

STATE OF COLORADO

Colorado Water Conservation Board

Department of Natural Resources

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TO: Colorado Water Conservation Board

FROM: Jennifer Gimbel
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DATE: May 15-16, 2012

SUBJECT: **Agenda Item 5d**, May 2012 CWCB Board Meeting
Director's Report

John W. Hickenlooper
Governor

Mike King
DNR Executive Director

Jennifer L. Gimbel
CWCB Director

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COLORADO WATER CONSERVATION BOARD

DIRECTOR'S REPORT

MAY 2012

~INTERSTATE AND FEDERAL~

SENATE PANEL CONSIDERS WILDERNESS BILLS: On March 22 the Senate Energy and Natural Resources considered more than a dozen bills to restore a polluted mine sites, streamline grazing access on public lands and to designate nearly 200,000 acres of new wilderness.

Among the proposals was S. 1635, a bill introduced by U.S. Sen. Mark Udall, to designate 33,000 acres of land in San Miguel, Ouray, and San Juan Counties as wilderness. Supporters of the bill include three boards of county commissions, conservation and recreation organizations, homeowners groups and businesses.

A copy of the bill is attached (Attachment 2). *(Dan McAuliffe)*

THE HOUSE TRANSPORTATION AND INFRASTRUCTURE COMMITTEE CONTINUES TO CONSIDER INFRASTRUCTURE UPGRADES: The House Committee met again in March 2012 to continue discussions on how to pay for water projects. Industry groups urged members of Congress to pursue legislative options to encourage private investment in water structure. The March hearings were the second part of an effort to focus attention on the need for funding. *(Dan McAuliffe)*

SUPREME COURT RULES UNANIMOUSLY AGAINST EPA: On March 21 the US Supreme Court unanimously ruled against the EPA holding that property owners facing enforcement actions under the Clean Water Act (CWA) can seek judicial review before being forced to comply with EPA orders.

The Justices held that the Sackett family from Priest Lake, Idaho can challenge an EPA compliance order claiming they violated the CWA by filling wetlands on their land without obtaining a permit. The Sacketts objected to the compliance order, but had no way to challenge EPA's determination in court.

The Court held that the Sacketts should be able to contest EPA's findings under the Administrative Procedure Act. The government had claimed that judicial review was available once the enforcement action goes to court, but Justice Scalia noted that the Sacketts' cannot initiate that process and each day they wait they accrue an additional \$75,000 in potential liability."

EPA issued around 1,300 compliance orders last year. *(Dan McAuliffe)*

US PREPARES NEW PARTNERSHIP TO SHARE WATER KNOWLEDGE, TECHNOLOGY: March 22 was World Water Day. To mark the event the United Nations drew attention to the 1 billion people without access to clean water and initiatives to incorporate private-sector leverage in addressing the water crisis. *(Dan McAuliffe)*

6TH WORLD WATER FORUM: In the lead-up to World Water Day, hundreds of delegates met at the 6th World Water Forum in Marseille, France, to discuss the implementation of water solutions. The conference ended with the adoption of the Marseille Ministerial Declaration, which reiterates governments' commitment to clean water. *(Dan McAuliffe)*

ARMY CORPS, BUREAU OF RECLAMATION 2013 BUDGET PROPOSALS

REVIEWED: During the week of March 26 President Obama's 2013 budget proposals for the Army Corps of Engineers and the Bureau of Reclamation went before three committees for review.

Democrats and Republicans criticized the budget proposals for spending too little on infrastructure and water-delivery projects and too much on environmental initiatives.

Obama requested \$4.7 billion for the Army Corps in fiscal 2013, down \$271 million, or 5.4 percent, from what the agency received in 2012. Reclamation would receive \$1 billion, which is about the same as it has received in the past.

House Republicans called on Reclamation to begin a new era of dam and reservoir construction, rather than pursue conservation programs that they deem insufficient solutions to the water shortage problem. House Democrats, however, countered that Republican-backed federal spending caps established last year make significant construction projects impossible. (*Dan McAuliffe*)

LAS VEGAS PLAN TO PUMP GROUNDWATER: On March 22 Nevada approved the Southern Nevada Water Authority's plan to pump up to 84,000 acre-feet of groundwater a year from four rural valleys. The amount allowed under the plan is two-thirds as much water as authority officials were seeking. Las Vegas water officials eventually would like to deliver the water to the Las Vegas Valley through a proposed multibillion-dollar 300-mile pipeline network. (*Dan McAuliffe*)

PPL MONTANA V. MONTANA: On February 22 the U.S. Supreme Court issued a unanimous ruling that "navigability," for purposes of ascertaining title to a riverbed, must utilize a segment-by-segment analysis. Navigability must also be assessed as of the time a state enters the Union with respect to a river's usefulness for "trade and travel."

The case focused on a dispute over the ownership of the beds of three Montana rivers. Montana argued it owned the beds because the rivers were navigable under the Equal Footing Doctrine when it became a state. Conversely, PPL Montana, which operates hydroelectric facilities on the rivers, argued that the beds are private property and were not navigable at the time of Montana's statehood. The Montana Supreme Court agreed with Montana and ordered PPL Montana to pay \$41 million in back rent for use of the beds. The U.S. Supreme Court reversed the state court decision.

Justice Kennedy wrote that the Montana Supreme Court erred when it held that short interruptions, or certain portages in the rivers, did not defeat a finding of navigability. He wrote that the state court erred in its treatment of present day evidence of navigability, namely recreational use, in finding that the rivers were navigable because it did not consider if: (1) the watercraft is "meaningfully similar" to those in customary use for trade and travel at the time of statehood; and (2) the river's post-statehood condition is not materially different from its physical condition at statehood. (*Dan McAuliffe*)

WESTERN STATES WATER COUNCIL SPRING MEETING: On March 15, the WSWC held its 168th meeting in Washington, D.C.

During the meeting the WSWC approved a letter to the Bureau of Reclamation on proposed changes to its policy manual that would classify deliveries of project water to lots of less than 10 acres for non-commercial irrigation purposes as municipal and industrial use subject to the payment of market rates. The letter says the changes: (1) could result in unaffordable water use changes and water delivery service rates; (2) ignore adverse impacts to state-issued water rights; (3) could create an inappropriate incentive for secondary water users to move to potable supplies; and (4) may impact market-based water transfers and water sharing arrangements. The Council opposes the change, and the letter asks Reclamation to enter into a dialogue with the WSWC to better define the potential impacts and implications.

The WSWC also adopted a position supporting state primacy over groundwater and opposing "...federal efforts that would establish a federal ownership interest in groundwater or diminish the primary and exclusive authority of States over groundwater." The position also says the regulatory reach of federal statutes, including but not limited to the Clean Water Act (CWA), Endangered Species Act, National Environmental Policy Act, Reclamation Act of 1902, Safe Drinking Water Act, and the Comprehensive Environmental Response, Compensation and Liability Act, "...were never intended to infringe upon state ownership or control over groundwater." States are in the best position to "...protect groundwater quality and allow for the orderly and rational allocation and administration of the resource through state laws and regulations...."

The WSWC readopted existing positions supporting federal climate adaptation research, and the Energy and Water Integration Act (S. 1343), to analyze the impact of energy development and production on the Nation's water resources by the Department of Energy.

The Council discussed proposed changes intended to expand and strengthen the WSWC's Vision on Water, which will serve as the foundation for the next Western Governors' Association (WGA) Water Report. The WSWC is preparing the report and will present it to the WGA for its consideration this summer.

In the Water Quality Committee meeting, Dave Evans, Environmental Protection Agency (EPA) Wet-lands Division Director, discussed the development of guidance to clarify CWA jurisdiction under the U.S. Supreme Court's *SWANCC* and *Rapanos* decisions. EPA and the Corps worked on rulemaking last year, but were unable to move a rule forward and have refocused on the guidance as an interim measure. The Office of Management and Budget is reviewing a revised version of the guidance, which will likely be finalized in the next few months.

The WSWC will next meet on June 6-8 in Seattle, Washington. (*Dan McAuliffe*)

US SENATOR RAND PAUL INTRODUCES BILL TO CLARIFY THE DEFINITION OF NAVIGABLE WATERS: The Clean Water Act prohibits the discharge of pollutants into "navigable waters" without a federal permit. On February 16 US Senator Rand Paul introduced a bill entitled the Defense of Environment and Property Act of 2012 (S. 2122) "to clarify the definition of navigable waters."

Among other things, the bill seeks to:

1. Provide a definition of "navigable waters" and federal authority;
2. Exclude ephemeral and intermittent streams from federal control;
3. Prevent the Corps and EPA from reinterpreting the definition of "navigable waters" without

congressional approval;

4. Return control over local water and land use to the States;
5. Prohibit federal trespass onto private property; and,
6. Require compensation for loss of use and value of private property.

A copy of the bill is attached (Attachment 3). *(Dan McAuliffe)*

SMALL CONDUIT HYDROPOWER BILL PROGRESSES: U.S. Representative Scott Tipton's bill (H.R. 2421), the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2012, passed the House of Representatives on March 7 and has been referred to the Senate Committee on Energy and Natural Resources.

The bill amends the Reclamation Project Act of 1939 to authorize the Secretary of the Interior (acting through the Bureau of Reclamation) to contract for the development of small conduit hydropower at Bureau facilities. A complete description of the measure was contained in the March 2012 CWCBC Director's Report. *(Dan McAuliffe)*

BARRASSO BILL BLOCKS EPA FROM FINALIZING REGULATORY GUIDANCE: On March 29 U.S. Senator John Barrasso (R-Wyo.) and 30 Republican colleagues introduced a bill (S. 2245) to block the EPA from finalizing regulatory guidance seeking to expand the number of streams and wetlands subject to federal protection under the Clean Water Act. A copy of the bill is attached (Attachment 4). *(Dan McAuliffe)*

RESOURCES COMMITTEE MARK-UP: On April 25 the House Natural Resources Committee passed H.R. 2621, by U.S. Representative Scott Tipton, to establish the Chimney Rock National Monument in Colorado. The bill designates the Chimney Rock National Monument in Colorado and authorizes the Secretary of Agriculture (USDA) to make adjustments to the boundaries of the Monument to reflect the inclusion of significant archaeological resources discovered on adjacent National Forest System land. The bill also requires the Secretary to develop a management plan for the Monument. A copy of the bill is attached (Attachment 5). *(Dan McAuliffe)*

SENATE MARKS UP FARM BILL WHILE HOUSE BEGINS HEARINGS: On April 23 the Senate Agriculture Committee marked-up a draft of the 2012 Farm Bill and the House Agriculture Committee began a series of hearings. The Senate version of the Farm Bill is 900-pages and cuts \$23 billion from agriculture programs. The bill is very similar to a proposal drafted by agriculture leaders during last fall's failed super committee process. The House Committee has not yet released a bill.

The Senate bill eliminates direct payments to farmers, strengthens crop insurance and adds a new program to provide farmers payments for deviations from average revenue. The bill also consolidates the 23 existing conservation programs into 13 and decreases the acreage in the Conservation Reserve Program from 32 million acres to 25 million over the next five years. The legislation also maintains rural energy programs that are expiring this year, but it funds them at significantly decreased amounts.

The House Agriculture Committee plans to hold at least three hearings, one of which will focus on the future of farmland conservation. While the Committee Chairman hasn't commented on the Senate bill, the House committee is expected to propose steeper cuts. A budget reconciliation

proposal approved along party lines by the House committee was a signal that nutrition assistance will face the bulk of cuts. *(Dan McAuliffe)*

BILL TO STREAMLINE NEPA PERMITTING PROCESS: During the week of April 23 a House Judiciary subcommittee considered H.R. 4377, the "[Responsibly and Professionally Invigorating Development Act](#)." The bill is a regulatory streamlining effort that changes the process under which agencies carry out environmental reviews under the National Environmental Protection Act (NEPA) in several ways, including setting a hard deadline for agencies to complete required reviews. Currently, there are no time limits on the process.

The bill specifically sets a 54-month deadline on the NEPA process that includes a maximum of 18 months for completing environmental assessments and 36 months for completing more complex environmental impact statements.

The bill also limits the ability to challenge an agency's environmental review and establishes a rule to force interested parties to comment or involve themselves early on in the NEPA process to establish standing in order to bring a lawsuit later on. *(Dan McAuliffe)*

UTILITIES LOBBY ON FARM BILL: On April 24 members of the National Association of Clean Water Agencies (NACWA) held a lobbying day in Washington, D.C. to obtain more funding in the next farm bill for agricultural conservation practices because they want funding targeted for nutrient control. The utilities believe phosphorus and nitrogen enter water from fertilizer-laden farm runoff and they are forced to invest millions of dollars in expensive nutrient-reduction controls.

Farmers, on the other hand, argue that cities have inadequate sewage systems that dump nutrient pollution into waterways.

The Clean Water Act does not regulate pollution that flows from "nonpoint" sources, such as farmland. Conservation funding attempts to limit pollution by paying to help farmers use better land-management practices, such as planting cover crops and creating buffer zones to catch runoff. *(Dan McAuliffe)*

PIPELINE RECEIVES SECOND CHANCE: The Federal Energy Regulatory Commission (FERC) has announced it will grant a rehearing for Aaron Million's Wyco Power and Water Co.'s Flaming Gorge Pipeline.

FERC had denied Million's request for an environmental impact study for the 500-mile pipeline project in February because the pipeline was not yet built and the application was premature. Million appealed that decision.

Million switched to seeking FERC approval last year because his pipeline has power-generation components and an Army Corps of Engineers process was taking too long.

Meanwhile, a state task force continues to meet to identify issues that could arise if either project is built. *(Dan McAuliffe)*

FY 2013 WATER APPROPRIATIONS: On April 18 the House Appropriations Subcommittee on Interior, Environment and Related Agencies unanimously approved a \$32.1

billion FY 2013 energy and water appropriations bill. The spending request represents a \$965 million cut from the President's budget request, but is \$88 million above FY 2012 levels.

The Army Corps of Engineers would receive \$4.8 billion, about \$188 million less than current levels but \$83 million above the President's request. Reclamation would receive \$988 million, about \$89 million below last year's level and \$47 million below the president's request. (*Dan McAuliffe*)

DESALINATION BILL: On April 17 the House Water and Power Subcommittee held a hearing on a bill (H.R. 2664) to reauthorize the Water Desalination Act of 1996. The bill authorizes a federal desalination research program and authorizes \$2 million a year for fiscal years 2012 through 2016 for the program.

Subcommittee Ranking Member Grace Napolitano (D-CA) sponsored the bill, but Subcommittee Chair Tom McClintock (R-CA) opposes the bill because he believes a market already exists for desalination and private industry is already invests enough. He sees the bill as a duplication of effort.

David Murillo, the Bureau of Reclamation's Deputy Commissioner for Operations, said the Administration supports the bill. (*Dan McAuliffe*)

COMMERCE CLAUSE CASE: On April 2 the U.S. Supreme Court issued a one sentence statement inviting the U.S. Solicitor General to file a brief "expressing the views of the United States" in *Tarrant Regional Water District v. Hermann*. The case involves a claim that a Texas water district brought against the Oklahoma Water Resources Board in 2007 over a series of Oklahoma laws that limit out-of-state water sales. Texas believes the anti-export laws violate the Commerce Clause of the Constitution.

The case is part of a larger effort by the district to divert water from Red River tributaries in Oklahoma for use in Texas. However, the Tenth Circuit Court of Appeals upheld a lower court's dismissal of the suit in 2011, reasoning that the Red River Compact already allocates the water in question and allows Oklahoma to regulate its apportioned water.

The US Supreme Court is considering whether to review the Tenth Circuit's decision. The Court's statement follows a March 19 rejection of an appeal of the Tenth Circuit's decision in *City of Hugo v. Nichols*. That case involved a similar challenge to Oklahoma's laws that an Oklahoma city brought against the OWRB as part of an effort to sell 200,000 af/year to Irving, Texas. The Tenth Circuit had held that the city lacked standing to sue the OWRB because it was a political subdivision of the state. (*Dan McAuliffe*)

GREEN RIVER LAWSUIT: On March 27, a coalition of environmental groups, individuals, and other entities filed two lawsuits in Utah to overturn the Utah State Engineer's January 2012 decision to approve the water right change applications for Utah's first nuclear power plant.

The approved applications would allow developer Blue Castle Holdings (BCH) to use 53,600 af/year of water from the Green River for cooling purposes. Jones approved the applications because he found that they complied with Utah law, which requires approval for applications that comply with specified, statutory criteria.

The complaint challenges Jones' decision arguing that: (1) there is an absence of unappropriated water; (2) the uses under the change application will interfere with existing water rights; (3) the plant's proposed plan of diversion is not physically or economically feasible; (4) there is a lack of evidence that BCH has the financial ability to complete the project; (5) the proposed use is speculative in nature; and (6) the application will detrimentally impact the natural stream environment and public welfare. *(Dan McAuliffe)*

RECLAMATION ISSUES TEMPORARY DIRECTIVE AND STANDARD FOR LEASE OF POWER PRIVILEGE REQUIREMENTS: On April 4 the Bureau of Reclamation issued a temporary directive and standard for Reclamation's Lease of Power Privilege requirements and process. The directive will last one-year and is an attempt on Reclamation's part to provide a common understanding of how the LOPP process is administered. Comments on the directive are being accepted for sixty days and will be incorporated into final LOPP Directive and Standard. *(Dan McAuliffe)*

OBAMA INFRASTRUCTURE PERMITTING EXECUTIVE ORDER: On March 22 President Obama signed an Executive Order 13604 entitled "Improving Performance of Federal Permitting and Review of Infrastructure Projects." The Order is designed to facilitate the permitting of large infrastructure projects, including water projects. It establishes a federal Steering Committee and directs involved agencies to identify improvements to the federal permitting and review procedures. The Order does not direct the listed agencies to solicit outside input. A copy of the Order is attached (Attachment 6). It can also be reviewed at <http://www.whitehouse.gov/the-press-office/2012/03/22/executive-order-improving-performance-federal-permitting-and-review-infr>. *(Dan McAuliffe)*

FEDERAL RECLAMATION MANUAL REVISION UPDATE: The comment period has closed on the second, 90-day comment period for new draft requirements the Bureau of Reclamation had developed.

The requirements were set forth in four draft Reclamation Manual (RM) releases that address: (1) water related contract and repayment general principles and requirements; (2) water rates and pricing; (3) transfers and conversions of project water; and (4) conversions of project water from irrigation use to municipal and industrial (M&I) use. The Reclamation Manual consists of a series of Policy and Directives and Standards. Collectively, these releases assign program responsibility and establish and document Bureau of Reclamation-wide methods of doing business. All requirements in the Reclamation Manual are mandatory.

The agency is expected to re-release another set of updates incorporating comments it received and re-open the comment period for another 60-90 days. *(Dan McAuliffe)*

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 see if there may be opportunities to improve water management in a way that could benefit both countries. This effort would build on the successes of Minutes 316, 317, and 318, which were signed in 2010. We will update the Board at the upcoming Board meeting in Executive Session. *(Ted Kowalski)*

~STATEWIDE~

GROUND WATER COMMISSION MEETING: The Ground Water Commission (GWC) did not hold a meeting since the last CWCB meeting. The Ground Water Commission will hold its next meeting on May 18, 2012 in Castle Rock, CO. For more information visit: <http://water.state.co.us/groundwater/CGWC/Pages/default.aspx>. (*Suzanne Sellers*)

COLORADO SUPREME COURT AFFIRMS TITLE BOARD DECISION TO APPROVE PUBLIC TRUST INITIATIVES #3 AND #45: On April 16 the Colorado Supreme Court affirmed the Title Board's determination that each initiative contained a single subject and each title clearly and fairly expresses the same single subject as the proposed initiative. In each case, Justice Hobbs wrote a dissenting opinion saying he would have overturned the Title Board's decision.

The Colorado Water Congress appealed the Title Board decisions.

The Court held that Initiative #3 and its Title contain a single subject because they relate to "the public's rights in the waters of natural streams." According to the Court, the other subsections are necessarily and properly connected to subsection (2) because they explain the proposed doctrine's relationship to existing contract, property, and appropriative rights and provide how the new regime will be enacted and enforced. The Court rejected also found that the Titles clearly expressed the initiative's single subject.

In his dissent, Justice Hobbs argued that Initiative #3 had at least three separate subjects: (1) subordinating existing water rights to a newly created dominant water estate; (2) subjecting the lands of the banks of streams to a newly created navigation servitude for commerce and public use; and (3) creating a new property right of access by the public to any natural stream in Colorado. Because of this, he would have overturned the Title Board's action in setting the titles.

With respect to Initiative #45, the Court held that it also contains a single subject, concluding that "public control of waters" is one subject and all of the initiative's provisions properly and necessarily relate to that subject. The Court held that the Title fairly and clearly expressed the subject of Initiative #45, because a "yes" vote will expand public control of the state's water while a "no" vote will reject the proposal's revisions to the existing constitutional framework.

Justice Hobbs again argued against the majority's opinion and said that Initiative #45 will enact at least three multiple discrete subjects. He found that it will subordinate existing water rights in Colorado created over the past 150 years to the newly-created public's dominant estate in water; allow non-tributary groundwater to be appropriated by anyone without consent of the overlying landowner; and impose riparian water law on the State of Colorado and on water rights that have already been appropriated. Justice Hobbs would also have overturned the Title Board's decision on Initiative #45 because it, too, contained multiple subjects.

Additional initiative information is available on the Colorado Secretary of State's website at: www.sos.state.co.us/pubs/elections/Initiatives/InitiativesHome.html. (*Dan McAuliffe*)

STATE LAND BOARD WATER STRATEGY: The Colorado State Land Board is making the utilization of its water resources a priority. The Colorado Water Conservation Board is

helping with this effort and has developed a three phase/three-year plan. The implementation of the plan will make the Board a player in future water decisions in those Basins where it owns water.

The implementation of the plan will result in immediate benefits:

- ✓ Closer working relationships with water commissioners;
- ✓ Avoid abandonment proceedings;
- ✓ Develop internal operating procedures;
- ✓ Identify priority development and utilization areas;
- ✓ Utilize existing systems; and,
- ✓ Better trained staff.

The plan will also help the Board address immediate opportunities as pilot projects.

A copy of the plan is attached (Attachment 7). (*Dan McAuliffe*)

FLOODPLAIN MAP MODERNIZATION / RISK MAP UPDATE:

FY12 Activities: Draft Scopes of Work are underway for project consideration in the Cache La Poudre and Purgatoire watersheds. Conversion projects this year (from Map mod to Risk Map) will include Chaffee, Pitkin, and Logan Counties.

FY11 Activities: Risk Map projects for the St. Vrain and Clear Creek Watersheds are underway. Lidar data is being acquired by FEMA and field surveys are being conducted this summer.

FY10 Activities: Work is underway for Chaffee, Logan and Pitkin Counties. Preliminary mapping for Pitkin County is almost completed. The final meeting will be in conjunction with FEMA's resiliency meeting, as part of the Risk Map effort. Hydraulic tasks and floodplain mapping tasks are continuing for Logan County. The LIDAR data for Chaffee County is being provided by the USGS and has been provided. Hydraulic and floodplain mapping tasks have now resumed for Chaffee County.

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. FEMA has completed a second review of the levee certification package submitted by the Town of Wiggins. The Beaver Creek study through the Town of Brush has been submitted to FEMA for review.

The Prowers County DFIRM floodplain mapping tasks have been completed. 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. The Town of Lamar and Grenada are in the process of assessing their levees. This project is currently on hold awaiting new guidance for levee mapping.

FY08 Activities: Montrose County DFIRMs became effective on January 6, 2012. The Elbert County and Rio Grande County DFIRMs are now effective. Gunnison County DFIRMs are now in the post 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. 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 DFIRMs became effective 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. The Town of Evans will not be certifying their levee and has submitted a formal letter to allow the DFIRM process to move forward. In addition, Atkins is currently working on incorporating LOMRs into the DFIRM. Fremont County DFIRMs became effective on January 6, 2012. Clear Creek County is in the post preliminary phase.

FY 05 Activities: Mesa County DFIRM became effective in June 2010. The Garfield County DFIRMs 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. Public meetings took place in Longmont, Louisville, Lafayette, and in Boulder County. The Letter of Final Determination is scheduled to be sent to the communities in late June and effective maps should be issued in December 2012. (*Thuy Patton*)

~COLORADO RIVER BASIN~

ADAPTIVE MANAGEMENT WORK GROUP (AMWG) AND TECHNICAL WORK GROUP (TWG) MEETINGS: The Glen Canyon Adaptive Management Technical Work Group (“TWG”) annual spring meeting was held on April 16-17, 2012 in Phoenix, AZ. At this meeting, the TWG reviewed and provided substantial input on the 2013 proposed budget. This input will be considered and used to revise the proposed budget for consideration and discussion by the AMWG at a webinar on May 10 at 11 am (MDT) and for further consideration and discussion by the TWG on June 20-21, 2012, in Phoenix, AZ. For more information, go to: http://www.usbr.gov/uc/rm/amp/amwg/amwg_mtginfo.html (*Ted Kowalski*)

LTEMP SCOPING COMMENTS: On March 16, 2012 the U.S. National Park Service (“NPS”) and the U.S. Bureau of Reclamation (“BOR”) released a Scoping Report for the Long Term Experimental and Management Plan for the Operation of Glen Canyon Dam EIS (“LTEMP EIS”), describing the scoping comments they had received to date. This Scoping Report did not describe how the scope of the EIS would be limited or pared down. Nevertheless, at a subsequent public webinar regarding the EIS, the leads indicated that the decommissioning

of Glen Canyon Dam, the rewriting of the Colorado River Compacts, and the revision to the 2007 Interim Guidelines would all be outside of the scope of this EIS. See article, attached to the back of this report. On March 30, 2012, the NPS and the BOR described in a newsletter a number of alternatives that may be considered in the context of the LTEMP EIS. Then, on April 4-5, the NPS and BOR held a workshop in Flagstaff, AZ, wherein they sought to solicit comments on the alternatives that they had described in their newsletter and released to the public on the previous Friday.

The CWCB, on behalf of the State of Colorado, attended these meetings, but we did not offer specific suggestions on the suggested alternatives, nor did we offer other alternatives. Rather, the State of Colorado along with the six other basin states have requested additional time to develop a “States’ alternative” through various correspondence. The BOR has granted this extension of time for developing alternatives. The States have been given until July 2, 2012 to develop a States’ alternative. For more information, visit: <http://ltempeis.anl.gov/index.cfm>. (Ted Kowalski)

UPPER COLORADO RIVER COMMISSION (UCRC) SPRING MEETING: The UCRC will be holding a work meeting and annual Spring Commission meeting on May 23-24, in Page, Arizona. (Ted Kowalski)

~ARKANSAS RIVER BASIN~

BUREAU OF RECLAMATION CONTINUES TO EXPLORE CRITERIA FOR MARKET RATE PRICING FOR EXCESS CAPACITY CONTRACTS FOR THE FRYINGPAN-ARKANSAS PROJECT: Staff members from the Bureau of Reclamation met with representatives of water management agencies from Southeastern Colorado on April 25th to discuss the BOR’s proposed temporary Directive and Standard regarding “market-based” pricing for excess capacity contracts in BOR facilities. A presentation was made by David LaFrance, executive director of the American Water Works Association, on “cost-of-service” pricing, a common industry practice among utility providers nationwide. The parties discussed how this methodology of pricing could potentially inform the future application of market-based pricing to Reclamation facilities west-wide. We will continue to keep the Board apprised of these issues as they progress. (Brent Newman)

~PLATTE RIVER BASIN~

PLATTE RIVER RECOVERY PROGRAM: The Platte River Recovery Implementation Program (“Program”) held a Governance Committee on March 13-14, 2012 in Kearney, NE. Agenda items for discussion included winter whooping crane monitoring, the 2012 Annual Operating Plan, 2011 tiered biological opinions, 2011 inflation indexing, recreation access to program lands and the status of U.S. Army Corp permits. The primary decision items included approval of a rotating membership plan for the Independent Scientific Advisory Committee (ISAC), a budget revision of \$13,800 for water quality monitoring, and sole-source agreement for habitat availability assessments. Other decision items included approval of various land acquisition transactions. Suzanne Sellers participated in the J-2 Reregulating Reservoir negotiations, ISAC, Technical Advisory Committee and Land Advisory Committee conference calls, workshops and meetings. The next Governance Committee meeting will be held on June

12-13, 2012 in Cheyenne, WY. For more information, please visit:
<http://www.platteriverprogram.org/Pages/default.aspx>. (*Suzanne Sellers*)

RESTORE THE RIVER: On April 19th Joe Busto, Kevin Houck, and Chris Sturm attended a meeting in Littleton held by the South Platte Working Group (SWRG). The event celebrated the accomplishments of the SWRG around numerous completed projects worth \$25M over the past four years, primarily focused on land acquisition and trails. Included in this was the completion of one recreation trail on the east bank.

This event was also a call to action to reconvene the South Platte Working Group for the purposes of funding and constructing future projects along the South Platte River. Two distinct ideas were called out. The first area of focus is fish habitat, bank stabilization, and river improvements in South Platte Park just downstream of Chatfield Reservoir. The second was redesign, repair, and construction of drop structures at Union and Oxford Avenue to create a whitewater park that is more of an amenity to the communities.

This is in the CWCB reach that is managed as a flood control project known as the Chatfield Downstream Channel Improvement Project (Project). The Project purchased land and straightened the river to accommodate releases of up 5,000 cfs from Chatfield. The CWCB has been the non federal sponsor since 1990. McLaughlin Whitewater was hired by the Urban Drainage and Flood Control District (UDFCD) to look at the engineering and approvals related to vegetation, trails, and new drop structures in this reach. This work is ongoing, and the Board will be updated as it proceeds. (*Busto*)

Chatfield Downstream Channel Improvement Project Annual Inspection Held: Joe Busto and Kevin Houck participated in an annual inspection for the Chatfield Downstream Channel Improvement Project (Project). This inspection was held by the Corps of Engineers (COE) on April 17th, although it is unlikely that the final inspection report will be issued for several months. Maintenance work has been ongoing throughout the year since the previous inspection, and conversations with the COE indicate that they are generally pleased with the progress made.

The CWCB is the non-federal sponsor for the Project. In partnership with the Urban Drainage and Flood Control District, CWCB staff works throughout the year on maintenance activities to address any needs identified by the COE during their inspections. (*Kevin Houck*)

CHATFIELD DOWNSTREAM CHANNEL IMPROVEMENT PROJECT ANNUAL INSPECTION: Joe Busto and Kevin Houck participated in an annual inspection for the Chatfield Downstream Channel Improvement Project (Project). This inspection was held by the Corps of Engineers (COE) on April 17th, although it is unlikely that the final inspection report will be issued for several months. Maintenance work has been ongoing throughout the year since the previous inspection, and conversations with the COE indicate that they are generally pleased with the progress made.

The CWCB is the non-federal sponsor for the Project. In partnership with the Urban Drainage and Flood Control District, CWCB staff works throughout the year on maintenance activities to address any needs identified by the COE during their inspections. (*Kevin Houck*)

~SAN JUAN/SAN MIGUEL-DOLORES RIVER BASIN~

RIVER PROTECTION WORKGROUP: The River Protection Workgroup (RPW) Steering Committee held a regular meeting on April 17, 2012 and its next meeting is scheduled for May 29, 2012. Regular agenda items included workgroup updates and a budget update. A second retreat to plan the regional discussion is also planned for June 19, 2012. The Steering Committee is beginning to plan the "Regional Discussion" which will take place after all five public workgroups are conducted for: Hermosa Creek; San Juan River - East and West Forks; Upper Animas River; Vallecito Creek/Pine River; and the Piedra River.

A drafting committee, which is subcommittee of the Hermosa Creek RPW, expects to meet one more time to provide final comments on the proposed wilderness/unroaded area/Special Management Area (SMA) legislation prior to it being introduced to Congress by Senator Bennet.

The RPW for the Animas River did not hold a meeting since the last CWCB meeting and its next meeting is scheduled for April 30, 2012 in Silverton, CO.

The RPW for the Piedra River held meetings on March 13 and April 17, 2012 in Pagosa Springs, CO and its next meeting is scheduled for May 8, 2012 at the same location. During these meetings, the work group updated their values statement and information sheet; identified values, protections and threats on Weminuche Creek and the Piedra main stem; and whether current protections are adequate. The group also plans to explore the concept of seeking an increase for existing in-stream flows in lieu of pursuing Wild and Scenic suitability for the Piedra River. It was also noted that there is overlap between the Piedra Working group process and the forthcoming, revised San Juan National Forest Land Use Plan. The community input and conclusions of the Piedra Working Group process are expected to be included in the final plan, and the groups' actions are being closely monitored by SJNF officials. If the revised Forest Plan is finalized before the end of the Piedra Working Group process, then it could be amended to include the workgroup's conclusions and input.

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

DOLORES RIVER DIALOGUE AND LOWER DOLORES WORKING GROUP

UPDATE: The Lower Dolores Working Group and the Dolores River Dialogue held a joint meeting on April 26, 2012. The purpose of the meeting was to provide an update on activities of the "A Way Forward" Implementation Team and the Lower Dolores Working Group Legislative Committee since the last joint meeting in Fall 2011. Meeting attendees included county commissioners from San Miguel and Dolores Counties; local landowners; representatives of CWCB, Colorado Parks and Wildlife (CPW), Division of Water Resources, Bureau of Reclamation, San Juan Citizens Alliance, The Nature Conservancy, Montezuma Valley Irrigation Company, American Whitewater, and Trout Unlimited; and other interested individuals. Topics discussed included information on the Dolores River 319 Watershed Plan and how to provide input on the Plan, and a review of the draft National Conservation Area (NCA) legislation and what is left to be addressed (boundaries of NCA and fish/flow issues). CPW gave a presentation on the results of fish sampling it conducted in 2011.

A comparison of species composition in 2007 and 2011 at similar flows and time of year shows that the percentage of native fish increased from 9% in 2007 to 35% in 2011. CPW biologists saw spawning, recruitment and expanded distribution of native fish. Vern Harrell of Reclamation and Ken Curtis of the Dolores Water Conservancy District talked about the 2012 water forecast. While McPhee Reservoir will fall short of filling by 15,000 - 20,000 AF, the District does not foresee a shortage of Dolores Project allocations this year due to the reservoir being fuller than usual in the fall. Because McPhee Reservoir will not spill this year, the AWF Implementation Team will be unable to carry out plans to change the release pattern to keep temperatures downstream cooler with the goal of delaying native fish spawning until after the spill. This plan was one of the alternatives identified by the AWF Report to help native fish that can be done under existing regulatory authority prior to proposing permanent management changes that could trigger a NEPA process.

The April 26 joint meeting was a good opportunity to refresh memories and reconnect about this ongoing collaborative process to find ways to protect the ORVs in the Dolores River without a finding of suitability for Wild and Scenic designation. More information about the activities of the Dolores River Dialogue, Lower Dolores Working Group and AWF Implementation Team can be found at <http://ocs.fortlewis.edu/drd/default.asp>. (*Linda Bassi*)

~AGENCY UPDATES~

FLOOD THREAT BULLETIN UPDATE: The daily Flood Threat Bulletin prepared by a consultant under contract to the CWCB will begin its seventh year on May 1st. Dewberry has been selected as the consultant for this year, and a kickoff meeting was held on April 25th.

Dewberry and CWCB staff will provide daily flood threat outlooks that will be accessible online for interested users. The information will be updated from previous years. County-specific forecasts are generally being replaced with more watershed-specific forecasts. The appearance of the portal has been updated to a more modern look with some additional features set to become available after the program has begun. These features include brief summaries of specific storm events and a more user-friendly portal for use in analyzing different future periods for longer range outlooks.

Dewberry will provide daily outlooks regarding the flood threat around the state due to either snowmelt or rainfall. In addition, a GIS summary of precipitation from the previous report is available to view which areas of the state received the most precipitation (useful for both water managers and floodplain managers). Twice weekly, on Mondays and Thursdays, a medium-range outlook will be issued summarizing the anticipated flood threat for the following two weeks. The information can be easily accessed at www.coloradofloodthreat.com and it will be linked through the CWCB's home page. The flood threat bulletin is offered from May through September 30th. (*Kevin Houck*)

WATER QUALITY – QUANTITY MEETING: On April 5, 2012, Staff representing the CWCB, Water Quality Control Division (WQCD) & Commission (WQCC), Department of Water Resources, Colorado Parks and Wildlife, and DNR met for the quarterly water quality/quantity meeting. The meeting agenda typically contains topics of interest to multiple agencies in attendance. The meeting started with an update from WQCD on the Statewide Water Quality Management Plan (Plan). WQCD staff requested information from CWCB about

appropriate venues in which to present the Plan. The Basin Roundtable meetings were suggested as well as various Water 2012 events.

Other topics discussed included a CWCB update on the Projects Bill and the Colorado Watershed Restoration Program grant applications. WQCD suggested coordinated efforts when responding to post fire restoration needs. The discussion centered on the North Fork Fire, but the need to coordinate exists for all post fire restoration aid. WQCC updated the group on its consideration of nutrient regulations. The regulations are scheduled for final action in May. If adopted, the regulations will require domestic wastewater treatment plants to meet higher standards in bio-nutrient removal.

The groups also discussed the status of several large water projects, including the Moffat Expansion, Windy Gap Firming, and the Southern Delivery System (SDS). WQCC reported that they were waiting for a ruling on the WQCD 401 certification for SDS. The Pueblo District Attorney appealed the WQCD's permit ruling for SDS. The Pueblo District Judge has since issued an order for a new permit hearing. WQCD is waiting for the Record of Decision (ROD) on Windy Gap Firming before issuing a 401 certification. WQCD recommended a meeting with DNR and the Governor's office to strategize an appropriate time to issue 401 certifications. The group agreed that it would be helpful for all parties involved if WQCD participated in the process prior to the ROD. (*Chris Sturm*)

COMMUNITY ASSISTANCE PROGRAM UPDATE: Community Assistance Visits are conducted to maintain periodic contact with communities participating in the National Flood Insurance Program in order to assess their needs for technical assistance and coordination, as necessary. In addition, the visits provide an opportunity for assessing the effectiveness of local floodplain management regulations and enforcement practices. During these visits, the State Rules and Regulations for Floodplains in Colorado are discussed and communities are assisted in updating their floodplain regulations to incorporate the Rules.

In March and April of 2012, Community Assistance Visits were conducted with the Town of Castle Rock, City of Colorado Springs, City of La Junta, City of Lafayette, Otero County, Prowers County and the City of Thornton. These communities continue to maintain good standing in the National Flood Insurance Program and, as a follow-up to the meeting, are provided specific recommendations for improving floodplain management, regulations and record-keeping. (*Jamie Prochno*)

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.

Four new grant applications have been received and are being considered and reviewed:

- **City of Englewood** – Water Conservation Plan
- **Tri-County Water Conservancy District** – Commercial Water Audits
- **City of Evans** – Drought Management Plan
- **Mount Werner Water & Sanitation District** – Web-Based Demand-Side Leak Detection Program

Two grants have been approved since the last Board meeting:

- **Pagosa Area Water & Sanitation District** – Drought Management Planning Grant (\$21,104)
- **City of Dacono** – Water Rate Study (\$35,230)

Deliverables to the CWCB are as follows:

- **Town of Eaton** Water Conservation Plan – *submitted Water Conservation Plan*
- **North Table Mountain Water & Sanitation District** Leak Detection Program – *submitted 75% Progress Report*
- **Town of Firestone** Drought Management Plan – *submitted 75% Progress Report*
- **Town of Estes Park** Water Conservation Plan – *submitted final plan (Ben Wade)*

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

Approved Plans

- **Town of Frederick** – CWCB Staff approved Frederick's water conservation plan on 3/27/12.
- **City of Broomfield** – CWCB Staff approved Broomfield's water conservation plan on 3/29/12.

Plans in review

- **City of Arvada** –CWCB staff met with Arvada staff on February 27 to discuss the plan. Staff is providing technical assistance to Arvada on the revisions to their plan.
- **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 reviewed revised sections of plan and is awaiting final submission.
- **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 2011. Resubmission pending.
- **Little Thompson Water District** – CWCB staff reviewed the District's revisions in late November and sent comments to the District on December 6, 2011. The District re-submitted a revised plan on April 20, 2012 and staff is reviewing.
- **Donala Water & Sanitation District** – CWCB received the Plan on October 28, 2011. CWCB staff sent back comments to District on January 20. Staff met with Donala in March to review comments, entity resubmitted a draft and staff is reviewing again.
- **South Adams County Water & Sanitation District** – CWCB received the Plan on November 3, 2011. CWCB staff reviewed the plan and sent comments to the District on January 30. Resubmission pending.
- **Town of Eaton** – CWCB received a locally adopted plan from the Town of Eaton on January 24. First review is completed and comments have been sent back to the entity.
- **Pueblo West Metropolitan District** – CWCB received the plan on February 8 and sent comments to the District on February 29. District revised plan and submitted to CWCB

staff in early March. CWCB staff commented and sent back to District on 3/19/12. CWCB staff is waiting for revisions.

- **Town of Estes Park** – CWCB received the plan on April 25. Review is pending. (*Ben Wade*)

GOVERNOR’S WATER AVAILABILITY TASK FORCE: The next Water Availability Task Force on May 22, 2012 from 1:30-3:30pm at the Colorado Parks & Wildlife Headquarters, 6060 Broadway, Denver, CO in the Bighorn Room. Please check the website (<http://cwcb.state.co.us/public-information/flood-water-availability-task-forces/Pages/main.aspx>) for additional information. (*Ben Wade*)

2012 CWCB STATEWIDE DROUGHT CONFERENCE: Building a Drought Resilient Economy through Innovations in Preparedness & Planning: Registration for the 2012 CWCB Statewide Drought Conference: *Building a Drought Resilient Economy through Innovation* opens May 1, 2012. This two-day conference is on September 19-20, 2012, and will be held at the Colorado History Museum in downtown Denver. This interactive conference will be focused on the latest and innovative information, techniques and policies to prepare for and adapt to drought in Colorado. Governmental, private sector and non-profit professionals are encouraged to attend. Please visit the CWCB website for information on registration, the conference agenda, hotel arrangements, parking and other conference related items. (*Veva Deheza & Taryn Hutchins-Cabibi*)

WATER EFFICIENCY SAMPLE PLAN UPDATE: CWCB staff is working with Aquacraft, Inc. to develop a Water Efficiency Sample Plan for covered entities that meets all statutory requirements. The sample plan will incorporate the revisions to the new Water Efficiency Plan Guidance Document and will be an example for entities to follow in order to create a more consistent planning approach. This will be the first component of a water conservation tool box being developed over the next few years. The sample plan will be finished by end of June, 2012. (*Kevin Reidy*)

WATER PUBLIC AWARENESS CAMPAIGN: CWCB staff posted a Request for Proposals (RFP) on March 23, 2012. The deadline for submissions was April 16, 2012. Five proposals were received and are currently being evaluated by a selection committee comprised of two CWCB staff and one DNR staff member. A contractor selection and project award is scheduled for early to mid May 2012.

The Water Public Awareness Campaign project is to conduct and synthesize research to better understand the perspectives, knowledge, and level of awareness of Coloradans on water and water issues in the state. The project calls for executing statewide surveys and stakeholder focus groups to gain insight on the attitudes and perceptions of average Coloradans on water issues that affect their lives. This information and data will help inform the state’s exploration of the feasibility and appropriateness of a statewide communications plan about the value of water. (*Veva Deheza*)

SOUTHERN PLAINS DROUGHT ASSESSMENT AND OUTLOOK FORUM IN LUBBOCK, TX: Taryn Hutchins-Cabibi attended the Southern Plains Drought Assessment and Outlook Forum on April 26, 2012 in Lubbock, TX. The forum will provide the opportunity to engage with other states impacted by the recent and ongoing drought that has impacted southern

Colorado. It will also provide the opportunity to interact with other officials involved with state level drought planning. State officials from New Mexico, Oklahoma, and Texas will be in attendance at the forum. This interaction could be very valuable in helping the state improve on a drought planning process that is already advanced compared to other states. (*Taryn Hutchins-Cabibi*)

WATER CONSERVATION TECHNICAL ADVISORY BOARD/IBCC WATER CONSERVATION SUBCOMMITTEE MEETING: On March 28, 2012 the WCTAG jointly met with the IBCC Water Conservation Subcommittee. Meeting goals included:

- Develop a relationship and begin a dialogue between WCTAG and the Conservation Subcommittee to share information, goals, and efforts and discuss if there are opportunities for the group to work together
- Learn about WaterSense (current and future programs) from EPA representatives
- Explore how to communicate conservation to the broader community
- Offer WCTAG an opportunity to provide the Conservation Subcommittee with feedback and advice regarding the conservation recommendations from the 2010 Letter to the Governors and the Subcommittee's thoughts regarding how to begin to implement the recommendations.

The discussion was informative and valuable, and both groups came away with a better understanding of each other's roles and how they can work together collaboratively. Another joint meeting of these two groups is currently proposed for May 23, 2012 to continue discussions and identify specific initiatives that may be opportunities to work together in advancing. (*Veva Deheza and Kevin Reidy*)

CWCB PARTICIPATES IN REGIONAL WATER FESTIVALS: The Office of Water Conservation & Drought Planning (OWCDP) is scheduled to participate in six Children's Water Festivals throughout the State of Colorado. These regional water festivals will be attended by thousands of 4th and 5th graders. CWCB staff has put together a "Water Tradeoffs" presentation which will help students learn about the affects of drought, how difficult decisions to allocate water are made during drought conditions and why water conservation is important. The students will be introduced to the concept of climate variability and water budgets. The students will be in groups of 4-6 and will decide how to allocate water to municipal, environmental, recreational and agricultural sectors during an average precipitation year and during a drought. The demonstration will incorporate visual aids such as a map of Colorado and picture poster boards the students will work with as they decide how much water each sector will receive. The students will receive washable water droplet tattoos, removable window stickers and toilet leak detection tablets to help enforce the importance of water and how they can use water efficiently and help conserve Colorado's water. Festival dates and locations are as follows:

- April 25 – Greeley, Island Grove Regional Park
- May 14-15 – Grand Junction, Colorado Mesa University
- May 15 – Westminster/Northglenn/Thornton, Front Range Community College
- May 16 – Boulder, University of Colorado
- May 17 – Longmont, Radisson Conference Center
- May 18 – Aurora, Community College of Aurora (*Ben Wade*)

DECREE GRANTED FOR CWCB'S SECOND TRANSACTION WITH THE COLORADO WATER TRUST:

On April 12, 2012, the Division 5 Water Court entered a final decree for CWCB's change of water right application in Case No. 5-07CW277, bringing to closure the second water right transaction between the Colorado Water Trust (Water Trust) and CWCB. The donation was brought to the CWCB in 2007 by the Colorado Water Trust to preserve the natural environment of Hat Creek and East Brush Creek in Eagle County. Vail Associates had donated the Hat Creek water rights to the Water Trust following a land and water exchange between Vail Associates, the United States Forest Service and a private party.

The Water Trust donated the Hat Creek water rights to CWCB and reserved the right to bring about the use of the consumptive portion downstream of CWCB's instream flow segments. The Water Trust arranged for the Town of Eagle to purchase the consumptive use portion of the donated water rights for use downstream. CWCB filed an application with the water court in 2007 to change the Hat Creek Ditch water right to instream flow use by the Board. The Town of Eagle will file a separate application with the court to decree its separate change in use for its Hat Creek Ditch water rights. The CWCB application was opposed by Diamond S Ranch, Inc., and the Town of Eagle. Agreements were reached with all parties.

The Water Court decree allows CWCB to use the water to preserve approximately 1/2 mile of Hat Creek and 4.7 miles on East Brush Creek. This water will be used to supplement the previously decreed instream flow rates on Hat Creek decreed in Case No. 5-87CW271 and East Brush Creek decreed in Case No. 5-77W3627. (*Kaylea White*)

LOAN REPAYMENT DELINQUENCY: Loan Repayments received relative to the Water Project Construction Loan Program have been reviewed for the period covering July 2011 through April 2012. 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 ten months of Fiscal Year 2012 totaled 217. There were two loan payments not received on time during this period. The loan payment from Fuchs Ranches, Inc. was less than 30 days late. The loan payment from the Headgate 396 Lateral Corporation was less than 60 days late. 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 approved by the State Controller and State Treasurer for CWCB to write-off the remaining balance. (*Steve Biondo*)

LOANS PAID OFF: During Fiscal Year 2012, there were eight loans repaid in full to the Construction Fund and one loan repaid in full to the Severance Tax Trust Fund Perpetual Base Account, detailed as follows:

Borrower	Contract No.	Original Loan Amount
Conejos Water Conservancy District	C153609	\$440,000
Coon Creek Reservoir & Ditch Company	C153568	\$55,000
Lower South Platte Water Conservancy District	C150067	\$56,787
Ute Water Conservancy District	C153329	\$1,000,000
Ute Water Conservancy District	C153380	\$7,987,500
Ute Water Conservancy District	C153670A	\$400,000
Ute Water Conservancy District	C153670B	\$10,137,500
Winter Park Water and Sanitation District	C153316	\$900,000
Ute Water Conservancy District	C150026	\$17,000,000

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 \$40.1 M for this period. Funds disbursed relative to new project loans totaled \$18.6 M for this period. Net activity resulted in \$21.5 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 \$19.0 M in receivables and \$3.7 M in disbursements for a total net activity of \$15.3 M received over disbursed. The STTFPBA consists of \$21.1 M in receivables and \$14.9 M in disbursements for a total net activity of \$6.2 M received over disbursed. (*Steve Biondo*)

USGS / DWR/ CWCB COORDINATION MEETING: On April 4, 2012, CWCB Staff attended the semi-annual State of Colorado/USGS stream gaging coordination meeting. The purpose of these meetings is to improve coordination and collaboration efforts between the three entities with the ultimate goal of maintaining an accurate state of the art network of stream gages throughout Colorado that water managers can depend on for data and administration needs. The meeting was attended by 22 representatives from USGS, DWR and CWCB. Items discussed included an update on the USGS Cooperative Gaging Network; an update on the status of several USGS Water Science Center projects which are being funded by CWCB; the federal budget outlook and the impact to the NSIP (National Streamflow Information Program) and Cooperative programs; and the DWR/CWCB Satellite Gaging Network.

As a result of the economic downturn over the last several years, the USGS does not expect an increase in funding for either the NSIP or Cooperative Programs. However, USGS staff indicated that the efforts by numerous state agencies including the CWCB and DWR to notify Congress of the importance of stream gaging programs likely forestalled further cuts to these programs. (*Jeff Baessler*)

~ATTACHMENTS~

- 01 Finance Section – Current Prequalified Project List and Loan Prospect Summary
- 02 Senate Bill 1635 – To designate certain lands in San Miguel, Ouray, and San Juan Counties, Colorado, as wilderness, and for other purposes
- 03 Senate Bill 2122 – To clarify the definition of navigable waters, and for other purposes
- 04 Senate Bill 2245 – To preserve existing rights and responsibilities with respect to waters of the United States
- 05 House Resolution 2621 – To establish Chimney Rock National Monument in the State of Colorado, and for other purposes
- 06 Executive Order 13601 – Improving Performance of Federal Permitting and Review of Infrastructure Projects
- 07 Colorado State Land Board – Water Portfolio Strategy
- 08 Finance Section – Design and Construction Status Report
- 09 Finance Section – Change to Existing Loan
Two Rivers Water Company – Orlando Reservoir Rehabilitation Project
- 10 CWCB Financial Activity Report
- 11 Instream Flow and Natural Lake Level Program – Summary of Resolved Opposition Cases
- 12 Article “Agencies weigh competing suggestions for new Glen Canyon Dam plan” – Wednesday, March 28, 2012.
- 13 WSRA Completed Projects
- 14 WSRA In Progress Projects
- 15 WSRA Pending Projects

STATE OF COLORADO

Colorado Water Conservation Board

Department of Natural Resources

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TO: Colorado Water Conservation Board Members

FROM: Anna Mauss, P.E.
Finance Section

DATE: May 4, 2012

SUBJECT: **Directors Report, May 15-16, 2012 Board Meeting**
Finance Section – Current Prequalified Project List and Loan Prospect
Summary

John W. Hickenlooper
Governor

Mike King
DNR Executive Director

Jennifer L. Gimbel
CWCB Director

The Finance Section compiles a list of prequalified projects for the Water Project Loan Program. In order to be included on this list, potential borrowers must submit a Loan Application and two years of financial statements to the CWCB staff. In addition, Borrowers requesting to be placed on the Prequalification Project List have a defined project, have performed preliminary engineering, and have a reasonable estimate of the project costs.

Projects on this list fit the initial criteria of the Water Project Loan Program; however, the list does not constitute loan approval. In order to receive a loan, borrowers must additionally submit a completed Loan Feasibility Study for review by CWCB staff. Staff will then prepare a recommendation to the Board for approval at a future CWCB meeting. Projects will remain on this list for one year from the date of the application or until Board approval of a loan.

Prequalified Project List

BORROWER	PROJECT NAME	APPLICATION DATE	BASIN	PROJECT DESCRIPTION	PROJECT COST	LOAN AMOUNT
Previously Approved Applications						
Twenty Two Road Lateral Company	Ditch Replacement	September 1, 2011	Colorado	The Twenty Two Road Lateral Company is planning on replacing its aging concrete lined ditch with a buried pipeline. It expects to get additional funding through the NRCS Salinity Control Program.	\$500,000	\$500,000
Rio Grande Canal Water Users Association	Hydroelectric Project	September 1, 2011	Rio Grande	The Association is planning on developing a low head hydropower facility at its existing diversion dam on the Rio Grande River.	\$600,000	\$300,000
Eckhardt Farms Inc.	Water Rights Purchase	September 1, 2011	South Platte	Eckhardt Farms intends to purchase water from two ditch companies so that it can continue to farm. The farm land is in an area where wells have been shut off and the ditch rights will help ensure the continuation of agricultural production.	\$1,500,000	\$1,350,000
Missouri Heights Mountain Meadows Irrigation Company	Ditch Lining Project	July 1, 2011	Colorado	This project involves lining one mile of ditch to prevent seepage losses.	\$450,000	\$405,000
Catamount Metropolitan District	Catamount Hydroelectric Project	March 1, 2012	Yampa/White	The District intends to add a 695kW hydroelectric facility to the existing Lake Catamount Dam.	\$4,600,000	\$4,140,000
Totals					\$7,650,000	\$6,695,000

The Finance Section also compiles a list of potential borrowers/projects for the Water Project Loan Program. This list represents borrowers that have contacted the CWCB about a potential need for funding but have not submitted a loan application and/or a loan feasibility study.

LOAN PROSPECTS

Basin	Last Contact	BORROWER	PROJECT NAME	PROJECT COST	LOAN AMOUNT
South Platte					
		B.H. Eaton Ditch Co (Windsor)	Pipeline & Diversion Structure	\$1,000,000	\$1,000,000
		Louden Irrigation & Reservoir Co	Ditch Improvements	\$500,000	\$500,000
		Greeley –Loveland Irrigation Co.	Augmentation Structure		\$500,000
		No Poudre Irrigation Co	Pump Station		\$5,000,000
		Town of Byers	Well & Pipeline		\$700,000
		Town of Johnstown	Kauffman Reservoir Purchase		\$5,000,000
	Apr-11	Boulder Left Hand Irrigation. Co	Ditch Piping (2012)		\$300,000
	Feb-11	Bergen Ditch Company	Dam Rehabilitation		\$2,000,000
	Jan-11	East Larimer County Water District	Rigdon Storage Project		\$3,000,000
	Oct-11	NISP Participants	NISP		\$30,000,000
	Oct-11	Chatfield Reallocation Participants	Chatfield Reallocation Participants		\$40,000,000
	Apr-11	Bergen Ditch & Res. Co	Dam Rehabilitation (Late 2010)		\$1,000,000
		Boulder Left Hand Irrigation. Co	Ditch Piping		\$300,000
	Dec-11	Pinehurst Country Club	Harriman Reservoir	\$5,000,000	\$500,000
	Feb-12	McKay Lateral	Ditch Lining Project		\$50,000
	Apr-12	Lefthand Ditch Company	Reservoir Rehabilitations		\$1,000,000
				TOTAL	\$90,850,000
Arkansas					
	Jan-11	Upper Arkansas WCD	Trout Creek Reservoir	\$3,000,000	\$3,000,000
		Cherokee Metro District	Wells and Pipelines	\$800,000	\$800,000
	Sep-11	Ditch and Reservoir company	Big Johnson Reservoir		\$8,000,000
	Aug-12	Town of Ordway	Reservoir Rehab		\$2,000,000
	Oct-11	Lower Arkansas Water Mgmt Association	Water Rights Purchase		\$7,500,000
	Oct-12	Highline Canal Company	Water Rights Purchase	\$4,500,000	\$4,100,000
	Feb-12	Colorado City Metro District –	Beckwith Dam Repair		\$500,000
	Jan-12	Catlin Canal Company	Mt. Pisgah Dam Repair	\$300,000	\$150,000
				TOTAL	\$26,050,000

San Miguel/Juan					
		Farmers Water Development Co	Gurley Reservoir Enlargement	\$5,000,000	\$5,000,000
	Feb-11	City of Ouray	Red Mountain Ditch Rehabilitation	\$200,000	\$200,000
				TOTAL	\$5,200,000
Colorado					
		Lateral MC070 Inc.	NRCS Ditch Rehabilitation	\$200,000	\$140,000
		Highland Ditch Co	Ditch Rehabilitation Project	\$200,000	\$200,000
	Feb-12	Leon Park Reservoir Company	Dam Rehabilitation		\$35,000
		Ian Carney - Felix Tornare	Polaris Reservoir Rehabilitation	\$500,000	\$500,000
				TOTAL	\$875,000
Gunnison					
	Jul-11	Fire Mountain Canal & Reservoir Co.	New Reservoir		\$500,000
	Oct-11	Hinsdale County/Lake City	Lake San Cristobal Dam/Spillway		\$500,000
				TOTAL	\$1,000,000
Rio Grande					
	Mar-12	Fuchs Reservoir Company	Reservoir Rehabilitation		\$100,000
				TOTAL	\$100,000
Yampa					
				TOTAL	\$0

Information shown is based on current staff knowledge and will likely change as Loan Prospects develop

Recent inquiries:

Central Colorado Water Conservancy District – Augmentation Project

Colorado Springs Flycasting Club – Reservoir Rehabilitation

Sanchez Ditch and Reservoir Company – Reservoir Rehabilitation

Town of Ridgway – Reservoir Rehabilitation

San Luis Valley Water Conservancy District – Water Rights Purchase

North Sterling Irrigation District – Reservoir Rehabilitation

112TH CONGRESS
1ST SESSION

S. 1635

To designate certain lands in San Miguel, Ouray, and San Juan Counties,
Colorado, as wilderness, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26, 2011

Mr. UDALL of Colorado (for himself and Mr. BENNET) introduced the fol-
lowing bill; which was read twice and referred to the Committee on En-
ergy and Natural Resources

A BILL

To designate certain lands in San Miguel, Ouray, and San
Juan Counties, Colorado, as wilderness, and for other
purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “San Juan Mountains
5 Wilderness Act of 2011”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) COVERED LAND.—The term “covered land”
9 means—

1 (A) land designated as wilderness under
2 paragraphs (20) through (22) of section 2(a) of
3 the Colorado Wilderness Act of 1993 (16
4 U.S.C. 1132 note; Public Law 103–77; 107
5 Stat. 756); and

6 (B) land in the Special Management Area.

7 (2) SECRETARY.—The term “Secretary” means
8 the Secretary of Agriculture.

9 (3) SPECIAL MANAGEMENT AREA.—The term
10 “Special Management Area” means the Sheep
11 Mountain Special Management Area designated by
12 section 4(a).

13 (4) STATE.—The term “State” means the State
14 of Colorado.

15 **SEC. 3. ADDITIONS TO THE NATIONAL WILDERNESS PRES-**
16 **ERVATION SYSTEM.**

17 Section 2(a) of the Colorado Wilderness Act of 1993
18 (16 U.S.C. 1132 note; Public Law 103–77; 107 Stat. 756)
19 is amended by adding at the end the following:

20 “(20) LIZARD HEAD WILDERNESS ADDITION.—
21 Certain Federal land in the Grand Mesa,
22 Uncompahgre, and Gunnison National Forests com-
23 prising approximately 3,350 acres, as generally de-
24 picted on the map entitled ‘Proposed Wilson, Sun-
25 shine, Black Face and San Bernardo Additions to

1 the Lizard Head Wilderness’ and dated December 1,
2 2010, which is incorporated in, and shall be adminis-
3 tered as part of, the Lizard Head Wilderness.

4 “(21) MOUNT SNEFFELS WILDERNESS ADDI-
5 TIONS.—

6 “(A) LIBERTY BELL AND LAST DOLLAR
7 ADDITIONS.—Certain Federal land in the
8 Grand Mesa, Uncompahgre, and Gunnison Na-
9 tional Forests comprising approximately 8,250
10 acres, as generally depicted on the map entitled
11 ‘Proposed Liberty Bell and Last Dollar Addi-
12 tions to the Mt. Sneffels Wilderness’ and dated
13 December 1, 2010, which is incorporated in,
14 and shall be administered as part of, the Mount
15 Sneffels Wilderness.

16 “(B) WHITEHOUSE ADDITIONS.—Certain
17 Federal land in the Grand Mesa, Uncompahgre,
18 and Gunnison National Forests comprising ap-
19 proximately 13,000 acres, as generally depicted
20 on the map entitled ‘Proposed Whitehouse Ad-
21 ditions to the Mt. Sneffels Wilderness’ and
22 dated December 1, 2010, which is incorporated
23 in, and shall be administered as part of, the
24 Mount Sneffels Wilderness.

1 “(22) MCKENNA PEAK WILDERNESS.—Certain
2 Federal land in the State of Colorado comprising ap-
3 proximately 8,600 acres of Bureau of Land Manage-
4 ment land, as generally depicted on the map entitled
5 ‘McKenna Peak Wilderness’ and dated November
6 10, 2010, to be known as the ‘McKenna Peak Wil-
7 derness’.”.

8 **SEC. 4. SHEEP MOUNTAIN SPECIAL MANAGEMENT AREA.**

9 (a) DESIGNATION.—Certain Federal land in the
10 Grand Mesa, Uncompahgre, and Gunnison and San Juan
11 National Forests comprising approximately 21,620 acres
12 as generally depicted on the map entitled “Proposed Sheep
13 Mountain Special Management Area” and dated Decem-
14 ber 2, 2010, is designated as the “Sheep Mountain Special
15 Management Area”.

16 (b) PURPOSE.—The purpose of the Special Manage-
17 ment Area is to conserve and protect for the benefit and
18 enjoyment of present and future generations the geologi-
19 cal, cultural, archaeological, paleontological, natural, sci-
20 entific, recreational, wilderness, wildlife, riparian, histor-
21 ical, educational, and scenic resources of the Special Man-
22 agement Area.

23 (c) MANAGEMENT.—

24 (1) IN GENERAL.—The Secretary shall manage
25 the Special Management Area in a manner that—

1 (A) conserves, protects, and enhances the
2 resources and values of the Special Manage-
3 ment Area described in subsection (b);

4 (B) maintains or improves the wilderness
5 character of the Special Management Area and
6 the suitability of the Special Management Area
7 for potential inclusion in the National Wilder-
8 ness Preservation System; and

9 (C) is in accordance with—

10 (i) the National Forest Management
11 Act of 1976 (16 U.S.C. 1600 et seq.);

12 (ii) this Act; and

13 (iii) any other applicable laws.

14 (2) PROHIBITIONS.—The following shall be pro-
15 hibited in the Special Management Area:

16 (A) Permanent roads.

17 (B) Except as necessary to meet the min-
18 imum requirements for the administration of
19 the Federal land and to protect public health
20 and safety—

21 (i) the use of motor vehicles, motor-
22 ized equipment, or mechanical transport
23 (other than provided in paragraph (3));
24 and

1 (ii) the establishment of temporary
2 roads.

3 (3) AUTHORIZED ACTIVITIES.—

4 (A) IN GENERAL.—The Secretary may
5 allow any activities (including helicopter access
6 for recreation and maintenance) that have been
7 authorized by permit or license as of the date
8 of enactment of this Act to continue within the
9 Special Management Area, subject to such
10 terms and conditions as the Secretary may re-
11 quire.

12 (B) PERMITTING.—The designation of the
13 Special Management Area by subsection (a)
14 shall not affect the issuance of permits relating
15 to the activities covered under subparagraph
16 (A) after the date of enactment of this Act.

17 (d) WATER.—

18 (1) EFFECT.—Nothing in this section—

19 (A) affects the use or allocation, in exist-
20 ence on the date of enactment of this Act, of
21 any water, water right, or interest in water;

22 (B) affects any vested absolute or decreed
23 conditional water right in existence on the date
24 of enactment of this Act, including any water
25 right held by the United States;

1 (C) affects any interstate water compact in
2 existence on the date of enactment of this Act;

3 (D) authorizes or imposes any new re-
4 served Federal water rights; or

5 (E) shall be considered to be a relinquish-
6 ment or reduction of any water rights reserved
7 or appropriated by the United States in the
8 State on or before the date of enactment of this
9 Act.

10 (2) STATE WATER LAW.—The Secretary shall
11 follow the procedural requirements of State law in
12 order to obtain and hold any water rights not in ex-
13 istence on the date of enactment of this Act with re-
14 spect to the covered land.

15 (3) NEW OR EXPANDED PROJECTS.—Notwith-
16 standing any other provision of law, beginning on
17 the date of enactment of this Act, neither the Presi-
18 dent nor any other officer, employee, or agent of the
19 United States shall fund, assist, authorize, or issue
20 a license or permit for the development of any new
21 irrigation and pumping facility, reservoir, water con-
22 servation work, aqueduct, canal, ditch, pipeline, well,
23 hydropower project, transmission, other ancillary fa-
24 cility, or other water, diversion, storage, or carriage
25 structure in the covered land.

1 **SEC. 5. ADMINISTRATIVE PROVISIONS.**

2 (a) AUTHORIZED EVENTS.—The Secretary may con-
3 tinue to authorize the competitive running event permitted
4 since 1992 in the vicinity of the Special Management Area
5 and the Liberty Bell addition to the Mount Sneffels Wil-
6 derness designated by section 2(a)(21) of the Colorado
7 Wilderness Act of 1993 (as added by section 3) in a man-
8 ner compatible with the preservation of the areas as wil-
9 derness.

10 (b) FISH AND WILDLIFE.—Nothing in this Act af-
11 fects the jurisdiction or responsibility of the State with
12 respect to fish and wildlife in the State.

13 (c) NO BUFFER ZONES.—

14 (1) IN GENERAL.—Nothing in this Act creates
15 a protective perimeter or buffer zone around covered
16 land.

17 (2) ACTIVITIES OUTSIDE WILDERNESS.—The
18 fact that a nonwilderness activity or use on land out-
19 side of the covered land can be seen or heard from
20 within covered land shall not preclude the conduct of
21 the activity or use outside the boundary of the cov-
22 ered land.

23 (d) MAPS AND LEGAL DESCRIPTIONS.—

24 (1) IN GENERAL.—As soon as practicable after
25 the date of enactment of this Act, the Secretary or
26 the Secretary of the Interior, as appropriate, shall

1 file a map and a legal description of each wilderness
2 area designated by paragraphs (20) through (22) of
3 section 2(a) of the Colorado Wilderness Act of 1993
4 (as added by section 3) and the Special Management
5 Area with—

6 (A) the Committee on Natural Resources
7 of the House of Representatives; and

8 (B) the Committee on Energy and Natural
9 Resources of the Senate.

10 (2) FORCE OF LAW.—Each map and legal de-
11 scription filed under paragraph (1) shall have the
12 same force and effect as if included in this Act, ex-
13 cept that the Secretary or the Secretary of the Inte-
14 rior, as appropriate, may correct clerical and typo-
15 graphical errors in each map and legal description.

16 (3) PUBLIC AVAILABILITY.—Each map and
17 legal description filed under paragraph (1) shall be
18 on file and available for public inspection in the ap-
19 propriate offices of the Bureau of Land Management
20 and the Forest Service.

21 (e) ACQUISITION OF LAND.—

22 (1) IN GENERAL.—The Secretary or the Sec-
23 retary of the Interior, as appropriate, may acquire
24 any land or interest in land within the boundaries of
25 the Special Management Area or the wilderness des-

1 ignated under paragraphs (20) through (22) of sec-
2 tion 2(a) of the Colorado Wilderness Act of 1993 (as
3 added by section 3) only through exchange, dona-
4 tion, or purchase from a willing seller.

5 (2) MANAGEMENT.—Any land or interest in
6 land acquired under paragraph (1) shall be incor-
7 porated into, and administered as a part of, the wil-
8 derness or Special Management Area in which the
9 land or interest in land is located.

10 (f) GRAZING.—The grazing of livestock on covered
11 land, if established before the date of enactment of this
12 Act, shall be permitted to continue subject to such reason-
13 able regulations as are considered necessary by the Sec-
14 retary with jurisdiction over the covered land, in accord-
15 ance with—

16 (1) section 4(d)(4) of the Wilderness Act (16
17 U.S.C. 1133(d)(4)); and

18 (2) the guidelines set forth in Appendix A of
19 the report of the Committee on Interior and Insular
20 Affairs of the House of Representatives accom-
21 panying H.R. 2570 of the 101st Congress (H. Rept.
22 101–405) and H.R. 5487 of the 96th Congress (H.
23 Rept. 96–617).

24 (g) WITHDRAWAL.—Subject to valid rights in exist-
25 ence on the date of enactment of this Act, the covered

1 land and the approximately 6,600 acres generally depicted
2 on the map entitled “Proposed Naturita Canyon Mineral
3 Withdrawal Area” and dated January 26, 2010, is with-
4 drawn from—

5 (1) entry, appropriation, and disposal under the
6 public land laws;

7 (2) location, entry, and patent under mining
8 laws; and

9 (3) operation of the mineral leasing, mineral
10 materials, and geothermal leasing laws.

11 **SEC. 6. TECHNICAL CORRECTION.**

12 Subtitle E of title II of Public Law 111–11 (16
13 U.S.C. 460zzz et seq.) is amended—

14 (1) by redesignating section 2408 (16 U.S.C.
15 460zzz–7) as section 2409; and

16 (2) by inserting after section 2407 (16 U.S.C.
17 460zzz–6) the following:

18 **“SEC. 2408. RELEASE.**

19 “(a) IN GENERAL.—Congress finds that, for the pur-
20 poses of section 603(c) of the Federal Land Policy and
21 Management Act of 1976 (43 U.S.C. 1782(c)), the por-
22 tions of the Dominguez Canyon Wilderness Study Area
23 not designated as wilderness by this subtitle have been
24 adequately studied for wilderness designation.

1 “(b) RELEASE.—Any public land referred to in sub-
2 section (a) that is not designated as wilderness by this
3 subtitle—

4 “(1) is no longer subject to section 603(c) of
5 the Federal Land Policy and Management Act of
6 1976 (43 U.S.C. 1782(c)); and

7 “(2) shall be managed in accordance with this
8 subtitle and any other applicable laws.”.

○

II

112TH CONGRESS
2D SESSION

S. 2122

To clarify the definition of navigable waters, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2012

Mr. PAUL (for himself and Mr. LEE) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To clarify the definition of navigable waters, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Defense of Environ-
5 ment and Property Act of 2012”.

6 **SEC. 2. NAVIGABLE WATERS.**

7 (a) IN GENERAL.—Section 502 of the Federal Water
8 Pollution Control Act (33 U.S.C. 1362) is amended by
9 striking paragraph (7) and inserting the following:

10 “(7) NAVIGABLE WATERS.—

1 “(A) IN GENERAL.—The term ‘navigable
2 waters’ means the waters of the United States,
3 including the territorial seas, that are—

4 “(i) navigable-in-fact; or

5 “(ii) permanent, standing, or continu-
6 ously flowing bodies of water that form
7 geographical features commonly known as
8 streams, oceans, rivers, and lakes that are
9 connected to waters that are navigable-in-
10 fact.

11 “(B) EXCLUSIONS.—The term ‘navigable
12 waters’ does not include—

13 “(i) waters that—

14 “(I) do not physically abut
15 waters described in subparagraph (A);
16 and

17 “(II) lack a continuous surface
18 water connection to navigable waters;

19 “(ii) man-made or natural structures
20 or channels—

21 “(I) through which water flows
22 intermittently or ephemerally; or

23 “(II) that periodically provide
24 drainage for rainfall; or

1 “(iii) wetlands without a continuous
2 surface connection to bodies of water that
3 are waters of the United States.

4 “(C) EPA AND CORPS ACTIVITIES.—An
5 activity carried out by the Administrator or the
6 Corps of Engineers shall not, without explicit
7 State authorization, impinge upon the tradi-
8 tional and primary power of States over land
9 and water use.

10 “(D) AGGREGATION; WETLANDS.—

11 “(i) AGGREGATION.—Aggregation of
12 wetlands or waters not described in clauses
13 (i) through (iii) of subparagraph (B) shall
14 not be used to determine or assert Federal
15 jurisdiction.

16 “(ii) WETLANDS.—Wetlands described
17 in subparagraph (B)(iii) shall not be con-
18 sidered to be under Federal jurisdiction.

19 “(E) APPEALS.—A jurisdictional deter-
20 mination by the Administrator that would affect
21 the ability of a State to plan the development
22 and use (including restoration, preservation,
23 and enhancement) of land and water resources
24 may be appealed by the State during the 30-day

1 period beginning on the date of the determina-
2 tion.

3 “(F) TREATMENT OF GROUND WATER.—
4 Ground water shall—

5 “(i) be considered to be State water;
6 and

7 “(ii) not be considered in determining
8 or asserting Federal jurisdiction over iso-
9 lated or other waters, including intermit-
10 tent or ephemeral water bodies.

11 “(G) PROHIBITION ON USE OF NEXUS
12 TEST.—Notwithstanding any other provision of
13 law, the Administrator may not use a signifi-
14 cant nexus test (as used by EPA in the pro-
15 posed document listed in section 3(a)(1)) to de-
16 termine Federal jurisdiction over navigable
17 waters and waters of the United States (as
18 those terms are defined and used, respectively,
19 in section 502 of the Federal Water Pollution
20 Control Act (33 U.S.C. 1362)).”.

21 (b) APPLICABILITY.—Nothing in this section or the
22 amendments made by this section affects or alters any ex-
23 emption under—

24 (1) section 402(l) of the Federal Water Pollu-
25 tion Control Act (33 U.S.C. 1342(l)); or

1 (2) section 404(f) of the Federal Water Pollu-
2 tion Control Act (33 U.S.C. 1344(f)).

3 **SEC. 3. APPLICABILITY OF AGENCY REGULATIONS AND**
4 **GUIDANCE.**

5 (a) IN GENERAL.—The following regulations and
6 guidance shall have no force or effect:

7 (1) The final rule of the Corps of Engineers en-
8 titled “Final Rule for Regulatory Programs of the
9 Corps of Engineers” (51 Fed. Reg. 41206 (Novem-
10 ber 13, 1986)).

11 (2) The proposed rule of the Environmental
12 Protection Agency entitled “Advance Notice of Pro-
13 posed Rulemaking on the Clean Water Act Regu-
14 latory Definition of ‘Waters of the United States’”
15 (68 Fed. Reg. 1991 (January 15, 2003)).

16 (3) The guidance document entitled “Clean
17 Water Act Jurisdiction Following the U.S. Supreme
18 Court’s Decision in ‘Rapanos v. United States’ &
19 ‘Carabell v. United States’” (December 2, 2008)
20 (relating to the definition of waters under the juris-
21 diction of the Federal Water Pollution Control Act
22 (33 U.S.C. 1251 et seq.)).

23 (4) Any subsequent regulation of or guidance
24 issued by any Federal agency that defines or inter-
25 prets the term “navigable waters”.

1 (b) PROHIBITION.—The Secretary of the Army, act-
2 ing through the Chief of Engineers, and the Administrator
3 of the Environmental Protection Agency shall not promul-
4 gate any rules or issue any guidance that expands or inter-
5 prets the definition of navigable waters unless expressly
6 authorized by Congress.

7 **SEC. 4. STATE REGULATION OF WATER.**

8 Nothing in this Act affects, amends, or supersedes—

9 (1) the right of a State to regulate waters in
10 the State; or

11 (2) the duty of a landowner to adhere to any
12 State nuisance laws (including regulations) relating
13 to waters in the State.

14 **SEC. 5. CONSENT FOR ENTRY BY FEDERAL REPRESENTA-**
15 **TIVES.**

16 Section 308 of the Federal Water Pollution Control
17 Act (33 U.S.C. 1318) is amended by striking subsection
18 (a) and inserting the following:

19 “(a) IN GENERAL.—

20 “(1) ENTRY BY FEDERAL AGENCY.—A rep-
21 resentative of a Federal agency shall only enter pri-
22 vate property to collect information about navigable
23 waters if the owner of that property—

24 “(A) has consented to the entry in writing;

1 “(B) is notified regarding the date of the
2 entry; and

3 “(C) is given access to any data collected
4 from the entry.

5 “(2) ACCESS.—If a landowner consents to entry
6 under paragraph (1), the landowner shall have the
7 right to be present at the time any data collection
8 on the property of the landowner is carried out.”.

9 **SEC. 6. COMPENSATION FOR REGULATORY TAKING.**

10 (a) IN GENERAL.—If a Federal regulation relating
11 to the definition of navigable waters or waters of the
12 United States diminishes the fair market value or eco-
13 nomic viability of a property, as determined by an inde-
14 pendent appraiser, the Federal agency issuing the regula-
15 tion shall pay the affected property owner an amount
16 equal to twice the value of the loss.

17 (b) ADMINISTRATION.—Any payment provided under
18 subsection (a) shall be made from the amounts made avail-
19 able to the relevant agency head for general operations
20 of the agency.

21 (c) APPLICABILITY.—A Federal regulation described
22 in subsection (a) shall have no force or effect until the
23 date on which each landowner with a claim under this sec-

8

- 1 tion relating to that regulation has been compensated in
- 2 accordance with this section.

○

112TH CONGRESS
2D SESSION

S. 2245

To preserve existing rights and responsibilities with respect to waters of
the United States.

IN THE SENATE OF THE UNITED STATES

MARCH 28, 2012

Mr. BARRASSO (for himself, Mr. INHOFE, Mr. SESSIONS, Mr. HELLER, Mr. VITTER, Mr. BOOZMAN, Mr. CRAPO, Mr. MCCONNELL, Mr. ROBERTS, Mr. WICKER, Mr. RISCH, Mr. GRASSLEY, Mr. CORNYN, Mr. COBURN, Mr. THUNE, Mr. LUGAR, Mr. BLUNT, Mr. RUBIO, Mr. ENZI, Mr. KYL, Mr. TOOMEY, Mr. COATS, Mr. PAUL, Mr. JOHANNES, Mr. CHAMBLISS, Mr. HOEVEN, Mr. MORAN, Mr. ISAKSON, Mr. JOHNSON of Wisconsin, and Mr. COCHRAN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To preserve existing rights and responsibilities with respect
to waters of the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Preserve the Waters
5 of the United States Act”.

1 **SEC. 2. IDENTIFICATION OF WATERS PROTECTED BY THE**
2 **CLEAN WATER ACT.**

3 (a) IN GENERAL.—Neither the Secretary of the Army
4 nor the Administrator of the Environmental Protection
5 Agency shall—

6 (1) finalize the proposed guidance described in
7 the notice of availability and request for comments
8 entitled “EPA and Army Corps of Engineers Guid-
9 ance Regarding Identification of Waters Protected
10 by the Clean Water Act” (EPA–HQ–OW–2011–
11 0409) (76 Fed. Reg. 24479 (May 2, 2011)); or

12 (2) use the guidance described in paragraph
13 (1), or any substantially similar guidance, as the
14 basis for any decision regarding the scope of the
15 Federal Water Pollution Control Act (33 U.S.C.
16 1251 et seq.) or any rulemaking.

17 (b) RULES.—The use of the guidance described in
18 subsection (a)(1), or any substantially similar guidance,
19 as the basis for any rule shall be grounds for vacation
20 of the rule.

○

I

112TH CONGRESS
1ST SESSION

H. R. 2621

To establish the Chimney Rock National Monument in the State of Colorado,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2011

Mr. TIPTON introduced the following bill; which was referred to the Committee
on Natural Resources

A BILL

To establish the Chimney Rock National Monument in the
State of Colorado, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Chimney Rock Na-
5 tional Monument Establishment Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) NATIONAL MONUMENT.—The term “na-
9 tional monument” means the Chimney Rock Na-
10 tional Monument established by section 3(a).

1 (2) SECRETARY.—The term “Secretary” means
2 the Secretary of Agriculture.

3 (3) STATE.—The term “State” means the State
4 of Colorado.

5 **SEC. 3. ESTABLISHMENT OF CHIMNEY ROCK NATIONAL**
6 **MONUMENT.**

7 (a) ESTABLISHMENT.—There is established in the
8 State the Chimney Rock National Monument—

9 (1) to preserve, protect, and restore the archeo-
10 logical, cultural, historic, geologic, hydrologic, nat-
11 ural, educational, and scenic resources of Chimney
12 Rock and adjacent land; and

13 (2) to provide for public interpretation and
14 recreation consistent with the protection of the re-
15 sources described in paragraph (1).

16 (b) BOUNDARIES.—

17 (1) IN GENERAL.—The national monument
18 shall consist of approximately 4,726 acres of land
19 and interests in land, as generally depicted on the
20 map entitled “Boundary Map, Chimney Rock Na-
21 tional Monument” and dated January 5, 2010.

22 (2) MINOR ADJUSTMENTS.—The Secretary may
23 make minor adjustments to the boundary of the na-
24 tional monument to reflect the inclusion of signifi-
25 cant archeological resources discovered after the

1 date of enactment of this Act on adjacent National
2 Forest System land.

3 (3) AVAILABILITY OF MAP.—The map described
4 in paragraph (1) shall be on file and available for
5 public inspection in the appropriate offices of the
6 Forest Service.

7 **SEC. 4. ADMINISTRATION.**

8 (a) IN GENERAL.—The Secretary shall—

9 (1) administer the national monument—

10 (A) in furtherance of the purposes for
11 which the national monument was established;
12 and

13 (B) in accordance with—

14 (i) this Act; and

15 (ii) any laws generally applicable to
16 the National Forest System; and

17 (2) allow only such uses of the national monu-
18 ment that the Secretary determines would further
19 the purposes described in section 3(a).

20 (b) TRIBAL USES.—

21 (1) IN GENERAL.—The Secretary shall admin-
22 ister the national monument in accordance with—

23 (A) the Native American Graves Protection
24 and Repatriation Act (25 U.S.C. 3001 et seq.);
25 and

1 (B) the policy described in Public Law 95–
2 341 (commonly known as the “American Indian
3 Religious Freedom Act”) (42 U.S.C. 1996).

4 (2) TRADITIONAL USES.—Subject to any terms
5 and conditions the Secretary determines to be nec-
6 essary and in accordance with applicable law, the
7 Secretary shall allow for the continued use of the na-
8 tional monument by members of Indian tribes—

9 (A) for traditional ceremonies; and

10 (B) as a source of traditional plants and
11 other materials.

12 (c) VEGETATION MANAGEMENT.—The Secretary may
13 carry out vegetation management treatments within the
14 national monument, except that the harvesting of timber
15 shall only be used if the Secretary determines that the har-
16 vesting is necessary for—

17 (1) ecosystem restoration in furtherance of sec-
18 tion 3(a); or

19 (2) the control of fire, insects, or diseases.

20 (d) MOTOR VEHICLES AND MOUNTAIN BIKES.—The
21 use of motor vehicles and mountain bikes in the national
22 monument shall be limited to the roads and trails identi-
23 fied by the Secretary as appropriate for the use of motor
24 vehicles and mountain bikes.

1 (e) GRAZING.—The Secretary shall permit grazing
2 within the national monument, where established before
3 the date of enactment of this Act—

4 (1) subject to all applicable laws (including reg-
5 ulations); and

6 (2) consistent with the purposes described in
7 section 3(a).

8 (f) UTILITY RIGHT-OF-WAY UPGRADES.—Nothing in
9 this Act precludes the Secretary from renewing or author-
10 izing the upgrading of a utility right-of-way in existence
11 as of the date of enactment of this Act through the na-
12 tional monument—

13 (1) in accordance with—

14 (A) the National Environmental Policy Act
15 of 1969 (42 U.S.C. 4321 et seq.); and

16 (B) any other applicable law; and

17 (2) subject to such terms and conditions as the
18 Secretary determines to be appropriate.

19 (g) VOLUNTEERS.—The Secretary shall allow for the
20 continued access and work of volunteers at the national
21 monument.

22 (h) RESEARCH.—Scientific research, including ar-
23 cheological research, educational, and interpretive uses
24 shall be permitted within the Monument.

1 (i) OTHER ADMINISTRATIVE COSTS.—Any signs, fix-
2 tures, alterations, or additions needed in connection with
3 the designation or advertisement of the Monument shall
4 be paid for only with non-Federal funds or amounts made
5 available for such purposes in prior Acts of appropriation.

6 (j) DESIGNATION OF MANAGER.—As soon as prac-
7 ticable after the management plan is developed under sec-
8 tion 5(a), the Secretary shall designate an employee of the
9 Department of the Interior whose duties shall include act-
10 ing as the point of contact for the management of the na-
11 tional monument.

12 **SEC. 5. MANAGEMENT PLAN.**

13 (a) IN GENERAL.—Not later than 3 years after the
14 date of enactment of this Act, the Secretary, in consulta-
15 tion with Indian tribes with a cultural or historic tie to
16 Chimney Rock, shall develop a management plan for the
17 national monument.

18 (b) PUBLIC COMMENT.—In developing the manage-
19 ment plan, the Secretary shall provide an opportunity for
20 public comment by—

- 21 (1) State and local governments;
- 22 (2) tribal governments; and
- 23 (3) any other interested organizations and indi-
24 viduals.

1 **SEC. 6. LAND ACQUISITION.**

2 The Secretary may acquire land and any interest in
3 land within or adjacent to the boundary of the national
4 monument by—

5 (1) purchase from willing sellers with donated
6 or appropriated funds;

7 (2) donation; or

8 (3) exchange.

9 **SEC. 7. WITHDRAWAL.**

10 (a) IN GENERAL.—Subject to valid existing rights,
11 all Federal land within the national monument (including
12 any land or interest in land acquired after the date of en-
13 actment of this Act) is withdrawn from—

14 (1) entry, appropriation, or disposal under the
15 public land laws;

16 (2) location, entry, and patent under the mining
17 laws; and

18 (3) subject to subsection (b), operation of the
19 mineral leasing, mineral materials, and geothermal
20 leasing laws.

21 (b) LIMITATION.—Notwithstanding subsection
22 (a)(3), the Federal land is not withdrawn for the purposes
23 of issuance of gas pipeline rights-of-way within easements
24 in existence as of the date of enactment of this Act.

25 **SEC. 8. EFFECT.**

26 (a) WATER RIGHTS.—

1 (1) IN GENERAL.—Nothing in this Act affects
2 any valid water rights, including water rights held
3 by the United States.

4 (2) RESERVED WATER RIGHT.—The designa-
5 tion of the national monument does not create a
6 Federal reserved water right.

7 (b) TRIBAL RIGHTS.—Nothing in this Act affects—

8 (1) the rights of any Indian tribe on Indian
9 land;

10 (2) any individually held trust land or Indian
11 allotment; or

12 (3) any treaty rights providing for nonexclusive
13 access to or within the national monument by mem-
14 bers of Indian tribes for traditional and cultural
15 purposes.

16 (c) FISH AND WILDLIFE.—Nothing in this Act af-
17 fects the jurisdiction of the State with respect to the man-
18 agement of fish and wildlife on public land in the State.

19 (d) ADJACENT USES.—Nothing in this Act—

20 (1) creates a protective perimeter or buffer zone
21 around the national monument; or

22 (2) affects private property outside of the
23 boundary of the national monument.

Administration of Barack Obama, 2012

Executive Order 13604—Improving Performance of Federal Permitting and Review of Infrastructure Projects

March 22, 2012

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to significantly reduce the aggregate time required to make decisions in the permitting and review of infrastructure projects by the Federal Government, while improving environmental and community outcomes, it is hereby ordered as follows:

Section 1. Policy. (a) To maintain our Nation's competitive edge and ensure an economy built to last, the United States must have fast, reliable, resilient, and environmentally sound means of moving people, goods, energy, and information. In a global economy, we will compete for the world's investments based in significant part on the quality of our infrastructure. Investing in the Nation's infrastructure provides immediate and long-term economic benefits for local communities and the Nation as a whole.

The quality of our Nation's infrastructure depends in critical part on Federal permitting and review processes, including planning, approval, and consultation processes. These processes inform decision-makers and affected communities about the potential benefits and impacts of proposed infrastructure projects, and ensure that projects are designed, built, and maintained in a manner that is consistent with protecting our public health, welfare, safety, national security, and environment. Reviews and approvals of infrastructure projects can be delayed due to many factors beyond the control of the Federal Government, such as poor project design, incomplete applications, uncertain funding, or multiple reviews and approvals by State, local, tribal, or other jurisdictions. Given these factors, it is critical that executive departments and agencies (agencies) take all steps within their authority, consistent with available resources, to execute Federal permitting and review processes with maximum efficiency and effectiveness, ensuring the health, safety, and security of communities and the environment while supporting vital economic growth.

To achieve that objective, our Federal permitting and review processes must provide a transparent, consistent, and predictable path for both project sponsors and affected communities. They must ensure that agencies set and adhere to timelines and schedules for completion of reviews, set clear permitting performance goals, and track progress against those goals. They must encourage early collaboration among agencies, project sponsors, and affected stakeholders in order to incorporate and address their interests and minimize delays. They must provide for transparency and accountability by utilizing cost-effective information technology to collect and disseminate information about individual projects and agency performance, so that the priorities and concerns of all our citizens are considered. They must rely upon early and active consultation with State, local, and tribal governments to avoid conflicts or duplication of effort, resolve concerns, and allow for concurrent rather than sequential reviews. They must recognize the critical role project sponsors play in assuring the timely and cost-effective review of projects by providing complete information and analysis and by supporting, as appropriate, the costs associated with review. And, they must enable agencies to share priorities, work collaboratively and concurrently to advance reviews and permitting decisions, and facilitate the resolution of disputes at all levels of agency organization.

Each of these elements must be incorporated into routine agency practice to provide demonstrable improvements in the performance of Federal infrastructure permitting and review processes, including lower costs, more timely decisions, and a healthier and cleaner environment. Also, these elements must be integrated into project planning processes so that projects are designed appropriately to avoid, to the extent practicable, adverse impacts on public health, security, historic properties and other cultural resources, and the environment, and to minimize or mitigate impacts that may occur. Permitting and review process improvements that have proven effective must be expanded and institutionalized.

(b) In advancing this policy, this order expands upon efforts undertaken pursuant to Executive Order 13580 of July 12, 2011 (Interagency Working Group on Coordination of Domestic Energy Development and Permitting in Alaska), Executive Order 13563 of January 18, 2011 (Improving Regulation and Regulatory Review), and my memorandum of August 31, 2011 (Speeding Infrastructure Development Through More Efficient and Effective Permitting and Environmental Review), as well as other ongoing efforts.

Sec. 2. Steering Committee on Federal Infrastructure Permitting and Review Process Improvement. There is established a Steering Committee on Federal Infrastructure Permitting and Review Process Improvement (Steering Committee), to be chaired by the Chief Performance Officer (CPO), in consultation with the Chair of the Council on Environmental Quality (CEQ).

(a) *Infrastructure Projects Covered by this Order.* The Steering Committee shall facilitate improvements in Federal permitting and review processes for infrastructure projects in sectors including surface transportation, aviation, ports and waterways, water resource projects, renewable energy generation, electricity transmission, broadband, pipelines, and other such sectors as determined by the Steering Committee.

(b) *Membership.* Each of the following agencies (Member Agencies) shall be represented on the Steering Committee by a Deputy Secretary or equivalent officer of the United States:

- (i) the Department of Defense;
- (ii) the Department of the Interior;
- (iii) the Department of Agriculture;
- (iv) the Department of Commerce;
- (v) the Department of Transportation;
- (vi) the Department of Energy;
- (vii) the Department of Homeland Security;
- (viii) the Environmental Protection Agency;
- (ix) the Advisory Council on Historic Preservation;
- (x) the Department of the Army; and
- (xi) such other agencies or offices as the CPO may invite to participate.

(c) *Projects of National or Regional Significance.* In furtherance of the policies of this order, the Member Agencies shall coordinate and consult with each other to select, submit to the CPO by April 30, 2012, and periodically update thereafter, a list of infrastructure projects of national or regional significance that will have their status tracked on the online Federal

Infrastructure Projects Dashboard (Dashboard) created pursuant to my memorandum of August 31, 2011.

(d) *Responsibilities of the Steering Committee.* The Steering Committee shall:

- (i) develop a Federal Permitting and Review Performance Plan (Federal Plan), as described in section 3(a) of this order;
- (ii) implement the Federal Plan and coordinate resolution of disputes among Member Agencies relating to implementation of the Federal Plan; and
- (iii) coordinate and consult with other agencies, offices, and interagency working groups as necessary, including the President's Management Council and Performance Improvement Councils, and, with regard to use and expansion of the Dashboard, the Chief Information Officer (CIO) and Chief Technology Officer to implement this order.

(e) *Duties of the CPO.* The CPO shall:

- (i) in consultation with the Chair of CEQ and Member Agencies, issue guidance on the implementation of this order;
- (ii) in consultation with Member Agencies, develop and track performance metrics for evaluating implementation of the Federal Plan and Agency Plans; and
- (iii) by January 31, 2013, and annually thereafter, after input from interested agencies, evaluate and report to the President on the implementation of the Federal Plan and Agency Plans, and publish the report on the Dashboard.

(f) *No Involvement in Particular Permits or Projects.* Neither the Steering Committee, nor the CPO, may direct or coordinate agency decisions with respect to any particular permit or project.

Sec. 3. Plans for Measurable Performance Improvement. (a) By May 31, 2012, the Steering Committee shall, following coordination with Member Agencies and other interested agencies, develop and publish on the Dashboard a Federal Plan to significantly reduce the aggregate time required to make Federal permitting and review decisions on infrastructure projects while improving outcomes for communities and the environment. The Federal Plan shall include, but not be limited to, the following actions to implement the policies outlined in section 1 of this order, and shall reflect the agreement of any Member Agency with respect to requirements in the Federal Plan affecting such agency:

- (i) institutionalizing best practices for: enhancing Federal, State, local, and tribal government coordination on permitting and review processes (such as conducting reviews concurrently rather than sequentially to the extent practicable); avoiding duplicative reviews; and engaging with stakeholders early in the permitting process;
- (ii) developing mechanisms to better communicate priorities and resolve disputes among agencies at the national and regional levels;
- (iii) institutionalizing use of the Dashboard, working with the CIO to enhance the Dashboard, and utilizing other cost-effective information technology systems to share environmental and project-related information with the public, project sponsors, and permit reviewers; and

(iv) identifying timeframes and Member Agency responsibilities for the implementation of each proposed action.

(b) Each Member Agency shall:

(i) by June 30, 2012, submit to the CPO an Agency Plan identifying those permitting and review processes the Member Agency views as most critical to significantly reducing the aggregate time required to make permitting and review decisions on infrastructure projects while improving outcomes for communities and the environment, and describing specific and measurable actions the agency will take to improve these processes, including:

- (1) performance metrics, including timelines or schedules for review;
- (2) technological improvements, such as institutionalized use of the Dashboard and other information technology systems;
- (3) other practices, such as pre-application procedures, early collaboration with other agencies, project sponsors, and affected stakeholders, and coordination with State, local, and tribal governments; and
- (4) steps the Member Agency will take to implement the Federal Plan.

(ii) by July 31, 2012, following coordination with other Member Agencies and interested agencies, publish its Agency Plan on the Dashboard; and

(iii) by December 31, 2012, and every 6 months thereafter, report progress to the CPO on implementing its Agency Plan, as well as specific opportunities for additional improvements to its permitting and review procedures.

Sec. 4. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department, agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order shall be implemented consistent with Executive Order 13175 of November 6, 2000 (Consultation and Coordination with Indian Tribal Governments) and my memorandum of November 5, 2009 (Tribal Consultation).

(d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA

The White House,
March 22, 2012.

[Filed with the Office of the Federal Register, at 11:15 a.m., March 27, 2012]

NOTE: This Executive order was published in the *Federal Register* on March 28.

Categories: Executive Orders : Permitting and review of infrastructure projects, improving performance.

Subjects: Government organization and employees : Federal regulations :: Review;
Transportation : Infrastructure, national, improvement efforts.

DCPD Number: DCPD201200202.



Water Portfolio Strategy

PURPOSE: To position the State Land Board to manage its water rights portfolio and to further a key objective of its Strategic Plan (Objective 1.6.1).

Goals

- ✓ Prioritize future work based on location, priority and value of water rights and well permits associated with SLB assets
- ✓ Review and evaluate leases prior to renewal regarding water right and well permit provisions
- ✓ Evaluate and recommend new standardized lease terms and conditions regarding the use of water rights and well permits
- ✓ Inventory water rights and well permits
- ✓ Ensure full beneficial use of water rights
- ✓ Take steps to perfect conditional water rights to avoid abandonment and protect absolute water rights
- ✓ Develop groundwater for a variety of uses (agriculture, municipal and industrial)
- ✓ Evaluate future acquisition opportunities by including water use and water rights
- ✓ Evaluate use of water rights and well permits as a component of the Stewardship Trust
- ✓ Develop a database (spatial and relational) of SLB water holdings
- ✓ Use appropriate trust for future water related activities
- ✓ Determine effective use of consultants with regard to water resource related decisions
- ✓ Develop and implement a plan to train field staff
- ✓ Evaluate the costs of developing surface and ground water resources

Colorado State Land Board Water Portfolio Strategy

Phase 1 (Year One)

- ✓ Develop a water portfolio plan and budget
- ✓ Identify project leads within SLB staff
- ✓ Review and evaluate existing policies and recommend new policies regarding long-term water use and development
- ✓ Identify and inventory water rights and well permit locations relative to the developable lands analysis
 - Three mile economic zone from existing development (for example, incorporated areas)
 - Location of SLB lands and water relative to “Identified Plans and Processes”
- ✓ Identify and capture current use of water in a database connected to the GIS water rights tracking system
 - Examine and catalogue decrees
 - List conditional v. absolute water rights
 - List purpose, time and amount of existing water rights
- ✓ SLB staff attend Colorado Education Foundation Water Leaders course
- ✓ Identify existing leases and determine adequateness of lease provisions
- ✓ Develop best management practice checklist
- ✓ Develop measurable milestones and tasks for plan implementation

Phase II (Year Two-Five)

- ✓ Review and evaluate existing policies and recommend new policies regarding long-term water use and development
- ✓ Develop and implement lease agreement provisions and lease review process
- ✓ Contact SEO, Division Engineer or Water Commissioner to correct hydro-base inaccuracies

Colorado State Land Board Water Portfolio Strategy

- ✓ Implement a pilot project to evaluate a subset of the SLB's water rights portfolio for the purpose of determining whether existing water rights are being fully used in a manner consistent with their decreed purposes.
- ✓ Install, or require lessees to install, measuring devices
- ✓ Review leases to ensure SLB is listed as the owner of water rights, storage and diversion structures
- ✓ Physically inspect, catalogue and report on existing water rights and structures.
- ✓ Develop and implement a structure rehabilitation program
- ✓ Develop a construction and financial plan to develop conditional water rights
- ✓ Identify development partners
- ✓ Keep SEO up to date on use of water rights and development of conditional water rights
- ✓ Engage with irrigation and ditch companies where the SLB owns shares
 - Identify and catalogue shares, present value and use
 - Identify and catalogue institutional information (board composition, voting rights, meeting dates and locations)
 - Identify principal use of shares and restrictions placed on shares
 - Identify whether a loan or grant of funds for infrastructure or other improvement would increase the value of shares
- ✓ Prepare a water rate "map" to allow the SLB to track value of water rights and well permits
- ✓ Evaluate future use of reserved Denver Basin groundwater
- ✓ Integrate the evaluation of water using CDSS
- ✓ Develop checklist to be used by field staff and SLB members to ensure water use is being recorded
- ✓ Develop and implement best management practices
- ✓ Hold meetings of SLB implementation team

Colorado State Land Board Water Portfolio Strategy

Phase III (Year Five to 30)

- ✓ Review and evaluate existing policies and recommend new policies regarding long-term water use and development
- ✓ Require the efficient use of agricultural water (consistent with the water right) and make excess available for further lease (this will entail an examination of flood, drip and sprinkler technology)
- ✓ Develop a SLB component of the CDSS
- ✓ Develop and implement an annual portfolio audit
- ✓ Implement long-term development plans (singularly or with partners)
- ✓ Ongoing programmatic reviews to ensure goals are being achieved

STATE OF COLORADO

Colorado Water Conservation Board

Department of Natural Resources

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TO: Colorado Water Conservation Board Members

FROM: Kirk Russell, P.E., Chief
Finance Section

DATE: April 27, 2012

SUBJECT: **Directors Report – May 15-16, 2012 Board Meeting**
Finance Section – Design & Construction Status Report

John W. Hickenlooper
Governor

Mike King
DNR Executive Director

Jennifer L. Gimbel
CWCB Director

The CWCB Loan Program has Substantially Completed five projects in FY 2011/12 as shown in Table 1. There are currently 53 projects authorized to receive loan funding totaling \$237 million. There are 43 projects currently under contract and in the Design and Construction phase totaling \$155 million.

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

TABLE 1

	Borrower	Project	County	Loan	Completed
1	WRCC, Inc.	Cobb Lake Inlet Rehab	Larimer	\$1,352,592	7/1/11
2	Grand River Ditch Co	Ditch Piping	Garfield	\$543,380	7/1/11
3	Bull Creek Reservoir Co	#4 Reservoir Rehab	Mesa	\$1,801,630	9/1/11(a)
4	Lower Poudre Augmentation Co	Harmony 25 Reservoir	Larimer	\$3,104,053	11/1/11(b)
5	Louden Irrigation Canal & Res. Co.	Rist Benson Res. Rehab.	Larimer	\$663,610	4/1/12(c)
		Total		\$7,465,202	

Fiscal year 2011/12 has added or preserved 1,720AF of reservoir storage [(a) 900AF, (b) 670AF, (c) 150AF]

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

Applicant/Borrower			Project		County	Amount	Size	Yield (AF)	(AF)	Status	Start	End	Status	PM
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	\$ 7,200,000.00	4,500 AF	4,500	4,500	100%			Jun-05	Jan-14	99%	KR
2	Mancos Water Conservancy District	Reservoir Rehabilitation	Montezuma	\$ 5,486,531.00	15,840 LF	9,000		75%			Jan-04	Jan-14	99%	KR
3	Upper Arkansas Water Conservancy District	Well Augmentation Project	Chaffee/Custer	\$ 3,520,000.00	500 AF	500	200	100%			Jan-03	Jan-13	90%	KR
4	Union Ditch Company	Overland Reservoir Rehabilitation	Weld	\$ 312,595.00	206 AF	206		75%			Sep-06	Jan-13	80%	KR
5	Overland Ditch and Reservoir Company	May Lateral Pipeline	Delta	\$ 1,130,000.00	6,200 AF	17,000	971	50%		Permitting		Jan-13	0%	KR
6	Montezuma Valley Irrigation Company	Equalizer Reservoir Project	Montezuma	\$ 5,292,400.00	5 Miles	128,000		100%			Nov-07	Jul-12	99%	KR
7	Plate Valley Irrigation Company	Greeley Canal No. 3 Rehabilitation	Weld	\$ 2,388,650.00	431 AF	52,401	431	100%			Nov-10	Jul-12	5%	KR
8	Greeley Irrigation Company	Horse Creek & Prospect Reservoir Rehabilitation	Weld	\$ 2,233,867.00	18,000 AF	18,000		90%			Feb-08	Jul-12	90%	KR
9	Henrylyn Irrigation District	Ditch Rehabilitation	Weld	\$ 2,184,327.00	13,850 AF	13,850	3,000	100%			Nov-08	Jul-12	95%	RE
10	New Salida Ditch Company	Ditch Flow Control Structures	Chaffee	\$ 365,620.00	300 L.F.	7,000		100%			Oct-09	Jul-12	90%	KR
11	Farmers Pawnee Canal Company	Compact Compliance Pipeline	Logan	\$ 285,530.00	27,260	27,260		100%			Oct-08	Jun-12	99%	KR
12	Republican River Water Conservation District	Well Augmentation	NE, Colo	\$ 60,600,000.00	15,000 AF	15,000		100%			Aug-11	Jul-12	90%	KR
13	Ogilvy Augmentation Company	Panama Reservoir Outlet Rehabilitation	Weld	\$ 1,010,808.00	60 AF	60		100%			Dec-08	Jul-12	95%	KR
14	Boulder White Rock Ditch and Reservoir Company	Zeigler Reservoir Water Management System	Boulder/Weld	\$ 2,864,164.00	300 L.F.	12,000	2,600	100%			Oct-09	Jun-12	100%	KR
15	Snowmass Water and Sanitation District	Milton Reservoir and Bart Lake Improvement Proj.	Pitkin	\$ 1,952,805.00	1,800 AF	1,800		100%			Feb-10	Feb-12	99%	KR
16	Farmers Reservoir and Irrigation Company	Water Rights Purchase and Pipeline Installation	Adams/Weld	\$ 3,535,000.00	64,900 AF	125,000		100%			Oct-09	Jun-13	99%	KR
17	Lower Latham Reservoir Company	Water Rights Purchase and Pipeline Installation	Weld	\$ 3,811,573.00	5,705 AF	5,705		100%			Nov-09	Jan-13	85%	KR
18	Town of Gypsum	LEDE Ditch and Reservoir Rehabilitation	Eagle	\$ 2,689,731.00	685 AF	1,200	254	60%		Permitting			15%	KR
19	Town of Dillon	Old Dillon Reservoir Enlargement	Summit	\$ 1,515,000.00	286 AF	321	140	100%			Sep-10	Jan-14	90%	KR
20	Lake Canal Reservoir Company	South Gray Reservoir Rehabilitation/Gray No. 3	Larimer	\$ 393,900.00	1,120 AF	1,120	165	100%			Sep-10	Jun-12	99%	KR
21	City of Montie Vista	Augmentation Water Rights Acquisition Pipeline Project - Augmentation Retining	Rio Grande	\$ 1,693,770.00	321 AF	1,212		n/a			Oct-10	Jul-12	50%	KR
22	Fort Morgan Reservoir and Irrigation Company	Bowls No. 1 Dam Rehabilitation	Morgan	\$ 1,494,800.00	15,840 L.F.	37,058		100%			Sep-10	Jul-12	99%	KR
23	Joseph W. Bowles Reservoir Company	Dry Gulch Reservoir Land Acquisition	Jefferson	\$ 1,703,870.00	2,062 AF	900		100%			Aug-10	Dec-12	90%	KR
24	Pagosa Area Water and Sanitation District	Knoth Reservoir Dam Rehabilitation	Archuleta	\$ 11,217,060.00	35,000 AF	35,000	35,000	n/a			Nov-08	Mar-20	85%	KR
25	Supply Irrigating Ditch Company	Owl Creek Reservoir Rehabilitation	Boulder	\$ 1,515,000.00	4,800 AF	4,800	400	95%			Jan-10	On-Hold	0%	KR
26	Owl Creek Reservoir Company	Water Rights Purchase and Pipeline Installation	Weld	\$ 1,125,000.00	1200 AF	1,200	1,200	99%			Jul-10	On-Hold	0%	KR
27	Perrorso Water District	Railroad Crossing	Fremont	\$ 8,844,570.00	30,624 LF	339		65%			Oct-10	Jan-14	20%	KR
28	Seven Lakes Reservoir Company	Division Structure Rehabilitation	Weld	\$ 772,842.00	7,796 AF	7,796		100%			Oct-11	May-12	95%	RE
29	Dual and Snyder Improvement Company	System Rehabilitation Project	Morgan	\$ 109,053.00	4,590 AF	4,590		100%			Sep-10	Jun-13	99%	AM
30	Farmers' High Line Canal and Reservoir Company	Riverside Reservoir Spillway Enlargement	Adams/Jefferson	\$ 1,410,768.00	31 Miles	24,000		85%			Feb-11	Feb-14	10%	RE
31	Riverside Reservoir and Land Company	Ditch System Rehabilitation	Weld	\$ 2,838,100.00	64,000 AF	105,000		80%			Sep-10	Jan-13	0%	AM
32	Riverside Ditch and Allen Extension Company	Zeigler Reservoir Expansion Project	Chaffee	\$ 186,345.00	3,250 LF	3,260		85%			Jul-10	Dec-12	80%	KR
33	Snowmass Water and Sanitation District	Lambert Ranch Water Rights Purchase	Pitkin	\$ 2,873,804.00	240 AF	1,850	240	100%			Oct-10	Jun-12	99%	KR
34	Thunderbird W&S Dist	Ditch Infrastructure Project	Douglas	\$ 318,150.00	896 AF	55		100%			Oct-11	Jan-14	0%	RE
35	Last Chance Ditch Company	Caterbury Tunnel Repair	Weld	\$ 185,436	9,257 AF	9,257		100%			Jan-12	May-12	50%	RE
36	Fisher Ditch Company	Lower Lone Pine Lake Enlargement Project	Denver	\$ 454,500	250 LF	1,086		95%			Sep-12	Dec-13	0%	RE
37	Parkville Water District	Raw Water System Improvements Project	Lake	\$ 1,838,200.00	100 AF	10	100	100%			Jan-12	Jan-14	5%	KR
38	Crystal Lakes Water and Sewer Association	Orlando Reservoir Rehabilitation	Larimer	\$ 2,363,400	109 AF	6		50%			Apr-12	Apr-13	0%	RE
39	Big Elk Meadows Association	Outlet Works Modification Project	Boulder/Larimer	\$ 272,700	24,00AF	6,800		100%			Aug-12	Aug-12	25%	RE
40	Two Rivers Water Company	Headgate Check Structure Rehab Project	Huerfano/Pueblo	\$ 1,184,882	208 AF	208		90%			Jan-12	Jul-14	50%	AM
41	Town of Georgetown	NDIC Tunnel Repair Project	Clear Creek	\$ 2,976,975	5,500 AF	5,500		50%			Jan-12	Aug-12	90%	AM
42	Jackson Ditch Company		Larimer	\$ 81,810	1,500LF	17,735		100%			Jan-12	Aug-12	90%	RE
43	North Delta Irrigation Company		Delta	\$ 808,000			49,201	100%			Jan-12	Aug-12	50%	RE
Projects Not Under Contract														
a	Southeastern CO Water Conserv. District	Arkansas Valley Conduit	Crowley	\$ 60,600,000	138 Miles	6,555					In Contracting			KR
b	South Metro Water Supply Authority	Raw Water Delivery - Capacity Purchase	Adams/Denver	\$ 5,090,400	10,750 AF	10,750					In Contracting			KR
c	Lake Durango Water Authority	Source Water Supply Project	Lapalita	\$ 2,525,000	309 AF	309					In Contracting			KR
d	Lake Canal Reservoir Company	North Gray Reservoir Rehab Project	Larimer/Weld	\$ 116,625.00	75 AF	333		75			In Contracting			AM
e	Tri-county Water Conservancy District	Roadway Reservoir Micro Hydro Project	Ouray/Mont/Delta	\$ 9,090,000	7 MW	35,000					In Contracting			KR
f	Paradise Acres Homeowners Association	Dedicated Fill Pipe	Huerfano	\$ 62,721	3700 LF	5				Will be Deauthorized				AM
g	La Veta, Town of	La Veta Dam Rehabilitation	Huerfano	\$ 372,690	86 AF	209	17				In Contracting			AM
h	Terrace Irrigation Co	Spillway Replacement Project	Conejos	\$ 2,724,721	2,000AF	15,340	2,000				In Contracting			KR
i	Montezuma Valley Irrigation Company	Lone Pipe & May Pipeline Improvements	Montezuma	\$ 339,600	\$340K	136,000					In Contracting			AM
j	City of Trinidad	North Lake Dam Rehabilitation	Las Animas	\$ 746,627	650AF	2,800	650				In Contracting (Conservation Plan Needed)			AM

Reservoir construction projects involving storage: new, enlargement, dredging or removal of a SFO restriction =

Design & Construction Status Report

PROJECTS SUBSTANTIALLY COMPLETED IN FY 2011/12

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

Authorization: Construction Fund	County: Larimer/Weld
Water Source: Cach La Poudre	Project Yield: 35,000 AF
Terms of Loan: \$1,352,592@ 2.85% for 30 yr.	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.

2. 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.

3. 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.

4. 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.

5. 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. SEO acceptance letter was received and Substantial completion was April 1, 2012.

PROJECTS UNDER CONTRACT and CURRENTLY UNDER DESIGN/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 project is to rehabilitate inlet and outlet canals to the Jackson Gulch Reservoir and to replace its operational shops and headquarters. The District completed the rehabilitation of a critical portion of their ditch system in 2009, involving the construction of retaining walls and access road along the ditch. **UPDATE: 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. The 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 requires a special use permit and an environmental assessment prior to construction. The initial phase of construction was awarded to ASI, Buena Vista, Colorado, and completed 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. 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.

6. 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 MVIC manages the delivery of irrigation water to a 46,000 acre service area. The Project includes installing approximately five miles of 36-inch pipe in the existing May Lateral Ditch alignment. The pipe installation will improve delivery and 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.

7. 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

Platte Valley Irrigation Company serves 14,800 acres of irrigated farm land in Weld County east of Platteville. The Company diverts water from the South Platte near Fort Lupton and shares a headgate with Farmers Reservoir and Irrigation Co (FRICO), as well as 10 miles of the Platte Valley Canal. The company intends to construct an equalizer reservoir on the ditch system 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 storage right and direct water to PVIC's recharge program. In an average year the reservoir is expected to store 300 AF, with a 300 AF refill. Construction will consist of a 431 AF reservoir with a 14 foot high dam with a 48 inch RCP outlet/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 new Parshall Flumes, as directed by the Water Court. The project is being designed by Smith Geotechnical, Fort Collins.

8. 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.

9. Henrylynn Irrigation District – Horse/Prospect Reservoirs Rehabilitation

Authorization: Severance Tax Fund

County: Weld

Water Source: Denver/Hudson Canal

Project Yield: 13,850 acre-feet

Terms of Loan: \$2,184,327@2.25% for 30 yrs.

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 re-grade 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 re-

grade 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.**

10. 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 2012.

11. 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 was completed in late 2011.

12. 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 Pipeline to the stream gage at the state line to offset stream depletions. The \$60 million loan is for engineering, construction and water acquisition related to the Project. The loan represents approximately 85% of the estimated \$71 million total cost of the Project. Design was completed in 2009. The District continues to work on resolving compact issues with Kansas regarding the 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 with 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. Pipe Construction is underway and to continue until through the summer of 2012.

13. Ogilvy Augmentation Company – Well Augmentation Project

Authorization: Severance Tax Fund	County: Weld
Water Source: South Platte River	Project Yield: 60 acre-feet
Terms of Loan: \$1,010,808@2.5% for 30 yrs.	Project Type: Augmentation

The Ogilvy 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. 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. This project includes the purchase of water rights, construction of a recharge facility, constructing a storage reservoir, and installing monitoring devices. It will file for its permanent augmentation plan in 2009. 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 storage reservoir.

14. 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 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 Project includes a reservoir pump station at the Panama Reservoir outlet in order to use water stored in the reservoir that it was unable to access by a gravity outlet. The Company was approved for a loan increase in the amount of \$434,000. The project construction was completed in 2010.

15. 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 construction of a new delivery system; which includes the construction of a pump house, 1,400ft of pipe, a flow control building, installation of telemetry and electric power. The District diverts water for treatment from creeks upstream of Snowmass Village. The District purchased Ziegler Reservoir (aka Lake Deborah) in 2008 because they didn't have a raw water storage facility and to improve system reliability. The District plans to expand the Reservoir from its current 57 AF to approximately 225 AF (under a separate CWCB loan). The District currently serves approximately 3,500 full time residents and during the winter ski season an additional 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 2012.

16. 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 Project includes three separate 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 2012.

17. 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 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. The Company has completed its water rights purchase and the construction of the augmentation ponds.

18. 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 will continue through 2012. The Town received a WSRA grant for an increased enlargement of the reservoir. To Date - a supply side pipeline component of the Project above the Reservoir was completed in September 2010.

19. Town of Dillon – Old Dillon Reservoir Enlargement

Authorization: Construction Fund

County: Summit

Water Source: Salt Lick Gulch

Project Yield: 286 acre-feet (140 new)

Terms of Loan: \$1,515,000@4.0% for 30 yrs.

Project Type: Reservoir Enlargement

The Town of Dillon is participating 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 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 AF. The contractor failed to complete the project within the contract deadline. Construction was postponed due to the winter season and is expected to commence again in the summer of 2012.

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

Authorization: Construction Fund

County: Larimer/Weld

Water Source: Box Elder Creek

Project Yield: 1,120 AF (165 AF new)

Terms of Loan: \$433,000@3.15% for 30 yrs.

Project Type: Reservoir Rehabilitation

The Lake Canal Reservoir Company planned 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. Gray Reservoir No. 3 is restricted to zero storage by the SEO due to the poor condition of the

dam and outlet works. The Company received a court decree allowing the storage in No 3 to be moved to other locations. **UPDATE: Construction was completed in the fall of 2011.**

21. 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 provides water to 4,300 residents and is located 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. Proposed 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 plans to add 321 AF of replacement water to its portfolio. In order to meet this need, the City is purchasing Anderson Ditch water rights and storing them in the Rio Grande Reservoir. 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.

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

Authorization: Construction Fund

Water Source: South Platte River

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

County: Morgan

Project Yield: 37,058 AF

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, plans 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 three miles of 24" pipe from the River to recharge ponds on Groves Farms' land; installing pumps; 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 and is addressing some complications with the pumps ability to pump the specified amount of water to the recharge ponds during the summer months. The primary concern is that the screen in the river is not functioning as designed during sandy/silty river flows.

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

Authorization: Construction Fund

Water Source: Bear Creek

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

County: Jefferson

Project Yield: 2,062 acre-feet

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 Reservoir 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 was completed in the summer of 2011. Ditch construction is expected to continue thru 2012.

24. 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

The 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 CWCBA 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. CWCBA has disbursed just under \$10,000,000 in loan funds for land purchases to-date.

25. 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 Knoth 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.

26. Owl Creek Reservoir Company - Reservoir Rehabilitation

Authorization: Construction Fund
 Water Source: Owl Creek Basin
 Terms of Loan: \$1,125,000 @2.75% for 30-years

County: Weld
 Project Yield: 1,200 acre-feet
 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.

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

Authorization: Severance Tax Fund
 Water Source: Arkansas River
 Terms of Loan: \$8,844,570@3.25% for 30 yrs.

County: Fremont
 Project Yield: 339 AF - Consumptive
 Project Type: Pump/Pipeline/Reservoir

The District provides domestic water to approximately 4,000 people with 1,700 taps in and around the Town of Penrose, with existing demand of 489AF 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 closed on the Brush Hollow Reservoir storage purchase in November of 2011.**

28. Seven Lakes Reservoir Company – Reservoir Rehabilitation

Authorization: Severance Tax Fund
 Water Source: South Platte
 Terms of Loan: \$772,842@ 2.95% for 30 yrs.

County: Weld and Larimer
 Project Yield: 7,796 acre-feet
 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 to be complete in spring 2012, contractor is waiting on pre-fabricated handrails and springtime for final grading and seeding.**

29. Duell and Snyder Improvement Company – Diversion Structure Rehabilitation

Authorization: Severance Tax Fund

Water Source: South Platte

Terms of Loan: **\$109,053** @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. 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.

UPDATE: The Company reevaluated options and chose to construct a new bladder dam at its canal inlet. Construction was completed by the contractor in the winter of 2012.

30. 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 CWCBC 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. **UPDATE: Bids came back high due to the short construction window, plan to rebid this fall to give contractors larger construction window.**

31. 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 AF 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 irrigation water for approximately 50,000 acres. There is a

storage restriction of 0.5 foot (200 AF of storage loss) due to the lack of a spillway per SEO Dam Safety Branch. In order to prevent further storage restrictions, the Project includes constructing an emergency spillway. Construction is expected in 2012. Compliance with County roadway permitting is currently controlling the start date.

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

Authorization: Construction Fund

Water Source: Arkansas River

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

County: Chaffee

Project Yield: 3,250 AF

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. Ditch lining phase of the project was completed in December 2010. Additional phases will be constructed in the fall of 2011.

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

Authorization: Construction Fund

Water Source: Snowmass Creek

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

County: Pitkin

Project Yield: 240 AF

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 CWCW 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. Hudick Construction Company completed the dam construction in the fall of 2011.

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

Authorization: Construction Fund

Water Source: Denver Basin Aquifer

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

County: Douglas

Project Yield: 896 AF

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. **UPDATE: Closing has been delayed to mid 2012 due to easement access to purchased wells.**

35. Last Chance Ditch Company – Ditch Headworks Replacement

Authorization: Construction Fund

County: Weld

Water Source: St. Vrain Creek

Project Yield: 9,257 AF

Terms of Loan: \$185,436 @4.65% for 30 yrs.

Project Type: Ditch Rehabilitation

The Last Chance Ditch Company utilizes the Last Chance Ditch to supply water to its 14 shareholders for irrigation and gravel company operations. The existing headworks of the ditch consists of a wooden structure with dual gates that have been in place since the early 1900's. The headgate has been rehabilitated numerous times over the years and the annual maintenance and reliability is a concern. The Project will include the replacement of the existing headworks with a reinforced concrete structure with dual headgates and an overshot gate. **UPDATE: Construction started in February 2012 and substantial completion expected by late spring 2012.**

36. Fisher Ditch Company – Ditch Infrastructure Project

Authorization: Construction Fund

County: Denver

Water Source: Clear Creek

Project Yield: 7,623 AF

Terms of Loan: \$454,500@4.0% for 30 yrs.

Project Type: Ditch Rehabilitation

The Ditch Company utilizes the ditch to supply water to its 28 shareholders for the purpose of irrigation, augmentation and industrial uses. The ditch has aging infrastructure that has become a burden and unreliable. The Project includes four system rehabilitation tasks: 1) headgate rehabilitation, 2) replacement of 650 LF of damaged CMP with RCP, 3) installation of a sand-out pipe and gate, and 4) burying 1,500 LF of open ditch with plastic irrigation pipe. **UPDATE: Construction start delayed due to 404-permitting, construction start rescheduled for fall 2012.**

37. 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.

38. Crystal Lakes Water & Sewer Association – Lower Lone Pine Lake Enlargement Project

Authorization: Construction Fund

County: Larimer

Water Source: N. Lone Pine Creek

Project Yield: 101 AF

Terms of Loan: \$2,363,400@4.0% for 30 yrs.

Project Type: Reservoir Enlargement

The Association is proposing to enlarge Lower Lone Pine Lake from 10.5 AF to 100.5 AF. The increase will provide augmentation water for the Crystal Lakes subdivision, located in Larimer County. Crystal Lakes, established in 1969, is a private community with 1,656 lots. More than 800 residences are

currently served by the Association. The residences derive their water supply from individual wells. The Crystal Lakes augmentation decree specifically links the allowable use of well water to the amount of augmentation water held in storage. The increased storage capacity will protect the community against possible well curtailments. **UPDATE: Addressing permitting requirements.**

39. Big Elk Meadows Association – Raw Water System Improvements Project

Authorization: Construction Fund
Water Source: W. Fork Little Thompson
Terms of Loan: \$272,700@4.5% for 30 yrs.

County: Boulder, Larimer
Project Yield: 109 AF
Project Type: Tunnel Repair

The Big Elk Meadows Association is requesting a loan for improvements to its raw water system which serves Big Elk Meadows, a 205-lot subdivision with 160 residences distributed across 460 acres. During SEO inspection of the Association's raw water system and review of its water accounting practices it was determined the outlet conduit from Meadow Lake Dam was collapsing and there was no way to control release rates. It was also determined that the Association has no accurate means to measure flows and accurately control reservoir releases, violating the terms of its 1995 decree regarding return flows. The SEO has required that the Association improve their raw water system and accounting protocol in order to function safely and in compliance with its decrees. Project improvements include: Meadow Lake Dam outlet replacement, raw water monitoring, and ISH Reservoir augmentation outfall. This project will provide the Association with a means to monitor and control reservoir releases while satisfying downstream obligations per their augmentation plan. **Update: Construction started in February 2012.**

40. Two Rivers Water Company – Orlando Reservoir Rehabilitation

Authorization: Construction Fund
Water Source: Huerfano River
Terms of Loan: \$1,184,882 @2.50% for 20 yrs.

County: Huerfano, Pueblo
Project Yield: 6,800 acre-feet
Project Type: Reservoir Rehabilitation

The Company requested a loan to restore aging water infrastructure in order to support the company's agricultural production. Loan funds will be used to modify the spillway at the Cucharas Dam. This will bring the spillway up to SEO standards and will allow the company to store water and avoid a pending breach order. Loan funds will also be used to repair the outlet works at the Orlando Reservoir No. 2, to construct a new headgate on the Orlando Canal, and to replace the old Huerfano-Cucharas Irrigation Company headgate with new automated gates. Construction on the Orlando project began in the winter/spring of 2012. **To date, the Cucharas Dam phase I rehabilitation, Orlando Reservoir No. 2 outlet works have been completed. The headgate at the Orlando Canal is currently under construction.**

41. Town of Georgetown – Outlet Works Modifications Project

Authorization: Construction Fund
Water Source: Clear Creek
Terms of Loan: \$2,976,975 @ 4.5% for 30 yrs.

County: Clear Creek
Project Yield: 208 AF
Project Type: Reservoir Rehabilitation

The Town is located on Clear Creek, along the I70 corridor. The Town needs to increase the outlet works capacity at Georgetown Lake Dam. The outlet works currently can release up to 260 cfs. In order to comply with an October 2010 court order regarding Lake operations, up to 500 cfs must be released so the Town can meet the terms of its augmentation plan. Construction is expected to begin in the spring of 2012.

42. Jackson Ditch Company – Headgate Check Structure Rehabilitation Project

Authorization: Construction Fund

County: Larimer

Water Source: Cache la Poudre River

Project Yield: 5,500 AF

Terms of Loan: \$124,533 @ 3.60% for 30 yrs.

Project Type: Ditch Rehabilitation

The Ditch Company is rehabilitating its check dam structure on the Cache la Poudre River. The river splits and flows around an island just upstream of the Company's diversion headgate. When flows are particularly low the structure is utilized to convey flows to the east side of the island where they can be diverted through the headgate. The concrete check dam has been in place since the 1960's, but has recently fallen into disrepair, preventing the Company from diverting its most senior water rights at times. Construction is planned for the spring 2012. **Update: Construction started in March 2012 and substantial completion expected by summer 2012.**

43. North Delta Irrigation Company – NDIC Tunnel Repair Project

Authorization: Construction Fund

County: Delta

Water Source: Gunnison River

Project Yield: 17,735 AF

Terms of Loan: \$808,000 @ 3.10% for 30 yrs.

Project Type: Ditch Rehabilitation

The Company is responsible for supplying water to its 174 shareholders for the irrigation of 2,300 acres of land. The water is delivered through the North Delta Irrigation Canal. A two-mile stretch of the twenty-three mile canal is located along the steep hillside paralleling the Gunnison River, and includes three tunnels. The longest tunnel, 1,450 feet in length, experienced a collapse in July 2011, blocking deliveries to 94% of its shareholders. This project will repair the tunnel by removing the blockage, installing 1,500 LF of 54" fused HDPE and underdrain system, and backfilling the HDPE with grout. Additional funding for the project includes an \$800,000 WSRA grant approval from the Gunnison Basin Round Table. **Update: Construction started in April 2012 and is expected to be complete by summer 2012.**

APPROVED BUT NOT UNDER CONTRACT**a. Southeastern Colorado Water Conservancy District – Arkansas Valley Conduit (NOT UNDER CONTRACT)**

Authorization: Severance Tax Fund
 Water Source: Arkansas – Fry Ark Project
 Terms of Loan: \$60,600,000@3.25% for 30 yrs.

County: Pueblo, Crowley, Otero, Bent
 Project Yield: 6,555 AF
 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.

b. 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.

c. Lake Durango Water Authority – Source Water Supply Project (NOT UNDER CONTRACT)

Authorization: Construction Fund
 Water Source: Animas River via Lake Nighthorse
 Terms of Loan: \$2,525,000 @ 4.0% for 30 yrs.

County: La Plata
 Project Yield: 309 AF
 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 CWCB 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.

d. Lake Canal Company – North Gray Reservoir Rehabilitation Project (NOT UNDER CONTRACT)

Authorization: Construction Fund
 Water Source: Box Elder Creek
 Terms of Loan: \$116,265 @ 2.10% for 30 yrs.

County: Larimer/Weld
 Project Yield: 33 AF
 Project Type: Reservoir Rehabilitation

The Reservoir Company plans to construct a new spillway on North Gray Reservoir. The reservoir is currently under a storage restriction by the Office of the State Engineer. The existing spillway is a corrugated metal pipe that has corroded through and will be removed/back filled. A new concrete cutoff wall and riprap lined channel will be constructed to replace the old spillway. Project design and SEO review is expected to be completed by July 2012. Construction is planned for September through November of 2012.

e. Tri-County Water Conservancy District – Ridgway Reservoir Micro-Hydro (NOT UNDER CONTRACT)

Authorization: Construction Fund
 Water Source: Cache la Poudre River
 Terms of Loan: \$9,090,000 @ 2.0% for 30 yrs.

County: Uncompahgre River
 Project Annual Yield: 22,600 MW
 Project Type: Hydroelectric

The District is building a 7MW hydroelectric power generating facility at Ridgway Reservoir. The project will be permitted through the “Lease of Power Purchase” process with the Bureau of Reclamation, allowing the incorporation of a hydropower facility into the existing outlet works of Ridgway Dam. The dam, constructed by the Bureau as part of the Dallas Creek Project, began storing waters of the Uncompahgre Basin in 1987. The District plans to sell power to the San Miguel Power Association/Tri-State Generation and Transmission and the City of Aspen/Municipal Energy Agency of Nebraska through a Power Purchase Agreement. Construction is scheduled to begin in the spring of 2012 and take approximately 2 years to complete, with energy production expected by spring 2014.

f. Paradise Acres Homeowners Association – Dedicated Fill Pipe (To Be Deauthorized)

Authorization: Construction Fund
 Water Source: Pass Creek
 Terms of Loan: \$62,721 @ 4.00% for 30 yrs.

County: Huerfano
 Project Yield: 5 acre-feet
 Project Type: Pipeline Project

The Association is responsible for supplying the Paradise Acres subdivision with potable water. Paradise Acres is a 140-lot subdivision located 18 miles northwest of La Veta. The primary water supply for the community is from a groundwater (Houchin Well #3). The proposed 3,700 LF of 2" pipe will complete a direct fill line capable of transmitting raw water between the well and two storage tanks, isolating the raw water supply from the distribution network. Without the project the Association is unable to comply with a disinfection mandate from the CDPHE, subjecting the Association to fines and shut-down of their potable water distribution network, leaving the residences of Paradise Acres without water.

g. La Veta, Town of – La Veta Dam Rehabilitation (NOT UNDER CONTRACT)

Authorization: Construction Fund

County: Huerfano

Water Source: Cucharas River

Project Yield: 209 acre-feet

Terms of Loan: \$372,690 @3.00% for 30 yrs.

Project Type: Reservoir Rehabilitation

The Town of La Veta supplies its residents with potable water. The primary water source for the Town is from a diversion on the Cucharas River. The town stores raw water in two reservoirs (North Lake and South Lake) to supplement the river diversions in times of low flow and in periods of drought. North Lake reservoir has exhibited growing signs of distress over the years and the SEO issued a 2.5-foot restriction on the dam in March 2011. The restriction impacts the Town's storage capacity by 17 AF.. The Project will repair the dam and outlet works and restore the capacity lost from the restriction.

h. Terrace Irrigation Company – Spillway Replacement Project (NOT UNDER CONTRACT)

Authorization: Construction Fund

County: Conejos

Water Source: Alamosa River

Project Yield: 15,339 AF

Terms of Loan: \$1,010,000 @ 1.75% for 30 yrs.

Project Type: Reservoir Rehabilitation

The Company, responsible for supplying irrigation water to its shareholders for irrigation of 9,300 acres of agricultural lands, is also an active participant in the Alamosa River Instream Flow Project. The ISF Project is intended to restore flows and replace natural resources damaged by mining operations in the upper reaches of the Alamosa River. The Company relies on Terrace Reservoir to meet its irrigation demands throughout the later part of the irrigation season. The reservoir is currently under a restriction order from the SEO, reducing its available capacity by 2,000 AF. This project will replace the existing spillway and remove the SEO restriction order. Funding for this project includes grant money from WSRA (\$1,500,000) and the Summitville Natural Resource Damage (NRD) account (\$2,000,000). In return for NRD funding, the Company has agreed to donate 2,000 AF of storage in Terrace Reservoir towards instream flow storage to further the efforts of the ISF Project. Construction is expected to begin in summer/fall of 2012 and be completed by the end of 2013. **Update: Project to be bid in May 2012, with construction to commence following contractor selection.**

i. Montezuma Valley Irrigation Company – Lone Pine & May Pipeline Improvements Project (NOT UNDER CONTRACT)

Authorization: Construction Fund

County: Montezuma

Water Source: Dolores River

Project Yield: 136,039 AF

Terms of Loan: \$339,603 @ 2.75% for 30 yrs.

Project Type: System Rehabilitation

The Company, responsible for the delivery of irrigation water to a service area of over 30,000 acres, is planning on addressing issues that have become long-term maintenance concerns through this project

including: trash and debris removal in delivery pipelines, pipeline pressure management, and water management issues. It is planning on installing screens on the Lone Pine and May pipelines; improving an existing pressure reducing valve on the Lone Pine pipeline; installing totalizing recording devices with solar panels at the delivery turnouts on the May pipeline; and implementing a new water accounting program for more accurate data collection on water deliveries. The Company is eligible to receive \$100,000 from the Bureau of Reclamation Water Conservation Field Services Program for the water accounting program. **Update: Construction is expected to begin in spring/summer of 2012.**

j. City of Trinidad – North Lake Dam Rehabilitation Project (NOT UNDER CONTRACT)

Authorization: Construction Fund

County: Las Animas

Water Source: North Fork of the Purgatoire

Project Yield: 650 AF (Recovered Storage)

Terms of Loan: \$746,627 @ 2.50% for 10 yrs.

Project Type: Reservoir Rehabilitation

The City of Trinidad plans on rehabilitating the dam at North Lake Reservoir which is located approximately 40 miles west of Trinidad and is the primary source of municipal water for the City. Because of safety concerns, the Office of the State Engineer imposed a restriction on the dam. To avoid further restrictions, the City intends to address the dam safety concerns by constructing a new stability berm and replacing the spillway. The total project cost is estimated to be \$1,848,086. The City is receiving \$739,235 in grant funds from the Water Supply Reserve Account. **Update: Construction is expected to begin in summer/fall of 2012.**

STATE OF COLORADO

Colorado Water Conservation Board

Department of Natural Resources

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John W. Hickenlooper
Governor

Mike King
DNR Executive Director

Jennifer L. Gimbel
CWCB Director

TO: Colorado Water Conservation Board Members

FROM: Anna Mauss, P.E., Project Manager
Finance Section

DATE: May 4, 2012

SUBJECT: **Directors Report, May 15-16, 2012 Board Meeting**
Finance Section - Change to Existing Loan
Two Rivers Water Company – Orlando Reservoir Rehabilitation Project

Introduction

The Two Rivers Water Company (Two Rivers) received approval for a loan (contract number C150328) to complete the Orlando Reservoir Rehabilitation Project (Project) in November of 2011. The Project included the following tasks: (1) completing the Phase I spillway modifications at the Cucharas Reservoir; (2) repairing the outlet works on Orlando No. 2; (3) rehabilitating the Orlando Ditch headgate; and (4) rehabilitating the Huerfano Cucharas Irrigation Company (HCIC) headgate.

Two Rivers Water Company

Two Rivers is a publicly traded, for-profit entity, established in 2002. It, through its subsidiaries, owns 2,900 acres of farmland and is in the process of acquiring another 1,000 acres. Two Rivers intends to acquire and farm over 25,000 acres within the Huerfano Cucharas river basin in the next five years.

Background and Current Project Status

Two Rivers was originally approved for a \$9.9M loan to repair the Cucharas Dam in November of 2010. The loan approval was conditioned upon a status update to the CWCB by November 2011. In November 2011, Two Rivers came back to the board asking to redirect the loan funding towards a new project involving the previously mentioned tasks. Two Rivers decided that reallocating loan funds towards the new Project would make for a more efficient use of its water resources and best support its agricultural production versus taking on the larger task of building a new dam for the Cucharas Reservoir, which was estimated at \$28M. The board approved a \$1,184,882 loan (including the 1% service fee) for the revised Project and deauthorized the \$9.9M loan.

Upon board approval of the Project and execution of the loan contract, construction began immediately. Below is a table with the original Project budgets and a status update of the Project expenditures to date:

TABLE 1 – PROJECT EXPENDITURES

Task	Engineering		Construction		Contingency		Total	
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
Preliminary Engineering	\$30,000	\$28,478					\$30,000	\$28,478
1) Cucharas Phase I	\$20,000	\$20,952	\$200,000	\$253,082	\$20,000	\$19,684	\$240,000	\$293,719
2) Orlando Outlet Works	\$88,000	\$82,176	\$312,200	\$525,026	\$95,000	\$33,623	\$495,200	\$640,824
3) Orlando Ditch Headgate Rehabilitation	\$46,000	\$23,584	\$93,900	\$129,905	\$33,500	\$35,980	\$173,400	\$189,469
4) HCIC Headgate Improvements	\$68,000	\$5,291	\$226,900	\$0	\$70,000	\$0	\$364,900	\$5,291
Total	\$164,000	\$160,480	\$833,000	\$908,013	\$218,500	\$89,287	\$1,303,500	\$1,157,780

Cost overruns occurred in tasks 1, 2, and 3. Task 1, Cucharas Phase I, increased due to additional requirements from the Office of the State Engineer (SEO). The SEO had concerns about the long-term plans for the Cucharas Dam rehabilitation and required a more detailed plan for the fix to allow Two Rivers to store the restricted volume of water in the reservoir.

Task 2, Orlando Outlet Works, also exceeded the budget due to field conditions and a requirement to increase the outlet works pipe from a 24-inch (as planned) to a 30-inch pipe as required by the SEO. This change caused a series of additional changes including gates sizes, fitting compatibility and redesign efforts.

Task 3, Orlando Ditch Headgate Rehabilitation, also ran over budget due to the cost of sheet piling. Based on the site conditions discovered, the headgate will need a redesign.

Two Rivers is requesting a reallocation of the loan funds to cover the cost over-runs on tasks 1, 2, and 3 and to remove task 4, HCIC headgate improvements, from the Project. Table 2 shows a breakdown of the actual costs to date and the proposed reallocation of funds.

TABLE 2 – BUDGET REALLOCATION

Task	Engineering			Construction			Contingency			Total		
	Budget	Actual	Proposed	Budget	Actual	Proposed	Budget	Actual	Proposed	Budget	Actual	Proposed
Preliminary Engineering	\$30,000	\$28,478	\$28,478	\$0	\$0	\$0	\$0	\$0	\$0	\$30,000	\$28,478	\$28,478
1)Cucharas Ph. I	\$20,000	\$20,952	\$20,952	\$200,000	\$253,082	\$275,440	\$20,000	\$19,684	\$34,684	\$240,000	\$293,718	\$331,076
2)Orlando Outlet Works	\$88,000	\$82,176	\$87,163	\$312,200	\$525,026	\$539,622	\$95,000	\$33,623	\$34,000	\$495,200	\$640,825	\$660,785
3)Orlando Ditch Headgate	\$46,000	\$23,584	\$27,984	\$93,900	\$129,905	\$191,105	\$33,500	\$35,980	\$58,781	\$173,400	\$189,469	\$277,870
4) HCIC Headgate *	\$68,000	\$5,291	\$5,291	\$226,900	\$0	\$0	\$70,000	\$0	\$0	\$364,900	\$5,291	\$5,291
	\$252,000	\$160,481	\$169,868	\$833,000	\$908,013	\$1,006,167	\$218,500	\$89,287	\$127,465	\$1,303,500	\$1,157,781	\$1,303,500

*Note: Approximately \$5,300 has been spent on engineering towards task 4. No further funds will be reimbursed for this task.

cc: Gary Barber, President, Two Rivers Water Company
Susan Schneider, AGO
Peter Johnson, AGO

Attachment: Water Project Loan Program – Project Data Sheet

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	\$ 586,918	\$ 319,171	\$ 906,090	\$ 912,546	\$ (6,456)
November 2011	\$ 272,399	\$ 242,144	\$ 514,543	\$ -	\$ 514,543
December 2011	\$ 592,812	\$ 1,218,167	\$ 1,810,979	\$ 362,744	\$ 1,448,234
January 2012	\$ 99,637	\$ 43,595	\$ 143,231	\$ 376,407	\$ (233,176)
February 2012	\$ 199,127	\$ 158,039	\$ 357,165	\$ -	\$ 357,165
March 2012	\$ 10,182,855	\$ 518,753	\$ 10,701,608	\$ 641,999	\$ 10,059,609
April 2012	\$ 395,660	\$ 300,907	\$ 696,567	\$ 211,229	\$ 485,339
May 2012	\$ -	\$ -	\$ -	\$ -	\$ -
June 2012	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2012 Totals	\$ 14,649,242	\$ 4,350,158	\$ 18,999,400	\$ 3,695,971	\$ 15,303,429

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	\$ 2,517,487	\$ (1,842,654)
November 2011	\$ 90,580	\$ 78,726	\$ 169,306	\$ -	\$ 169,306
December 2011	\$ 440,875	\$ 897,285	\$ 1,338,160	\$ 4,006,762	\$ (2,668,602)
January 2012	\$ 92,858	\$ 270,282	\$ 363,140	\$ -	\$ 363,140
February 2012	\$ 878,480	\$ 460,459	\$ 1,338,940	\$ 5,173,886	\$ (3,834,946)
March 2012	\$ 13,741,211	\$ 164,179	\$ 13,905,390	\$ 1,954,233	\$ 11,951,157
April 2012	\$ 669,058	\$ 577,227	\$ 1,246,285	\$ 796,375	\$ 449,910
May 2012	\$ -	\$ -	\$ -	\$ -	\$ -
June 2012	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2012 Totals	\$ 17,173,756	\$ 3,878,250	\$ 21,052,006	\$ 14,868,867	\$ 6,183,139
GRAND TOTALS	\$ 31,822,997	\$ 8,228,409	\$ 40,051,406	\$ 18,564,838	\$ 21,486,568

**May 15-16, 2012 Board Meeting
Instream Flow and Natural Lake Level Program
Summary of Resolved Opposition 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 rights:

(1) Case No. 5-11CW088 – Application of Michael and Janet Greene

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 proposed change of water rights does not injure the Board's instream flow water rights on Cattle Creek through expansion of use. 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 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
5-85CW626	Cattle Creek	4.0	11/8/1985	Roaring Fork	Garfield, Eagle
5-97CW273	Cattle Creek	2.0	9/22/1997	Roaring Fork	Garfield

The Applicant has agreed to the following terms and conditions:

- In order to prevent expanded diversions and consumptive use of water by virtue of the proposed change in place of use, an area of 6.3 acres has been permanently dried up on the historically irrigated acreage due to the construction of roads, barns, riding arenas, and horse boarding pens, and an additional 1.5 acres will be permanently dried up on the Johnsons' Property in accordance with the terms and conditions set forth in the Dry-Up Covenant
- The changes of water rights decreed herein shall be subject to reconsideration by the Water Judge on the question of injury to the vested water rights of others for a period from the signing of this decree until five (5) years after the Applicant provides written notice to the parties, the Division Engineer and the Court that the change in location of use has occurred. Such notice must confirm that the dry-up that has been proposed has physically occurred and that the dried-up acreage is no longer being irrigated under these water rights and is not being sub-irrigated or irrigated by seepage from the ditch.

(2) Case No. 5-10CW286 – Application of Theodore and Shannon Skokos

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 proposed plan for augmentation and change of water rights does not injure the Board's instream flow water rights on the Roaring Fork River by expansion of use or by not replacing out-of-priority depletions in time, place, or amount. Staff, in cooperation with the Attorney General's Office, has negotiated a settlement to ensure that the CWCBC's instream flow water rights will not be injured.

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

CWCBC Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
5-76W2948	Roaring Fork River	32	1/14/1976	Roaring Fork	Pitkin
5-76W2949	Roaring Fork River	15	1/14/1976	Roaring Fork	Pitkin
5-85CW639	Roaring Fork River	145/75	11/8/1985	Roaring Fork	Pitkin, Eagle, Garfield
5-85CW646	Roaring Fork River	55/30	11/8/1985	Roaring Fork	Pitkin, Eagle

The Applicant has agreed to the following terms and conditions:

- When water is in priority and legally and physically available for diversion, the Skokos Wildwood Tanks may be filled and refilled with water diverted from the Skokos Wildwood Pump Diversion. The 5 Tanks will be equipped with low level, gravity flow release mechanisms to allow augmentation water to be delivered directly to the Roaring Fork River via pipe. As installed, the Tanks will not intercept ground water and will not have any evaporative loss.
- When a call occurs on the Roaring Fork River above the confluence of the Roaring Fork River and the Fryingpan River that cannot be satisfied with BWCD augmentation water releases and the 2010 exchange, Applicant will rely on releases from the Skokos Wildwood Tanks to replace out-of-priority depletions. The anticipated out-of-priority depletions, which will be replaced by monthly releases from the Skokos Wildwood Tanks, are attached to the decree as Table 2. Applicant will also maintain enough water in the Skokos Wildwood Tanks to replace out-of-priority depletions for the in-house uses of the Skokos Wildwood Well. The Skokos Wildwood Tanks will maintain an adequate volume of water for the augmentation of out-of-priority depletions of the Skokos Wildwood Well on a year-round basis, conservatively estimated at 50 gallons per day, beginning each year on June 1 and ending on April 1, when Applicant anticipates there will be no call on the Roaring Fork River and the Tanks can refill in priority.
- The water to be provided for augmentation shall be of a quality and quantity so as to meet the requirements for which the water has been used by senior downstream appropriators, and therefore meets the requirements of C.R.S. § 37-92-305(5).
- Applicant shall install measuring devices, provide accounting, and supply calculations regarding the timing of depletions as required by the Division Engineer for the operation of this plan. The Applicant shall also file an annual report with the Division Engineer by November 15th of each year summarizing diversions and replacements made under this plan.

- The water rights decreed herein shall be subject to reconsideration by the Water Judge on the question of injury to the vested water rights of others for a period starting at the date of the decree and continuing until five years from the date Applicant provides written notice to the Objectors, Division Engineer and the Court that the augmentation plan has become fully operational with all features of the plan either built or available. Such notice must confirm that the decreed augmenting sources are in place, that the terms and conditions necessary to operate the plan as required by the decree have been met, and that the augmented uses and augmentation have been initiated. For any storage tank to be augmented or used for augmentation, the notice shall include as built stage capacity table, proof of the capacity the tank(s), a profile of the Tanks showing the elevation of inlet and outlet structures, and confirmation that operable and lockable outlet structures have been installed.

(3) Case No. 5-06CW266 – Application of Archie and Linda Dunham

The Board ratified this statement of opposition at its March 2007 meeting. The Board's main objective in filing the statement of opposition in this case was to ensure that the Applicant's proposed plan for augmentation does not injure the Board's instream flow water right on Antelope Creek by not replacing out-of-priority depletions in time, place, or 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 holds the following instream flow water right that could have been injured by this application:

CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
5-86CW225	Antelope Creek	32	1/14/1986	Colorado River	Grand

The Applicant has agreed to the following terms and conditions:

- Historic depletion credits will only be available to Applicant to the extent the subject water right is in priority at the historic point of diversion. Accordingly, historic depletion credits from the subject water right will not be available to Applicant at times when the historical diversion amount is not physically and legally available at the headgate. Applicant may need to place a call to bring sufficient water to the headgate in order to maintain historical return flows while using the historical depletion credits.
- Applicant shall install measuring devices, provide accounting, and supply calculations regarding the timing of depletions as required by the Division Engineer for the operation of this plan.
- The exchanges described herein shall only operate: (i) in priority, (ii) to the extent that water is physically and legally available at the original point of diversion for the Antelope Ditch, and (iii) at times when measured flows in Antelope Creek are in excess of 1.502 c.f.s., to ensure that all decreed instream flows located within the pertinent exchange stream reaches are being met. The ponds described herein will be administered in priority at all times when the exchanges are unable to operate. Applicant agrees to install low level outlets in Ponds A-2 and A-3 in order to allow for such administration.
- No water rights or plan for augmentation is being adjudicated for the Cabin Pond, whose center is located at the SE ¼ SW ¼ of Section 20, T. 4 N., R. 80 W. of the 6th P.M. approximately 1632 feet from the West Line and 741 feet from the South Line of said Section 20. No out of priority diversions are permitted into the Cabin Pond.

- The Water Court shall retain jurisdiction over this change of water right and plan for augmentation pursuant to C.R.S. § 37-92-304(6) (2010) for reconsideration of injury to the vested rights of others for a period of five (5) years from the date of the decree until the date when the augmentation plan becomes operational. For the augmentation plan to become operable, the applicant must install the staff gages and provide the Division Engineer with a stage capacity curve of Pond B-1. Applicant shall provide notice to the Court, Division Engineer, and the parties when the augmentation plan becomes operational.

(4) Consolidated Case Nos. 4-07CW133 & 134 – Application of Elk River Ranches and Horse River Ranch Home Owners’ Association

The Board ratified this statement of opposition at its January 2008 meeting. The Board's main objective in filing the statement of opposition in this case was to ensure that the Applicant's proposed plan for augmentation and change of water rights does not injure the Board's instream flow water right on Ohio Creek by not replacing out-of-priority depletions in time, place, or 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 holds the following instream flow water right that could have been injured by this application:

CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
4-80CW112B	Ohio Creek	12	3/17/1980	Gunnison River	Gunnison

The Applicant has agreed to the following:

- CWCB staff requested an analysis of the historical consumptive use considering historical diversion records. Applicant provided the analysis and adjusted the claimed use credits accordingly.
- CWCB staff requested an analysis of the lagged accretions and depletions to the stream. Applicant provided the analysis to the satisfaction of CWCB staff.
- Diversions of water from Ohio Creek pursuant to the Purrier Ditch Enlargement will be 100% consumptive to Ohio Creek between the point of diversion and the point where Elk River Pond No. 2 discharges into Ohio Creek, even when merely providing a refreshing flow through Elk River Pond No. 2. Therefore, when the CWCB places a valid call to enforce its instream flow water right decreed in Case No. 80CW112B, diversions pursuant to the Purrier Ditch Enlargement water right must be curtailed to the extent necessary to fully satisfy such instream flow water right.
- Maintenance of Historical Return Flows. The historical irrigation use of the Changed Water Rights created return flows that accrued to Ohio Creek during the irrigation season (“Irrigation Season Return Flows”) and after the irrigation season was over (“Delayed Return Flows”). In order to maintain the historical stream regimen to prevent injury to vested water rights, Applicants must maintain these historical return flows. The Irrigation Season Return Flows will be maintained by foregoing diversion of a portion of the Changed Water Rights. The Delayed Return Flows will be maintained by (i) diverting a portion of the Changed Water Rights during the irrigation season and delivering such water rights through the Lone Pine Ditch into a recharge system (the “Recharge System”) located approximately 3500 feet away from Ohio Creek and (ii) storing water in Elk River Pond No. 2 for release into Ohio Creek during the non-irrigation

season. The timing of deliveries to the Recharge System and Elk River Pond No. 2 and the return of such deliveries to Ohio Creek is described in greater detail in the Plan for Augmentation, below.

- Because the CWC's minimum stream flow water right could be injured by new depletions on Ohio Creek, the Plan for Augmentation will provide replacement water at or upstream from the point on Ohio Creek where the depletions from the augmented structures occur. The Recharge System and Elk River Pond No. 2 are at the upper end of the Elk River Ranch subdivision where the recharge accretions will accrue to Ohio Creek near or above the location of any Pond Well depletions and the location where historical irrigation return flows accrued to Ohio Creek.
- Applicants shall only be entitled to the historical consumptive use credits attributable to the Changed Water Rights, when Applicants are maintaining historical return flows attributable to the Changed Water Rights. To the extent that water is physically and legally available for diversion under the Changed Water Rights' respective priority dates at the Changed Water Rights' respective original points of diversion, then Applicants may divert.
- The Applicants shall install measuring devices, provide accounting, and supply calculations regarding the timing of depletions as required by the Division Engineer for the operation of the Plan for Augmentation.
- Applicants shall develop an accounting form satisfactory to the Division Engineer to properly account for the uses of water described in this Ruling and Decree. Without limiting the generality of the foregoing, at a minimum, the accounting form shall be on a monthly time-step and must (i) state the amount of dry-up that has occurred to date and take the same into consideration in calculating available consumptive use credits; (ii) state the surface area of the pond wells constructed to date and take the same into consideration in calculating depletions to be augmented; (iii) account for the operation of the Recharge System; (iv) account for the storage of water in Elk River Pond No. 2, distinguishing between waters stored pursuant to the Changed Water Rights and water stored pursuant to the Purrier Ditch Enlargement; and (v) summarize the diversions and replacements made under the Plan for Augmentation.



AN E&E PUBLISHING SERVICE

WATER: Agencies weigh competing suggestions for new Glen Canyon Dam plan *(Wednesday, March 28, 2012)*

April Reese, E&E reporter

As the Bureau of Reclamation and National Park Service begin crafting a highly anticipated management plan for Glen Canyon Dam in Arizona, the agencies will have to make some tough choices about what to include in the new blueprint.

That became clear during a webinar that Reclamation officials held yesterday to summarize the comments they have received while gathering public input on what should be in the plan, known as the "long-term experimental and management plan" (LTEMP). The document, which is expected to be completed by fall of next year, will guide dam operations over the next 15 to 20 years.

The comments touched on almost every aspect of dam management, from protection of habitat for the federally endangered humpback chub and other resources within Grand Canyon National Park -- which lies just downstream from the dam -- to hydropower production, fisheries and recreation. The stretch of the Colorado River that winds through the scenic canyon is popular with rafters, hikers and anglers.

The planning area includes the 300-mile stretch of the river that flows southwest from Glen Canyon Dam to Lake Mead, the reservoir behind Hoover Dam near Las Vegas. In addition to the park, the area also includes Glen Canyon National Recreation Area, Lake Mead National Recreation Area, and natural and archaeological resources important to several Native American tribes, including the Hualapai and Havasupai.

Many comments emphasized the importance of conducting more experimental high flows to better protect the park and native fish, while others urged Reclamation to maintain flows that will keep reservoirs full and maximize power generation.

On the subject of fisheries, some suggested stepping up efforts to remove non-native trout, which compete with the chub, while others encouraged managers to stop killing trout.

The wide range of comments reflects the complexity of managing a major dam on the Interior West's most important river. While the dam was constructed in the 1960s to provide water storage and hydropower for the growing Southwest, it profoundly altered flows in the Colorado River, contributing to the decline of the Grand Canyon's riparian ecosystem.

The comments also reflect the dueling legal mandates Reclamation is under. On one hand, the Grand Canyon Protection Act directs federal officials to protect and improve the park's world-renowned resources; on the other, a suite of other laws direct Reclamation to provide hydropower and water to cities in the Southwest.

"Some comments talked about the need to be consistent with laws, regulations and policies," said Kirk LaGory of the Energy Department's Argonne National Laboratory, who presented the summary of the comments. "But some also observed that these are not always in concert with each other."

Ted Kowalski, chief of the Interstate and Federal Section of the Colorado Water Conservation Board, said at the end of the meeting that he was concerned about some of the comments showing up in the range of alternatives the agencies will now begin forging, including a suggestion that officials rewrite the Colorado River Compact, which divvies up the river's water among the seven states in the basin.

But Beverley Heffernan, Reclamation's environmental resources division chief, said retooling the 1922 agreement, which allocates more water than the Colorado can now provide, is beyond the scope of the plan, as is the question of whether the dam should be decommissioned to help restore the Grand Canyon's riparian ecosystem.

And she assured participants in the webinar that a 2007 agreement between the Interior Department and the basin states that requires Reclamation to "equalize" water levels in Lake Powell and Lake Mead is also sacrosanct ([Land Letter](#), Dec. 13, 2007).

Lake Powell collects water from the Upper Colorado River Basin, which includes parts of Colorado, New Mexico, Utah and Wyoming, while Lake Mead stores water for the lower basin, encompassing all of Arizona and parts of Nevada and California, as well as a small part of New Mexico.

A public meeting to discuss possible alternatives to be included in the environmental impact statement for the LTEMP will be held April 4 and 5 in Flagstaff, Ariz.

Reese writes from Santa Fe, N.M.

ABOUT GREENWIRE

Greenwire is written and produced by the staff of E&E Publishing, LLC. The one-stop source for those who need to stay on top of all of today's major energy and environmental action with an average of more than 20 stories a day, Greenwire covers the complete spectrum, from electricity industry restructuring to Clean Air Act litigation to public lands management. Greenwire publishes daily at 1 p.m.

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WSRA COMPLETED PROJECTS															Updated 04/30/12				
Basin	County	Applicant	Name of Water Activity	CWCB Mitg 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	8000000005				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	8000000011					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	8000000010			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	8000000084			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	8000000100					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	8000000135					Eric	Completed				
Arkansas	Lake, Chaffee, Fremont	Greater Arkansas River Nature Association	Diversion Structure Improvement Project	Mar-08		\$57,955	\$57,955	Study/Analysis Consumptive and Non-Structural/Non-Structural Water Activity	9000000025			12/31/09	09/23/09	Ted (Kirk?)	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	Rotational Land Following-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	Fleming Gorge Project Task Force Assessment	May-10	\$20,000	\$0	\$20,000	Studies or analysis of structural, nonstructural, consumptive, nonconsumptive water needs and project	11000000008	\$20,000			6/30/11	6/30/11	Completed				
Arkansas			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					Structural and/or nonstructural water project or activity											
Arkansas	Chaffee, Fremont, Custer	Upper Arkansas WCD	Stakeholders Coop Mgmt Analysis for the UARB	Sep-08	\$75,000	\$210,332	\$285,332	Studies or analysis of nonconsumptive water needs and project	C150439	\$285,332	\$529,884		12/31/11	9/7/11	Completed				
Arkansas	Chaffee, Fremont, Pueblo	Southeastern CO WCD		Jul-10	\$33,600	\$0	\$33,600	Studies or analysis of structural, nonstructural, consumptive, nonconsumptive water needs, projects	11000000012	\$33,600	\$8,400		8/31/11	12/31/11	Completed				
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	\$28,000	\$35,000		121BC0000009	\$35,000	\$7,000		4/1/2012	3/29/2012	Completed				
Arkansas Basin Total Request					\$719,381	\$1,746,287	\$2,465,668												

Arkansas	Pueblo	Southeastern CO WCD	Analysis for the DARB	Jun-10	\$33,600	\$0	\$33,600	Studies or analysis of structural, nonstructural, consumptive, nonconsumptive water needs, projects	11000000012	\$33,600	\$6,400	8/31/11	12/31/11	Completed
Arkansas	Pueblo	Fountain Creek Watershed Greenway and Flood Control District	Flathead club movement associated with the Clear Springs Ranch diversion structure in Fountain Creek	Sep-10	\$7,000	\$28,000	\$35,000		121BC000009	\$35,000	\$7,000	4/1/2012	3/29/2012	Completed
Arkansas Basin Total Request														
Number of Projects	16													
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	8000000039	\$0		06/30/10	02/25/09	Eric Completed
Colorado	Eagle	Eagle Park Reservoir Company	Enlargement of Eagle Park Reservoir	Mar-07	\$0	\$250,000	\$250,000	Structural Project and Study-Technical Assistance	C150401	\$118,707		12/31/09	12/17/09	Eric Completed
Colorado	Garfield, Pitkin, Gunnison, Eagle	Ruedi Water and Power Authority	Roaring Fork Watershed Assessment	Mar-07	\$40,000	\$0	\$40,000	Study or Analysis of Non-Consumptive Needs	8000000012					Chris Completed
Colorado		Colorado River Water Conservation District	Upper Colorado Endangered Fish Recovery Alternatives Analysis (10,825)	Mar-07	\$0	\$200,000	\$200,000	Study or analysis of non-consumptive water activity	C150404			06/30/08	Closed	Todd Completed
Colorado	Grand County	Grand County	Vail Ditch Project	Mar-07	\$0	\$1,500,000	\$1,500,000	Structural and Nonstructural water activity	C150409			06/30/08	Closed	Completed
Colorado	Garfield, Pitkin	West Divide WCD	Feasibility and design assessment of off-channel reservoir sites in the Crystal River water shed	Sep-08	\$40,000	\$0	\$40,000	Structural and/or non structural water project or activity	9000000052			08/31/09	09/02/09	Mike Completed
Colorado	Summit	Summit County	Old Dillon Reservoir	Mar-08	\$100,000	\$0	\$100,000	Study//Analysis of consumptive project	9000000026	\$49,360		06/30/09	03/02/10	Kirk Completed
Colorado		Grand County	Grand County Stream flow Management Plan	May-08	\$100,000	\$0	\$100,000	Study//Analysis of Non-consumptive needs/project	C150461			06/30/11	12/16/10	Todd Completed
Colorado	No information on Summary for counties	City of Grand Junction	Energy Development Water Needs Assessment (300,000 Joint Application see Yampa)	Mar-07	\$0	\$150,000	\$150,000	Study of consumptive water needs assoc. w/energy develop. in the CO, White& Yampa river basins	C150407	\$150,000	\$0	03/31/11	03/31/11	Jacob Completed
Colorado	Eagle/Pitkin/ Garfield	Ruedi Water and Power Authority	Roaring Fork Watershed Assessment -Phase 2	May-08	\$40,000		\$40,000	Study//Analysis Consumptive and Non-Consumptive Project	9000000049	\$40,000.00		04/07/11		Chris Completed
Colorado	Garfield	Grand River Ditch Company	Grand River Ditch Pipeline Solicitation of stakeholder input and advice through a Colorado River Basin edition of Headwaters Magazine	Sep-10	\$25,000	\$0	\$25,000	Structural project or activity	11000000097	\$25,000		06/30/11	06/01/11	Kirk Completed
Colorado	Grand, Summit, Eagle, Pitkin, Garfield, Mesa	Colorado Foundation for Water Education	Fraser Sedimentation Basin	Sep-10	\$25,000	\$0	\$25,000	Nonstructural water project or activity	11000000039	\$25,000		06/30/11	06/28/11	Jacob Completed
Colorado	Grand County	Grand County	Battlement Reservoir #3 Dam reconstruction to enhance recreational & environmental opportunities	Mar-08	\$60,000	\$127,900	\$187,900	Structural Water Project	C150449	\$187,900		6/30/12	12/31/11	Greg Completed
Colorado	Garfield	Trout Unlimited Chapter		Sep-08	\$80,000	\$0	\$80,000	Structural and/or non structural water project or activity	11000000126	\$80,000	\$320,000	12/31/12	12/23/11	Jacob Completed
Colorado Basin Total Request														
Number of Projects	14													
Southwest	Goodman Point Water Association	Goodman Point Water Association Pipeline Environmental Assessment		Mar-07	\$7,700	\$0	\$7,700	Study of structural water project	8000000075				07/31/09	Eric Completed
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	12/31/25	12/17/08	Rick Completed

Southwest		Association	Environmental Assessment	Mar-07	\$7,700	\$0	\$7,700	project	8000000075				07/31/09	Eric	Completed
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	12/31/25	12/17/08	Rick	Completed
Southwest		Mancos Water Conservancy District	Jackson Gulch Reservoir Expansion Project	July-07	\$61,735	\$0	\$61,735	Feasibility Study	8000000076			06/30/09	06/30/09	Todd	Completed
Southwest		La Plata West Water Authority	La Plata West Rural Water Supply System	Mar-08	\$100,000	\$1,000,000	\$1,100,000	All purposes	C150422			06/30/09		Todd (Kirk?)	Completed
Southwest								Environmental/Technical feasibility studies and studies or analysis of structural and/or non structural water project or activity							
Southwest	La Plata/Archuleta	La Plata Archuleta Water District	Water System Master Planning	Nov-08	\$100,000	\$0	\$100,000	Structural water project or activity	90000000112	None		12/31/09	12/22/09	Eric	Completed
Southwest	Archuleta	Park Ditch Company	Park Ditch Improvements	Jul-09	\$85,000	\$0	\$85,000	Structural water project or activity	100000000011	\$132,375		06/30/11	12/09/09	Greg	Completed
Southwest	La Plata	Happy Scenes	Water System Well, Treatment System and Distribution Upgrades	16-Sep-08	\$39,760	\$50,000	\$0	Structural Project	90000000127	\$87,100		06/30/10	11/17/09	Greg	Completed
Southwest		Town of Sawpit	Engineering/Planning for Domestic Water System; Southwest Basin	Mar-08	\$25,000	\$0	\$25,000	Study Structural Project	90000000006	\$6,700		06/30/09	06/07/10	Anna	Completed
Southwest								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	MV/C Summit Irrigation Company feasibility study	Sep-08	\$39,300	\$0	\$39,300	Structural and/or nonstructural water project or activity	90000000085	\$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	Study or analysis of non structural, nonconsumptive water needs and projects	C150468	\$0		06/30/12	12/17/10	Greg	Completed
Southwest	Montezuma	Goodman Point Water Association	Goodman Point Phase 2	Sept-07	\$20,000	\$240,000	\$260,000	Structural Project	C150462	\$260,000		06/30/12	3/16/11	Greg	Completed
Southwest	La Plata	San Juan Resource Conservation and Development - Animas Watershed Project	Animas River Needs Assessment	Sep-09	\$57,000	\$0	\$57,000	Study/analysis of structural nonconsumptive water project or activity	110000000028	\$57,000		9/30/2012	4/26/2011		Completed
Southwest		Mancos Conservation District	Mancos River Diversion Project, Phase I	Nov-09	\$24,753	\$0	\$24,753	Technical assistance regarding permitting feasibility studies and environmental compliance; and study or analysis of structural project or activity	100000000111	\$24,753		12/30/10	06/06/11	Chris	Completed
Southwest								Technical assistance regarding permitting feasibility studies and environmental compliance; and study or analysis of structural project or activity							
Southwest	La Plata	Florida Mesa Canal Companies	Canal Seepage Reduction Program	Sep-09	\$0	\$225,000	\$225,000	Study/analysis of consumptive water project or activity	C150463	\$225,000		06/30/11	06/30/11	Greg	Completed
Southwest								Study/analysis of consumptive water project or activity							
Southwest	San Miguel	Town of Norwood	Raw Water System Update and Future Needs Study	Jan-10	\$0	\$58,458	\$58,458	Technical Assistance for Feasibility Studies; Study & Implementation of a Structural, Consumptive Water Project	100000000085	\$58,458		06/30/11	06/30/11	Greg	Completed
Southwest		Florida Mesa Canal Companies (Florida Canal, Florida Farmers Ditch, Florida Enlargement Ditch, and the Florida Co-operative Ditch Company)	Ditch Loss, Hydropower, and Monitoring Improvement Program	Mar-09	\$100,000	\$0	\$100,000		90000000115	\$300,000		06/30/11	06/30/11	Greg	Completed
Southwest	Montezuma	Bauer Lake Water Company	Bauer Lakes Water Co. Dam Outlet Structure Upgrade	Mar-08	\$40,000	\$0	\$40,000	Structural Project	100000000084	\$40,000	\$70,000	12/31/11	12/31/11	Greg	Completed

Southwest		Ditch Company)	Program	Mar-09	\$100,000	\$0	\$100,000	Project	90000000115	\$300,000	06/30/11	06/30/11	Greg	Completed
Southwest	Montezuma	Bauer Lake Water Company	Bauer Lakes Water Co. Dam Outlet Structure Upgrade	Mar-08	\$40,000	\$0	\$40,000	Structural Project	10000000084	\$40,000	12/31/11	12/31/11	Greg	Completed
Southwest	Montezuma	Dolores Water Conservancy District	Totten Reservoir Hydrographic Survey	Nov-10	\$29,500	\$0	\$29,500	Nonstructural water activity	110000000114	\$29,500	12/31/11	12/31/11	Greg	Completed
Southwest		Town of Silverton	Molas Lake Ditch Rehabilitation and Diversion Structures	Jan-09	\$95,000	\$0	\$95,000	Structural Project	90000000143	\$1,100,000	12/31/11	11/18/11	Greg	Completed
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	121BC000005	\$25,000	12/31/11	10/21/2011	Jacob	Completed
Southwest Basin Total Request					\$949,748	\$2,723,458	\$3,673,206							
Number of Projects	21													
		Upper Gunnison Water Conservancy District and Hinsdale County	Lake San Cristobal Controlled Outlet Structure	May-07	\$35,000	\$0	\$35,000	Technical assistance regarding permitting, feasibility studies, and environmental compliance	80000000021			Closed	Todd	Completed
		Town of Orchard City	Orchard City Water Reservoir Project (Task 1-3)	May-07	\$60,000	\$0	\$60,000	Study/Analysis	80000000007				Todd	Completed
		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
		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
		North Fork River Improvement Association	Paonia-Feldman Diversion 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	C150411		12/31/08	Closed	Todd	Completed
		City of Grand Junction Water Enterprise Fund	Juniaia Reservoir Spillway Modification	Mar-09	\$97,000	\$0	\$97,000	Structural Water Project	90000000088	\$97,586	06/30/10	12/15/09	Jacob	Completed
		Painted Sky Resource Conservation and Development Council, Inc.	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
		City of Ouray	Development of Augmentation Supplies	May-09	\$50,000	\$0	\$50,000	Structural and/or nonstructural water project or activity	100000000041	\$50,000	06/30/11	06/30/11	Todd	Completed
		Town of Ridgway	Ridgway Ditch and Lake Oronewanda Improvement Project	Mar-09	\$109,500	\$0	\$109,500	Tech Assist Regarding Permitting, Feas. Studies, & Enviro Compliance, & Study or 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	110000000127	\$11,817	12/31/11	7/26/11	Jacob	Completed
		Upper Gunnison WCD	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
		Leroux Creek Water Users Association (LCWUA)	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
		Overland Ditch and Reservoir Company	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
		Painted Sky Development	Hartland Dam Improvements	Sen-11	\$53,100	\$0	\$53,100	Structural water project						

Gunnison	Delta	Overland Ditch and Reservoir Company	Overland Reservoir Dam Expansion/Restoration	Sep-07	\$0	\$68,000	\$68,000	Feasibility Study and Environmental Permitting Assistance	8000000038	\$68,000	\$0	8/31/2008	6/30/11	Todd	Completed
Gunnison	Delta	Painted Sky Development and Resource Council	Hartland Dam Improvements	Sep-11	\$53,100	\$0	\$53,100	Structural water project	121B C000008	\$53,100	\$1,200,000,000	3/31/12	03/31/12	Chris	Completed
Gunnison Basin Total Request					\$678,482	\$510,700	\$1,189,182								
Number of Projects	14														
Metro	Denver, Multiple	The Greenway Foundation East Cherry Creek Valley Water and Sanitation District	Charfield Reallocation EIS/FR (South Plate BRT contributing \$27,000)	Mar-07	\$103,000	\$0	\$103,000	Study/Analysis of Structural Water Project						Chris	Completed
Metro	Douglas		Zero Liquid Discharge Pilot Study	Sep-07	\$200,000	\$200,000	\$400,000	Study/Analysis	C150412				01/08/09	Eric	Completed
Metro	Logan	Parker Water and Sanitation District	Parker Water and San. And Colo. State University Joint Project on the Rural/Urban Farm Model	Sep-07	\$150,000	\$0	\$150,000	Study/Analysis	C150413			12/31/09	10/02/09	Todd	Completed
Metro	Multiple	CFWE	Solicitation of Stakeholder Input through a South Plate Edition of Headwaters	Jul-08	\$16,019	\$0	\$16,019	Non-structural water project or activity	9000000019					Todd	Completed
Metro	Douglas, Arapahoe	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	Denver	Greenway Foundation Clear Creek County on behalf of Upper Mountain Counties Water Needs Consortium	South Plate River Recreation and Habitat Feasibility Study	Sep-08	\$150,000	\$0	\$150,000	Study/analysis of structural, non structural, nonconsumptive water needs, projects	C150442	\$0			06/30/10	Chris	Completed
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
Metro	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	11000000008	\$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	Studies or analysis of structural, consumptive water projects	C150447	\$160,000	\$13,000	6/30/2011	9/27/11	Greg	Completed
Metro Basin Total Request					\$863,146	\$200,000	\$1,063,146								
Number of Projects	8														
North Plate		Silver Spur Operating CO.	New Pioneer Ditch Diversion Reconstruction Project	Mar-08	\$116,000	\$0	\$116,000	Structural/Non-Structural Water Activity	C150421			12/31/09		Chris	Completed
North Plate		CSU	Identification and assessment of important wetlands in N.P. River watershed	Sep-08	\$86,000	\$96,000	\$182,000	Studies or analysis of nonconsumptive water needs project or activity	C150433	\$10,000		06/30/10	06/30/10	Todd	Completed
North Plate		Town of Walden	Town of Walden Water Supply Improvement Project	Jul-08	\$385,000	\$0	\$385,000	Structural &/or Non-structural water project or activity	C150431	\$385,000	\$0	9/30/2011	9/30/2011	Todd	Completed
North Plate	Jackson	Walden Reservoir Company	Structure for Water Control	Jan-11	\$36,000	\$0	\$36,000	Structural water project	11000000087	\$7,900		11/30/11	11/7/11	Greg	Completed
N Plate Basin Total Request					\$623,000	\$96,000	\$719,000								

[illegible]

WSRA IN PROGRESS PROJECTS										UPDATED 04/30/12					
Basin	County	Applicant	Name of Water Activity	CWCB Mfg Approved	Basin Account	Statewide Account	Total Request	Type of Water Activity	Number	Amount	Matching Funds Authorized	Matching Funds Paid	Project Final Date Closed	Complete/in Progress Contracting Pending	Project Manager
Arkansas		No information on Summary for counties	Colorado State Univ.	Sep-08	\$100,000	\$500,000	\$600,000	Studies/analysis structural/nonstructural, consumptive/non water needs projects	C150441	\$599,931	Unknown		6/30/13	In Progress	Andy
Arkansas	Bent, Kiowa	Lower Arkansas Valley Water Conservancy District	John Martin Wetlands & Neenoshe Reservoir Nonconsumptive Needs Quantification	May-09	\$148,975	\$0	\$148,975	Study/analysis of nonconsumptive water needs Study or analysis of non structural, consumptive, or nonconsumptive water needs and projects	C150457		\$43,250		6/30/12	In Progress	Jacob
Arkansas	Chaffee,Lake, Saguache	Upper Arkansas Water Conservancy District	UAWCD Hydrologic Water Balance Study	Sep-09	\$0	\$180,000	\$180,000	Study or analysis of structural, non structural, nonconsumptive water needs, projects	C150460	\$180,000			6/30/13	In Progress	Todd
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			6/30/13	In Progress	Todd
Arkansas	Adams,Osio	Water Enviro Research Foundation	Demonstration of membrane zero liquid discharge process for drinking water systems Raising Awareness in 2012: A Statewide Celebration of Colorado Water	Sep-08	\$25,000	\$233,333	\$258,333	Technical assistance regarding permitting feasibility studies and environmental compliance	C150456	\$258,333			6/30/13	In Progress	Greg
Arkansas		Colorado Foundation for Water Education		Mar-11	\$0	\$30,515	\$30,515	Nonstructural project or activity	110000000113	\$30,515	\$52,070		12/31/12	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			12/31/12	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	\$37,577	\$46,971	Structual & Non-structural water Activity	121BC0000006	\$46,971	\$9,394.20		6/30/15	In Progress	Todd
Arkansas		Lower Arkansas Valley Water Conservancy District	Super Ditch Delivery Engineering	Mar-11	\$0	\$225,837	\$225,837	Nonstructural project or activity	C150490	\$225,837	\$56,460.0		12/31/12	In Progress	Todd
Arkansas	N/A	Pikes Peak Regional Water Authority/EI Paso City Wtr Authority	Basin Roundable Project Exploration Committee: Flaming Gorge	Sep-11	\$5,300	\$7,143	\$12,443	Study of structural, consumptive & nonconsumptive water project	121BC0000012	\$12,443	\$5,300		12/31/12	In Progress	Eric
Arkansas		Pikes Peak Regional Water Authority	Rotating Agricultural Following Public Policy Working Group The use of excess storage capacity in Blue Mesa Reservoir to avoid or reduce the impact of a Co River Compact curtailment in Co	Jul-11	\$20,000	\$0	\$20,000	Study/Analysis of a consumptive and non consumptive project	121BC000015	\$20,000	\$0		12/31/2012	In Progress	Todd
Arkansas				May-11	\$24,500	\$98,000	\$122,500	Nonstructural Water Activity	C150497	\$122,500	\$24,500		6/30/13	In Progress	Todd
Arkansas Basin Total Request					\$483,169	\$1,462,405	\$1,945,574								
Number of Projects				12											
Colorado	Garfield, Eagle	Basalt Water Conservancy District	Missouri Heights	Sep-07	\$25,000	\$0	\$25,000	Non-structural study--ground water monitoring, phase II	8000000049	\$25,000	\$25,000		1/31/13	In Progress	Jacob
Colorado	Grand, Pitkin, Eagle, Garfield, Summit,Mesa	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		6/30/12	In Progress	Jacob
Colorado	Mesa	Mesa Conservation District	Small Acreage Irigation Audit	Mar-11	\$18,273	\$0	\$18,273	Nonstructural project or activity	121BC000001	\$18,273	\$8,000		6/30/12	In Progress	Jacob
Colorado	N/A	Pikes Peak Regional Water Authority/EI Paso City Wtr Authority	Basin Roundable Project Exploration Committee: Flaming Gorge	Sep-11	\$2,000	\$7,143	\$9,143	Study of structural, consumptive & nonconsumptive water project	121BC0000012	\$9,143	\$2,500		12/31/12	In Progress	Eric
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	C150494	\$225,000	\$610,000		12/31/13	In Progress	Todd
Colorado	Eagle,Garfield,Grand, Mesa, Summit	Colorado Mesa University	Co Basin Roundtable Education Program	Jan-12	\$29,700	\$0	\$29,700	Non structural, consumptive & Non consumptive water activity	121BC000018	\$29,700	\$114,320		6/30/14	In Progress	Jacob
Colorado	Mesa	Colorado Water Institute; Colorado State University Extension; Colorado Climate Valley	Quality benefits and Profitability of Sub Surface Drip on Alfalfa in Grand	Mar-12	\$46,894	\$0	\$46,894	Structural Activity	121BC000019	\$46,894	\$8,039		4/30/16	In Progress	Todd

South Plate		The Nature Conservancy of Colorado	Atlatreke River Well retirement program, Republican River basin, CO.	Sep-08	\$19,984	\$79,936	\$99,920	Structural and/or nonstructural water project or activity	09000000084	\$99,920	\$471,920	12/31/09	6/30/11	In Progress	Todd
South Plate		Ducks Unlimited, Inc.	Central South Plate Wetland Partnership	Mar-09	\$150,000	\$0	\$150,000	Environmental Compliance and Feasibility Study and Structural Water Project	C150454		\$565,000	6/30/11	In Progress	Greg	
South Plate		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		6/30/12	In Progress	Todd	
South Plate	Lamier, Weld, Logan, Sedgwick, Wash, Phillips, Yuma	Co Climate Center, CSU	Co Agricultural Meteorological Network (CoAgMet)	Jul-10	\$20,000	\$0	\$20,000	Structural project or activity	11000000079	\$20,000		6/30/12	In Progress	Greg	
South Plate	Morgan, Washington, Logan, Sedgwick	Lower South Plate Water Conservancy	Lower South Plate Water Cooperative South Plate Basin Organizational Analysis	Sep-10	\$60,977	\$200,000	\$260,977	Studies or analysis of structural, nonstructural, consumptive, nonconsumptive water needs, projects	C150476	\$260,977	\$100,000	6/30/12	In Progress	Todd	
South Plate		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		6/30/13	In Progress	Greg	
South Plate	Denver	The Greenway Foundation	South Plate River Recreation and Habitat Improvement Preliminary Design	Sep-11	\$25,000	\$125,000	\$150,000	Study/analysis of a nonconsumptive project	C150493	\$150,000	\$25,000.00	6/28/13	In Progress	Chris S.	
South Plate	N/A	Pikes Peak Regional Water Authority/EI Paso City Wtr Authority	Basin Roundtable Project Exploration Committee: Flaming Gorge	Sep-11	\$2,000	\$7,143	\$9,143	Study of structural, consumptive & nonconsumptive water project	121BC0000012	\$9,143	\$2,000	12/31/12	In Progress	Eric	
South Plate Basin	Total Request				\$595,071	\$1,890,964	\$2,486,035								
Number of Projects					10										
								Studies or analysis of structural and consumptive water needs projects or activity. Structural and/or nonstructural water project or activity							
Y/W/G		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	9000000090		\$15,626	9/30/12	In Progress	Todd	
Y/W/G	Rio Blanco/Garfield/Moffat	The Nature Conservancy	Yampa White Basin Non consumptive Needs Assessment Watershed Flow Evaluation Tool	Jan-10	\$169,002	\$0	\$169,002	Structural and/or nonstructural water project or activity	C150466			6/30/12	In Progress	Jacob	
Y/W/G	Garfield,Routt	Bear River Reservoir Company	Stillwater Reservoir Seepage Project	Sep-09	\$189,000	\$0	\$189,000	Structural project or activity	C150469			6/30/12	In Progress	Jacob	
Y/W/G		Colorado Climate Center, Colorado Division of Water Resources	Improvement of lysimeter operations and consumptive use quantification in high-altitude, irrigated meadows in the Yampa /White Basin	Sep-10	\$10,000	\$10,978	\$20,978	Studies or analysis of structural, nonstructural, consumptive, nonconsumptive water needs, projects	11000000058		\$20,978	6/30/15	In Progress	Greg	
Y/W/G								Technical assistance regarding permitting, feasibility studies, and environmental compliance. Study of Structural Project							
Y/W/G	Rio Blanco/Garfield/Moffat	Colorado River WCD	Water Storage Feasibility	Jan-10	\$220,800	\$0	\$220,800		C150472	\$220,800	\$56,200	6/30/13	In Progress	Jacob	
Y/W/G		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		12/31/12	In Progress	Jacob	
Y/W/G	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	121BC0000010	\$40,000	\$92,250	6/30/12	In Progress	Chris	

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
2012 March Board Approvals										
Arkansas	Las Animas	City of Trinidad	Trinidad Reservoir	Mar-12	\$36,962.00	\$702,273.00	\$739,235	Structural Activity	Ryan	
Rio Grande	Conejos	Conejos Water Conservancy District	Conejos River System Gauging Stations Project	Mar-12	\$20,000.00	\$387,280.00	\$407,280.00	Structural Activity	Greg	
Rio Grande	Conejos	Terrace Irrigation Company, Inc.	Terrace Reservoir Spillway Replacement	Mar-12	\$75,000	\$1,425,000	\$1,500,000	Structural Nonconsumptive, Agricultural Project	Ryan	Draft SOW review. Received COI
2012 January Board Approvals										
Arkansas		Lower Arkansas Valley Water Conservancy District	Co Water 2012	Jan-12	\$6,255	\$0	\$6,255	Non structural, consumptive & Non consumptive water activity	Jacob	
2011 November Board Approvals										
Gunnison	Mesa	Grand Mesa Reservoir Company	Lining Outlet Pipe for Grand Mesa Reservoir #6	Nov-11	\$19,840	\$0	\$19,840	Structural water activity	Todd	04/11/12 Need new SOW from Todd.
2011 September Board Approvals										
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	Route	The Friends of the Yampa	Yampa River Structures Project	Sep-11	\$50,000	\$0	\$50,000	Structural water project	Jacob	1/10/12 Email from Ken Ventres re: COI
2011 July Board Approvals										
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, Kieler & 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/Upper Gunnison WCD	The use of excess storage capacity in Blue Mesa Reservoir to avoid or reduce the impact of a Co River Compact curtailment in Co	Mar-11	\$49,000	\$196,000	\$245,000	Nonstructural project or activity	Todd	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 approval 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	
Gunnison	Delta	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	1/19 Email from L. Davidson re COI for GL. Todd has letter
South Platte	Sedgwick, Logan, Morgan, Washington	TBD	Alluvial Aquifer Accretion/Depletion Analysis Tool	Mar-11	\$0	\$200,000	\$200,000		Ray	
2010 November Board Approvals										
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										
			Development of a Decision Support Model for Identifying and Ranking Waterflow and Wildlife Related Recharge Projects along the South							

Updated 04/30/12

Gunnison	Delta	Consemany District, Water Enterprise Fund	The Rehabilitation of Blanche Park Reservoir	Mar-11	\$75,000	\$0	\$75,000	Structural project or activity	Todd/Jacob	1/19 Email from L. Davidson re COI for GL. Todd has letter
	Sedgwick, Logan, Morgan, Washington		Alluvial Aquifer Accretion/Depletion Analysis Tool	Mar-11	\$0	\$200,000	\$200,000		Ray	
South Platte	ton	TBD								
2010 November Board Approvals										
Southwest	Archuleta	Aspen Springs Metro District	Aspen Springs Metro Water Filling Station	Nov-10	\$30,000	\$0	\$30,000	Structural consumptive water project	Greg	1/18 sent congrats email
2010 Sept Board Approvals										
			Development of a Decision Support Model for Identifying and Ranking Waterfowl and Wildlife Related Recharge Projects along the South Platte River							
South Platte		Ducks Unlimited, Inc.		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 Congrats 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
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 GL 6/8/10 Correspondence to Steve Johnson (8750law.com) from Greg re: req for W-9, Ins and SOV have not been completed by the Town. Pending