWCB on Grizzly Creek in Case No. 10CW044 for 1.3 cfs (March 15 – July 15), and 0.5 cfs (July 16 – March 14) with an appropriation date of January 26th, 2010. The upstream terminus is the confluence with an unnamed tributary and the lower terminus is the USFS boundary. This ISF reach is approximately 4.02 miles long and flows in a northerly direction in Routt County.

On October 2nd, 2011, the Division 6 Water Court decreed an instream flow water right to the CWCB on Morrison Creek in Case No. 10CW065 for 13.2 cfs (April 1 – August 15), and 8.1 cfs (August 16 – March 31) with an appropriation date of January 26th, 2010. The upstream terminus is the confluence of Silver Creek and the lower terminus is the confluence with the Yampa River. This ISF reach is approximately 4.91 miles long and flows in a northwesterly direction in Routt County.

On October 2nd, 2011, the Division 6 Water Court decreed an instream flow water right to the CWCB on Morrison Creek in Case No. 10CW066 for 3.1 cfs (April 1 – October 31), and 1.4 cfs (November 1 – March 31) with an appropriation date of January 26th, 2010. The upstream terminus is the confluence with Muddy Creek and the lower terminus is confluence with Silver Creek. This ISF reach is approximately 8.99 miles long and flows in a northwesterly direction in Routt County.

On October 27th, 2011, the Division 6 Water Court decreed an instream flow water right to the CWCB on Indian Creek in Case No. 10CW057 for 4.0 cfs (April 1 – July 15), and 0.7 cfs (July 16 – March 31) with an appropriation date of January 26th, 2010. The upstream terminus is the headwaters and the lower terminus is the West Arapahoe Feeder Ditch. This ISF reach is approximately 7.7 miles long and flows in a northwesterly direction in Jackson County.

On October 27th, 2011, the Division 5 Water Court decreed an instream flow water right to the CWCB on Black Sulphur Creek in Case No. 08/CW094 for 1.6 cfs (May 1 – August 31), 1.2 cfs (September 1 – November 30), and 1.0 cfs (December 1 – April 30) with an appropriation date of January 23rd, 2008. The upstream terminus is the confluence with Canyon Creek and the lower terminus is the Duckett Ditch. This ISF reach is approximately 4.75 miles long and flows in a northeasterly direction in Rio Blanco County. The CWCB entered into a stipulation with Exxon Mobil and Whiting Oil & Gas to alleviate their concerns about this ISF segment. (*Rob Viehl*)

INTERBASIN COMPACT COMMITTEE (IBCC) AND WATER SUPPLY RESERVE ACCOUNT (WSRA) 2011 ANNUAL REPORTS: Pursuant to section 37-75-105 (4), Colorado Revised Statutes, “the committee (IBCC) shall submit an annual report to the House of Representatives Committee on Agriculture, Livestock and Natural Resources and the Senate Committee on Agriculture, Natural Resources and Energy by October 31 concerning the status of compact negotiation and, in consultation with the Colorado Water Conservation Board ..., how moneys from the Water Supply Reserve Account ... were allocated during the previous twelve months for water activities approved by Basin Roundtables.”

The Water Supply Planning Section submitted these reports on October 31st, 2011 per the legislative requirement. Hardcopies of both reports will be distributed at the board meeting. (*Greg Johnson*)

LOAN REPAYMENT DELINQUENCY: Loan Repayments received relative to the Water Project Construction Loan Program have been reviewed for the period covering July 2011 through October 2011. The effective due date of the payment is inclusive of the Board's current 30 day late policy. Hence, the date the payment was received was compared to the last day allowable prior to the payment being considered late.

Repayments due for the first four months of Fiscal Year 2012 totaled 112. There was one loan payment not received on time during this period. The loan payment from Fuchs Ranches, Inc. was less than 30 days late. The loan payment due in June 2011 for the Coon Creek Reservoir and Ditch Company has not been received to date (payments are coordinated by the Ute Water Conservancy District). The loan payment due in June 2011 for the Town of Starkville has not been received to date. Thus, the on-time performance for the total repayments due was 99% in compliance or 1% not in compliance.

As additional notes: (1) Rodney Preisser has not met his obligations since Fiscal Year 2007 and has filed Bankruptcy; (2) the Town of Starkville has not met its obligations since Fiscal Year 2006, however, a partial payment was received in March 2011; and (3) the Pinon Mesa Ranches Community Association's loan is in default and has been referred to the State's Central Collections Services for disposition of the remaining balance. (*Steve Biondo*)

LOAN FINANCIAL ACTIVITY: Loan Financial Activity relative to the Water Project Construction Loan Program for Fiscal Year 2012 is detailed on the following attachment. Funds received relative to loans in repayment totaled \$7.3 M for this period. Funds disbursed relative to new project loans totaled \$4.7 M for this period. Net activity resulted in \$2.6 M received by the CWCB Construction Fund and the Severance Tax Trust Fund Perpetual Base Account (STTFPBA) over the total disbursed.

Further breakdown is summarized as follows: The Construction Fund portion consists of \$4.7 M in receivables and \$1.8 M in disbursements for a total net activity of \$2.9 M received over disbursed. The STTFPBA consists of \$2.6 M in receivables and \$2.9 M in disbursements for a total net activity of \$0.3 M disbursed over received. (*Steve Biondo*)

CWCB WATER EFFICIENCY GRANT FUND PROGRAM (WEGP) UPDATE: Over the last few years of research/projects along with evaluating this grant program, CWCB staff is identifying trends in conservation & drought planning and implementation. It is an on-going discussion as staff considers a guideline update for this grant program. CWCB staff is pleased to have the most recent grant application to be for drought planning.

No new grant applications have been received and are being considered and reviewed.

One grant under review at the time of the last Board meeting has been approved:

- Town of Firestone – *Drought Mitigation Plan*

Two Water Efficiency Grants were completed. Deliverables to the CWCB is as follows:

- City of Dacono Water Conservation Plan – *submitted for approval*
- Town of Estes Park Water Conservation Plan – *submitted 75% Progress Report*
- Center for Resource Conservation Indoor Water Audits – *submitted Final Report*

- St. Charles Mesa Water District Meter Replacement Program – *submitted 50 & 75% Progress Reports and Final Report (Ben Wade)*

WATER CONSERVATION PLANS UNDER REVIEW: The Office of Water Conservation & Drought Planning (OWCDP) continues to work with the following providers to approve their Water Conservation Plans:

- **City of Arvada** –CWCB staff has been informed that comments were received and they will contact staff when the city is in a position to move forward on the plan.
- **City of Broomfield** – CWCB staff reviewed plan on September 9, 2011 and sent comments to Broomfield. Resubmission pending.
- **City of Louisville** – Resubmission of a preliminary November 2009 version of their Water Conservation Plan is pending. The City may seek outside help to complete the plan.
- **Meridian Metropolitan District** – CWCB staff received revisions from entity on September 19, 2011. CWCB staff will review revised sections of plan for a possible approval.
- **Town of La Junta** – Final review of the Plan was completed by CWCB staff in April 2011 and additional comments were sent back to the Town in May. Resubmission pending.
- **Douglas County Government** – Review of the Regional Water Conservation is under way. CWCB staff has also reviewed individual conservation plans from Douglas County. CWCB staff met with Douglas County staff on September 7, 2011 to discuss the Regional Plan.
- **Little Thompson Water District** – CWCB staff reviewed the District’s plan on September 26, 2011. Staff met with the District on October 5 to discuss the plan.
- **Town of Superior** – The locally adopted Plan was submitted to the CWCB on August 1. Staff reviewed the plan on October 17.
- **City of Durango** – The Plan was reviewed by CWCB staff on September 23, 2011 and comments were sent back to the City. Resubmission is pending.
- **Town of Frederick** - The locally adopted Plan was submitted to the CWCB on August 3. Staff reviewed the plan on October 17. *(Ben Wade)*

GOVERNOR’S WATER AVAILABILITY TASK FORCE: The next Water Availability Task Force Meeting is scheduled for November 21st, 2011 at the Colorado Division of Parks & Wildlife Headquarters and Administrative Offices from 1:00-3:30p. Please check the website (<http://cwcb.state.co.us/public-information/flood-water-availability-task-forces/Pages/main.aspx>) for additional information. *(Ben Wade)*

WATER CONSERVATION LEVELS ANALYSIS PHASE II UPDATE: Tracy Bouvette presented some findings from the report to the WCTAG in September. The WCTAG responded favorably to the presentation of material and had a very good discussion on several areas of the report. The report will be finalized in December. *(Kevin Reidy)*

DROUGHT ASSESSMENT FOR RECREATION & TOURISM (DART) PROJECT UPDATE: On November 2nd, an information session will be held in Telluride to solicit stakeholder involvement in the project. A survey will be circulated in early November to all

interested stakeholders and a follow up focus group will be held in December for a subset or those stakeholders. The project thus far has been slightly delayed due to the need for survey approval by CU's Institutional Review Board. This is necessary for all research that involves communication with humans. We hope to gain approval the first week of November. (*Taryn Hutchins-Cabibi*)

CWCB STAFF PRESENTS AT BASIN ROUNDTABLES: In October, OWCDP staff has presented at the Colorado, Yampa & White and Metro Basin Round Table Meetings on the State Drought Plan Revision as well as the implementation of HB1051. OWCDP hopes to present to the remaining two Basin Round Tables, Arkansas & Southwest Basins respectively, in the coming months. (*Taryn Hutchins-Cabibi*)

CWCB STAFF ATTENDS WCRP OPEN SCIENCE CONFERENCE: During the week of October 24th-28th, Taryn Hutchins-Cabibi attended the World Climate Research Programme (sic) Open Science Conference in Denver. The international conference was a gathering of leading researchers in climate sciences including many contributors to the upcoming fifth climate assessment that will be used for the development of the next IPCC report. The conference covered all aspects of understanding and predicting climate variability and change, delivered a comprehensive assessment of climate research (including on extreme weather events and water resources), identified the overarching challenges facing the climate research community and help establish future priorities for climate research and was timed to provide strategic input into the IPCC Fifth Assessment Report. By having better understanding of the direction of climate science, Staff will be better able to assess how this research can further the work that CWCB is doing. (*Taryn Hutchins-Cabibi*)

CWCB STAFF PRESENTS AT COLORADO WATER WISE ANNUAL EVENT & SOUTH PLATTE FORUM: Veva Deheza presented at the Colorado WaterWise Annual Event on October 14, 2011 in Denver, CO. The event theme was Making Dollars and Sense of Water Conservation. Veva presented on current CWCB water conservation initiatives with a focus on the process and progress of HB10-1051 and the Guidelines for Water Use and Conservation Data Reporting by Covered Entities.

Veva also presented at the South Platte Forum on October 20, 2011 on CWCB water conservation initiatives, again with a focus on HB 10-1051. Presenting at both of these events provided opportunities to outreach to the water provider community during the Guidelines public comment period. (*Veva Deheza*)

~ATTACHMENTS~

- 01 Finance Section – Design and Construction Status Report
- 02 DNR Letter to USFWS Regarding Designation of Revised Critical Habitat
- 03 Federal Register for Monday, October 17th, 2011 Regarding Long-Term Experimental and Management Plan for the Operation of Glen Canyon Dam
- 04 Letter from CWCB and CPW Regarding Draft EA and FONSI
- 05 Finance Section – Financial Activity Report
- 06 WSRA Open Grant Projects – Board Approved – Not Yet Contracted
- 07 WSRA In Progress Projects
- 08 WSRA Completed Projects
- 09 Letter from CWCB Regarding Market-Based Pricing In Fry-Ark Project
- 10 Instream Flow and Natural Lake Level Program – Summary of Resolved Cases

STATE OF COLORADO

Colorado Water Conservation Board

Department of Natural Resources

1313 Sherman Street, Room 721

Denver, Colorado 80203

Phone: (303) 866-3441

Fax: (303) 866-4474

www.cwcb.state.co.us



TO: Colorado Water Conservation Board Members

FROM: Kirk Russell, P.E. Design & Construction Manager
Finance Section

DATE: October 28, 2011

SUBJECT: **Directors Report – November 15/16, 2011 Board Meeting**
Finance Section – Design & Construction Status Report

John W. Hickenlooper
Governor

Mike King
DNR Executive Director

Jennifer L. Gimbel
CWCB Director

The CWCB Finance Section has Substantially Completed eleven projects in 2011. There are currently 37 projects under contract and in the Design and/or Construction Phase, involving approximately \$160,000,000 in loan funds

The attached spreadsheet and report summarizes the current project status, including loan/budget, construction schedule, and progress to-date.

Colorado Water Conservation Board
Water Project Loan Program
Project Design and Construction Status Report

October 28, 2011

Applicant/Borrower	Project	County	Loan Amount	Size	Annual Delivery Yield (AF)	Storage Created (AF)	Design Status	Start	Construction End	Status
Projects Substantially Completed in 2011										
1 Raymond Dairy, Incorporated	Robert Raymond Concrete Ditch Reconstruction	Mesa	\$ 63,950	2,500 LF	386		100%	Nov-09	Feb-11	2/1/2011
2 Bijou Irrigation District	Empire Reservoir Rehabilitation - Dam Rehab.	Morgan/Weld	\$ 2,408,850	19,900 AF	19,900		100%	Nov-07	Feb-11	3/1/2011
3 Orphan Wells of Wiggins, LLC	Well Augmentation Project	Morgan	\$ 1,037,700	6,000 AF	6,000	2,682	100%	Nov-03	On-hold	3/1/2011
4 Stagestop Owners Association	Water Augmentation Reservoirs Project	Park	\$ 192,708	20	20	20	100%	Sep-10	Apr-11	4/1/2011
5 Las Animas Consolidated Canal Company	Diversion Structure Rehabilitation	Bent	\$ 77,265	26,000 AF	26,000		100%	Sep-10	Mar-11	6/1/2011
6 Consolidated Extension Canal Company	Diversion Structure Rehabilitation	Bent	\$ 180,285	26,000 AF	26,000		100%	Oct-10	Mar-11	6/1/2011
7 Trenchera Irrigation Company	Garland Canal #2 Pipeline Project	Costilla	\$ 251,793	2300 LF	3,700		100%	Mar-11	Apr-11	6/1/2011
8 WRCC, Inc.	Cobb Lake Inlet Structure Rehabilitation	Larimer	\$ 1,352,592	35,000 AF	35,000		100%	Sep-10	Jan-12	7/1/2011
9 North Sterling Irrigation District	North Sterling Reservoir Rehabilitation	Logan	\$ 1,094,840	74,590 AF	82,207		100%	Sep-09	Jul-11	6/1/2011
10 Grand River Ditch Company	Grand River Ditch Pipeline	Garfield	\$ 543,380	14,500 AF	14,500		100%	Sep-10	Jan-12	7/1/2011
11 Bull Creek Reservoir Company	Reservoir Rehabilitation Project	Mesa	\$ 1,801,530	900 AF	900	900	100%	Jul-08	Sep-11	9/1/2011
	Total =		\$ 9,004,993		214,613	3,602				
	SubTotal =									
Current Projects in Design or under Construction										
1 New Cache La Poudre Irrigation Company	Construct 2 New Reservoirs and Pipeline Inlet and Outlet Canal Rehabilitation	Weld	\$ 7,200,000	4,500 AF	4,500	4,500	100%	Jun-05	Jan-14	9%
2 Marcos Water Conservancy District	Reservoir Rehabilitation	Montezuma	\$ 5,486,531	15,840 LF	9,000		75%	Jan-04	Jan-14	95%
3 Upper Arkansas Water Conservancy District	Well Augmentation Project	Chaffee/Custer	\$ 3,520,000	500 AF	500	200	100%	Jun-05	Jan-13	90%
4 Union Ditch Company	Well Augmentation Project	Weld	\$ 312,595	206 AF	206		75%	Sep-06	Jan-13	80%
5 Lower Poudre Augmentation Company	Reservoir and Water Rights Purchase	Larimer/Weld	\$ 3,104,053	657 AF	657		100%	Oct-07	Jan-13	99%
6 Overland Ditch and Reservoir Company	Overland Reservoir Rehabilitation	Delta	\$ 1,130,000	6,200 AF	17,000	971	50%	Permitting		0%
7 Montezuma Valley Irrigation Company	May Lateral Pipeline	Montezuma	\$ 5,292,400	5 Miles	128,000		100%	Nov-07	Jul-12	99%
8 Platte Valley Irrigation Company	Equalizer Reservoir Project	Weld	\$ 2,388,650	431 AF	52,401	431	90%	Nov-10	Jul-12	5%
9 Greeley Irrigation Company	Greeley Canal No. 3 Rehabilitation	Weld	\$ 2,233,867	18,000 AF	18,000		100%	Feb-08	Jul-12	90%
10 Henry/JN Irrigation District	Horse Creek & Prospect Reservoir Rehabilitation	Weld	\$ 2,184,327	13,850 AF	13,850	3,000	100%	Nov-08	Jul-12	90%
11 New Salida Ditch Company	Ditch Rehabilitation	Chaffee	\$ 365,620	300 L.F.	7,000		100%	Oct-09	Jul-12	90%
12 Farmers Pawnee Canal Company	Ditch Flow Control Structures	Logan	\$ 255,530	27,260	27,260		100%	Oct-08	Jan-12	99%
13 Republican River Water Conservation District	Compact Compliance Pipeline	NE, Colo	\$ 60,600,000	15,000 AF	15,000		100%	Aug-11	Jul-12	80%
14 Ogilvy Augmentation Company	Well Augmentation	Weld	\$ 1,010,808	60 AF	60		100%	Dec-08	Jul-12	95%
15 Boulder White Rock Ditch and Reservoir Company	Paranma Reservoir Outlet Rehabilitation	Boulder/Weld	\$ 2,864,164	300 L.F.	12,000	2,600	100%	Oct-09	Jan-12	95%
16 Snodgrass Water and Sanitation District	Zeigler Reservoir Water Management System	Pitkin	\$ 1,952,805	1,800 AF	1,800		100%	Feb-10	Feb-12	99%
17 Farmers Reservoir and Irrigation Company	Milton Reservoir and Barr Lake Improvement Proj.	Adams/Weld	\$ 3,535,000	64,900 AF	125,000		100%	Oct-09	Jan-12	99%
18 Lower Lathram Reservoir Company	Well Augmentation Project	Weld	\$ 3,811,573	5,705 AF	5,705		100%	Nov-09	Jan-13	65%
19 Town of Dillon	LEDE Ditch and Reservoir Rehabilitation	Eagle	\$ 2,689,731	685 AF	1,200	254	60%	Permitting		15%
20 Lake Canal Reservoir Company	Old Dillon Reservoir Enlargement	Summit	\$ 1,515,000	286 AF	321	140	100%	Sep-10	Jan-14	95%
21 City of Monte Vista	South Gray Reservoir Rehabilitation/Gray No. 3 Augmentation	Larimer	\$ 393,900	1,120 AF	1,120	165	100%	Sep-10	Jan-12	99%
22 Fort Morgan Reservoir and Irrigation Company	Pipeline Project - Augmentation Retining	Rio Grande	\$ 1,693,770	321 AF	1,212		n/a	Oct-10	Jul-12	50%
23 Joseph W. Bowles Reservoir Company	Bowls No. 1 Dam Rehabilitation	Morgan	\$ 1,494,800	15,840 L.F.	37,058		100%	Sep-10	Jul-12	99%
24 Louden Irrigating Canal and Reservoir Company	Rist Benson Reservoir Rehabilitation	Jefferson	\$ 1,703,670	2,062 AF	900		100%	Aug-10	Dec-11	90%
25 Pagosa Area Water and Sanitation District	Dry Gulch Reservoir Land Acquisition	Larimer	\$ 663,610	150AF	150	150	100%	Feb-11	Dec-11	99%
26 Supply Irrigating Ditch Company	Kroth Reservoir Dam Rehabilitation	Archuleta	\$ 11,217,060	35,000 AF	35,000	35,000	n/a	Nov-08	Mar-20	n/a
27 Owl Creek Reservoir Company	Owl Creek Reservoir Rehabilitation	Boulder	\$ 1,515,000	4,800 AF	4,800	400	95%	Jan-10	On-Hold	0%
28 Penrose Water District	Water Rights Purchase and Pipeline Installation	Weld	\$ 1,125,000	1200 AF	1,200	1,200	99%	Jul-10	On-Hold	0%
29 Seven Lakes Reservoir Company	Railroad Crossing	Fremont	\$ 8,844,570	30,824 LF	339		65%	Oct-10	Jan-14	20%
30 Duel and Snyder Improvement Company	Diversion Structure Rehabilitation	Weld	\$ 772,842	7,796 AF	7,796		100%	Oct-11	Jan-13	0%
31 Farmers' High Line Canal and Reservoir Company	System Rehabilitation Project	Morgan	\$ 90,900	4,590 AF	4,590		25%	Sep-10	On-hold	0%
32 Riverside Reservoir and Land Company	Ditch System Rehabilitation	Adams/Jefferson	\$ 1,410,768	31 Miles	24,000		50%	Feb-11	Feb-14	10%
33 Parkville Water District	Zeigler Reservoir Spillway Enlargement	Weld	\$ 2,838,100	64,000 AF	105,000		80%	Sep-10	Jan-13	0%
34 Snowmass Water and Sanitation District	Canterbury Tunnel Repair	Chaffee	\$ 186,345	3,250 LF	3,260		83%	Jul-10	Jan-12	80%
35 Thunderbird W&S Dist	Lambert Ranch Water Rights Purchase	Lake	\$ 1,838,200	250 LF	1,086		75%	Oct-10	Jan-12	0%
	SubTotal =	Pitkin	\$ 2,873,804	240 AF	1,850	240	100%	Oct-10	Jan-12	95%
	Grand Total =	Douglas	\$ 318,150	896 AF	55		100%	Oct-11	Jan-14	
			\$ 150,433,343		668,876	49,251				0%
	Reservoir construction projects involving storage, new, enlargement, dredging or removal of a SEO restriction =		\$ 159,438,336		883,489	52,853				

Design & Construction Status Report

PROJECTS SUBSTANTIALLY COMPLETED IN 2011

1. Raymond Dairy, Incorporated – Concrete Ditch Reconstruction Project

Authorization: Construction Fund	County: Mesa
Water Source: Grand Valley Canal	Project Yield: 386 AF
Terms of Loan: \$63,950@ 2.5% for 30 yrs.	Project Type: Ditch Rehabilitation

Raymond Dairy is located just northwest of Fruita, Colorado and is owned by Robert and Helen Raymond. The Raymond Ditch has a capacity of 3.5 cfs and is used to carry irrigation water to 125 acres of field crops for dairy cattle. This Project involved rehabilitating 2,400 feet of the ditch, and installing new head gates. This Project will decrease ditch seepage; thereby improving the environment by reducing salt leaching into the Colorado River. NRCS provided planning and design engineering services for this work. The total project cost was \$95,000. NRCS provided 33% cost share in the Project. CWCB funding consisted of an initial loan for \$95,950 which was reduced to \$63,950 after construction was complete. The Project was substantially completed on February 1, 2011.

2. Bijou Irrigating District – Empire Reservoir Rehabilitation Project

Authorization: Severance Tax Fund	County: Morgan/Weld
Water Source: South Platte River	Project Yield: 19,900 acre-feet
Terms of Loan: \$4,454,100@ 2.25% for 30 yrs.	Project Type: Reservoir Rehabilitation

The District owns and operates Empire Reservoir located west of Fort Morgan in Weld and Morgan Counties. It is an off-stream reservoir primarily impounded by four separate dams constructed in about 1905. Water is diverted from the South Platte River through the Empire Intake Ditch. The water storage rights are 37,709 acre-feet and there is one refill right. The reservoir has been restricted by the SEO due to wind erosion problems along the east embankment. The Project consists of repairing failed sections of parapet walls, removing trees along the upstream toe of the dam, and adding additional riprap slope stabilization along the East Dike Embankment. This will allow the reservoir to be filled to its full gage height. The Project will result in 2,682 AF of recovered storage. Due to increased cost of fuel and materials the loan contract was increased from \$2.4M to \$4.5M at the November 2008 Board Meeting. The Project was substantially completed on March 1, 2011.

3. Orphan Wells of Wiggins – Augmentation Project

Authorization: Construction Fund	County: Morgan
Water Source: South Platte Basin	Project Yield: 6,000 acre-feet
Terms of Loan: \$1,037,700 @ 2.5% for 30-years	Project Type: Well Augmentation

The Orphan Wells of Wiggins is a new company comprised of 31 separate agricultural operators that own 45 wells which irrigated approximately 4,500 acres of farmland. This project involves the construction of 1 recharge well, 1 augmentation well, various pipeline, and 23 recharge ponds. The project will generate augmentation credits to cover the depletions for the 45 existing wells. The project is currently 90% complete. The project has changed from its original scope to include additional piping and recharge sites. Additionally, the Company has purchased several Riverside Ditch shares that will improve augmentation efforts. The Company was approved for an increase of \$200,000 at the November 2006 Board Meeting to complete the additional recharge sites and for the purchase of the Riverside Ditch shares. These funds have

not been distributed. The Company elected to decline presenting its case in court, given strong objectors and the lack of senior water in its augmentation plan. Based on that decision the Company will not be able to operate and are currently in the process of dissolving the Company. CWCB is currently working with a few interested parties in purchasing the Company assets, which would be used to pay off or pay down the Company's existing debt with CWCB. Staff has met with the board members and they agreed to substantially complete the project and put the project in repayment. They have requested that the interest that has accumulated be forgiven, which staff has denied given the precedent it would make and project history. Staff did meet with the Company's Board Members in March 2010. The Board is currently pursuing the sale of 10 shares of Riverside Ditch and the augmentation project itself to hopefully generate sufficient revenue to pay off their \$900K loan with CWCB. There are a number of parties interested in purchasing Orphan Wells of Wiggins assets. The Project was substantially completed on March 1, 2011.

4. Stagestop Owners Association – Water Augmentation Reservoirs Project

Authorization: Construction Fund	County: Park
Water Source: Old House Creek/ Tarryall River	Project Yield: 20AF
Terms of Loan: \$192,708@ 2.25% for 20 yrs.	Project Type: Dam Rehabilitation

The Stagestop Owners Association represents property owners in the Stagestop subdivision, located near Jefferson, Colorado. The Association was incorporated in 1976 and is made up of 500 single-family residential lots. Individual wells supply water to each lot in the Association. There are 199 active wells at this time. Groundwater depletions from these wells are offset by an augmentation decree that includes storage and releases of water from Old House Creek. The water is stored in two reservoirs referred to as the Upper Reservoir and Lower Reservoir. Both reservoirs required outlet work repair and the Upper Reservoir was under a fill restriction by the Office of the State Engineer. This project replaced the outlet pipes at both reservoirs, installed new outlet structures and valves, and spillways. The Project was substantially completed on April 1, 2011.

5. Las Animas Consolidated Canal Company – Diversion Structure Rehabilitation

Authorization: Construction Fund	County: Bent
Water Source: Arkansas River	Project Yield: 26,000 AF
Terms of Loan: \$77,265@ 2.75% for 30 yrs.	Project Type: Diversion Rehabilitation

The Las Animas Consolidated Canal Company provides irrigation water to approximately 5,600 acres near Las Animas, Colorado. The Canal Company, along with the Consolidated Extension Canal Company, operates the Las Animas ditch diversion dam, located on the Arkansas River approximately 11 miles east of La Junta and about 7 miles west of Las Animas. The diversion dam was constructed in the late 1800s and is at the end of its useful life. The purpose of this project is to complete emergency repairs to support the dam and to minimize further downstream erosion and deterioration of the diversion dam so that safe and reliable future operations of the structure can be ensured. The loan request is for 6% of the estimated \$1,275,000 total cost of the project. The additional project funding will come from the Consolidated Extension Canal Company (through a CWCB loan) and from Xcel Energy (a large shareholder in both companies). The project construction was completed in March, 2011 and was substantially completed on June 1, 2011.

6. Consolidated Extension Canal Company – Diversion Structure Rehabilitation

Authorization: Construction Fund	County: Bent
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Water Source: Arkansas River
 Terms of Loan: \$180,285@ 2.75% for 30 yrs.

Project Yield: 26,000 AF
 Project Type: Diversion Rehabilitation

The Canal Company, along with the Las Animas Consolidated Canal Company, operates the Consolidated Ditch diversion dam, located on the Arkansas River approximately 11 miles east of La Junta and about 7 miles west of Las Animas. The diversion dam was constructed in the late 1800s and is at the end of its useful life. The purpose of this project is to complete emergency repairs to support the dam and to minimize further downstream erosion and deterioration of the diversion dam so that safe and reliable future operations of the structure can be ensured. The loan request is for 6% of the estimated \$1,275,000 total cost of the project. The additional project funding will come from the Las Animas Consolidated Canal Company (through a CWCB loan) and from Xcel Energy (a large shareholder in both companies). The project construction was completed in March, 2011 and was substantially completed on June 1, 2011.

7. Trinchera Irrigation Co – Garland Canal #2 Pipeline Project

Authorization: Construction Fund
 Water Source: Ute Creek
 Terms of Loan: \$251,793@ 2.75% for 30 yrs.

County: Costilla
 Project Yield: 3,700 AF
 Project Type: Ditch Rehabilitation

The Company owns and operates Smith Reservoir, Mountain Home Reservoir, and approximately 26 miles of canals and 45 miles of laterals to provide irrigation water for the benefit of its shareholders. The Company services approximately 14,100 acres of irrigated farm land. The received a loan to repair a portion of the Garland #2 Canal. The Canal was originally constructed around 1913 and a substantial portion of the ditch deteriorated and became unreliable and inefficient. Emergency repairs were made following a 2010 flash flood. The proposed project includes: replacement of the diversion headgate, modifying the siphon inlet to accommodate a new trash rack, installing rock riprap at the siphon outlet, and installing 2,300 linear feet of 36" irrigation pipe. The project construction was completed in the spring of 2011 and was substantially completed on June 1, 2011.

8. WRCC, Inc. – Cobb Lake Inlet Structure Rehabilitation

Authorization: Construction Fund
 Water Source: Cach La Poudre
 Terms of Loan: \$1,352,592@ 2.85% for 30 yr.

County: Larimer/Weld
 Project Yield: 35,000 AF
 Project Type: Reservoir Rehabilitation

WRCC, Inc. owns and operates six storage reservoirs in Larimer and Weld Counties including Cobb Lake. The inlet ditch to the Reservoir has been badly eroded over time and vertical degradation has resulted in very steep ditch side slopes that are a safety concern. The inlet structures were built in the early 1900s and have been patched over the years; however, they are to the point where they could be subject to sudden catastrophic failure. If the inlet failed, the Reservoir could not be filled. The project reconstructed the inlet structure/ditch to address both the safety and possible failure issues. Construction was completed November 2010 however additional cosmetic work was completed in the spring of 2011 with a loan contract increase in January 2011. The project was Substantially Completed on July 1, 2011.

9. North Sterling Irrigation District – North Sterling Reservoir Rehabilitation

Authorization: Construction Fund
 Water Source: South Platte River
 Terms of Loan: \$1,094,840@2.25% for 20 yrs.

County: Logan
 Project Yield: 74,590 acre-feet
 Project Type: Reservoir Rehabilitation

The District owns and operates the North Sterling Reservoir located in Logan County and provides stored and direct flow water to landowners within the District's 40,917 acre service area. The District service area begins just east of the Reservoir approximately 15 miles northwest of Sterling and extends east to Crook. The Reservoir faced the possibility of a storage restriction from the State Engineer's Office. Improvements to the current spillway and the dam were necessary in order to retain full storage capacity. Improvements included: enlarging the existing spillway, raise the dam crest, and installing a seepage collection system. Construction commenced in September of 2009 and was completed by September 2010. The project was Substantially Completed on June 1, 2011.

10. Grand River Ditch Company – Grand River Ditch Pipeline

Authorization: Construction Fund

County: Garfield

Water Source: Colorado River

Project Yield: 14,500 AF

Terms of Loan: \$543,380@4.20% for 30 yrs.

Project Type: Ditch Rehabilitation

The Grand River Ditch Company operates the Grand River Ditch by providing direct flow irrigation water from the Colorado River. The ditch is 14 miles long and runs on the north side of the river from three miles west of New Castle to about a mile east of Rifle. In the spring of 2010, a retaining wall that protects the ditch from the river collapsed. The Company plans to repair the ditch by piping the damaged section, and by installing riprap and rock jetties in the river. Construction was completed in December 2010. NRCS has provided design engineering services for the Project. The Company has been approved for a \$100,000 grant from the USDA Farm Service Agency Emergency Conservation Program for this Project along with a \$20,000 WSRA Basin Grant. CWCB loan funding will allow for an initial loan for 100% of construction costs which will be reduced by the grant dollars received. The Company received a Colorado River District grant for \$85K. The balance of the principal will become a 30-year CWCB Loan. Construction commenced in Sept. 2010 and was completed by Nov. 2011. The project was Substantially Completed on July 1, 2011.

11. Bull Creek Reservoir Canal and Power Company – Reservoir Rehabilitation

Authorization: Severance Tax Fund

County: Mesa

Water Source: Colorado River

Project Yield: 900 acre-feet

Terms of Loan: \$1,801,630@ 2.5% for 30 yrs.

Project Type: Reservoir Rehabilitation

The Company is located in Mesa, Colorado, and has a service area of approximately 800 acres. The Company operates the Bull Creek Reservoirs for irrigation water. The Project is a repair to remove the current restriction on Reservoir #4 and provide additional storage necessary to store the Company's decreed rights. The Company has a Stipulation and Agreement with the SEO that requires the Company to repair Reservoir No. 4 in order to avoid abandonment of a portion of the senior water rights. The Project is located on the US Forest Service property and will require a Special Use Permit for access roadway work and dam construction. The reservoir is remote and located at 10,000 feet elevation. The project was approved by the Board in 2006, but has been re-scoped to address SEO concerns and higher than previously anticipated construction costs. The Company received SEO approval in August of 2008. The contractor, Geer-up-Construction, completed the outlet works, seepage control, and 75% of the dam embankment reconstruction. Work was suspended in October of 2008 due to weather. The contractor negotiated a new contract with the Company to finish the remaining work in the summer of 2009. The Company elected to release the original engineering firm and hired Vista Engineer, Grand Junction, Colorado to finish the project. Geer-up-Construction mobilized in July of 2009 and was failed to complete the project by winter. The remaining items (spillway cutoff wall and rip rap, minor rip rap placement along the upper dam face, monitoring devices, final grading of the dam crest, re-vegetation, and cleanup) were completed in the summer of 2010 by Sorter Construction. The project construction is

now 100% complete. The Company received approval of additional funding from CWCB in November 2010. The Company negotiated a lien settlement with Geer-up Const./S4 Corp. in April 2011. The Company plans to begin marketing a portion of its water rights in order to comply with the amended loan contract requirement. In the event a sale is not feasible, the Company may ask the CWCB to reconsider the contract clause requiring the sale of water and the assessment limit. Construction commenced in Aug. 2008 and was completed by Nov. 2010. The project was Substantially Completed on September 1, 2011.

PROJECTS CURRENTLY IN DESIGN and/or UNDER CONSTRUCTION**1. New Cache La Poudre Irrigation Company – Reservoir Construction**

Authorization: Construction Fund	County: Weld
Water Source: South Platte	Project Yield: 4,500 acre-feet
Terms of Loan: \$7,200,000 @ 2.50% for 30-years	Project Type: New Reservoir

The Company provides irrigation water to a 35,000-acre service area. This project will provide water storage to equalize ditch flows and improve efficiency and the reliability of the irrigation system, and to meet future demands. The project involves the construction of three reservoirs near Barnesville, totaling 4,500 acre-feet of storage. Additionally, 8,200 feet of pipeline will be installed. The Barnesville Reservoir project was awarded to Barker Construction, Fort Collins, Colorado and has been completed and received final SEO approval. The Company received approval of a loan increase in Sept. 2007. The project will remain open until the land purchased to construct Cornish Reservoir is paid off in 2021.

2. Mancos Water Conservancy District - Canal Rehabilitation

Authorization: Severance Tax Perpetual Account	County: Montezuma
Water Source: West Mancos River	Project Yield: 9,000 acre-feet
Terms of Loan: \$5,486,531 @2.80% for 30-years	Project Type: Canal Rehabilitation

The Mancos Water Conservancy District supplies irrigation and municipal water within a 13,496 acre service area. The District's carriage facility is over 50-years old and the U.S. Bureau of Reclamation has recommended rehabilitation of the inlet and outlet canals. The proposed project is to rehabilitate inlet and outlet canals to the Jackson Gulch Reservoir and to replace its operational shops and headquarters. The District's goal is to have the entire project completed by 2014. The District has performed test sections with various lining materials to assist in determining the final design package for the ditch rehabilitation. The District has been in the process of asking the Federal Appropriations Committee for \$6,200,000 in grant funds to assist in completing the project, which was approved in March of 2009. They received \$1.8M Federal appropriation for 2010. The overall project is scheduled for completion in January of 2014. The District did undertake the rehabilitation of the critical portion of their ditch system in the summer 2009, involving the construction of retaining walls and access road along the ditch. District bid the piping phase in summer 2010 with construction completed in winter 2010. **UPDATE: An additional phase of ditch rehabilitation was completed in October 2011.**

3. Upper Arkansas Water Conservancy District – N. Fork Reservoir Rehabilitation

Authorization: Severance Tax Fund	County: Chaffee/Custer/Fremont
Water Source: N. Fork of S. Arkansas	Project Yield: 500 acre-feet
Terms of Loan: \$3,520,000 @ 3.50% for 30 yrs.	Project Type: Reservoir Rehabilitation

The UAWCD has operated the North Fork Reservoir since 1979 for domestic, municipal, industrial, recreational, and augmentation water supply. The reservoir is at elevation 11,400 feet and is located approximately 10 miles from Maysville on the North Fork of the South Arkansas River. This project involves replacement of the outlet gate, improved access, increased spillway capacity, seepage control, and raising the dam 15-feet to achieve a storage capacity of 500 acre-feet. The project is located on Forest Service property, which required a special use permit and an environmental assessment prior to construction. The project was awarded to ASI, Buena Vista, Colorado, who commenced construction in

August of 2006 and completed the work in May of 2007. The District will not be pursuing enlargement of the reservoir, due to issues associated with the Forest Service and the NEPA process. The District is currently working on remote monitoring equipment for North Fork Reservoir, and the NEPA process to continue operating at historic levels.

4. Union Ditch Company – Well Augmentation Project

Authorization: Severance Tax Trust Fund	County: Weld
Water Source: South Platte River	Project Yield: 206 acre-feet
Terms of Loan: \$312,595 @2.50% for 320-years	Project Type: Well Augmentation

The Union Ditch Company provides irrigation water to an area of 5,500 acres east of the Town of LaSalle and south of Greeley. The Union Ditch Company has filed application for an augmentation plan to provide replacement water for 40 junior wells owned by the shareholders, formerly serviced by GASP. This project involves the development of 3 recharge ponds, placement of flow measurement devices, and headgate structures into the ponds. The ponds will be filled by gravity flow from the Union Ditch. Union Ditch Company is currently constructing one recharge pond at the Miller Feedlot Site with an accompany diversion structure on the Union Ditch.

5. Lower Poudre Augmentation Company – Reservoir and Water Rights Purchase

Authorization: Severance Tax Fund	County: Larimer/Weld
Water Source: South Platte	Project Yield: 657 acre-feet
Terms of Loan: \$3,104,053 @2.50% for 30 yrs.	Project Type: Reservoir & Water Rights

The Lower Poudre Augmentation Company (LPAC) is a non-profit company that was incorporated in 2004, by the New Cache La Poudre Irrigating Company (2/3 interest) and the Cache La Poudre Reservoir Company (1/3 interest). There are 88 wells owned by 35 individuals/entities and the augmentation demands are approximately 3200 AF. The LPAC has filed for a permanent Augmentation Plan, and has operated on a Substitute Water Supply Plan for 3-4 years. LPAC proposes to purchase the Timnath Flatiron Reservoir, and 4.5 shares of Boxelder Ditch, and construct the necessary improvements to utilize the reservoir for augmentation purposes. The reservoir currently has a storage capacity of approximately 657 AF, with a depth of 12-15 feet. The reservoir area was mined for sand and gravel and lined with clay once mining was complete. The reservoir has received SEO certification as a lined gravel pit storage facility. Construction of the reservoir is complete. Substantial completion is expected in mid-2011.

6. Overland Ditch and Reservoir Company – Reservoir Rehabilitation

Authorization: Severance Tax Fund	County: Delta
Water Source: Cow Creek	Project Yield: 17,000 AF
Terms of Loan: \$1,130,000 @ 2.5% for 30 yrs.	Project Type: Reservoir Rehabilitation

The Company's 120 members own and operate the Overland Reservoir, located in Delta County in the Gunnison National Forest at elevation 10,000-ft. This project involves increasing the current reservoir capacity from 6,200 AF to 7,171 AF, raising the spillway elevation 3.8 feet, installing toe drains, increasing the dam crest width, and additional embankment protection. The Overland Ditch Company shareholders at their August 2006 Board Meeting, approved increasing the capacity of the reservoir. The project is currently under design, with construction on-hold until fens can be addressed on-site. High altitude fens on the Grand Mesa have become a significant issue and staff is currently working with area

water users, local wetland consultants, and the Army Corps of Engineers to address this problem on a regional permit basis.

7. Montezuma Valley Irrigation Company – May Lateral Pipeline

Authorization: Severance Tax Fund	County: Montezuma
Water Source: Dolores River	Project Yield: 128,000 acre-feet
Terms of Loan: \$5,292,400@2.25% for 30 yrs.	Project Type: Pipeline

The Montezuma Valley Irrigation Company is a non-profit corporation established in the State of Colorado in 1920. The Company manages the delivery of irrigation water to the approximately 46,000 acre service area. The Company is proposing to install approximately five (5) miles of 36-inch pipe in the existing May Lateral Ditch alignment. The installation of pipe will improve delivery and significantly reduce leakage. The May Lateral water is diverted from the Dolores River and is routed through the McPhee Reservoir prior to delivery to shareholders. The new pipeline will carry approximately 18 cfs to the 105 shareholders that depend on the May Lateral for irrigation water. AgriTech Consulting has provided planning and preliminary design services. The Company has completed the installation of the entire pipe along the 5-mile project length. Substantial Completion is expected in 2011.

8. Platte Valley Irrigation Company – New Equalizer Reservoir Project

Authorization: Severance Tax Fund	County: Weld
Water Source: South Platte River	Project Yield: 52,401 AF
Terms of Loan: \$2,388,650@2.25% for 20 yrs.	Project Type: Reservoir Construction

PVIC is a Colorado mutual ditch company and non-profit corporation serving approximately 14,832 acres of irrigated farm land in Weld County east of Platteville. PVIC diverts water for irrigation from the South Platte River near Fort Lupton and shares a jointly owned headgate with Farmers Reservoir and Irrigation Company (FRICO), as well as about 10 miles of the jointly owned Platte Valley Canal. Average annual diversions are 52,401 acre-feet. PVIC needs an equalizer on the ditch to allow for more efficient management of the water, as well as additional measurement and control structures on their main ditch. The reservoir will have a junior water right for storage of water directed to PVIC's recharge program. In an average year the reservoir is expected to store 300 acre feet, with a 300 acre foot refill. Construction will consist of a 431 acre-foot reservoir with a 14 foot high dam embankment with 10:1 upstream slopes and 3:1 downstream slopes. The reservoir bottom will be lined using clay from the required excavation as necessary to exclude groundwater. The outlet will be a 48 inch RCP, configured to act as the principal spillway. The project also includes relocation of an existing section of Evans No. 2 Ditch below the split from the Platte Valley Canal, modification of the existing bifurcation structure, and construction of three (3) new Parshall Flumes in various reaches of the ditch, as directed by the Water Court. The project is being designed by Smith Geotechnical, Fort Collins, with construction anticipated to commence in July/August 2010.

9. Greeley Irrigation Company – Greeley No. 3 Canal Rehabilitation

Authorization: Severance Tax Fund	County: Weld
Water Source: South Platte	Project Yield: 18,000 acre-feet
Terms of Loan: \$2,233,867@2.85% for 30 yrs.	Project Type: Canal Rehabilitation

The Greeley Irrigation Company (GIC) provides irrigation water to a service area of 2,367 acres in Weld County, generally within the City of Greeley and east of the City. GIC operates the Greeley Canal No. 3, constructed in 1870 by the Union Colony. About 1,100 acres of the 3,500 original irrigated acres have

been subject to dry-up, and water converted to augmentation use. Present canal usage is roughly 1/3 City of Greeley, 1/3 agricultural irrigation, and 1/3 augmentation. GIC facilities consist of a river diversion structure, approximately 13 miles of earthen canal, check structures, delivery headgates, spill structures, trash screens, and other minor structures. A portion of these facilities are in need of repair, upgrades, or replacement. The GIC Board is undertaking a number of phased improvements to the canal including: 1) repairs to, and partial replacement of, the river diversion; 2) piping or lining of portions of the canal; 3) consideration of canal automation using supervisory control and data acquisition (SCADA) equipment; 4) tree removal and tree pruning; 5) canal realignment, reshaping, and straightening; and 6) removal or repair of selected headgates and installation of new headgates. The project is nearly complete. The Company is currently working on their SCADA system and the realignment and reshaping of various sections of existing channel.

10. Henrylynn Irrigation District – Horse/Prospect Reservoirs Rehabilitation

Authorization: Severance Tax Fund
 Water Source: Denver/Hudson Canal
 Terms of Loan: \$2,184,327@2.25% for 30 yrs.

County: Weld
 Project Yield: 13,850 acre-feet
 Project Type: Reservoir Rehab.

The District diverts water through the Burlington Canal Headworks on the South Platte River, extending 16 miles to and past Barr Lake. From Barr Lake the Denver-Hudson Canal continues 25 miles to Horse Creek Reservoir, and then continues another 25 miles to Prospect Reservoir. Horse Creek Reservoir was constructed in 1910, and is a High Hazard, 64 ft high earth fill dam 4800 ft long with a 200 foot wide earth-lined spillway. The decreed storage right is 19,515 AF, but normal storage is 18,747 AF. The project will provide a lining of the steel outlet works, install additional toe drainage, and resurface and regrade the dam crest. Prospect Reservoir was constructed in 1914, and is a Significant Hazard, 43.5 ft high earth fill dam, 5,300 ft long with a 250 wide concrete/riprap spillway. The decreed storage right is for 7,660 AF, but the normal storage is 6,368 acre feet. The outlet works consist of a 48 in. concrete pipe that narrows to about 30 in. downstream of the control gate, due to previous re-lining projects. The reservoir has a restriction of 1.5 feet below the historic maximum stage, due to concerns about the stability of the downstream slope of the dam. The proposed project is a lining for the outlet works, and resurface and regrade the dam crest. Zak Dirt Construction has completed reconstruction of outlet channel and has regraded the dam crest on Horse Creek Reservoir. The Prospect Reservoir outlet pipe has been lined and dam crest regrading is complete. **UPDATE: The Company contracted with Zac Dirt in October 2011 to increase the dam width of Horse Creek with the remaining loan funds. Construction is expected to be complete in the spring of 2012.**

11. New Salida Ditch Company – Ditch Rehabilitation

Authorization: Severance Tax Fund
 Water Source: Upper Arkansas River
 Terms of Loan: \$365,620@2.50% for 30 yrs.

County: Chaffee
 Project Yield: 7,000 acre-feet
 Project Type: Ditch Rehabilitation

The New Salida Ditch Company owns and operates the New Salida Ditch to deliver water to agricultural users from the Arkansas River through a diversion in Browns Canyon. The diversion is located 10 miles north of Salida and is approximately eight miles from its diversion to its end at Ute Gulch. In Browns Canyon, the Ditch runs parallel to the River for 1.25 miles. This section has historically been difficult for the Company to maintain and has suffered frequent breaks, resulting in costly repairs and the discharge of sediment into the adjacent river. The Company was cited by the Colorado Department of Health and Environment for a recent failure of the ditch in 2005. This project involves the installation of 3,200 feet of 42-inch pipe along the historically troubled ditch area. Project construction commenced in September of 2009 and will have a final phase completed in late 2011.

12. Farmers Pawnee Canal Company – Ditch Flow Control Structures

Authorization: Severance Tax Fund
 Water Source: South Platte River
 Terms of Loan: \$255,530@2.5% for 30 yrs.

County: Logan
 Project Yield: 27,260 acre-feet
 Project Type: Diversion Rehabilitation

The Farmers Pawnee Canal Company (Company) provides irrigation water to approximately 10,000 acres of land between Merino and Sterling, Colorado. It uses two separate structures to control flow in the Pawnee Ditch (Ditch). The first is a main diversion at the South Platte River. The second is a few miles down the Ditch and is used to adjust flow. The main diversion is a concrete rollover wall with vents to allow flushing of sand when opened. The secondary structure is currently controlled through the use of board style gates. Both structures are labor intensive and require monthly maintenance. To help with efficiency, the Company plans on replacing a portion of the main diversion with a new 12-foot radial gate. It also plans on replacing the board gates at the secondary structure with four 8-foot wide radial gates. Ransome Boone Excavating, Fort Morgan, Colorado has completed the ditch control structure. The Company recently completed improvements to their diversion structure and was approved for a loan contract increase in March 2011 to automate the new gate. Work should be completed by the end of 2011.

13. Republican River Water Conservation District – Compact Compliance Pipeline

Authorization: Severance Tax Fund
 Water Source: Republican River
 Terms of Loan: \$60,600,000@2.0% for 20 yrs.

County: N. E. Colorado
 Project Yield: 15,000 acre-feet
 Project Type: Pipeline Construction

December 2002, Colorado entered into a Stipulation with Kansas and Nebraska to address the U.S. Supreme Court case of *Kansas v. Nebraska and Colorado*. Colorado agreed to develop a ground water model to determine stream flow depletions caused by well pumping in the Basin and to a five-year running average to determine compliance with the Republican River Compact. In 2007, the State had exceeded its allocation under the Compact by an average of 11,350 AF/yr. To solve the problem the District elected to acquire ground water rights with a historical consumptive of 15,000 AF/yr. This water will be delivered to the North Fork of the Republican River via a Compact Compliance Pipeline to the stream gage at the Colorado-Nebraska state line to offset stream depletions. The District received approval of a \$60 million loan from the CWCB for engineering, construction and water acquisition related to the Pipeline Project. The loan represents approximately 85% of the estimated \$71 million total cost of the Project. Design was completed in 2009. The District will still need to resolve compact issues with Kansas regarding the recent concern over the proposed point of release of compact water on the North Fork of the Republican, which does not address the depletions on the South Fork of the Republican at the Colorado-Kansas state line and other related issues. The District did address issues of senior surface water users along the North Fork by the purchase of a 20-year lease from Yuma County Water Authority, who recently purchased the North Fork Water Rights under a separate CWCB loan contract. On June 19, 2009, the District purchased the \$49,000,000 Cure water rights with CWCB loan funds, which was a critical piece to the overall success of the compliance project. **UPDATE: Garney Construction is under contract and pipe installation is underway. Construction is scheduled to continue until through the summer of 2012.**

14. Ogilvy Augmentation Company – Well Augmentation Project

Authorization: Severance Tax Fund
 Water Source: South Platte River
 Terms of Loan: \$1,010,808@2.5% for 30 yrs.

County: Weld
 Project Yield: 60 acre-feet
 Project Type: Augmentation

The Ogilvy Augmentation Company (Augmentation Company) was established in 2005 to augment wells that operate under the Ogilvy Irrigating and Land Company service area. Approximately 1,400 acres of land are irrigated by the Augmentation Company members in an area north of Kersey, Colorado. There are 17 wells in the Augmentation Company that operate under its temporary substitute water supply plan (SWSP). The SWSP is currently operated using leased water. A permanent water supply is necessary for the Augmentation Company to obtain a permanent augmentation plan. Funds are being requested from the CWCB to: purchase water rights, construct a recharge facility, construct a storage reservoir, and install monitoring devices. The Augmentation Company intends to purchase the water rights upon the approval of the CWCB funding and construct the recharge facility in fall/winter of 2008. It will file for its permanent augmentation plan in 2009. Once the permanent augmentation plan is approved, construction will begin on the storage reservoir. The Company has purchased the water rights and has constructed the recharge facility. The Company is waiting on approval of their augmentation plan before proceeding with the construction of the reservoir.

15. Boulder White Rock Ditch and Reservoir Company – Reservoir Rehabilitation

Authorization: Severance Tax Fund

County: Boulder/Weld

Water Source: South Platte River

Project Yield: 12,000 acre-feet

Terms of Loan: \$2,864,164@3.45% for 30 yrs.

Project Type: Reservoir Rehabilitation

The Boulder White Rock Ditch and Reservoir Company (Company) delivers irrigation water to land in Boulder and Weld Counties. It diverts water from Boulder Creek in downtown Boulder through the Boulder White Rock Ditch and stores water in two of its facilities: Six Mile Reservoir and Panama Reservoir. Due to recent operational changes, the Company no longer exchanges water with nearby ditches and needs to improve the flexibility in its own system to meet its shareholder's needs. The Company intends to build a reservoir pump station at the Panama Reservoir outlet in order to use water stored in the reservoir that is unable to be accessed through the existing gravity outlet. The Company was approved for a loan increase in the amount of \$434,000. The project construction was completed in 2010 however additional dredging work is currently being considered.

16. Snowmass Water and Sanitation District – Zeigler Reservoir Water Management System

Authorization: Construction Fund

County: Pitkin

Water Source: Snowmass Creek

Project Yield: 1,800 acre-feet

Terms of Loan: \$1,952,805@4.25% for 20 yrs.

Project Type: System Improvements

The District's project involves the constructing of a new delivery system; which includes the construction of a pump house, approximately 1,400 ft of pipe, construction of a flow control building, installation of telemetry and electric power. The District diverts water for treatment from East Snowmass Creek and East Snowmass Creek Spring, Brush Creek and Snowmass Creek. The District presently does not have a useable raw water storage facility, but purchased Zeigler Reservoir (aka Lake Deborah) in 2008 for the express purpose of improving system reliability by expanding the reservoir from its current 57 AF to approximately 225 AF. The District currently serves approximately 3,500 full time residents and during the winter ski season an additional 10,000 to 12,000 residents. To regulate flows and provide a supply during times of diminished stream flows, a system to divert water to and pump water from the reservoir is required. The construction was completed in 2010 and Substantial Completion is expected in 2011.

17. Farmers Reservoir and Irrigation Company – Milton Reservoir and Barr Lake Improvements

Authorization: Construction Fund

County: Adams/Weld

Water Source: Beebe Seep Canal/Platte Valley Canal	Project Yield: 125,000 AF
Terms of Loan: \$3,535,000@3.7% for 30 yrs.	Project Type: Spillway

Farmers Reservoir and Irrigation Company operates a ditch and reservoir system extending 3,500 square miles along the Front Range corridor, from Golden to Kersey, Colorado. The system consists of four major reservoirs (Standley Lake, Marshall Lake, Barr Lake and Milton Reservoir) numerous smaller reservoirs, and approximately 400 miles of diversion and delivery canals. This loan request specifically relates to work to be completed at Milton Reservoir and Barr Lake. The Company intends to complete the following three projects: Milton Reservoir Outlet Works (replacing the upstream outlet gate structure and a portion of the piped outlet works), Milton Spillway (enlarging the existing spillway), and Barr Lake Spillway (enlarging the existing spillway and raising the perimeter dike). These projects are nearly complete and complete Substantial Completion is expected in late 2011.

18. Lower Latham Reservoir Company – Well Augmentation Project – Phase III

Authorization: Construction Fund	County: Weld
Water Source: South Platte River	Project Yield: 5,705 acre-feet
Terms of Loan: \$3,811,573@2.75% for 30 yrs.	Project Type: Augmentation

The Lower Latham Reservoir Company (Company) is acquiring five shares of Lower Latham Ditch Company, for the purpose of providing augmentation water for existing shareholder wells. It is also constructing groundwater recharge facilities and other system improvements to utilize these shares and shares acquired in phases I & II of the project (both of which were financed by the CWCB). The Company provides augmentation water for 84 wells in Weld County by replacing out-of-priority pumping depletions. 39 of these wells were formerly in the GASP Augmentation Plan, and the remaining 45 wells are covered in the Augmentation Plan of Central Colorado Water Conservancy District's GMS. The Company is attempting to cover the former GASP wells, and supplement coverage of the GMS wells with their own augmentation plan. In 2003, the Company filed a permanent well augmentation plan that is pending. The Company has concluded that additional replacement sources are necessary to provide sufficient replacement water during extended drought years. A 2010 SWSP for the Company was revised and submitted to the SEO in December 2009. To-date the Company has been reimbursed for its water rights purchase and they are currently finalizing the construction of the augmentation ponds.

19. Town of Gypsum – LEDE Ditch and Reservoir Rehabilitation

Authorization: Construction Fund	County: Eagle
Water Source: Colorado River	Project Yield: 685 acre-feet (254 new)
Terms of Loan: \$2,689,731@4.5% for 30 yrs.	Project Type: Reservoir Rehabilitation

The Town purchased the LEDE Ditch and LEDE Reservoir water rights in 2006. The original water rights are decreed for irrigation uses, and provide storage for up to 947 AF in the reservoir. The Reservoir was built to a capacity of 431 AF. The Town seeks to increase capacity to 685 AF in order to accommodate continued agricultural irrigation, and for future water supplies to the Town. This upstream storage is required to assist in managing Gypsum Creek water rights calls and dry year operations. The reservoir storage will become even more important as the Town's population continues to increase. The Town wishes to repair and improve the reservoir to utilize its potential, and to protect valuable senior storage rights in the reservoir. The reservoir is located in the headwaters of Gypsum Creek, south of Gypsum within the White River National Forest. Dam design and permitting is expected to occur in 2010/2011. The Town received a WSRA grant for additional enlargement of the reservoir. The pipeline construction was completed in September 2010.

20. Town of Dillon – Old Dillon Reservoir Enlargement

Authorization: Construction Fund
 Water Source: Salt Lick Gulch
 Terms of Loan: \$1,515,000@4.0% for 30 yrs.

County: Summit
 Project Yield: 286 acre-feet (140 new)
 Project Type: Reservoir Enlargement

The Town of Dillon is applying for a loan to participate in the enlargement of the Old Dillon Reservoir. In 2004, the Town, Summit County and Town of Silverthorne signed an agreement to enlarge the reservoir. The Town's participation cost is approximately 27% of the construction costs and 20% of the Engineering costs. The Town and the County initiated a feasibility study in 1995. The Reservoir was originally constructed as a 46 AF raw water storage reservoir filled via the Dillon Ditch, which diverts from Salt Lick Gulch. The Reservoir site is southwest of the Dillon Reservoir Dam. In the summer of 2008, the SEO issued an order to drain the Reservoir due to concerns over the integrity of the north dam. The project will increase the reservoir capacity from 46 to 286 acre-feet. **UPDATE: Construction has commenced and is expected to be completed in winter of 2011/2012.**

21. Lake Canal Reservoir Company – South Gray and Gray No. 3 Reservoir Rehabilitation

Authorization: Construction Fund
 Water Source: Box Elder Creek
 Terms of Loan: \$433,000@3.15% for 30 yrs.

County: Larimer/Weld
 Project Yield: 1,120 AF (165 AF new)
 Project Type: Reservoir Rehabilitation

The Lake Canal Reservoir Company is requesting a CWCB loan for reservoir improvements that include: 1) the installation of toe drains on the South Gray dam 2) the breaching of Gray No. 3 dam including erosion protection and access road realignment. The Project is necessary to address a SEO Dam Safety hazard and avoid the potential for a reservoir storage restriction. The South Gray Reservoir dam has excessive seepage along a major portion of the dam. The Reservoir Company desires to preserve the storage right on this reservoir and is interested in adding a toe drain or other seepage measures to ensure the safety of the dam. Gray Reservoir No. 3 is restricted to zero storage by the SEO due to the poor condition of the dam and outlet works. The Reservoir Company has received a court decree allowing the storage to be moved to other locations. **UPDATE: Construction was completed in June 2011.**

22. City of Monte Vista – Augmentation Water Rights Purchase

Authorization: Construction Fund
 Water Source: Rio Grande River
 Terms of Loan: \$1,693,770@4.0% for 30 yrs.

County: Rio Grande
 Project Yield: 321 AF
 Project Type: Water Rights

The City of Monte Vista, by and through its water activity enterprise, provides water to 4,300 residents in the San Luis Valley. The City's water system consists of five wells in a confined aquifer and three wells in an unconfined aquifer. Upcoming rules from the Office of the State Engineer will require water users in the San Luis Valley to replace depletions from pumping of wells in both the confined and unconfined aquifers tributary to the Rio Grande River. The water rights currently owned by the City are insufficient to fully replace the City's depletions. The City needs an additional 321 AF of replacement water. In order to meet this need, the City is purchasing Anderson Ditch water rights and storage in the Rio Grande Reservoir to store both the excess credits from the water it is purchasing and to store additional water it intends on leasing. The City executed the purchase of the Anderson Ditch rights and will soon file a water court application to enable the use of those rights to replace depletions as soon as possible. The Town has executed an agreement with the San Luis Valley Irrigation District for the purchase of storage

space in the Rio Grande Reservoir. CWCB has disbursed funds for part of the water purchase and the Reservoir storage space.

23. Fort Morgan Reservoir and Irrigation Company – Pipeline Project/Augmentation Retiming

Authorization: Construction Fund

County: Morgan

Water Source: South Platte River

Project Yield: 37,058 AF

Terms of Loan: \$1,494,800@2.9% for 30 yrs.

Project Type: Augmentation/Pipeline

The Company operates a ditch system that serves surface water to approximately 15,000 acres of irrigated land between Weldona and Brush, and operates a recharge and augmentation plan that provides augmentation water for approximately 90 irrigation wells. In addition, the Company has an operational agreement with Groves Farms, LLC, which is a family farming corporation also located in Morgan County, for a recharge/augmentation plan. The Company, with Groves Farms, has designed a plan to re-divert and re-time augmentation credits from the Company's more senior recharge projects at certain times when they are not needed for direct augmentation use, and to divert water under new junior water rights when available for recharge and augmentation use. The Project involves installing one 24" pipe from the River extending three miles to recharge ponds on Groves Farms' land; installing two pumps to pump water from the River through the pipeline; installing one augmentation well and pumping equipment near Groves' ponds to pump ground water back to the South Platte River; and installing seven recharge /augmentation ponds on Groves Farms' land. The Company has completed the project however there are some complications with the pumps ability to pump the specified amount of water to the recharge ponds. A primary concern is that the screen in the river is not functioning as designed during sandy/silty river flows.

24. Joseph W. Bowles Reservoir Company – Bowles No. 1 Dam Rehabilitation

Authorization: Construction Fund

County: Jefferson

Water Source: Bear Creek

Project Yield: 2,062 acre-feet

Terms of Loan: \$1,703,870@4.65% for 30 yrs.

Project Type: Reservoir Rehabilitation

The Joseph W. Bowles Reservoir Company (Company) owns and operates Bowles No. 1 Reservoir, located in the southwest metropolitan area of Denver. The Company was formed in 1906 and currently has 50 shareholders who use the water for golf courses, parks, open space, and some individual ranches for irrigation water. The Company is applying for a loan to implement several repairs to correct dam-safety deficiencies and improve the long-term performance of Bowles No. 1 Dam and to rehabilitate the deteriorating reservoir inlet ditch. The dam rehabilitation includes widening the crest, reconstructing the upstream slope, and installing a seepage collection and toe drain system on the downstream slope. Work on the inlet ditch includes removing trees, reconstructing the ditch cross section and alignment, placing slope protection in high erosion areas, and installing a flow control pipe that will provide for discharge of excessive ditch flows into an existing spillway and drainage structure. Dam construction project completion expected by Spring 2011. Ditch construction is expected to continue thru 2011.

25. Loudon Irrigating Canal and Reservoir Company – Rist Benson Reservoir Rehabilitation

Authorization: Severance Tax Fund

County: Larimer

Water Source: Big Thompson River

Project Yield: 150 acre-feet

Terms of Loan: \$263,610@3.5% for 30 yrs.

Project Type: Reservoir Rehabilitation

The Company owns and operates the Rist Benson Reservoir, which is on the west side of Loveland, Colorado. Since 2005, the Reservoir has been restricted to a gauge height of 10.0 feet due to seepage problems along the dam. The Borrower has repaired two sections of the embankment in previous years. This Project is the third phase of repairs and once completed will increase storage by 150 AF allowing for full storage of 491 AF. The rehabilitation involves excavating and re-compacting sections of the embankment, installation of a toe drain, and installing riprap on the upstream face of the dam. Construction was completed in June 2011. **UPDATE: SEO acceptance letter has been received.**

26. Pagosa Area Water and Sanitation District – Dry Gulch Reservoir Land Acquisition

Authorization: Construction Fund	County: Archuleta
Water Source: San Juan River	Project Yield: 35,000 acre-feet
Terms of Loan: \$11,217,060@3.50% for 30 yrs.	Project Type: Land Acquisition

District serves 9,500 residents in the 100 sq. mile District service area. Drought and demand from growth is requiring additional storage and of around 12,400 AF of storage by 2040. Growth projections estimate the need for a 35,000 AF reservoir to meet demand through 2100. Dry Gulch site is the only reasonably valued site available due to land development. Primary fill source will be pumping of San Juan River water to the reservoir. A CWCBC loan will be used to purchase two parcels of land to begin the process of meeting the needs of the District. The land is needed for both sizes of reservoir. Preliminary design and permitting is expected to start in 2008 and construction of the reservoir is projected to start in 2020. CWCBC has disbursed just under \$10,000,000 in loan funds for land purchases to-date.

27. Supply Irrigation Ditch Company – Knoth Reservoir Dam Rehabilitation

Authorization: Severance Tax Fund	County: Boulder – N.E. of Lyons
Water Source: St. Vrain Creek	Project Yield: 4,800 acre-feet
Terms of Loan: \$1,515,000@2.6% for 30-years	Project Type: Dam Rehabilitation

Supply Irrigating Ditch Company services approximately 8,500 acres of irrigated farmland in Boulder County between Lyons and Mead. Currently the water for irrigation is supplied by a direct flow decree and from the Beaver Park Reservoir (which is approx. 25 miles west of the start of the Supply Ditch near the continental divide). Supply Irrigating Ditch Company is in the process of acquiring a storage decree within Knouth Reservoir in exchange for the rehabilitation of the reservoir. This reservoir will give the Company some system flexibility, as this storage is significantly closer to users than Beaver Park Reservoir. The reservoir improvements include: construction of a spillway, removing vegetation from the embankment of the dam, lining select areas on the upstream dam face with a clay liner, placing riprap along the upstream dam face, enclosing an irrigation ditch within a pipe, and installing dam instrumentation. URS Corporation is currently working on the final SEO plans, which could be approved sometime this summer. Design changes and refinement of the original cost estimate have resulted in an increase to the overall project cost. The Company was approved for additional loan funds at the November 2009, for a new loan amount of \$1,515,000. The Company was recently informed by Little Thompson Water District that they will not be participating in the project, given the cost per acre-foot to complete the project. The Company is currently evaluating its options to continue with the project.

28. Owl Creek Reservoir Company - Reservoir Rehabilitation

Authorization: Construction Fund	County: Weld
Water Source: Owl Creek Basin	Project Yield: 1,200 acre-feet
Terms of Loan: \$1,125,000 @2.75% for 30-years	Project Type: Reservoir Rehabilitation

Owl Creek Reservoir is located approximately 6 miles east and 3 miles north of the Town of Ault. The reservoir was originally constructed in 1896 to store water for irrigation. The dam was constructed of granular material, and over the years has suffered structural damage due to seepage. Given the condition of the dam embankment and the potential for failure, the dam was intentionally breached in 1983. The proposed project involves rehabilitating the existing dam embankment, the construction of a controlled outlet structure, and the construction of an emergency spillway. The project was bid in the fall of 2003. The Reservoir Company is currently exploring its options increasing the dredging quantity to obtain its full storage decree of 1,750 acre-feet. The Company is considering applying for additional funds from the Board to achieve the full reservoir capacity. Additionally, the Company has amended the loan contract for a 1-year time extension to complete the work. The Company is also researching the possibility of utilizing Owl Creek Reservoir as storage facility from flows outside of Owl Creek. This could be accomplished by pumping water from the Larimer Weld Canal, located approximately $\frac{3}{4}$ of a mile downstream of the reservoir. The Company has received bids and is currently negotiating with Barker Construction, Fort Collins, Colorado to construct project for approximately \$1,250,000. The Company has expended approximately \$450,000 to-date for permitting, soils, and design and will need an additional \$600,000 to complete the project. Staff has indicated to the Company that additional collateral will be required to proceed forward with a loan increase, which is currently being considered.

29. Penrose Water District – Water Rights Purchase and Pipeline Installation

Authorization: Severance Tax Fund

County: Fremont

Water Source: Arkansas River

Project Yield: 339 AF - Consumptive

Terms of Loan: \$8,844,570@3.25% for 30 yrs.

Project Type: Pump/Pipeline/Reservoir

The District currently provides domestic water to approximately 4,000 people with 1,700 taps in and around the Town of Penrose, with existing demand of 489 acre-feet per year. The District's water supply is a lease with the Beaver Park Water, Inc. (BPW) who owns and operates Brush Hollow Reservoir. The 1990 lease has a 30-year term, and provides an increasing amount of water each year, 751 AF in 2006, leveling out at 1,000 AF in 2020. In drought years, the amount available to PWD is further reduced below the contract amount. Future build-out demand in 2040 is projected to be 1,200 acre-feet for about 8,000 residents and 3,240 taps. The Project includes the acquisition of $\frac{5}{6}$ th of the Pleasant Valley Ditch water rights. Water will be diverted through alluvial wells and pumped 6 miles through a 12-inch pipe to Brush Hollow Reservoir. Brush Hollow will be used to store the water through a storage agreement. Water rights were purchased in 2005 with bridge financing. A water court application was filed in 2006.

UPDATE: Penrose will close on the Brush Hollow Reservoir storage purchase in November 2011.

30. Seven Lakes Reservoir Company – Reservoir Rehabilitation

Authorization: Severance Tax Fund

County: Weld and Larimer

Water Source: South Platte

Project Yield: 7,796 acre-feet

Terms of Loan: \$772,842@ 2.95% for 30 yrs.

Project Type: Reservoir Rehabilitation

The Seven Lakes Reservoir Company (SLRC) and its sister company Greeley and Loveland Irrigation Company (GLIC), own and operate an extensive system of reservoirs and canals in the Loveland and Greeley area. GLIC owns 4 reservoirs (including Lake Loveland and Boyd Lake) and SLRC owns 5 reservoirs (including Horseshoe Lake, immediately adjacent to Boyd Lake.). SLRC uses GLIC's Big Barnes Ditch to fill Horseshoe Reservoir. Water is carried in the Big Barnes Ditch and discharges into Lake Loveland at a decreed rate of 1000 cfs. SLRC desires to remove and replace an existing deteriorated 5-tunnel railroad crossing structure with a new bridge in order to safely move 1,000 cfs from the Big Thompson River through Lake Loveland to Horseshoe Reservoir, thus removing a serious bottleneck in

the flow path of water. This project originally included a new pre-fabricated railroad bridge however due to complications with BNSF Railroad requirements the Company has elected to bore under the railroad tracks. **UPDATE: BT Construction has been awarded the construction contract and will begin work in the winter of 2011/12.**

31. Duell and Snyder Improvement Company – Diversion Structure Rehabilitation

Authorization: Severance Tax Fund
Water Source: South Platte
Terms of Loan: \$90,900@2.50% for 30 yrs.

County: Morgan
Project Yield: 4,950 acre-feet
Project Type: Diversion Rehabilitation

The Duell and Snyder Improvement Company provides irrigation water to a 1,650 acre service area located in Morgan County. The Company operates a sand gate located on a South Platte River diversion structure. The sand gate is a vent section through the concrete rollover wall which is boarded up when the Company needs to divert water. Boards must be removed during the winter to allow excess sand (which builds up in front of the Company's diversion point) to wash down river. Currently, in order to remove boards and open the gate, a Company employee must walk several yards along the crest of the rollover wall to reach the sand gate. There is not a walkway or handrail for safety. Because this is a major safety concern for the Company, it evaluated alternatives to both improve the safety conditions for its employees and more efficiently operate the gate. The Company elected to replace the existing board gates with a new radial gate. However, after further evaluation from the contractor and engineer it was determined that the foundation of the entire diversion structure has been compromised over time due to long term erosion. Therefore, the Company is currently evaluating its options on how to address the foundation issue prior to commencing with any improvement above. The project costs could escalate considerably.

32. Farmers Highline Canal and Reservoir Co. – System Rehabilitation

Authorization: Construction Fund
Water Source: Clear Creek
Terms of Loan: \$1,410,768@4.65% for 30 yrs.

County: Adams/Jefferson
Project Yield: 24,000 AF
Project Type: Reservoir Rehabilitation

The Company was established in 1885 and it diverts water off of Clear Creek and it delivers water through a 31 mile canal running from Golden to Northglenn, through Arvada and Westminster. The Company has completed a canal evaluation and engineering planning study and identified a list of improvements it intends to do with the CWC loan proceeds. These items include: replacement of corroded drain pipes, replacement of three siphons, headgate rehabilitation, SCADA control system installation at the headgate, diversion dam rehabilitation, and tree removal along the ditch. This work is expected to be completed between the fall of 2010 through 2014.

33. Riverside Reservoir and Land Company – Riverside Reservoir Spillway Enlargement

Authorization: Severance Tax Fund
Water Source: South Platte River
Terms of Loan: \$2,838,100@2.5% for 30 yrs.

County: Weld
Project Yield: 64,000 AF (200 new)
Project Type: Spillway

The Riverside Reservoir and Land Company owns and operates the 64,000 acre-foot capacity Riverside Dam and Reservoir, an inlet canal known as Riverside Ditch, and a river diversion structure located near the town of Kersey, Colorado. The Company diverts water from the South Platte River, approximately 10 miles downstream of Greeley, Colorado. It stores water primarily during winter months for irrigation releases during the following water season. The Company delivers irrigation water to approximately 50,000 acres. There is a restriction of ½ foot (200 AF of storage loss) due to the lack of a spillway per State Dam Safety.

In order to prevent further storage restrictions, the Project includes constructing an emergency spillway. Construction is expected in the fall of 2011.

34. Riverside Ditch and Allen Extension Company – Ditch System Rehabilitation

Authorization: Construction Fund

County: Chaffee

Water Source: Arkansas River

Project Yield: 3,250 AF

Terms of Loan: \$186,345@2.75% for 30 yrs.

Project Type: System Rehabilitation

The Riverside Ditch and Allen Extension Company, located near Buena Vista, owns and operates the Riverside Ditch that provides irrigation water to a 450 acre service area within Chaffee County. A significant portion of the Company's structures along the 125 year old canal are in need of repair or replacement. The Company intends to complete a number of phased improvements to the canal that include: repairs to the river diversion; lining of portions of the canal to reduce seepage; installation of canal monitoring using SCADA equipment; phreatophyte removal; repair/replacement of aging headgates; and installation of standardized flumes. The proposed improvements would benefit the shareholders by improving overall canal efficiency, thereby increasing the consistency of shareholder headgate deliveries. Improvements are expected to be completed by the spring of 2012. Ditch lining phase of the project was completed in December 2010. Additional phases will be constructed in the winter of 2011.

35. Parkville Water District – Canterbury Tunnel Repair

Authorization: Construction Fund

County: Lake

Water Source: East Fork Arkansas

Project Yield: 1.086 AF

Terms of Loan: \$1,838,200@4.0% for 30 yrs.

Project Type: Tunnel Repair

The Parkville Water District provides municipal water for the Town of Leadville and surrounding areas. The District provides service to about 2300 taps. The Canterbury Tunnel has been a critical water supply source to the District for over 45 years. The Tunnel originally served as mine drainage; however, because it was of such good quality and reliability the District added it to its water supply system. About 15 years ago, the flow of water was significantly reduced due to a collapse in the tunnel. The District proposes to drill a new well to access the functioning part of the tunnel and pump the water to the District's distribution system. The Project design is complete. Use of CWCB funding for this project is in question.

36. Snowmass Water and Sanitation District – Ziegler Reservoir Expansion Project

Authorization: Construction Fund

County: Pitkin

Water Source: Snowmass Creek

Project Yield: 240 AF

Terms of Loan: \$2,873,804@4.75% for 20 yrs.

Project Type: Reservoir Construction

The District was approved for a loan to enlarge Ziegler Reservoir that it purchased in 2008. Prior to that, it did not have a useable raw water storage facility. The District purchased the reservoir to enlarge it from 57 AF to 240 AF. It will allow the District to regulate flows and provide a supply during times of diminished stream flows. The CWCB previously approved a loan to the District in May 2009 to construct the pipeline to deliver water to and from this reservoir. The reservoir expansion plans were submitted to the State Engineers Office in November of 2010. **UPDATE: Hudick Construction Company has completed the dam construction.**

37. Thunderbird Water & Sanitation District – Lambert Ranch Water Rights Purchase

Authorization: Construction Fund

County: Douglas

Water Source: Denver Basin Aquifer

Project Yield: 896 AF

Terms of Loan: \$318,150@4.25% for 20 yrs.

Project Type: Water Rights Purchase

The District provides potable water to the Indian Creek Ranch subdivision, consisting of 175 customers. The District plans to purchase 896 AF of Denver Basin Aquifer ground water rights that underlie the property known as Lambert Ranch. On average, the District delivers approximately 55 AF annually. The increase would enable the District to enlarge its available supply; thereby increasing system reliability, providing the redundancy necessary to allow for system maintenance and protect against aquifer depletions.

APPROVED BUT NOT UNDER CONTRACT**Lake Durango Water Authority – Source Water Supply Project (NOT UNDER CONTRACT)**

Authorization: Construction Fund

County: La Plata

Water Source: Animas River via Lake Nighthorse

Project Yield: 309 AF

Terms of Loan: \$2,525,000 @ 4.0% for 30 yrs.

Project Type: Water Rights/Infrastructure

The Authority serves 1,435 taps in southwest La Plata County. A safe yield analysis has indicated that the Authority can only supply water to 792 taps in a drought year. This was an issue in the 2002-2003 drought, so the Authority was approved for a loan and grant from CWCBC to purchase additional supply and storage to safely serve its customers. The Authority is planning on purchasing 100 AF of A-LP water from the Colorado Water Resources and Power Development Authority, constructing a pump station at Lake Nighthorse, building an access road, and installing a pipeline to bring water from Lake Nighthorse to Lake Durango where the Authority currently stores the majority of its water.

Southeastern Colorado Water Conservancy District – Arkansas Valley Conduit (NOT UNDER CONTRACT)

Authorization: Severance Tax Fund

County: Pueblo, Crowley, Otero, Bent

Water Source: Arkansas – Fry Ark Project

Project Yield: 6,555 AF

Terms of Loan: \$60,600,000@3.25% for 30 yrs.

Project Type: Raw Water Pipeline

The Arkansas Valley Conduit is designed to bring relatively clean raw water to 41 water providers in the lower Arkansas Valley, who currently either take water from the Arkansas River, and/or pump from shallow and/or deep aquifers. This pumped water has quality problems and requires significant treatment before it meets Clean Drinking Water standards. The conduit will begin at Pueblo Reservoir Dam, where a 30.94 cfs municipal outlet is already in place and reserved for the specific use of the conduit. The conduit will gravity flow approximately 138 miles down the Arkansas River Valley to Lamar. The conduit water will flow by the St. Charles Mesa Water District where it will enter a water filtration plant. As the conduit moves down the valley, spurs will take off the main line to deliver water to local and regional water providers. The conduit will receive its water from the USBR Fryingpan-Arkansas Project. Currently, about 5,779 acre-feet of water per year is available for entities East of Pueblo in an average year. Additionally, Return Flows are retained by the District and can be exchanged back up to Pueblo Reservoir for delivery. These Return Flows can provide up to an additional 1,600 acre-feet of water. Storage is available to these entities in Pueblo Reservoir because they are in the SECWCD service area. This storage will help provide water in the years when less than average water is provided by the Fry-Ark

Project. The water will be provided strictly for municipal and industrial purposes. Final chlorination or treatment will be left up to each water provider. The conduit is currently planned to be paid 80% (approximately \$240 million) by the federal government. The District is proceeding with NEPA permitting efforts with Federal funding assistance.

Huefano-Cucharas Irrigation Co. – Cucharas Reservoir Rehabilitation (NOT UNDER CONTRACT)

Authorization: Severance Tax Fund

Water Source: Cucharas River

Terms of Loan: \$1,622,060@2.5% for 30 yrs.

County: Pueblo/Huerfano

Project Yield: 7,500 AF (New)

Project Type: Reservoir Rehabilitation

The Huerfano-Cucharas Irrigation Company provides irrigation water to farmers in the Arkansas valley. The Company was organized in 1944 and currently has 47 shareholders. The Company owns and operates the Cucharas Reservoir, located east of Walsenburg. The dam is a 145-foot high rock fill dam that has undergone several enlargements since the original construction in 1914. The reservoir has a capacity of 35,395 acre-feet. A storage restriction has been in place since 1988 with a deadline of October 1, 2010, imposed by the SEO either to rehabilitate the existing dam, replace it with a new dam or a zero no-storage restriction will be imposed followed by an order to breach the dam and remove the hazard it represents. The Company plans to rehabilitate the existing dam to allow a reduced level (7,500 AF) of storage. The Project involves lowering the spillway, replacing outlet gates, installing a satellite monitoring system, and updating a new Emergency Action Plan. Pending SEO plan approval, project construction might begin during the winter of 2010/11. The owners of the project have changed since the original authorization by the Board. The project is to be de-authorized and a new project presented to the Board at the November 2010 meeting based on the new owner's financials and project plan.

South Metro Water Supply Authority – Raw Water Delivery (NOT UNDER CONTRACT)

Authorization: Construction Fund

Water Source: South Platte

Terms of Loan: \$5,090,400@4.50% for 30 yrs.

County: Adams/Denver/etc.

Project Yield: 10,750 acre-feet

Project Type: Raw Water Delivery

South Metro Water Supply Authority (Authority) is made up of 13 independent water providers that serve communities in the southern area of metro Denver. Currently, the Authority members rely mainly on groundwater aquifers to supply the area's M&I needs. Because this source is nonrenewable, members have been working to identify new supplies of water and opportunities to share resources and infrastructure to reduce dependence on groundwater. The Authority intends to acquire capacity in the East Cherry Creek Valley Water and Sanitation District (ECCV) Northern Supply Pipeline as a means to convey renewable water supplies, recapture consumable return flows, and increase operational flexibility. The Pipeline is a 48-inch steel pipe that runs from Barr Lake to ECCV's service area (located to the east of Cherry Creek Reservoir). The capacity is 47 mgd. The Pipeline is a regional transmission line and will deliver water both to storage reservoirs and directly to Authority members who will then deliver the water through their distribution systems. The Authority is acquiring a total of 31.98 mgd of excess capacity from ECCV. The four members seeking funding from the CWCB will be acquiring 6.55 mgd of this total capacity. Final purchase and operating agreements are still under negotiation.

STATE OF COLORADO

OFFICE OF THE EXECUTIVE DIRECTOR

Department of Natural Resources
1313 Sherman Street, Room 718
Denver, Colorado 80203
Phone: (303) 866-3311
Fax: (303) 866-2115
dnr.state.co.us

October 14, 2011

Public Comments Processing, Attn: FWS-R2-ES-2011-053
Division of Policy and Directives Management
U.S. Fish and Wildlife Service
4401 N. Fairfax Drive, MS 2042-PDM
Arlington, VA 22203

Re: Comments on Designation of Revised Critical Habitat for the Southwestern Willow Flycatcher.



John W. Hickenlooper
Governor

Mike King
Executive Director

To Whom It May Concern:

The State of Colorado appreciates the opportunity to review and comment on the U.S. Fish and Wildlife Service's ("Service") "*Proposed Designation of Revised Critical Habitat for the Southwestern Willow Flycatcher*" as described in the Federal Register Notice of August 15, 2011. Fed. Reg., Vol. 76, No. 157, August 15, 2011. These comments are submitted by the Department of Natural Resources, on behalf of the State of Colorado.

The Service proposes to expand designation of critical habitat for the endangered Southwestern Willow Flycatcher (SWF) "to work toward achieving numerical, geographical and habitat related recovery goals." Fed. Reg. at 50545. To this end, the Service proposes to designate approximately 2,090 stream miles within the Colorado River and Rio Grande basins with a lateral extent including riparian and stream areas that occur within the 100 year floodplain or flood prone areas. According to the proposed designation, critical habitat is intended to include not only areas where SWF have been or may be present, but also areas "that can provide for normal population fluctuation and habitat succession that may occur in response to natural and unpredictable events." *Id.* at 50552.

The SWF is presumed to occur at the extreme northern extent of its range in Colorado (although its range has been called into question by recent genetics work). Potential SWF habitat occurs in the San Juan and San Luis Valley Management Units in southwestern and south-central Colorado. Specifically relevant to Colorado, the proposed critical habitat designation contemplates including the: (1) San Luis Valley Management Unit in Colorado; (2) the San Juan Management Unit in Colorado, Utah, New Mexico and Arizona; and (3) Elephant Butte Dam and Reservoir within the Middle Rio Grande Management Unit of New Mexico.

Before finalizing its proposed designation, the Service seeks input on why these and other proposed areas should or should not be designated as critical habitat and whether any of these areas should be considered for exclusion under Section 4(b)(2) of the Endangered Species Act, 16 U.S.C. § 1551, *et. seq.* (1973) (ESA). *See id.* at 50542. Section 4(b)(2) provides in relevant part:

Board of Land Commissioners • Division of Reclamation, Mining & Safety • Colorado Geological Survey
Oil & Gas Conservation Commission • Water Conservation Board • Division of Forestry
Division of Water Resources • Division of Parks and Wildlife

The Secretary may exclude any area from critical habitat if he determines that the benefits of such exclusion outweigh the benefits of specifying such area as part of the critical habitat, unless he determines, based on the best scientific and commercial data available, that the failure to designate such area as critical habitat will result in the extinction of the species concerned proposed designation.

ESA at §1554 (b)(2).

Furthermore, the Service acknowledges that developed areas inside the proposed critical habitat boundaries are not intended to be included as part of the designation and should be excluded by text in the critical habitat ruling. Fed. Reg. at 50557.

Under this framework, the State of Colorado provides the following comments in support of excluding specific areas in Colorado as well as the Elephant Butte Dam and Reservoir from critical habitat designation for the SWF.

- A. **Overall:** The need to designate critical habitat for the SWF in Colorado should be carefully considered. The recovery goal of 50 territories has been surpassed and sustained in the San Luis Valley Management Unit. Based on the currently-defined northern boundary for the flycatcher, suitable habitat in Colorado is expected to be used primarily for breeding. Because the flycatcher is currently presumed to reach its extreme northern limit in Colorado, relatively little migratory habitat is expected to be used. At best Colorado represents the fringe of the SWF range and there remain questions as to what additional conservation benefit designation of critical habitat will have for recovery of the species in the state.
- B. **The San Luis Valley Management Unit:** Colorado agrees with the Service's assessment to potentially exclude the San Luis Valley Management Unit under Section 4(b)(2).¹ A coalition of private, state, and federal agencies and organizations have formed the San Luis Valley Partnership in the San Luis Valley of Colorado. This Partnership has proactively worked to develop the San Luis Valley Regional Habitat Conservation Plan (HCP) to obtain ESA coverage for current and foreseeable activities in concert with addressing the SWF and its habitat in the San Luis Valley. Concurrent with the plan, a number of conservation easements have been established within the Valley by funds from, among others, the State of Colorado to protect land and habitat along the Rio Grande Corridor. Details of ongoing conservation efforts and the developing HCP for the San Luis Valley are set forth in the Rio Grande Water Conservation District's comments to the Service's proposed critical habitat designation and incorporated herein. The Draft HCP and associated NEPA compliance documentation are expected to be available for public review before the end of the year.

The benefits of excluding the San Luis Valley Management Unit from critical habitat designation include reduction in administrative costs associated with engaging in the critical habitat portion of Section 7 consultations in the future. More importantly, however, it promotes cooperative conservation efforts among private parties and the Service. The last 6+ years of habitat conservation planning has cultivated collaboration

¹ Prior to considering exclusions, the proposed rule contemplates designating an ~ 100 mile stream segment along the Rio Grande and a 44 mile stream segment along the Conejos River in the San Luis Valley as critical habitat for their substantial recovery value for the SWF.

and trust among and between the San Luis Valley Partnership and Service in their efforts to conserve and contribute to the recovery of the SWF.

Excluding this area from critical habitat would help promote and honor that trust by providing greater certainty for permittees that once appropriate conservation measures have been agreed to and consulted on for listed and sensitive species additional consultation will not be necessary. Designation of critical habitat within the San Luis Valley may be perceived as a disincentive to those entities currently developing the HCP and cause future participants to abandon the voluntary HCP process.

In comparison, there is minimal benefit to designating critical habitat for the SWF within the San Luis Valley Management Unit. According to Service, the benefits of designating critical habitat include "public awareness of flycatcher presence and the importance of habitat protection." Fed. Reg. at 50581. However, these benefits have been realized in Colorado. Furthermore, conservation achieved through implementing the conservation efforts and HCP is far greater than what might be achieved through regulatory enforcement pursued under ESA section 7 consultations for critical habitat considerations. The provisions of the proposed HCP are designed to promote conservation over nearly 2 million acres of potential habitat for the SWF and the western yellow-billed cuckoo; well beyond the land area proposed for critical habitat. Additionally, the HCP process has motivated both public and private stakeholders to evaluate and commit resources for implementing long-term management, protection and monitoring measures that contribute to the conservation and recovery of the SWF throughout the San Luis Valley planning area. This process has involved NEPA analyses, public participation, and ESA consultations to assure good decision making and provide for issuance of an incidental take permit consistent with Sections 9 and 10 of the ESA.

In contrast, protection of critical habitat under Section 7 of the ESA focuses solely on preventing adverse modification of habitat resulting from specific projects with a federal nexus. It does not provide for conservation or long-term benefits to the region as a whole or contemplate conservation measures in the absence of a federal action. In short, the benefits of excluding the San Luis Valley Management Unit from critical habitat designation outweigh the benefits of inclusion. We, therefore, urge the Service to adopt this exclusion.

- C. **Elephant Butte Dam and Reservoir:** The proposed critical habitat designation contemplates including a segment of the Rio Grande that extends "through the Elephant Butte Reservoir" in New Mexico. Fed. Reg. at 50543, 50576. However, Elephant Butte Dam and Reservoir play a significant role in effectuating compliance under the Rio Grande Compact. Furthermore, operation of the reservoir does not require special management to provide for conservation and recovery of the SWF, because the reservoir can still play an important role in the conservation of the SWF without being designated critical habitat. *See Id.* at 50552. Accordingly, the Elephant Butte Dam and Reservoir should be excluded from critical habitat designation.

The Rio Grande Compact equitably divides the water of the Rio Grande between the States of Colorado, New Mexico and Texas. The Compact is a state statute in each State, a contract among the States and a Federal Statute, passed by Congress and signed into law by the President of the United States. 52 Stat. 785 (1938); § 37-66-101, C.R.S.; N.M. Stat. Ann. § 72-15-23; V.T.C.A., Water Code § 41.009. The Compact defines and guarantees the rights and obligations of the States to the waters of the Rio Grande. One of the rights guaranteed to the Colorado and New Mexico is the ability to store water in

post-compact reservoirs when there is more than 400,000 acre-feet of usable water in Rio Grande Project storage. *See* Article VII of the Rio Grande Compact. The Rio Grande Project relies primarily on Elephant Butte Reservoir to store Project water. Any restriction on the ability to store water in Elephant Butte Reservoir will concomitantly result in less storage capacity and thereby restrict the right Colorado and New Mexico have to store water in post-compact reservoirs, in contravention of their rights under the Rio Grande Compact.

The Rio Grande Compact also allows Colorado and New Mexico to retain credit for over-deliveries under their respective compact obligations. *See* Articles VI and VII of the Rio Grande Compact. This credit constitutes “wet water” in Elephant Butte Reservoir and would raise the reservoir elevation on top of Rio Grande Project water. Delivery of this creditable water to Elephant Butte Reservoir aids in keeping the Rio Grande river corridor wet and may yield ancillary benefits to the SWF. Restricting storage in Elephant Butte Reservoir could dis-incentivize over-deliveries because the credit would simply pass through the reservoir and be lost to the upstream states. Such loss directly impacts Colorado and New Mexico guarantees under the Compact. Also, this potential disincentive could push Colorado and New Mexico to maximize uses above Elephant Butte which would translate into less flows in the River to Elephant Butte, which, in turn would cause a loss of ancillary benefits to the SWF above Elephant Butte.

Likewise, Elephant Butte Reservoir is also operated to deliver to Mexico a total of 60,000 acre-feet of water annually pursuant to Article 1 of the 1906 Treaty between the United States and Mexico regarding the equitable distribution of the Rio Grande. Convention Between the United States and Mexico: *Equitable Distribution of the Waters of the Rio Grande*, Art. 1, Jan. 16, 1907. Restrictions on the ability to store and release water from the Elephant Butte reservoir could implicate the United States' ability to comply with this century old treaty obligations.

None of these impacts, however, are necessary to assure conservation of critical habitat for the SWF in the Middle Rio Grande Management Unit. According to the Service, successional cycles of habitat change “are important to the long-term persistence of flycatcher habitat.” Fed. Reg. at 50547. At Elephant Butte Dam, the rise and fall of storage has contributed to the development of “one of the largest populations of flycatchers in their range. *Id.* at 50576. Under these circumstances, it does not appear that special management at Elephant Butte is necessary to conserve and contribute to the recovery of the SWF. Nonetheless, the proposed designation acknowledges that “it is not practical to assume that any given breeding habitat area will remain suitable over the long term or persist in the same location.” *Id.* at 50547. In the case of Elephant Butte, habitat will not be fully eradicated as a result of reservoir operations. If storage increases at the reservoir, vegetation will likely cycle to develop at the edges of the pool, wherever that may be. Furthermore, federal activities at the reservoir “will still be subject to review under section 7 of the [ESA] if they affect the SWF” and “[p]rohibitions of Section 9 of the [ESA] also continue to apply both inside and outside of designated critical habitat.” *Id.* at 50552. It can be asserted, therefore, that flexible operation of Elephant Butte reservoir can continue to aid the SWF and does not pose a threat to the continued recovery of the subspecies. Under these circumstances, the impacts to water operations far outweigh the benefit of designating the operating pool of Elephant Butte reservoir as critical habitat for the SWF.

- D. **San Juan Management Unit:** Proposed critical habitat in the San Juan Management Unit includes, among others, a segment of the Los Pinos and San Juan Rivers in La Plata

County, Colorado. Fed. Reg. at 50571-50572. This segment reportedly occurs through the Town of Bayfield, Colorado and also passes through Southern Ute Tribal Lands and the Navajo Nation. *Id.* Colorado believes this segment should be considered for exclusion to the extent it occurs within developed areas, tribal lands, and/or implicates ongoing conservation measures under the San Juan River Recovery Implementation Program (SJRIP).

In the proposed rule, the Service acknowledges that “developed lands” left inside critical habitat mapping boundaries will be excluded by text and are not proposed for designation. *Id.* at 50557. The Town of Bayfield should be considered one of these developed area exclusions. It contains buildings, pavement, and other structures that limit physical and biological features for the SWF. In addition, although the economic analysis has yet to be finalized, it is likely that critical habitat designation within the town could directly effect economic development within town limits. Accordingly, the text of the final rule should expressly exclude the Town of Bayfield consistent as a developed area consistent with Service’s designation considerations.

Regarding proposed designations within the tribal land boundaries, we support the Service considering tribal partnerships and excluding tribal lands along the Los Pinos and San Juan Rivers in Colorado under Section 4(b)(2) of the ESA. A significant majority of the potential habitat on the Los Pinos River occurs on the Southern Ute tribal land. Existing management plans and conservation between the Service and Southern Ute Tribe should be closely examined.

We also urge the Service to also consider the conservation measures implemented through the SJRIP that may have an added benefit for the SWF. The purpose of the SJRIP is to protect and recover endangered fishes (Colorado pikeminnow and razorback sucker) in the San Juan River Basin while water development proceeds in compliance with all applicable Federal and State laws. Specifically, this program, which has been in effect since 1992, is designed to assure flows in the San Juan River Basin to aid in the recovery of these species while allowing for continued development in the region. To this end, the SJRIP has been noted for the cooperative spirit in which it has been developed and for its utility in moving the recovery program forward while minimizing conflict between potentially competing interests. Relevant to the current proposed rule, the SJRIP provides the added benefit of assuring a supply of water in the San Juan Basin which aids in the conservation of the SWF. Colorado recommends the Service acknowledge and not interfere with the SJRIP when considering whether and to what extent critical habitat for the SWF should be designated in the San Juan River Basin.

- E. **Monitoring:** Colorado also strongly urges the Service to complete an assessment of the genetic status and distribution of the SWF. Paxton et al. 2008 (see below) provided information bringing into question the northern limit of the flycatcher distribution. We understand the Service recognizes this issue and continues to collect genetic samples. *See*, Fed. Reg. at 50544. Furthermore, we understand the Service will continue to recognize the northern geographic boundary of the SWF as described in the Recovery Plan; however, Paxton et al. (2008) suggests that the geographic boundary may lie mostly or entirely outside the state of Colorado. The question of where the regulatory northern boundary should be placed brings into question the need for ongoing regulatory compliance in much of Colorado, including the potential designation of critical habitat. This issue has great financial and workload implications for Colorado, the Service, and private landowners and should be addressed immediately. We recommend the Service

undertake a targeted effort to resolve the question of the northern boundary of the flycatcher.

(Paxton, E.H., Sogge, M.K., Theimer, T.C., Girard, J. and Keim P. 2008. Using molecular genetic markers to resolve a subspecies boundary: the northern boundary of the Southwestern Willow Flycatcher in the four-corner states. U.S. Geological Survey Open-File Report 2008-1117, 20 p.)

The State of Colorado thanks the Service for the opportunity to provide these comments. We remain committed to working with the Service and other interested stakeholders to develop a reasonable and sound rule for designating critical habitat for the SWF. In this effort, we ask that the Service please consider the above comments as it develops its economic and NEPA analyses and finalizes this proposed rule for SWF critical habitat designation.

Sincerely,



Mike King
Executive Director

Cc: Alexandra Davis, Assistant Director for Water
Rick D. Cables, Director for Division of Parks and Wildlife
Dick Wolfe, State Engineer
Jennifer Gimbel, Director for Colorado Water Conservation Board



their homes or regular places of business in the performance of services for the Commission as approved by the DFO, members will be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed such expenses under § 5703 of Title 5 of the United States Code.

The Obama Administration prohibits individuals who are currently federally registered lobbyists to serve on all Federal Advisory Committee Act (FACA) and non-FACA boards, committees or councils.

Submitting Nominations:

Nominations should be typed and must include each of the following:

- A. Brief summary of no more than two (2) pages explaining the nominee's suitability to serve on the Commission.
- B. Resume or curriculum vitae.
- C. At least one (1) letter of reference.

All required documents must be compiled and submitted in one complete nomination package. This office will not assemble nomination packages from documentation sent piecemeal. Incomplete submissions (missing one or more of the items described above) will not be considered.

Dated: June 21, 2011.

Kathy Billings,

Superintendent, Koloko-Honokohau National Historical Park.

[FR Doc. 2011-26713 Filed 10-14-11; 8:45 am]

BILLING CODE 4312-GH-P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

National Park Service

Notice To Solicit Comments and Hold Public Scoping Meetings on the Adoption of a Long-term Experimental and Management Plan for the Operation of Glen Canyon Dam

AGENCY: Bureau of Reclamation and National Park Service, Interior.

ACTION: Notice.

SUMMARY: The Department of the Interior (Department), through the Bureau of Reclamation and the National Park Service, provided notice on July 6, 2011, that the Department intends to prepare an environmental impact statement (EIS) and conduct public scoping meetings for the adoption of a Long-term Experimental and Management Plan (LTEMP) for the operation of Glen Canyon Dam. This **Federal Register** notice provides specific information on upcoming

public scoping meetings and identifies the relevant comment period.

DATES: Comments on the scope of the EIS will be accepted until close of business on Friday, December 30, 2011.

Six public scoping meetings and one web-based meeting will be held to solicit public input on the scope of the environmental document, potential alternatives, and issues to be addressed in the EIS. See **SUPPLEMENTARY INFORMATION** section for meeting dates.

For specific information about the web-based meeting (date, time, etc.), please refer to the project Web site at: <http://ltempeis.anl.gov>.

ADDRESSES: You may submit comments by the following methods:

- Web site: <http://ltempeis.anl.gov>.
- Mail: Glen Canyon LTEMP EIS Scoping, Argonne National Laboratory, EVS/240, 9700 S. Cass Avenue, Argonne, Illinois 60439.

See **SUPPLEMENTARY INFORMATION** section for locations of public scoping meetings.

FOR FURTHER INFORMATION CONTACT: For further information and/or to have your name added to our mailing list, contact Beverley Heffernan, Bureau of Reclamation, Upper Colorado Region, Attention: UC-700, 125 South State Street, Salt Lake City, Utah 84138-1147; facsimile (801) 524-3826; or visit the Glen Canyon LTEMP EIS Web site at: <http://ltempeis.anl.gov>. Persons who use a telecommunications device for the deaf may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: In a **Federal Register** notice published on July 6, 2011 (76 FR 39435), and pursuant to section 102(2)(C) of the National Environmental Policy Act (NEPA) of 1969, as amended, and 40 CFR 1508.22, the Department provided notice that it would prepare an EIS and conduct public scoping meetings for the adoption of an LTEMP for the operation of Glen Canyon Dam.

The purpose of the proposed LTEMP is to inform Departmental decisions and operate Glen Canyon Dam in such a manner as to improve and protect downstream resources in Glen Canyon National Recreation Area and Grand Canyon National Park while maintaining compliance with relevant laws, including the 1992 Grand Canyon Protection Act (GCPA), the Law of the River, and the Endangered Species Act (ESA). The LTEMP process is intended

to develop and implement a structured, long-term experimental and management plan, to determine the need for potential future modifications to Glen Canyon Dam operations, and to determine whether to establish an ESA Recovery Implementation Program for endangered fish species below Glen Canyon Dam.

Revised dam operations and other actions under the jurisdiction of the Secretary of the Interior will be considered within alternatives of the EIS, in keeping with the scope of the GCPA. The NEPA process will document and evaluate impacts of the alternatives described in the EIS.

Scoping Information

Six public scoping meetings will be held to solicit comments on the scope of the LTEMP and the potential issues and alternatives that may be considered.

Each scoping meeting will include a welcome and project overview session (15 minutes) and opportunities for the public to view exhibits, informally discuss issues, and ask questions of technical experts and managers. Stations will be available for participants to provide electronic and written comments for the record. Comments should focus on the issues relevant to the proposed Federal action published in the July 6, 2011, **Federal Register** notice (76 FR 39435). To be most effectively considered, comments should be received no later than close of business on Friday, December 30, 2011. Those not desiring to submit comments during the scoping period, but who would like to receive a copy of the draft EIS (DEIS), may register their address at a public scoping meeting or on the project Web site at <http://ltempeis.anl.gov>. Public availability of the DEIS will be announced in the **Federal Register**, in the local news media, through direct contact with interested parties, and on the project Web site. Comments will be solicited on the DEIS at that time.

Dates and Addresses of Public Scoping Meetings

The scoping meeting dates and addresses are:

- Monday, November 7, 2011, 6 to 8 p.m., Sheraton Crescent Hotel, 2620 W. Dunlap Avenue, Phoenix, Arizona 85201.
- Tuesday, November 8, 2011, 6 to 8 p.m., Radisson Woodlands Hotel Flagstaff, 1175 W. Route 66, Flagstaff, Arizona 86001.
- Wednesday, November 9, 2011, 6 to 8 p.m., Courtyard Page at Lake Powell, 600 Clubhouse Drive, Page, Arizona 86040.

• Tuesday, November 15, 2011, 6 to 8 p.m., Hilton Salt Lake City Center, 255 South West Temple, Salt Lake City, Utah 84101.

• Wednesday, November 16, 2011, 6 to 8 p.m., Ramada Las Vegas, 325 East Flamingo Road, Las Vegas, Nevada 89169.

• Thursday, November 17, 2011, 6 to 8 p.m., Sheraton Denver West Hotel, 360 Union Boulevard, Lakewood, Colorado 80228.

Public Disclosure

Before including a name, address, telephone number, e-mail address, or other personal identifying information in the comment, please be advised that the entire comment—including personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: October 5, 2011.

Anne J. Castle,

Assistant Secretary—Water and Science.

Rachel Jacobson,

Acting Assistant Secretary—Fish and Wildlife and Parks.

[FR Doc. 2011-26651 Filed 10-14-11; 8:45 am]

BILLING CODE 4310-MN-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-638 (Third Review)]

Stainless Steel Wire Rod From India; Scheduling of an Expedited Five-Year Review Concerning the Antidumping Duty Order on Stainless Steel Wire Rod From India

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of an expedited review pursuant to section 751(c)(3) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(3)) (the Act) to determine whether revocation of the antidumping duty order on stainless steel wire rod from India would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. For further information concerning the conduct of this review and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207,

subparts A, D, E, and F (19 CFR part 207).

DATES: *Effective Date:* October 4, 2011.

FOR FURTHER INFORMATION CONTACT: Edward Petronzio (202-205-3176), Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this review may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background.—On October 6, 2011, the Commission determined that the domestic interested party group response to its notice of institution (76 FR 38686, July 1, 2011) of the subject five-year review was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting a full review.¹ Accordingly, the Commission determined that it would conduct an expedited review pursuant to section 751(c)(3) of the Act.²

Staff report.—A staff report containing information concerning the subject matter of the review will be placed in the nonpublic record on November 10, 2011 and made available to persons on the Administrative Protective Order service list for this review. A public version will be issued thereafter, pursuant to section 207.62(d)(4) of the Commission's rules.

Written submissions.—As provided in section 207.62(d) of the Commission's rules, interested parties that are parties to the review and that have provided individually adequate responses to the notice of institution,³ and any party other than an interested party to the

review may file written comments with the Secretary on what determination the Commission should reach in the review. Comments are due on or before November 16, 2011 and may not contain new factual information. Any person that is neither a party to the five-year review nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the review by November 16, 2011. However, should the Department of Commerce extend the time limit for its completion of the final results of its review, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. Please consult the Commission's rules, as amended, 76 FR 61937 (Oct. 6, 2011) and the Commission's Handbook on Filing Procedures, 76 FR 62092 (Oct. 6, 2011) available on the Commission's Web site at <https://edis.usitc.gov>.

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Determination.—The Commission has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

Authority: This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.

Issued: October 11, 2011.

James R. Holbein,

Secretary to the Commission.

[FR Doc. 2011-26669 Filed 10-14-11; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-410 (Third Review)]

Light-Walled Rectangular Pipe From Taiwan; Scheduling of an Expedited Five-Year Review Concerning the Antidumping Duty Order on Light-Walled Rectangular Pipe From Taiwan

AGENCY: United States International Trade Commission.

¹ A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's Web site.

² Commissioner Daniel R. Pearson concluded that both the domestic group response and the respondent group response for this review were adequate and voted for a full review.

³ The Commission has found the responses submitted by Carpenter Technology Corporation, North American Stainless, and Mukand Ltd. to be individually adequate. Comments from other interested parties will not be accepted (see 19 CFR 207.62(d)(2)).

COLORADO PARKS AND WILDLIFE

6060 Broadway • Denver, Colorado 80216
 Phone (303) 297-1192 • FAX (303) 291-7109
wildlife.state.co.us • parks.state.co.us

COLORADO WATER CONSERVATION BOARD

1313 Sherman Street, Room 723
 Denver, Colorado 80203
 Phone (303) 866-3441 • FAX (303) 866-4474
www.cwcb.state.co.us



October 24, 2011

Ms. Lucy Maldonado
 U.S. Bureau of Reclamation
 Eastern Area Colorado Office
 11056 W. County Road 18E
 Loveland, CO 80537

via email: lmaldonado@usbr.gov

RE: Draft Environmental Assessment and FONSI – Colorado Water Users' Commitment to Provide 10,825 Acre-Feet to the 15-Mile Reach of the Upper Colorado River

Dear Ms. Maldonado:

Since 1988, the Colorado Water Conservation Board (CWCB) and Colorado Parks and Wildlife (CPW) have participated in, and actively supported, the Upper Colorado River Endangered Fish Recovery Program ("Program"). The CWCB and CPW have dedicated a significant amount of money and resources towards assuring the success of this Program, which has demonstrated a proven ability to make significant gains to recover endangered fish while allowing water development to continue. This Program is regarded as a model for how to address ESA issues.

The CWCB and CPW support the implementation of the "proposed action alternative" or "preferred alternative" as referred to in the Draft Environmental Assessment for the Colorado Water Users' Commitment to Provide 10,825 Acre Feet to the 15 Mile reach of the Upper Colorado River (EA). The CWCB and CPW also concur with the potential mitigation options associated with the preferred alternative, and the issuing of a "Finding of No Significant Impact" (FONSI) by the Bureau of Reclamation (BOR) regarding these actions. Overall, implementation of the preferred alternative is critically important to allowing the Colorado water users to meet their commitment to provide 10,825 acre-feet of water to the 15-mile reach of the Upper Colorado River for the benefit of the Program.

Release of 5412.5 acre-feet of water from Granby Reservoir will also provide critical water temperature moderation to the Colorado River between Windy Gap Reservoir and the confluence of the Williams Fork River as well as enhancing flows in the Upper Colorado River below Granby Reservoir.

John W. Hickenlooper
 Governor

Mike King
 DNR Executive Director

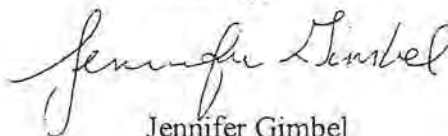
Jennifer L. Gimbel
 CWCB Director

Rick D. Cables
 Colorado Parks and Wildlife
 Director

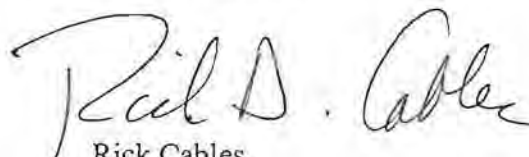
The only suggestion we have before the implementation contracts are completed is for BOR and the contributing parties to further clarify how the preferred alternative will be administered and implemented. To that end, we encourage the BOR to work with the CWCB, DWR and other affected stakeholders, to assure successful implementation of the preferred alternative in a manner consistent with Colorado water law.

If you have any questions, do not hesitate to contact myself or Ted Kowalski, Section Chief of the Interstate and Federal Section for the CWCB.

Sincerely,



Jennifer Gimbel
CWCB Director



Rick Cables
CPW Director

cc: Don Ostler
John D'Antonio
Patrick Tyrrell
Dennis Strong
Mike Styler
Larry Walkoviak
Greg Gerlich
Matt Nicholl
Jay Skinner
Sherman Hebein
Lyle Sidener

COLORADO WATER CONSERVATION BOARD

FINANCIAL ACTIVITY REPORT

FOR FISCAL YEAR 2012

CONSTRUCTION FUND

Period	Principal	Interest	Total Received	Disbursements	Net Activity
July 2011	\$ 1,561,271	\$ 1,000,359	\$ 2,561,630	\$ 18,981	\$ 2,542,649
August 2011	\$ 255,073	\$ 220,854	\$ 475,927	\$ 1,172,066	\$ (696,139)
September 2011	\$ 503,491	\$ 328,170	\$ 831,661	\$ -	\$ 831,661
October 2011	\$ 547,971	\$ 276,791	\$ 824,763	\$ 645,630	\$ 179,133
November 2011	\$ -	\$ -	\$ -	\$ -	\$ -
December 2011	\$ -	\$ -	\$ -	\$ -	\$ -
January 2012	\$ -	\$ -	\$ -	\$ -	\$ -
February 2012	\$ -	\$ -	\$ -	\$ -	\$ -
March 2012	\$ -	\$ -	\$ -	\$ -	\$ -
April 2012	\$ -	\$ -	\$ -	\$ -	\$ -
May 2012	\$ -	\$ -	\$ -	\$ -	\$ -
June 2012	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2012 Totals	\$ 2,867,807	\$ 1,826,174	\$ 4,693,981	\$ 1,836,677	\$ 2,857,304

SEVERANCE TAX TRUST FUND PERPETUAL BASE ACCOUNT

Period	Principal	Interest	Total Received	Disbursements	Net Activity
July 2011	\$ 82,727	\$ 121,546	\$ 204,273	\$ 43,888	\$ 160,385
August 2011	\$ 164,379	\$ 85,011	\$ 249,391	\$ 14,144	\$ 235,247
September 2011	\$ 661,555	\$ 900,733	\$ 1,562,288	\$ 362,094	\$ 1,200,194
October 2011	\$ 352,032	\$ 322,801	\$ 674,833	\$ 2,501,968	\$ (1,827,135)
November 2011	\$ -	\$ -	\$ -	\$ -	\$ -
December 2011	\$ -	\$ -	\$ -	\$ -	\$ -
January 2012	\$ -	\$ -	\$ -	\$ -	\$ -
February 2012	\$ -	\$ -	\$ -	\$ -	\$ -
March 2012	\$ -	\$ -	\$ -	\$ -	\$ -
April 2012	\$ -	\$ -	\$ -	\$ -	\$ -
May 2012	\$ -	\$ -	\$ -	\$ -	\$ -
June 2012	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2012 Totals	\$ 1,260,693	\$ 1,430,092	\$ 2,690,785	\$ 2,922,094	\$ (231,309)
GRAND TOTALS	\$ 4,128,499	\$ 3,256,266	\$ 7,384,765	\$ 4,758,770	\$ 2,625,995

WSRA Open Grant Projects - Board Approved - Not Yet Contracted																					
Basin	County	Applicant	Name of Water Activity	CWCB Meeting	Basin Account Approved	Statewide Account Approved	Total Request	Type of Water Activity	PM												Action/Comments/Notes
2011 September Board Approvals																					
Arkansas, Colorado, Gunnison, Metro, Rio Grande, South Platte, Southwest		Pikes Peak Regional Water Authority	Basin Roundtable Project Exploration Committee: Flaming Gorge	Sep-11	\$22,000	\$50,000	\$72,000	Study of structural, consumptive & nonconsumptive water project	Eric												10/6/2011 Issues w-9. Email to Elise sent 10/12 request IRS confirmation b-4 change is made w/State.
	Metro, South Platte	The Greenway Foundation	South Platte River Recreation and Habitat Improvement Preliminary Design	Sep-11	\$50,000	\$200,000	\$250,000	Study/analysis of a nonconsumptive project	Chris												Metro: \$25,000 South Platte: \$25,000
	Gunnison	Painted Sky Development and Resource Council	Hartland Dam Improvements	Sep-11	\$53,100	\$0	\$53,100	Structural water project	Chris												
	Gunnison	Colorado State University Extension (with: Colorado Water Irrigators)	Agricultural Weather Data Delivery Improvements to Uncompahgre Valley Irrigators	Sep-11	\$77,093	\$35,254	\$112,347	Nonstructural consumptive water project	Todd												
Rio Grande	Hinsdale	Conejos Water Conservancy District	Platoro Reservoir Crest of Dam Repair	Sep-11	\$15,000	\$135,000	\$150,000	Structural water project	Greg/Kirk												
Rio Grande	Costilla	Sanchez Ditch & Reservoir Company	Sanchez Reservoir Rehabilitation - Phase I Assessment & Upgrade	Sep-11	\$10,000	\$85,000	\$95,000	Study of structural & nonstructural, consumptive & nonconsumptive water project	Greg/Kirk												
Rio Grande	Rio Grande	The Colorado Rio Grande Restoration Foundation and McDonald Ditch Company	Plaza Project Phase 2 - McDonald Ditch	Sep-11	\$20,000	\$275,000	\$295,000	Structural water project	Greg/Chris												
South Platte	Various	Duck Unlimited, Inc.	South Platte River Phreatophyte Control Pilot	Sep-11	\$35,000	\$30,000	\$65,000	Environmental compliance, feasibility study, technical assistance, structural water project	Todd												
Southwest	La Plata	Lake Durango Water Authority	Source Water Infrastructure Project	Sep-11	\$50,000	\$0	\$50,000	Structural water project	Greg/Kirk												
Yampa/White		The Friends of the Yampa	Yampa River Structures Project	Sep-11	\$50,000	\$0	\$50,000	Structural water project	Jacob												
2011 July Board Approvals																					
Arkansas		Pikes Peak Regional Water Authority	Rotating Agricultural Following Public Policy Working Group	Jul-11	\$20,000.00	\$0.00	\$20,000	Study/Analysis of a consumptive and non consumptive project	Todd												
Southwest		Pagosa Lakes Property Owners Association	Pagosa Lake Area Village Lake Dam Outlet Pipe Repair Project	Jul-11	\$25,000.00	\$0.00	\$25,000	Structural water project or activity	Greg												
2011 May Board Approvals																					
Southwest	La Plata	Lake Durango Water Authority	Source Water Infrastructure Project	May-11	\$0	\$450,000	\$450,000	Structural project or activity	Greg												
Colorado	Mesa	Orchard Mesa Irrigation District	Canal #1 Check Structure Pilot Project at Dalton, Kiefer & Springer Properties	May-11	\$25,212.00	\$0.00	\$25,212	Study of a structural project & a structural water project	Jacob												5/31 Congrats
2011 March Board Approvals																					
Arkansas/Gunnison		Southeastern Colorado Water Conservancy District	The use of excess storage capacity in Blue Mesa Reservoir to avoid or reduce the impact of a Co River Compact curtailment in Co																		5/10 Email from TD to Jean: SOW to Subcommittee... See 5/10 email to Jean VanPelt. No Proof of Ins. "G" Entity. Need SOW appr'v'l from Todd. Have not seen one to date 4/8/11
Arkansas	Chaffee	Arkansas Headwaters Recreation Area	Helena Diversion Structure/BV Boat Chute Improvement Project	Mar-11	\$35,000	\$290,000	\$325,000	Structural project or activity	Chris												
Arkansas		Lower Arkansas Valley Water Conservancy District	Super Ditch Delivery Engineering	Mar-11	\$0	\$225,837	\$225,837	Nonstructural project or activity	Todd												

Arkansas	Delta	Lower Arkansas Valley Water Conservancy District	Super Ditch Delivery Engineering	Mar-11	\$0	\$225,837	\$225,837	Nonsstructural project or activity	Todd	
Gunnison		Grand Mesa Water Conservancy District, Water Enterprise Fund	The Rehabilitation of Blanche Park Reservoir	Mar-11	\$75,000	\$0	\$75,000	Structural project or activity	Todd/Jacob	
Rio Grande	Alamosa	Rio Grande Headwaters Land Trust	Rio Grande Initiative: North Rio Grande Ranch Conservation Easement	Mar-11	\$15,000	\$55,000	\$70,000	Nonsstructural project or activity	Chris	To Vaughn - Easement Requirement for contracting. E-mail to CS 4/5 re: ins. Requirements
South Platte	Sedgwick, Logan, Morgan, Washington	TBD	Alluvial Aquifer Accretion/Depletion Analysis Tool	Mar-11	\$0	\$200,000	\$200,000		Ray	
Southwest	La Plata	Lake Durango Water Authority	Source Water Infrastructure Project	Mar-11	\$0	\$450,000	\$450,000	Structural project or activity	Greg	See Anna.
2010 November Board Approvals										
Southwest	La Plata	La Plata River and Cherry Creek Ditch Company	Diversion Improvement Project	Nov-10	\$25,000	\$0	\$25,000	Structural consumptive water project	Todd	11/18 sent congrats email
Southwest	Archuleta	Aspen Springs Metro District	Aspen Springs Metro Water Filling Station	Nov-10	\$30,000	\$0	\$30,000	Structural consumptive water project	Greg	11/18 sent congrats email
2010 Sept Board Approvals										
Arkansas	Pueblo	Fountain Creek Watershed Greenway and Flood Control District	Flathead chub movement associated with the Clear Springs Ranch diversion structure in Fountain Creek	Sep-10	\$7,000.00	\$28,000.00	\$35,000	Studies or analysis of structural, nonstructural, consumptive, nonconsumptive water needs, projects	Todd	10/21/11 Email frm A Smith re: SOW/Schedule conflicts. HOLD-Per Todd. Need to contact applicant.
Colorado	Garfield	Town of Gypsum	L.E.D.E. Ditch and Reservoir Reconstruction	Sep-10	\$50,000	\$175,000	\$225,000	Structural project or activity	Todd	12/8 email frm DV to Todd check status of SOW appvl. 12/1/10 email frm Jeff Shroll to TD re SOW changes.
Rio Grande	Alamosa	The Colorado Rio Grande Restoration Foundation	2009 Rio Grande Riparian Stabilization Project - Phase 4	May-10	\$50,000 (Approved May 2010)	\$98,000	\$98,000	Structural and nonstructural project or activity. (Note: Statewide request to be considered at September board meeting)	Greg	Received W-9, Insurance 9/25/10
South Platte		Ducks Unlimited, Inc.	Development of a Decision Support Model for Identifying and Ranking Waterfowl and Wildlife Related Recharge Projects along the South Platte River	Sep-10	\$0	\$99,821	\$99,821	Structural project or activity	Todd	
2010 July Board Approvals										
South Platte	Weld, Denver	NCWCD	Data Logger & Telemetry Install Project	Jul-10	\$46,000.00	\$0.00	\$ 46,000.00	Structural project or activity	Todd	07/27 Congrat's letter sent requesting insurance, w-9.
2010 May Board Approvals										
Gunnison Basin	Gunnison	Lake San Cristobal Water Activity Enterprise (LSCWAE)	Lake San Cristobal Outlet Structure	May-10	\$150,000	\$0	\$150,000	Structural project or activity	Todd	5/19/10 CWCB Board approved w/ conditions
Rio Grande	Alamosa	The Colorado Rio Grande Restoration Foundation	2009 Rio Grande Riparian Stabilization Project - Phase 4	May-10	\$50,000	\$98,000	\$148,000	Structural and nonstructural project or activity. (Note: Statewide request to be considered at September board meeting)	Chris S.	5/19/10 CWCB Board approved w/o conditions
2009 September Board Approvals										
Rio Grande		Fiscal Agent Change	Lower Willow Creek Restoration Project	Sep-09	\$50,000	\$200,000	\$250,000	Structural and/or nonstructural water project or activity	Greg	8/3 Greg to follow up with Applicant. Applicant has requested a change of fiscal agent to the City of Creede to be addressed at the July 2010 CWCB Board Meeting.
2009 July Board Approvals										
Southwest	San Miguel	Town of Sawpit	Domestic Water System Construction	Jul-09	\$25,000	\$0	\$25,000	Structural water project or activity	Greg	8/3 Still pending per GJ. 6/8/10 Corresp to Steve Johnson (8750law.com) frm Greg re: req for W-9, ins and SOW have not been completed by the Town. Pending

WSRA IN PROGRESS PROJECTS																
UPDATED 10/28/11																
Basin	County	Applicant	Name of Water Activity	CWCB Mtg Approved	Statewide Basin Account	Statewide Account	Total Request	Type of Water Activity	Number	Amount	Matching Funds Authorized	Matching Funds Paid	Project Expire Date	Final Date Closed	Complete /In Progress	Contracting Project Manager
Arkansas	No information on Summary for counties	Colorado State Univ.	Geospatial decision support system for integrated water mgmt	Sep-08	100,000	\$500,000	600,000	Studies/analysis structural/nonstructural, consumptive/non water needs projects	C150441	\$599,931	Unknown		6/30/2012		In Progress	Andy
	Bent, Kiowa	Lower Arkansas Valley Water Conservancy District	John Martin Wetlands & Neenoshie Reservoir Nonconsumptive Needs Quantification	May-09	148,975	\$0	148,975	Study/analysis of nonconsumptive water needs	C150457		\$43,250		6/30/2012		In Progress	Jacob
	Chaffee,Lake, Saguache	Upper Arkansas Water Conservancy District	UAW/CD Hydrologic Water Balance Study	Sep-09	\$0	\$180,000	180,000	Study or analysis of non structural, consumptive, or nonconsumptive water needs and projects	C150460	\$180,000			6/30/2013		In Progress	Todd
Arkansas	Chaffee, Fremont, Pueblo	Southeastern CO WCD	Stakeholders Coop Mgmt Analysis for the UARB	Jul-10	\$33,600.00	\$0.00	\$ 33,600.00	Studies or analysis of nonconsumptive water needs and project	11000000012	\$33,600	\$8,400		8/31/2011		In Progress	Jacob
Arkansas	Pueblo	City of Pueblo	Bedload/Sediment Collection and Removal Technology - Fountain Creek	Sep-09	\$75,000	\$150,000	\$225,000	Study or analysis of structural, non structural, nonconsumptive water needs, projects	C150465	\$225,000			6/30/2013		In Progress	Todd
Arkansas	Adams,Otero	Water Enviro Research Foundation	Demonstration of membrane zero liquid discharge process for drinking water systems	Sep-08	\$25,000	\$233,333	\$258,333	Technical assistance regarding permitting feasibility studies and environmental compliance	C150456	\$258,333			6/30/2013		In Progress	Greg
Arkansas		Colorado Foundation for Water Education	Raising Awareness in 2012: A Statewide Celebration of Colorado Water	Mar-11	\$0	\$30,515	\$30,515	Nonstructural project or activity	110000000113	\$30,515	\$52,070		12/31/2011		In Progress	Jacob
Arkansas	Las Animas	Purgatoire River Water Conservancy District	Trinidad/Purgatoire River Reach 4 Demonstration Project	Jan-11	\$75,000	\$0	\$75,000	Structural and Non-structural water activity	110000000131	\$75,000			12/31/2011		In Progress	Chris S.
Arkansas	Various	Sangre de Cristo RC&D Council Inc.	A Multi-Media Program for Reporting Crop and Turf Water Use Estimates	May-11	\$9,394.00	\$37,577.00	\$46,971	Structual & Non-structural water Activity	12BCC000006	\$46,971	\$9,394.20		6/30/2015		In Progress	Todd
Arkansas Basin Total Request				9		\$1,131,425	1,498,384									
Number of Projects																
Colorado	Garfield, Eagle Grand, Pitkin, Eagle, Garfield, Summit,Mesa	Basalt Water Conservancy District	Missouri Heights	Sep-07	25,000	\$0	25,000	Non-structural study-ground water monitoring, phase II	80000000049	\$25,000	\$25,000		1/31/2013		In Progress	Jacob
Colorado		Northwest Colorado Council of Governments	Colorado Basin Nonconsumptive Needs Quantification	Mar-09	315,171	\$0	315,171	Nonstructural study of nonconsumptive needs	C150451	\$315,171	\$25,000		8/31/2011		In Progress	Jacob
Colorado	Grand County	Grand County	Fraser Sedimentation Basin	Mar-08	\$60,000.00	\$127,900.00	\$187,900.00	Structural Water Project	C150449	\$187,900			6/30/2012		In Progress	Greg
Colorado		Trout Unlimited Chapter	Battlement Reservoir #3 Dam reconstruction to enhance recreational & environmental opportunities	Sep-08	\$80,000	\$0	\$80,000	Structural and/or non structural water project or activity	11000000126	\$80,000	\$320,000		12/31/2011		In Progress	Jacob
Colorado	Mesa	Mesa Conservation District	Small Acreage Irrigation Audit Program - Grand Valley	Mar-11	\$18,273	\$0	\$18,273	Nonstructural project or activity	12BCC000001	\$18,273	\$8,000		6/30/2012		In Progress	Jacob
Colorado Basin Total Request				5		\$127,900	626,344									
Number of Projects																
Southwest		San Juan Water Conservancy District	Dry Gulch Reservoir/San Juan Reservoir Land Acquisition	Mar-07	0	\$1,000,000	1,000,000	Structural Water Project - Land Acquisition for Reservoir Site	C150408	\$1,000,000	\$8,100,000		12/31/2025		In Progress	Rick
Southwest		Town of Silverton	Moras Lake Ditch Rehabilitation and Diversion Structures	Jan-09	95,000	\$0	95,000	Structural Project	9000000143	\$1,100,000			12/31/2011		In Progress	Greg
Southwest	Montezuma	Bauer Lake Water Company	Bauer Lakes Water Co. Dam Outlet Structure Upgrade	Mar-08	40,000		40,000	Structural Project	1000000084	\$40,000	\$70,000		12/31/2011		In Progress	Greg

Southwest		Town of Silverton	Molas Lake Ditch Rehabilitation and Diversion Structures	Jan-09	95,000	\$0	95,000	Structural Project	9000000143	\$1,100,000	12/31/2011	In Progress	Greg
Southwest	Montezuma	Bauer Lake Water Company	Bauer Lakes Water Co. Dam Outlet Structure Upgrade	Mar-08		40,000	40,000	Structural Project	1000000084	\$40,000	12/31/2011	In Progress	Greg
Southwest	La Plata, Archuleta	La Plata Archuleta Water District	La Plata Archuleta Water District Red Mesa Dam & Reservoir - Incremental Damage Analysis (IDA) & Emergency Action Plan (EAP)	Sep-09	\$0	\$400,000	400,000	Technical assistance regarding permitting feasibility studies and environmental compliance	C150459	\$400,000	6/30/2013	In Progress	Greg
Southwest	La Plata	Red Mesa Reservoir and Ditch Company	Protecting Irrigated Agricultural Lands and Water Rights for Agricultural Production	May-09	\$29,000	\$0	\$29,000	Study or analysis of structural/nonstructural water needs, projects	1000000061	\$29,000	12/31/2011	In Progress	Greg
Southwest	All Counties in SW Basin	Mancos Valley Resources Inc.	Canal Seepage Reduction Program	Nov-09	\$31,500	\$0	\$31,500	Study/analysis of nonstructural consumptive water project or activity	10000000125	\$31,500	6/30/2011	In Progress	Todd
Southwest	La Plata	Florida Mesa Canal Companies		Sep-10	\$0	\$775,000	\$775,000	Structural and/	C150475	\$775,000	6/30/2013	In Progress	Greg
Southwest	Montezuma	Dolores Water Conservancy District	Totten Reservoir Hydrographic Survey	Nov-10	\$29,500	\$0	\$29,500	Nonstructural water activity	110000000114	\$29,500	12/31/2011	In Progress	Greg
Southwest		La Plata Water Conservancy District	La Plata River Water Resources Operations Model	Mar-11	\$0	\$148,823	\$148,823	Studies or analysis of nonstructural, nonconsumptive water project	C150477	\$148,823	6/30/2012	In Progress	Greg
Southwest	Dolores	Town of Rico	Town of Rico Alluvium Pipeline Water Supply Project - Well Drilling and Water Quality Testing	Mar-11	\$20,000	\$68,000	\$88,000	Structural project or activity	11000000122	\$90,000	6/30/2012	In Progress	Greg
Southwest		Montezuma Valley Irrigation Company	Groundhog Reservoir Bathymetric Survey	Mar-11	\$35,000	\$0	\$35,000	Nonstructural project or activity	12BC0000003	\$122,500	6/30/2012	In Progress	Greg
Southwest	La Plata	Animas La Plata Water Conservancy District	Recreational Plan for Lake Nighthorse	Nov-10	\$25,000	\$0	\$25,000	Study or analysis of nonstructural water activity	12BC0000005		12/31/2011	In Progress	Jacob
Southwest	Montezuma, Dolores	San Juan Citizens Alliance	A Way Forward: The Dolores River Below McPhee Reservoir	Nov-10	\$25,000	\$0	\$25,000	Study or analysis of nonstructural, nonconsumptive water activity	12BC0000011	\$55,000	12/31/2012	In Progress	Jacob
Southwest	Number of Projects	13			330,000	\$2,391,823	2,721,823						
Gunnison	Gunnison	North Fork Water Conserv District (NFWCD) and Fire Mountain Canals Reservoir Company (FMCC)	Sedimentation Management Study For Peonia Reservoir - North Fork of the Gunnison	Sep-07	79,000	\$230,000	309,000	Study/Analysis	C150414	\$10,000	2/28/2013	In Progress	Todd
Gunnison	Hinsdale	Upper Gunnison WCD	Lake San Cristobal Outlet Structure Modification--Phase III	Sep-08	0	\$120,960	120,960	Studies or analysis of structural, nonstructural, consumptive, non consumptive water needs projects	C150444	\$0	6/30/2011	In Progress	Todd
Gunnison	Delta	Leroux Creek Wtr Users Association	Hanson Reservoir Outlet Rehab	Jul-10	\$50,000.00	\$0.00	\$ 50,000.00	Structural project or activity	11000000068	\$50,000	6/30/2012	In Progress	Greg
Gunnison Basin	Gunnison	Gunnison County	75 Ditch Diversion Improvements and Feature Enhancements	May-10	\$46,100	\$0	\$46,100	Structural project or activity	12BC0000002		6/30/2015	In Progress	Todd
Gunnison	Delta	Gunnison Gorge Anglers - Chapter of Trout Unlimited	Relief Ditch Diversion Dam Design	May-11	\$20,650.00	\$0.00	\$20,650	Nonstructural consumptive water project	12BC0000004	\$11,500	6/30/2012	In Progress	Chris
Gunnison	Number of Projects	8			195,750	\$350,960	546,710						
Metro								Technical assistance regarding permitting feasibility studies and environmental compliance; and study or analysis of structural project or activity					
Metro	Douglas	Douglas County Water Resource Authority	Feasibility Study for Bureau of Reclamation Funding from the National Rural Water Supply Act	Sep-09	\$100,000	\$500,000	\$600,000	Study or analysis of structural project or activity	C150470	\$600,000	6/30/2013	In Progress	Ja cob
Metro	Douglas	Rural Water Authority of Douglas County	Rotary Sprinkler Nozzle Retrofit	Sep-10	\$0	\$250,000	\$250,000	Structural project or activity	C150471	\$250,000	6/30/2013	In Progress	Jacob
Metro	Douglas		Rural Douglas County groundwater-level monitoring network	Sep-10	\$28,263	\$84,792	\$113,055	Study or analysis of nonstructural project or activity	C150473	\$113,055	6/30/2013	In Progress	Jacob

[illegible]

Rio Grande	Rio Grande	Restoration Foundation and McDonald Ditch Company	The McDonald Ditch and Plaza Project – Phase I - Planning	Jan-11	\$40,000	\$0	\$40,000		consumptive, and nonconsumptive water project	110000000102	\$40,000	\$50,000	12/31/2011	In Progress	Chris S.
Rio Grande	Conejos	Manassas Land and Irrigation Company	Conejos North Branch Water Conservation and Management	Jan-11	\$75,000	\$0	\$75,000		Structural project or activity	110000000109	\$75,000		6/30/2012	In Progress	Greg
Rio Grande	Hinsdale	Santa Maria Reservoir Company	Santa Maria & Continental Reservoirs: Priority Studies to Restore Capacity	May-11	\$22,000.00	\$0.00	\$22,000		Studies or analysis of structural consumptive water project	C150443	\$22,000		6/30/2012	In Progress	Kirk
Rio Grande	Rio Grande Basin Total Requests	11			353,500	\$391,700	745,200								
South Platte		District 64 Reservoir Company	Ovid Reservoir Comprehensive Feasibility Study	Sep-07	176,000	\$0	176,000		Study/Analysis of Structural Water Project	C150417	\$176,000	\$1,000,000	12/31/2011	In Progress	Todd
South Platte		Ducks Unlimited, Inc.	Weid County School Dist RE 1 Wetland Partnership	Jul-08	42,110	\$0	42,110		Structural water project or activity	9000000063	\$42,110	\$160,000	8/31/2012	In Progress	Todd
South Platte		Ducks Unlimited	S.P. Water protection and restoration	Sep-08	0	\$825,552	825,552		Structural and/or nonstructural water project or activity	C150432	\$825,552	\$2,000,000	6/30/2012	In Progress	Todd
South Platte		The Nature Conservancy of Colorado	Arickaree River Well retirement program, Republican River basin, CO.	Sep-08	19,984	\$79,936	99,920		Studies or analysis of nonstructural project or activity. Structural and/or nonstructural water project or activity	09000000084	\$99,920	\$471,920	12/31/2009	In Progress	Todd
South Platte		Ducks Unlimited, Inc.	Central South Platte Wetland Partnership	Mar-09	150,000	\$0	150,000		Environmental Compliance and Feasibility Study and Structural Water Project	C150454		\$565,000	6/30/2011	In Progress	Greg
South Platte		Fort Morgan Reservoir and Irrigation Company (FMIRCo)	FMIRCo Recharge & Wetlands Project	Sep-09	\$250,000	\$420,000	\$670,000		Structural and/or nonstructural water project or activity	C150464	\$670,000		6/30/2012	In Progress	Todd
South Platte	Lamier, Weld, Logan, Sedgwick, Wash, Phillips, Yuma	Co Climate Center, CSU	Co Agricultural Meteorological Network (CoAgMet)	Jul-10	\$20,000.00	\$0.00	\$	20,000.00	Structural project or activity	11000000079	\$20,000		6/30/2012	In Progress	Greg
South Platte	Morgan, Washington, Logan, Sedgwick	Lower South Platte Water Conservancy District	Lower South Platte Water Cooperative South Platte Basin Organizational Analysis	Sep-10	\$60,977.00	\$200,000.00	\$260,977.00		Studies or analysis of structural, nonstructural, consumptive, nonconsumptive water needs, projects	C150476	\$260,977	\$100,000	6/30/2012	In Progress	Todd
South Platte	Adams,Otero	Water Enviro Research Foundation	Demonstration of membrane zero liquid discharge process for drinking water systems	Sep-08	\$25,000	\$233,333	\$258,333		Technical assistance regarding permitting feasibility studies and environmental compliance	C150456	\$258,333		6/30/2013	In Progress	Greg
South Platte Basin Total Request		11			744,071	\$1,758,821	2,502,892								
Yampa/White/Gree									Studies or analysis of structural and consumptive water needs projects or activity. Structural and/or nonstructural water project or activity	90000000090		\$15,626	9/30/2012	In Progress	Todd
Yampa/White/Gree	Rio Blanco/Garfield/Moffat	Town of Yampa	Town of Yampa Water Facilities Plan and storage tank upgrades	Sep-08	61,062	\$0	61,062		Study/analysis of nonconsumptive water project or activity	C150466			6/30/2012	In Progress	Jacob
Yampa/White/Gree	Garfield/Routt	The Nature Conservancy Bear River Reservoir Company	Needs Assessment Watershed Flow Evaluation Tool	Jan-10	\$189,002.35	\$0.00	\$189,002		Structural and/or nonstructural water project or activity	C150469			6/30/2012	In Progress	Jacob
Yampa/White/Gree	Routt	Colorado Climate Center, Colorado Division of Water Resources	Stillwater Reservoir Seepage Project Improvement of lysimeter operations and consumptive use quantification in high-altitude, irrigated meadows in the Yampa /White Basin	Sep-09	\$189,000	\$0	\$189,000		Studies or analysis of structural, nonstructural, consumptive, nonconsumptive water needs, projects	11000000058		\$20,978	6/30/2015	In Progress	Greg
Yampa/White/Gree	Blanco/Garfield/Moffat	Colorado River WCD	Water Storage Feasibility	Jan-10	\$220,800	\$0	\$220,800		Technical assistance regarding permitting, feasibility studies, and environmental compliance. Study of Structural Project	C150472	\$220,800	\$56,200	6/30/2013	In Progress	Jacob
Yampa		Moffat County Natural Resources Department	Yampa-White Basin Projects and Methods Analysis	Mar-11	\$38,000	\$152,000	\$190,000		Nonstructural project or activity	C150481	\$190,000		12/31/2012	In Progress	Jacob
Yampa	Routt	The Upper Walker Ditch Company	Yampa River/Walker Ditch River Restoration Project	Mar-11	\$20,000	\$20,000	\$40,000		Structural project or activity	12100000010	\$40,000	\$92,250	12/31/2012	In Progress	Chris
Yampa/White/Gree Basin Total Request					7707,864	\$1892,978	860,842								

WSRA COMPLETED PROJECTS													Updated 10/28/11		
Basin	County	Applicant	Name of Water Activity	CWCB Mtg Approved	Basin Account	Statewide Account	Total Request	Type of Water Activity	Number	Match Funds Authorized	Match Funds Paid	Expire	Closed	PM	
Arkansas	Pueblo, Otero, Crowley, Bent, Powers, Fremont, Chaffee, El Paso, Kiowa	Southeastern Colorado Water Conservancy District	Tamarisk	Mar-07	\$0	\$50,000	\$50,000	Study/analysis of nonstructural water activity	80000000005			06/30/09	Todd	Completed	
Arkansas	El Paso	El Paso County Water Authority	Upper Black Squirrel Creek Aquifer Recharge Investigation	Mar-07	\$45,200	\$0	\$45,200	Study or Analysis of Structural Project	80000000011				Andy	Completed	
Arkansas	El Paso	El Paso County Water Authority	Ground Water Conference	Mar-07	\$24,721	\$0	\$24,721	Study/analysis of nonstructural activity	80000000010			10/10/07	06/30/09	Andy	Completed
Arkansas	Pueblo, El Paso, Teller	Pueblo and El Paso Counties	Fountain Creek Vision Task Force	May-07	\$75,000	\$0	\$75,000	Facilitation and Analysis	80000000084			06/30/09	06/30/09	Eric	Completed
Arkansas	Custer	Round Mountain Water and Sanitation District	Round Mountain Water & Sanitation District Water System Improvements Project	May-07	\$120,000	\$0	\$120,000	Structural Water Project	C150403			09/02/09	09/17/09	Todd	Completed
Arkansas	El Paso, Elbert, Lincoln	Upper Big Sandy Ground Water Management District	Upper Big Sandy Water Balance	Jan-08	\$45,000		\$45,000	Study/analysis of nonstructural activity	80000000100				Eric	Completed	
Arkansas	Pueblo, Otero, Crowley, Bent, Powers, Fremont, Chaffee, El Paso, Kiowa	Southeastern Colorado Water Conservancy District	Model Transfers- Agriculture to Urban, Arkansas Basin	Jan-08	\$23,860		\$23,860	Study/analysis of structural/nonstructural project	80000000135				Eric	Completed	
Arkansas	Lake, Chaffee, Fremont	Greater Arkansas River Nature Association	Arkansas Headwaters Diversion Structure Improvement Project	Mar-08		\$57,955	\$57,955	Study/Analysis Consumptive and Non-Consumptive Project	90000000025			Closed 8/31/09	Ted	Completed	
Arkansas	Bent	City of Las Animas	City of Las Animas Water System Improvements	Mar-08	\$100,000	\$200,000	\$300,000	Structural/Non-Structural Water Activity	C150424	\$2,022,000		12/31/09	09/23/09	Todd (Kirk ?)	Completed
Arkansas	Pueblo, Otero, Crowley, Bent, Powers	Lower Arkansas Water Conservancy District	Water Leasing Program - Lower Arkansas Super Ditch Company	Jan-08	150,000		150,000	Study/analysis of nonstructural activity	C150425	\$68,735		06/30/10	05/15/10	Todd	Completed
Arkansas	Pueblo	Colorado State Parks	Colorado State Parks Zebra Mussel Response	Mar-08	0	\$1,000,000	1,000,000	Structural and Non-Structural water project	C150416	\$3,000,000		06/30/09	06/30/10	Todd	Completed
Arkansas	Pueblo, Otero, Bent, Crowley, Powers, Fremont, Kiowa, Chaffee, El Paso	Southeastern Colorado Water Activity Enterprise	Arkansas Valley Conduit	Mar-07	0	\$200,000	200,000	Study/analysis of structural activity	C150406	\$200,000	\$352,000	6/30/11	11/24/10		Completed
Arkansas	El Paso	El Paso County Water Authority/The Keystone Center	Flaming Gorge Project Task Force Assessment	May-10	\$20,000	\$0	\$20,000	Studies or analysis of structural, nonstructural, consumptive, nonconsumptive water needs and project	110000000008	\$20,000		6/30/11	6/30/11		Completed
Arkansas	Chaffee, Fremont, Custer		Telemetry data collection platforms at six reservoirs plus flow control equipment & gauging at six reservoir outlet channels & nine streams w/in the upper Ark River basin	Sep-08	75,000	\$210,332	285,332	Structural and/or nonstructural water project or activity	C150439	\$285,332	\$529,884	12/31/11	9/7/11		Completed
Arkansas Basins in Total					\$678,781	\$1,718,287	\$2,397,068								
Request Number of Projects	14														
Colorado	Mesa	Bull Creek Reservoir Canal and Power Co.	Bull Creek Reservoir No. 5 Spillway Adequacy Analysis	Sept-07	50,000	\$0	50,000	Structural water activity - Spillway adequacy study/environmental permitting	80000000039	\$0		06/30/10	02/25/09	Eric	Completed
Colorado	Esola	Eagle Park Reservoir Conservancy	Enlargement of Eagle Park Reservoir	Mar-07	\$0	\$250,000	\$250,000	Structural Project and Study-Technical Assistance	C150401	\$148,707		12/31/09	12/17/09	Eric	Completed

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Southwest	La Plata	Happy Scenes	Distribution Upgrades	16-Sep-08	\$39,760	\$50,000	\$0	Structural Project	9000000127	\$87,100	06/30/10	11/17/09	Greg	Completed
			Town of Sawpit – Engineering/Planning for Domestic Water System; Southwest Basin											
Southwest		Town of Sawpit		Mar-08	25,000	\$0	25,000	Study Structural Project	9000000006	\$6,700	06/30/09	06/07/10	Anna	Completed
								Analysis and Construction of Structural						
Southwest		Lower Blanco Property Owners Association	Lower Blanco River Restoration Project	Mar-09	100,000	\$0	100,000	Nonconsumptive Water Project	C150450	\$284,000	06/30/10	06/30/10	Greg	Completed
								Environmental/Technical feas. studies & studies/analysis of structural &/or non structural wtr project or activity						
Southwest		Summit Reservoir and Irrigation Company	MVIC Summit Irrigation Company feasibility study	Sep-08	39,300	\$0	39,300	Structural and/or nonstructural water project or activity	9000000085	\$0	08/31/10	08/31/10	Kirk	Completed
Southwest		Lower Blanco River Restoration	Lower Blanco River Restoration Project	Sep-09	0	\$150,000	150,000	Structural and/or nonstructural water project or activity	C150468	\$0	06/30/12	12/17/10	Greg	Completed
Southwest	Montezuma	Goodman Point Water Association	Goodman Point Phase 2	Sept-07	\$20,000.00	\$240,000	260,000	Structural Project	C150462	\$260,000	06/30/12	3/16/11	Greg	Completed
		San Juan Resource Conservation and Development - Animas Watershed Project						Study or analysis of non structural,						
Southwest	La Plata		Animas River Needs Assessment	Sep-09	\$57,000	\$0	\$57,000	nonconsumptive water needs and projects	110000000028	\$57,000	9/30/2012	4/26/2011		Completed
								Study/analysis of structural						
Southwest	Montezuma	Mancos Conservation District	Mancos River Diversion Project, Phase I	Nov-09	\$24,753	\$0	24,753	nonconsumptive water project or activity	10000000111	\$24,753	12/30/10	06/06/11	Chris	Completed
								Technical assistance regarding permitting feasibility studies and environmental compliance; and study or analysis of structural						
Southwest	La Plata	Florida Mesa Canal Companies	Canal Seepage Reduction Program	Sep-09	\$0	\$225,000	225,000	project or activity	C150463	\$225,000	06/30/11	06/30/11	Greg	Completed
								Study/analysis of						
Southwest	San Miguel	Town of Norwood	Raw Water System Update and Future Needs Study	Jan-10	\$0	\$58,458	58,458	consumptive water project or activity	10000000085	\$58,458	06/30/11	06/30/11	Greg	Completed
		Florida Mesa Canal Companies (Florida Canal, Florida Farmers Ditch, Florida Enlargement Ditch, and the Florida Co-operative Ditch Company)						Technical Assistance for Feasibility Studies; Study & Implementation of a Structural, Consumptive Water Project						
Southwest			Ditch Loss, Hydropower, and Monitoring Improvement Program	Mar-09	100,000	\$0	100,000	Project	9000000115	\$300,000	06/30/11	06/30/11	Greg	Completed
Southwest														
Basin Total					\$760,248	\$1,723,458	\$2,483,706							
Request														
Number of Projects		16												
								Technical assistance regarding permitting, feasibility studies, and environmental compliance						
Gunnison	Hinsdale	Upper Gunnison Water Conservancy District and Hinsdale County	Lake San Cristobal Controlled Outlet Structure	May-07	\$35,000	\$0	\$35,000	environmental compliance	8000000021		Closed		Todd	Completed
Gunnison	Delta	Town of Orchard City	Orchard City Water Reservoir Project (Task 1-3)	May-07	\$60,000	\$0	\$60,000	Study/Analysis	8000000007				Todd	Completed
Gunnison	Delta	Town of Orchard City	Orchard City Water Reservoir Project (Remaining Tasks)	Sept-07	\$0	\$380,000	\$380,000	Study/Analysis	C150410		12/31/08	Closed	Todd	Completed
Gunnison	Delta, Montrose, Ouray	Project 7 Water Authority and Uncompahgre Valley Water Users Association	Off-System Raw Water Storage Project 7 Water Authority/Uncompahgre Valley Water Users Association	Sept-07	\$56,700	\$0	\$56,700	Environmental Compliance and Feasibility Study	80000000059		Closed		Todd	Completed
			Paonia-Feldman Diversion											
Gunnison		North Fork River Improvement Association	Reconstruction: North Fork of the Gunnison River (Part 1 and 2)	Sept-07	\$48,000	\$62,700	\$110,700	Structural–development of construction plans and specifications for project			12/31/08	Closed	Todd	Completed
Gunnison	Mesa	City of Grand Junction Water Enterprise Fund	Juniata Reservoir Spillway Modification	Mar-09	\$97,000	\$0	\$97,000	Structural Water Project	C150411	\$97,586	06/30/10	12/15/09	Jacob	Completed
		Painted Sky Resource						Study or analysis of a	90000000088					

Gunnison	Ouray	Ouray	Water Users Association	Water Users Association	Sept-07	\$56,700	\$0	\$56,700	Feasibility Study	80000000059				Closed	Todd	Completed
			Paonia-Feldman Diversion Reconstruction; North Fork of the Gunnison River (Part 1 and 2)		Sept-07		\$48,000	\$62,700	Structural-development of construction plans and specifications for project	C150411		12/31/08	Closed	Todd		Completed
Gunnison	Gunnison	Mesa	North Fork River Improvement Association	Juniata Reservoir Spillway Modification	Mar-09	\$97,000	\$0	\$97,000	Structural Water Project	90000000088	\$97,586	06/30/10	12/15/09	Jacob		Completed
			City of Grand Junction Water Enterprise Fund	Hartland Diversion Dam Fish Passage Feasibility Study	May-09	22,100	\$0	22,100	Study or analysis of a structural water project or activity	90000000144	\$1,000	06/30/10	01/25/10	Greg		Completed
Gunnison	Delta	Ouray	Painted Sky Resource Conservation and Development Council, Inc.	Development of Augmentation Supplies	May-09	50,000	\$0	50,000	Structural and/or nonstructural water project or activity	10000000041	\$50,000	06/30/11	06/30/11	Todd		Completed
			City of Ouray						Tech Assist Regarding Permitting, Feas. Studies, & Enviro Compliance;& Study or Analysis of a Structural Project							Completed
Gunnison	Ouray	Ouray	Town of Ridgway	Ridgway Ditch and Lake Otonawanda Improvement Project	Mar-09	109,500	\$0	109,500	Analysis of a Structural Project	C150455	\$109,500	6/30/11	6/30/11	Greg		Completed
			Valley View Irrigation Association	Valley View Irrigation Improvement Project	Mar-11	\$11,817	\$0	\$11,817	Structural project or activity	11000000127	\$11,817	12/31/11	7/26/11	Jacob		Completed
Gunnison	Montrose			Phase II Engineering for Lake San Cristobal Outlet Modification	July-08	75,265	\$0	75,265	Study of structural project/activity	90000000041	\$75,265	1/31/09	6/30/11	Todd		Completed
			Upper Gunnison WCD	Safety and Serviceability Needs Inventory for Reservoirs in the Leroux Creek Drainage Basin	May-07	60,000	\$0	60,000	Study/Analysis	80000000008	\$60,000	6/30/2008	6/30/11	Todd		Completed
Gunnison	Delta	Delta	Leroux Creek Water Users Association (LCWUA)	Overland Reservoir Dam Expansion/Restoration	Sept-07	0	\$68,000	68,000	Feasibility Study and Environmental Permitting Assistance	80000000038	\$68,000	8/31/2008	6/30/11	Todd		Completed
Gunnison	Delta		Overland Ditch and Reservoir Company													
Gunnison Basin Total Request						\$625,382	\$510,700	\$1,136,082								
Number of Projects		13														
Metro	Denver, Multiple		The Greenway Foundation	Chatfield Reallocation EIS/FR (South Platte BRT contributing \$27,000)	Mar-07	\$103,000	\$0	\$103,000	Study/Analysis of Structural Water Project					Chris		Completed
Metro	Douglas		East Cherry Creek Valley Water and Sanitation District	Zero Liquid Discharge Pilot Study	Sept-07	\$200,000	\$200,000	\$400,000	Study/Analysis	C150412			01/08/09	Eric		Completed
			Parker Water and Sanitation District	Parker Water and San. And Colo. State University Joint Project on the Rural/Urban Farm Model												
Metro	Logan			Solicitation of Stakeholder Input through a South Platte Edition of Headwaters	Sept-07	\$150,000	\$0	\$150,000	Study/Analysis	C150413		12/31/09	10/02/09	Todd		Completed
Metro	Multiple		CFWE		Jul-08	\$16,019	\$0	\$16,019	Non-structural water project or activity	90000000019				Todd		Completed
			South Metro Water Supply Authority	South Metro Water Supply Authority - Regional Aquifer Supply Assessment	Jul-08	100,540	\$0	100,540	Study/analysis of structural project & consumptive project/activity	C150430	In-kind	12/31/09	12/31/10	Andy		Completed
Metro	Douglas, Arapahoe								Study/analysis of structural, non structural, nonconsumptive water needs, projects							
Metro	Denver		Greenway Foundation	South Platte River Recreation and Habitat Feasibility Study	Sep-08	150,000	\$0	150,000		C150442	\$0	06/30/10	06/30/10	Chris		Completed
			Clear Creek County on behalf of Upper Mountain Counties Water Needs Consortium													
Metro	Park, Jeffco, CC, Gilpin		Upper Mountain Counties Water Needs Assessment		May 2008	43,587	\$0	43,587	Study/Analysis	C150429	\$8,070	06/30/11	12/31/10	Eric		Completed
									Studies or analysis of structural, nonstructural, consumptive, nonconsumptive water needs and project							
Metro	El Paso		Flaming Gorge Project Task Force Assessment		May-10	\$20,000	\$0	\$20,000	Studies or analysis of structural, nonstructural, consumptive	11000000008	\$20,000	6/30/11	6/30/11	Jacob		Completed
									Studies or analysis of structural, consumptive water projects							
Metro	Arapahoe, Adams Weld		Lost Creek Groundwater Management District	Lost Creek Aquifer Recharge and Storage Study	Jan-09	80,000	\$0	80,000		C150447	\$160,000	6/30/2011	9/27/11	Greg		Completed

Metro	El Paso	El Paso County Water Authority/The Keystone Center	Flaming Gorge Project Task Force Assessment	May-10	\$20,000	\$0	\$20,000	1100000008	\$20,000	6/30/11	6/30/11	Jacob	Completed
Metro	Arapahoe-Adams Weld	Lost Creek Groundwater Management District	Lost Creek Aquifer Recharge and Storage Study	Jan-09	80,000	\$0	80,000	C150447	\$160,000	6/30/2011	9/27/11	Greg	Completed
Metro Basin Total Request Number of Projects					\$863,146	\$200,000	\$1,063,146						
		9											
North Platte		Silver Spur Operating CO.	New Pioneer Ditch Diversion Reconstruction Project	Mar-08	\$116,000	\$0	\$116,000	C150421		12/31/09		Chris	Completed
North Platte		CSU	Identification and assessment of important wetlands in N.P. River watershed	Sep-08	86,000	\$96,000	182,000	C150433	\$10,000	06/30/10	06/30/10	Todd	Completed
North Platte		Town of Walden	Town of Walden Water Supply Improvement Project	Jul-08	385,000	\$0	385,000	C150431	\$385,000	9/30/2011	9/30/2011		Completed
N Platte Basin Total Request Number of Projects					\$587,000	\$96,000	\$683,000						
		3											
Rio Grande		Alamosa Riverkeepers	Alamosa River In-stream Flow Project	Mar-07	\$64,500	\$0	\$64,500	7000000076				Chris	Completed
Rio Grande		Colorado Rio Grande Restoration Foundation	Rio Grande Basin Conservation Reserve Enhancement Program	May-07	\$36,750	\$0	\$36,750	8000000006		Closed		Todd	Completed
Rio Grande		Romero Irrigation Company	Romero-Guadalupe Channel Rectification Project	Sep-07	\$83,700	\$0	\$83,700	8000000060		Closed		Eric	Completed
Rio Grande		Rio Grande Headwaters Land Trust	Rio Grande Initiative	Mar-08	\$200,000	\$1,300,000	\$1,500,000	C150420		Closed		Todd	Completed
Rio Grande	Conejos	El Codo Ditch Company	San Antonio River - El Codo Ditch Diversion and Rehabilitation	May-09	\$65,000	\$0	\$65,000	1000000001	\$23,445	12/31/09	12/08/09	Greg	Completed
Rio Grande		Manassa Land and Irrigation Company	Conejos River and North Branch Diversion and Stabilization	Sep-08	50,000	\$333,700	383,700	C150446	\$98,000	06/30/10		Chris S	Completed
Rio Grande		San Luis Valley Irrigation District	Preliminary Design Multi-use Rio Grande Reservoir Rehabilitation and Enlargement	Mar-07	0	\$288,000	288,000	C150402	\$0	06/30/10	06/30/10	Kirk	Completed
Rio Grande		Conejos Water Conservancy District	Platoro Reservoir Restoration	Sep-08	50,000	\$200,000	250,000	C150448	\$250,000	06/30/11	02/03/11	Kirk	Completed
Rio Grande		Trinchera Irrigation Company	Sangre de Cristo Trinchera Diversion Canal Restoration	Sep-09	\$104,000	\$150,000	254,000	C150458	\$254,000	7/31/11	10/22/10	Greg	Completed
Rio Grande	Costilla	San Luis Peoples Ditch Company	San Luis Peoples Ditch Upgrade and Rehabilitation Project - Phase I	May-10	\$40,000	\$0	\$40,000	11000000053	\$40,000	6/30/11	9/7/11	Greg	Completed
Rio Grande	Saguache, Rio Grande, Conejos, Archuleta, Alamosa, Hinsdale, Costilla	Rio Grande Watershed Conservation and Education Initiative	Educating Today to Balance Tomorrow's Water Supplies & Needs	May-10	\$25,000	\$0	\$25,000	11000000059	\$25,000	6/30/2012	10/17/2011	Jacob	Completed
RGRand Basin Total Request Number of Projects					\$718,950	\$2,271,700	\$2,990,650						
		11											
South Platte		The Greenway Foundation	Chatfield Reallocation EIS/FR (Metro BRT contributing \$103,000)	Mar-07	\$27,000	\$0	\$27,000	Study/Analysis of Structural Water Project Environmental Compliance/Feasibility Study				Todd /Tom	Completed
South Platte		Clear Creek County	Clear Creek Water Banking/High Altitude Storage Solicitation of Stakeholder	May-07	\$52,000	\$0	\$52,000	8000000037		Closed		Eric	Completed

STATE OF COLORADO

Colorado Water Conservation Board Department of Natural Resources

1313 Sherman Street, Room 721
Denver, Colorado 80203
Phone: (303) 866-3441
Fax: (303) 866-4474
www.cwcb.state.co.us



September 30, 2011

Mike Collins, Area Manager
Bureau of Reclamation
Eastern Colorado Area Office
11056 West County Road 18E
Loveland, CO 80537

By email: MCollins@usbr.gov

Dear Mr. Collins:

Let me begin by thanking you for the listening session held on August 10th in Pueblo regarding the proposed market-based pricing of excess storage capacity in the Fryingpan-Arkansas Project. The State is very interested in, and concerned about, this process and its implications. We look forward to working closely with the Bureau, and other potentially affected stakeholders, as these discussions move forward.

During the session, you indicated that the market-based pricing contemplated in the Fry-Ark pilot project could eventually be applied in other river basins. Therefore, we believe that it is only appropriate for the Bureau to inform other potentially affected stakeholders in other basins within the Western United States. We appreciate the Bureau's continued commitment to complete these criteria in a thorough manner as opposed to just getting them done quickly. As such, we look forward to participating in the proposed technical committee. When appropriate, please notify Ted Kowalski, Section Chief of the Interstate and Federal Section here at CWCB, regarding the technical committee. He, or his alternate, will serve as Colorado's designee for this process.

As the pilot program continues, we hope that some of the concerns raised by the Southeastern Colorado Water Conservancy District, and others, can be addressed. While I will not reiterate each of the concerns raised at that meeting, I would like to focus on several of the concerns that are worth highlighting. First, Reclamation needs to explain how it will identify a competitive market for the resource in question – i.e., the availability of excess facilities capacity in a water project. Second, any market-based pricing criteria should provide a “level playing field” for all water users involved. All customers must garner a comparable service for the prices charged by the Bureau of Reclamation. Third, any market-based pricing must recognize previous capital commitments of project participants. Fourth, it is important that the Bureau of Reclamation use any additional money generated from this pricing structure to benefit the project or the local community from where the funds are generated rather than as a profit center for the federal government. Finally,

John W. Hickenlooper
Governor

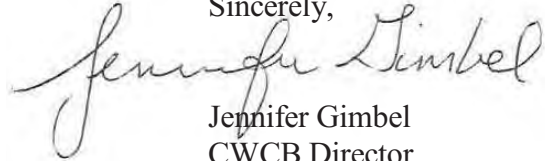
Mike King
DNR Executive Director

Jennifer L. Gimbel
CWCB Director

Reclamation must follow an open process such as the one suggested by Southeastern to ensure that these relevant issues are given appropriate consideration.

Again, I thank you again for the Bureau's time and intensive deliberation in this process. Please contact me if you have any questions or concerns about these comments. I believe that if you engage actively with the State of Colorado and all interested stakeholders, the Bureau may be able to determine whether market based price setting is appropriate, and how might the Bureau of Reclamation be able to best accomplish the mutual goals of the Bureau, the State of Colorado, and water users in the Western United States.

Sincerely,

A handwritten signature in cursive script, reading "Jennifer Gimbel". The signature is written in dark ink and is positioned to the left of the printed name and title.

Jennifer Gimbel
CWCB Director

**November 15-16, 2011 Board Meeting
Instream Flow and Natural Lake Level Program
Summary of Resolved Cases**

The Board's ISF Rule 8i. states that:

“In the event the pretrial resolution includes terms and conditions preventing injury or interference and does not involve a modification, or acceptance of injury or interference with mitigation, the Board is not required to review and ratify the pretrial resolution. Staff may authorize its counsel to sign any court documents necessary to finalize this type of pretrial resolution without Board ratification.”

Staff has resolved issues of potential injury in the following water court cases and authorized the Attorney General's Office to enter into stipulations that protect the CWCB's water right:

(1) Case No. 5- 07CW087 -- Application of Middle Ranch

The Board ratified this statement of opposition at its July 2007 meeting. The Board's main objective in filing the statement of opposition in this case was to ensure that the Applicant's proposed changes of water rights and plan for augmentation do not injure the Board's instream flow water rights on West Sopris Creek, Sopris Creek and the Roaring Fork River by causing an expansion of use or not replacing out-of-priority depletions in time, place and amount. Staff, in cooperation with the Attorney General's Office, has negotiated a settlement to ensure that the CWCB's instream flow water rights will not be injured.

The CWCB has appropriated the following instream flow water rights that could have been injured by this application:

CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
5-76W2939	West Sopris Creek	3 (01/1-12/31)	1/14/76	Roaring Fork River	Pitkin
5-76W2951	Sopris Creek	5 (01/1-12/31)	1/14/76	Roaring Fork River	Eagle
5-85CW639	Roaring Fork River	145 (04/1 -09/30) 75 (10/1- 03/31)	11/8/85	Roaring Fork River	Pitkin, Garfield, Eagle

The CWCB and the Applicant have agreed to the entry of a decree that will prevent injury to the Board's ISF water rights on West Sopris Creek, Sopris Creek and Roaring Fork River.

The Applicant has agreed to the following terms and conditions:

- If a valid call is being administered requiring replacement of out-of-priority diversions, Applicant will limit its diversions to the new uses to the consumptive use credit amounts in column 5 of the table attached as Exhibit E of the Decree.
- If consumptive use credits are not physically or legally available in sufficient quantity to replace out of priority depletions, Applicant will release water from one or more of the Middle Ranch Ponds up to the amounts listed in column 8 of the table at Exhibit E of the Decree.
- Pursuant to C.R.S. 37-92-305(8), the state engineer shall curtail all out of priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights.
- In consideration of the specific findings and conclusions made herein and in conformance with C.R.S., §37-92-304(6), the approval of the plan for augmentation decreed herein shall be subject

to reconsideration by the Water Judge on the question of injury to the vested water rights of others commencing at the time of entry of a Decree by the Court and running until five years after the augmentation is operated to augment 75% of the out of priority diversions have been augmented as contemplated by this plan. Applicant shall notify the CWCB when the five year period commences.

- Applicant shall install measuring devices, provide accounting, and supply calculations regarding the timing of depletions as may be required by the Division Engineer in an annual report by November 15th following each preceding irrigation year (November 1 through October 31) summarizing diversions and replacements made under this plan.
- Applicant recognizes that the Colorado Water Conservation Board (CWCB) has a decreed instream flow water right in West Sopris Creek for 3 cfs decreed in Case No. 76W2939. Applicant shall not operate its exchange decreed herein if such instream flow right is not fully satisfied in the reach between the confluence of Dry Creek and West Sopris Creek and the headgate for the Highland No. 2 Ditch and the CWCB has placed a call for such right that is recognized and administered by the Division Engineer.
- Based on the delayed return flow analysis completed by Applicant's engineer, if Applicant dries up the full amount of historically irrigated area contemplated for dry-up herein, Applicant shall make available a total of 0.076 acre-feet of water for release in October and .276 acre-feet for release in November from storage to offset delayed return flows that would otherwise accrue to the stream. Applicant shall only be required to release these delayed return flow amounts if a call is placed that is recognized and administered by the Division Engineer for a water right that is decreed for use in October and/or November such that it can place the delayed return flow water to beneficial use. If Applicant only dries up a portion of the area contemplated for dry-up herein, the release amount will be adjusted proportionately

(2) Case No. 1-09CW144 - Application of City of Brighton

The Board ratified this statement of opposition at its January 2010 meeting. The Board's main objective in filing the statement of opposition in this case was to ensure that the Applicant's proposed change of water rights, which may cause an expansion of use due to changed storage practice, does not injure the Board's instream flow water rights on Buffalo Creek, Duck Creek and Geneva Creek. Staff, in cooperation with the Attorney General's Office, has negotiated a settlement to ensure that the CWCB's instream flow water rights will not be injured.

The CWCB has appropriated the following instream flow water rights that could have been injured by this application:

CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
1-84CW648	Buffalo Creek	3	1/6/1984	Upper South Platte	Jefferson
1-78W9264	Duck Creek	0.5	1/19/1978	Upper South Platte	Park/Clear Creek
1-84W640	Geneva Creek	2.5	1/6/1984	Upper South Platte	Park/Clear Creek
1-78W9371	Geneva Creek	11	7/11/1978	Upper South Platte	Park

The Applicants have agreed to the following terms and conditions:

- Applicant agreed to releases of its pro-rata entitlements to be made when releases for other shareholders are being made.
- Applicant agreed to volumetric limits including maximum monthly deliveries pursuant to its shares.

(3) Case No. 3-10CW031 - Application of Charles W. and Barbara T. Tidd

The Board ratified this statement of opposition at its September 2011 meeting. The Board's main objective in filing the statement of opposition in this case was to ensure that the Applicant's claim for a non-consumptive surface water diversion did not injure the Board's instream flow water right on Garner Creek.

The CWCB has appropriated the following instream flow water rights that could have been injured by this application:

CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
3-03CW39	Garner Creek	1.9 (05/01– 09/14) 0.6 (09/15 – 04/30)	01/22/2003	San Luis Creek	Saguache

The Applicants amended the application to update the diversion location. The actual proposed diversion location is at the lower terminus of this instream flow water right and therefore will not injure the instream flow. Once this actual location was confirmed, CWCB withdrew its statement of opposition.

(4) Case No. 4-10CW163 - Application of O'Dell Land and Livestock, LLC

The Board ratified this statement of opposition at its September 2011 meeting. The Board's main objective in filing the statement of opposition in this case was to ensure that Applicant's apparently new claim for a senior diversion from North East Creek would not injure the Board's ISF water right. Because this application is to change the location of depletion for a structure from one basin to another, it appear that the ISF on North East Creek would be potentially impacted. Staff, in cooperation with the Attorney General's Office, has negotiated a settlement to ensure that the CWCB's instream flow water right will not be injured.

The CWCB has appropriated the following instream flow water rights that could have been injured by this application:

CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
4-04CW159	North East Creek	1 (02/01-03/31) 1 (07/01-08/31) 5 (04/01-06/30) 0.7 (09/01-01/31)	1/28/2004	Lower Gunnison	Mesa

The original decreed source of diversion was incorrectly named as West Creek. The application was intended to correct the mistaken depletion location. However, the application appeared to include a change of the structure location. Once the intent and mistake was explained, verified, and documented in the decree, the CWCB and the Applicant were able to agree to the entry of a stipulation and decree.

(5) Case No. 5-10CW308 - Application of SCC Partners, LLC

The Board ratified this statement of opposition at its March 2011 meeting. The Board's main objective in filing the statement of opposition in this case was to ensure that the Applicant's plan for augmentation does not injure the Board's instream flow water rights on Sweetwater Creek by not replacing out-of-priority depletions in time, place and amount. Staff, in cooperation with the Attorney General's Office, has negotiated a settlement to ensure that the CWCB's instream flow water right will not be injured.

The CWCB has appropriated the following instream flow water rights that could have been injured by this application:

CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
5-80CW313	Sweetwater Creek	18 (01/1-12/31)	5/7/1980	Colorado Headwaters	Garfield, Eagle

The Applicants have agreed to the following terms and conditions:

- Central Lake will be lined. Thus, the only additional consumptive use will result from evaporation. Out-of-priority evaporative losses from Central Lake will be replaced by operation of the augmentation plan approved in Case No. 04CW246, as modified herein. The new evaporative depletions will be offset by a corresponding reduction in irrigated area so that there will be no net increase in depletions from the project
- All terms of the augmentation plan approved in Case No. 04CW246 shall continue to apply to the operation of the modified plan approved herein, including but not limited to the following terms to which the Applicant has stipulated with the Colorado Water Conservation Board:
 - a. The CWCB has the following instream flow water rights to preserve the natural environment to a reasonable degree, which rights were appropriated prior to the filing of the application in Case No. 04CW246: (see table above).
 - b. Prior to commencing diversions under the water rights decreed to Sweetwater Well Nos. 1-6 or the Keep Ditch Sweetwater Enlargement, Applicant will install a permanent staff gage on Sweetwater Creek below its confluence with Turret Creek at a specific location to be mutually agreed upon by Applicant and CWCB. Applicant shall maintain this gage in good working condition and shall regularly rate the gage as necessary to ensure that it measures the flow of Sweetwater Creek with the degree of accuracy necessary to implement the terms and conditions of this decree. The staff gage will be used to determine when the CWCB's instream flow right, which was previously decreed by this Court in Case No. 80CW313, above is not satisfied in the reach above the lake. When the streamflow of Sweetwater Creek as measured at the staff gage is less than 18 c.f.s., Applicant agrees that it will curtail all diversions under the water right claimed for decreed to the Keep Ditch, Sweetwater Enlargement, described in paragraph 7 above of the decree entered in Case No. 04CW246, and will reduce its diversions under the water rights previously decreed to the Keep Ditch in Civil Action No. 1123 as necessary to maintain a flow of at least 18 c.f.s. at the staff gage; provided, however, that in no event shall this paragraph require that Applicant reduce its diversions under the water right decreed to the Keep Ditch in Civil Action No. 1123 to less than 8.0 c.f.s. Prior to commencing diversions under the water rights decreed to Sweetwater Well Nos. 1-6 or the Keep Ditch Sweetwater Enlargement, Applicant shall also install a measuring device at the outlet of Sweetwater Lake of a type acceptable to the Division Engineer. Upon request, CWCB personnel shall be provided reasonable access to these measuring devices to measure the flow of Sweetwater Creek and to ensure that they are installed and operating properly.
 - c. Applicant shall replace diversions under the junior water rights described in paragraphs 4 through 8 of the decree in Case No. 04CW246, as modified herein, and under the water storage right decreed to Central Lake herein to the extent necessary to prevent injury to the CWCB instream flows decreed in Case No. 80CW313 for 18 c.f.s. The replacement water for this purpose will be provided at the plunge pool located immediately below the point of discharge of the existing culvert at the outlet of Sweetwater Lake (which point is described as being within the NE1/4 of the NE1/4 Section 16, Township 3 South, Range 87 West of the 6th P.M., at a point 560 ft west of the east section line and 390 ft south of the north section line), and will consist of either (1) releases from Sweetwater Lake or (2) discharges of treated

wastewater effluent, or a combination of the two. The rate of replacement to the plunge pool shall be either (a) sufficient to maintain the CWCB's decreed instream flow or (b) equal to the rate at which water is being diverted into the potable water system and the bottled water facility, whichever is less. If replacement waters are not sufficient to prevent injury to the CWCB instream flow right, Applicant shall also curtail diversions to the extent necessary to prevent injury to the CWCB's instream flow right.

- d. Applicant shall bypass, and therefore release, 18 c.f.s. (the rate of flow decreed as the instream flow on Sweetwater Creek) from Sweetwater Lake, or an amount equivalent to the inflow to the lake, whichever is less, when the storage right for Sweetwater Lake is not in priority.

(6) Case No. 4-08CW081 – Application of U.S. Energy Corp.

The Board ratified this statement of opposition at its November 2008 meeting. The Board's main objective in filing the statement of opposition in this case was to ensure that the Applicant's proposed application for finding of reasonable diligence concerning conditional surface water storage rights does not injure the Board's instream flow water right on Carbon Creek. Previously, in Case No. 08CW81, Applicant submitted a request to inundate the board's instream flow on Carbon Creek. Consideration of that proposal was deferred and remains deferred. Regarding the Board's other instream flow water rights, CWCB Staff, in cooperation with the Attorney General's Office, has negotiated a settlement to ensure that these CWCB's instream flow water rights will not be injured.

The CWCB holds the following instream flow water rights that could have been injured by this application:

CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
4-80CW109	Carbon Creek	3.0	3/17/80	Upper Gunnison	Gunnison
4-80CW92A	Slate River	15.0/8.0	3/17/80	Upper Gunnison	Gunnison
4-80CW92B	Slate River	20.0	3/17/80	Upper Gunnison	Gunnison
4-80CW102	Coal Creek	2.0	3/17/80	Upper Gunnison	Gunnison

The Applicant has agreed to the following terms and conditions:

- Construction of the Carbon Creek Reservoir may result in inundation of a portion of the CWCB's water right in Case No. 80CW109, and may cause injury to CWCB's water right granted in that case. Until the Applicant and the CWCB agree to a resolution of any potential injury to said CWCB water right, no absolute water right should be granted for the Carbon Creek Reservoir.
- CWCB's water rights on the Slate River and Coal Creek are protected by the terms and conditions contained in the Applicant's original decree in Case No. 96CW311, otherwise referred to as the 2002 Final Decree. Terms and conditions include paragraph 6.1.2 of that decree, which states:
 - The CWCB minimum flow rights are senior to the rights of the Applicant, and as such, the Applicant will not divert or store water if the CWCB minimum flow rights are not fully satisfied as measured immediately below the proposed diversion structures and storage facilities.
- CWCB's water right on Carbon Creek is protected by terms and conditions contained in Section 6.1 of Applicant's original decree in Case No. 96CW311, otherwise referred to as the 2002 Final Decree, which remain in full force and effect. Paragraph 6.1.3 and 6.1.5 state:
 - The proposed storage facility on Carbon Creek may inundate a portion of CWCB's minimum flow reach on Carbon Creek for a distance of

approximately one mile, and may cause injury to the CWCB's water right. While seeking the various required federal, state, and local permits for the proposed mining project, Applicant agrees to explore and consider other options in the project's operation in an attempt to avoid inundation of CWCB's minimum flow right on Carbon Creek or to provide mitigation, to inform CWCB of those considerations and, further, to inform CWCB on a regular basis of issues that may affect CWCB's minimum streamflow rights.

- Applicant has submitted to CWCB, pursuant to its Instream Flow and Natural Lake Level Program Rules and Regulations, a request to inundate a minimum flow. CWCB has deferred consideration of that request until permitting by other state, federal or local governmental agencies concerning the Mt. Emmons Project is completed. In the event that Applicant is required by other governmental entities to provide mitigation or compensation to offset impact of the Mt. Emmons Project, CWCB shall consider the cumulative effect of such mitigation or compensation on the mitigation or compensation it will require as a condition of granting its approval to inundate a portion of the Carbon Creek minimum flow reach. When making its determination whether to approve the request to inundate, CWCB may require additional compensation or mitigation than that required by the other governmental agencies in accordance with CWCB's rules. CWCB may deny the request to inundate if the Board determines, pursuant to the Rules and Regulations Concerning Colorado's Instream Flow and Natural Lake Level Program, that mitigation is insufficient or the request is inconsistent with the goals of the instream flow program. Prior to any construction that would cause inundation of Carbon Creek, Applicant will comply with CWCB rules regarding the mitigation to be made upon inundation of a CWCB minimum flow reach.



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Contact: Adam Fetcher (DOI) 202-208-6416

Justyn Hock (USBR) 970-248-0625

jhock@usbr.gov

Salazar Awards \$20.1 Million to Four Western Colorado Irrigation Districts to Improve Irrigation Systems, Reduce Salinity in Colorado River

Projects to benefit water users, delivery systems; generate construction jobs

WASHINGTON, DC - Secretary of the Interior Ken Salazar announced today that \$20.1 million in combined federal funding has been awarded to four irrigation districts in western Colorado. The funding will improve irrigation delivery systems by reducing the amount of salinity in Colorado River water.

The cost-share awards, between the Department of the Interior, the Bureau of Reclamation and the western Colorado irrigation district companies, will fund installation of more efficient water delivery infrastructure, including lining of canals and laterals, and conversion of existing laterals into pipe delivery systems.

“Salinity is a costly issue for water users on the Colorado River, and these four projects, when completed, will prevent more than 23,000 tons of salt from entering the Colorado River every year,” Secretary Salazar said. “The funding will create jobs and benefit both local and downstream water users by providing cost-efficient, low-maintenance water delivery systems that ultimately reduce salinity in the Colorado River.”

Recent studies conducted by Reclamation show that quantified economic damages caused by salinity in the U.S. portion of the Colorado River Basin are estimated be over \$400 million and could exceed \$.5 billion per year if additional salinity control measures are not implemented.

“High salinity levels cause a whole host of problems – from reducing farm yields to damaging municipal water systems and household pipes and fixtures,” said Reclamation Commissioner Michael L. Connor. “We are providing a targeted investment to Colorado projects from our Basinwide Salinity Control Program to address these serious issues. These important projects will provide a long-term investment in our water infrastructure and will have the added benefit of creating jobs for the region.”

Four western Colorado irrigation districts are the recipients of this salinity control funding:

- **Stewart Ditch and Reservoir Company of Paonia, Colo.,** - Awarded \$6 million to place about 11.5 miles of Stewart Ditch Project irrigation canals into pipe, which will prevent more than 10,900 tons of salt from entering the Colorado River annually. Construction is slated to begin in the fall of 2012 and conclude in 2015.
- **Uncompahgre Valley Water Users Association of Montrose, Colo.,** - Awarded two grants totaling \$7.4 million for projects in the Gunnison Basin. The grants will be used to place 31.7 miles of irrigation laterals into pipe within the East, Loutzenhizer, and Selig canal systems in the Uncompahgre Valley, which will prevent more than 8,000 tons of salt from entering the Colorado River each year. Construction is slated to begin in the fall of 2011 and conclude in 2016.
- **Grand Valley Irrigation Company of Grand Junction, Colo.,** - Awarded \$2.8 million to line about 104,000 linear feet of portions of the Independent Ranchman Canal, Upper Mainline Canal, and Mainline Canal, and place 4,100 feet of the Mesa County Ditch near Grand Junction, Colo., in pipe. Lining these canals will reduce about 1,700 tons of salt annually from entering the Colorado River. Construction is slated to begin in the fall 2011 and conclude in 2015.
- **Minnesota Canal and Reservoir Company of Paonia, Colo.,** - Awarded \$3.9 million to place 5.2 miles of irrigation canals in the Minnesota Ditch Project into pipe and prevent more than 3,200 tons of salt from entering the Colorado River annually. Construction is slated to begin in the fall 2012 and conclude in 2014.

Using a formula developed in 2009 by the Council of Economic Advisors to calculate the impact of Federal investment, the four projects are estimated to create about 218 direct and indirect jobs.

The Colorado River and its tributaries provide municipal and industrial water to about 27 million people and irrigation water to nearly four million acres of land in the United States. The river also serves about 2.3 million people and 500,000 acres in Mexico. Salinity is a major concern in both the United States and Mexico, affecting agricultural, municipal, and industrial water users. Potential economic impacts from salinity damages on Mexico's portion of the Colorado River Basin have not been quantified.

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