

WATER SUPPLY RESERVE ACCOUNT  
APPLICATION FORM



**Gore Canyon Whitewater Park at Pumphouse-Colorado River**

Name of Water Activity/Project

**Grand County**

**Revised on 8/30/12** Note change on Page 8, Part III. (2) (c)

Name of Applicant

**Colorado Basin**

Amount from Statewide Account:

**\$400,000**

Amount from Basin Account(s):

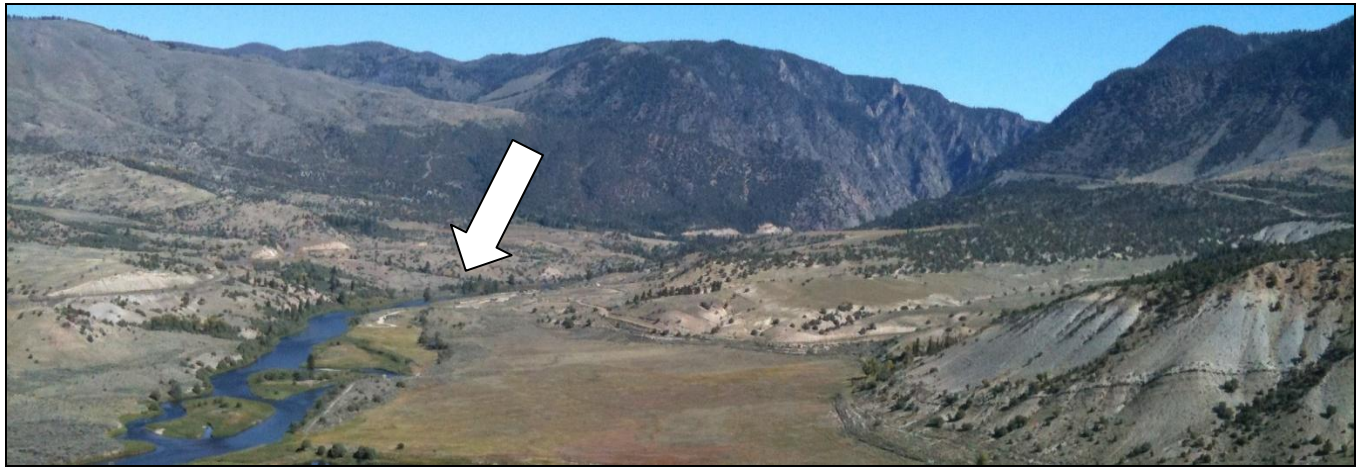
**\$100,000**

Total WSRA Funds Requested:

**\$500,000**

**Approving Basin Roundtable(s)**

*(If multiple basins specify amounts in parentheses.)*



**Summary: All funds from this grant will be used to implement the construction of the Gore Canyon Whitewater Park at Pumphouse on the Upper Colorado River.**

Application Content

For reference only: 27 pages when printing hard copy of full document.

Main body of application

pages 1-10

Signature page

page 11

Required Exhibits Attached

A. Statement of Work, Budget, Schedule

5 pages (12-16)

B. Engineer's Detailed Cost Estimate

2 page spreadsheet (17-18)

Map and Engineer's Design packet

9 pages (19-27)

Application reference material was deleted from submission to Roundtable.

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

1.	Applicant Name(s):	Grand County Government		
	Mailing address:	PO Box 264 Hot Sulphur Springs, CO 80451		
	Taxpayer ID#:	98-03730-0000		
	Primary Contact:	Lurline Underbrink Curran	Position/Title:	Grand County Manager
	Email:	<a href="mailto:LCurran@co.grand.co.us">LCurran@co.grand.co.us</a> cc to Ed Moyer <a href="mailto:emoyer@co.grand.co.us">emoyer@co.grand.co.us</a>		
	Phone Numbers:	Cell: 970-531-7799 -Ed	Office:	970-725-3347
	Alternate Contact:	Caroline Bradford	Position/Title:	Project Coordinator
	Email:	Caroline Bradford@wildblue.net		
	Phone Numbers:	Cell: 970-688-0812	Office:	970-688-0812

2. Eligible entities for WSRA funds include the following. What type of entity is the Applicant?

- ☒ Public (Government) – municipalities, enterprises, counties, and State of Colorado agencies. Federal agencies are encouraged to work with local entities and the local entity should be the grant recipient. Federal agencies are eligible, but only if they can make a compelling case for why a local partner cannot be the grant recipient.
- ☐ Public (Districts) – authorities, Title 32/special districts, (conservancy, conservation, and irrigation districts), and water activity enterprises.
- ☐ Private Incorporated – mutual ditch companies, homeowners associations, corporations.
- ☐ Private individuals, partnerships, and sole proprietors are eligible for funding from the Basin Accounts but not for funding from the Statewide Account.
- ☐ Non-governmental organizations – broadly defined as any organization that is not part of the government.

3. Provide a brief description of your organization

Grand County is the County government located in Hot Sulphur Springs, serving the citizens of Grand County which includes the towns of Winter Park, Fraser, Granby, Grand Lake, Hot Sulphur Springs and Kremmling. The headwaters of the Colorado River are in Grand County. Grand County government is dedicated to protecting the Colorado River environment and providing strong protection for our recreational economy. Passive and active water based recreation, including fishing, rafting, kayaking, walking and biking along our rivers is incredibly important to the residents and visitors to Grand County.

Grand County is proud to be working with a variety of east and west slope water providers, organizations and government agencies to protect and enhance the recreational opportunities provided by healthy rivers that are so important to providing jobs for our citizens. We value our local government role in protecting the State of Colorado's namesake river for the enjoyment of all Coloradoans and visitors to our state.

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

**Grand County is the Contracting Entity for the Gore Canyon Whitewater Park.**

5. Successful applicants will have to execute a contract with the CWCB prior to beginning work on the portion of the project funded by the WSRA grant. In order to expedite the contracting process the CWCB has established a standard contract with provisions the applicant must adhere to. A link to this standard contract is included in Appendix 3. Please review this contract and check the appropriate box.

☒ The Applicant will be able to contract with the CWCB using the Standard Contract

☐ The Applicant has reviewed the standard contract and has some questions/issues/concerns. Please be aware that any deviation from the standard contract could result in a significant delay between grant approval and the funds being available.

6. The Tax Payer Bill of Rights (TABOR) may limit the amount of grant money an entity can receive. Please describe any relevant TABOR issues that may affect the applicant.  
**None.**

**Part II. - Description of the Water Activity/Project**

1. What is the primary purpose of this grant application? (Please check only one)

<input checked="" type="checkbox"/>	Nonconsumptive (Environmental or <u>Recreational</u> )
<input type="checkbox"/>	Agricultural
<input type="checkbox"/>	Municipal/Industrial
<input type="checkbox"/>	Needs Assessment
<input type="checkbox"/>	Education
<input type="checkbox"/>	Other

Explain:

2. If you feel this project addresses multiple purposes please explain.

The Gore Canyon Whitewater Park at Pumphouse is one small but critically important part of the multi-purpose Colorado River Cooperative Agreement between Grand County, Denver Water and about 30+ west slope water providers and organizations. Grand County, Denver Water, Eagle County, Summit County, Eagle River water providers, Vail Resorts and others have already signed the agreement that was touted by Governor Hickenlooper as “a new way of doing business in Colorado.” This project supports the collaborative Wild & Scenic Stakeholders Group process and helps protect the Outstandingly Remarkable Value (ORV) for recreational float boating in segments 4 and 5 of the Upper Colorado River.

3. Is this project primarily a study or implementation of a water activity/project? (Please check only one)

<input type="checkbox"/>	Study	<input checked="" type="checkbox"/>	Implementation
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4. To catalog measurable results achieved with WSRA funds can you provide any of the following numbers?

<input type="text"/>	New Storage Created (acre-feet)
<input type="text"/>	New Annual Water Supplies Developed, Consumptive or Nonconsumptive (acre-feet)
<input type="text"/>	Existing Storage Preserved or Enhanced (acre-feet)
<input type="text" value="Yes"/>	Length of Stream Restored or Protected (linear feet) <b>1,844 feet of stream</b>
<input type="text"/>	Length of Pipe/Canal Built or Improved (linear feet)
<input type="text"/>	Efficiency Savings (acre-feet/year OR dollars/year – <b>circle one</b> )
<input type="text"/>	Area of Restored or Preserved Habitat (acres)
<input type="text"/>	Other -- Explain: <input type="text"/>

4. To help us map WSRA projects please include a map (Exhibit B) and provide the general coordinates below:

Latitude: **39\*59'N**

Longitude: **106\*30'W**

The Gore Canyon Whitewater Park will be built at the Pumphouse Recreation Area. This site is located on the Upper Colorado River, on Trough Road, (Grand County Rd 1) east of State Bridge and west of Kremmling. This site is centrally located and is easily accessible in under an hour by locals and tourists coming from Summit, Routt, Grand, Pitkin, Garfield and Eagle Counties and is only about 2.5 hours from thousands of boaters living in the front-range metro area and Grand Junction.

5. Please provide an overview/summary of the proposed water activity (no more than one page). Include a description of the overall water activity and specifically what the WSRA funding will be used for. A full **Statement of Work** with a detailed budget and schedule is required as **Exhibit A** of this application.

**SUMMARY: ALL FUNDS FROM THIS GRANT WILL BE USED TO IMPLEMENT THE CONSTRUCTION OF THE GORE CANYON WHITEWATER PARK AT PUMPHOUSE ON THE UPPER COLORADO RIVER.**

The Gore Canyon Whitewater Park feature at Pumphouse will consist of large, manmade block-like, concrete objects placed across the stream channel that are not visible at normal flows and allow for fish passage at all flow rates. These structures are engineered to create standing waves and other features designed for whitewater enthusiasts to play in the water using kayaks, Stand-Up Paddleboards, etc.

The construction site is just upstream of Pumphouse Launch number 2 and spans the full width of the river at the lower end of the island.

This site is compatible with current and anticipated future uses of this popular area and does not interfere with commercial access, heavily used fishing spots or camping sites in other parts of this BLM Recreation Area. Upland improvements may be included at the site. Grand County will work with BLM to optimize the use of this site. Educational signage will be installed as part of the construction of the Gore Canyon Whitewater Park.

### Part III. – Threshold and Evaluation Criteria

1. Describe how the water activity meets these **Threshold Criteria**. (Detailed in Part 3 of the Water Supply Reserve Account Criteria and Guidelines.)

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

<sup>1</sup> 37-75-102. Water rights - protections. (1) It is the policy of the General Assembly that the current system of allocating water within Colorado shall not be superseded, abrogated, or otherwise impaired by this article. Nothing in this article shall be interpreted to repeal or in any manner amend the existing water rights adjudication system. The General Assembly affirms the state constitution's recognition of water rights as a private usufructuary property right, and this article is not intended to restrict the ability of the holder of a water right to use or to dispose of that water right in any manner permitted under Colorado law. (2) The General Assembly affirms the protections for contractual and property rights recognized by the contract and takings protections under the state constitution and related statutes. This article shall not be implemented in any way that would diminish, impair, or cause injury to any property or contractual right created by intergovernmental agreements, contracts, stipulations among parties to water cases, terms and conditions in water decrees, or any other similar document related to the allocation or use of water. This article shall not be construed to supersede, abrogate, or cause injury

The Gore Canyon Whitewater Park project is consistent with Section 37-75-102 Colorado Revised Statutes. The Colorado Water Conservation Board unanimously adopted the following abbreviated Findings of Fact at the March 2012 board meeting. These findings are inserted in this application for the benefit of Roundtable members who may have heard about the decision during presentations but may not have seen the findings.

**“1. The adjudication and administration of the RICD will not materially impair the ability of Colorado to fully develop and place to consumptive beneficial use its compact entitlements;**

**2. Material injury to existing ISF water rights is not a basis for denial of the RICD, but should this RICD be constructed, the Applicant should consult with the Division of Parks and Wildlife (DPW) before and during construction and maintenance of the RICD structures to assure that these actions will not injure the natural environment that the ISF water rights protect; and**

**3. The adjudication and administration of the RICD, in the amounts claimed, will promote maximum utilization of the waters of the State.”**

- a) The water activity underwent an evaluation and approval process and was approved by the Basin Roundtable (BRT) and the application includes a description of the results of the BRT's evaluation and approval of the activity. At a minimum, the description must include the level of agreement reached by the roundtable, including any minority opinion(s) if there was not general agreement for the activity. The description must also include reasons why general agreement was not reached (if it was not), including who opposed the activity and why they opposed it. Note- If this information is included in the letter from the roundtable chair simply reference that letter.

The multi-year development of the project has included an evaluation and approval process that includes working with multiple stakeholders to ensure the effort is consistent with the other consumptive and non-consumptive priorities locally and throughout the state of Colorado. Grand County has worked with members of the Colorado Basin Roundtable to support the protection of the outstandingly remarkable values—including recreational values—on the Upper Colorado River through the Wild & Scenic Rivers process.

The County met with agricultural property owners along the river as well as fishing guides and rafting outfitters to help determine the best location for a whitewater park in Grand County. Working with the Colorado Parks and Wildlife staff, Grand County developed engineering designs and cost estimates for constructing the project that addressed the protection of the environment, fish passage and wildlife. Grand County has initiated discussions with BLM for establishing a Right of Way permit to construct the feature on federal land. As a partner in the project, BLM will conduct the Environmental Assessment as an in kind contribution to the project.

The project outreach includes plan efforts are consistent with the educational mandates of Section 37-75-104 (C) Colorado Revised Statutes. Grand County will continue to actively seek the advice and input of other local government and interested stakeholders and will share information regarding how the Colorado Basin is assessing and meeting our non-consumptive needs.

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to vested water rights or decreed conditional water rights. The General Assembly affirms that this article does not impair, limit, or otherwise affect the rights of persons or entities to enter into agreements, contracts, or memoranda of understanding with other persons or entities relating to the appropriation, movement, or use of water under other provisions of law.



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

The construction of this non-consumptive project directly assists the Colorado Basin meet the recreational water needs identified as a priority in the Colorado Basin's Non-Consumptive Needs Assessment. Grand County is working within the State's water rights process for Recreational In-Channel Diversions set out by the State Legislature to protect the minimum recreational flow for the Gore Canyon Whitewater Park at Pump House in Section 4 of the Upper Colorado River. A letter from the Colorado Basin Roundtable will be/is attached to the application submitted to CWCBC.

- c) Matching Requirement: For requests from the Statewide Fund, the applicants is required to demonstrate a **20 percent** (or greater) match of the request from the Statewide Account. Statewide requests must also include a minimum match of **5 percent** of the total grant amount from Basin Funds. Sources of matching funds include but are not limited to Basin Funds, in-kind services, funding from other sources, and/or direct cash match. Past expenditures directly related to the project may be considered as matching funds if the expenditures occurred within 9 months of the date the application was submitted to the CWCBC. Please describe the source(s) of matching funds. (NOTE: These matching funds should also be reflected in your Detailed Budget in **Exhibit A** of this application)

The minimum matching fund requirement for the Statewide Account of 20% (or greater) will be exceeded through the \$100,000 contribution from the Colorado Basin Account Fund. The minimum match of 5 percent of the total grant amount from the Basin Funds will be exceeded by the \$100,000 additional contribution of cash and in-kind to the project by Grand County.

Significant resources have been spent by Grand County since 2004 to bring the project to the point of implementation. Grand County realizes that not all of the \$495,414 in project expenditures to date by Grand County will be applied as match for this grant as only a portion (less than \$40,000) have occurred during the last 9 months. We appreciate the recognition by the Roundtable members and others of the long term commitment of funds by Grand County and the other funding partners that are contributing to the project costs. The outreach and fundraising effort for the project is projected to raise over \$600,000 from boaters and other recreation industry partners to assist in funding the cost of the project construction. More information about the diversity of anticipated sources of funds is available on request.

The people of Grand County understand the millions of dollars spent by the County to protect and enhance the environment and recreational economy of our state are a good investment in the quality of the recreational lifestyle valued by Coloradoans and visitors to our state. Some have questioned the high cost of a simple playground project that protects the non-consumptive, recreational uses of the Colorado River. We

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<sup>2</sup> 37-75-104 (2)(c). Using data and information from the Statewide Water Supply Initiative and other appropriate sources and in cooperation with the on-going Statewide Water Supply Initiative, develop a basin-wide consumptive and nonconsumptive water supply needs assessment, conduct an analysis of available unappropriated waters within the basin, and propose projects or methods, both structural and nonstructural, for meeting those needs and utilizing those unappropriated waters where appropriate. Basin Roundtables shall actively seek the input and advice of affected local governments, water providers, and other interested stakeholders and persons in establishing its needs assessment, and shall propose projects or methods for meeting those needs. Recommendations from this assessment shall be forwarded to the Interbasin Compact Committee and other basin roundtables for analysis and consideration after the General Assembly has approved the Interbasin Compact Charter.

respectfully disagree that the cost to protect non-consumptive needs on the Colorado River is excessive—this is simply what it costs. The 1177 legislation recognized the importance of also funding non-consumptive projects. This project fulfills the objective of the Legislature by funding a non-consumptive project on the State’s namesake river.

2. For Applications that include a request for funds from the **Statewide Account**, describe how the water activity/project meets all applicable **Evaluation Criteria**. (Detailed in Part 3 of the Water Supply Reserve Account Criteria and Guidelines and repeated below.)

**Evaluation Criteria** – the following criteria will be utilized to further evaluate the merits of the water activity proposed for funding from the Statewide Account. In evaluation of proposed water activities, preference will be given to projects that meet one or more criteria from each of the three “tiers” or categories. Each “tier” is grouped in level of importance. For instance, projects that meet Tier 1 criteria will outweigh projects that only meet Tier 3 criteria. WSRA grant requests for projects that may qualify for loans through the CWCB loan program will receive preference in the Statewide Evaluation Criteria if the grant request is part of a CWCB loan/WSRA grant package. For these CWCB loan/WSRA grant packages, the applicant must have a CWCB loan/WSRA grant ratio of 1:1 or higher. Preference will be given to those with a higher loan/grant ratio.

The Gore Canyon Whitewater Park is consistent with Tier 1, Tier 2 and Tier 3 evaluation criteria.

**TIER 1: TO PROMOTE COLLABORATION/COOPERATION AND MEET WATER MANAGEMENT GOALS AND IDENTIFIED WATER NEEDS.**

- a. The Gore Canyon Whitewater Park project is one small part of the Colorado River Cooperative Agreement which addresses multiple issues and non-consumptive needs between Grand County and Denver Water and 35+ west slope water providers and organizations. Over 100 Letters of support from boaters are on file with the CWCB. Additional letters will be provided from other Roundtables and others prior to the Board meeting.
- b. The number and types of entities represented in this evaluation and approval process is unprecedented and includes both east and west slope water providers and organizations. By protecting the Colorado River’s long term recreational flow values and promoting enhanced recreational economic activity, we are effectively addressing intra-basin and inter-basin needs and issues with the construction of the Gore Canyon Whitewater Park. The multi-year Wild & Scenic broad stakeholder group process to address protections of the BLM’s Outstandingly Remarkable Values (ORV’s), including recreational float boating, has involved thousands of hours of commitment by members of the Stakeholder Group to finding voluntary collaborative solutions to water management to Segments 4-7 of the Upper Colorado River.
- c. This water project helps create a stronger river based recreational economy in Grand County and helps all Coloradans be a part of implementing protections for minimum recreational flows in the Upper Colorado River as identified in the Colorado Basin’s Non-Consumptive Needs Assessment, ~~the BLM’s Wild & Scenic Management Plan~~, and the Grand County Stream Management Plan.

**TIER 2: FACILITATING WATER ACTIVITY IMPLEMENTATION**

- d. Funding about 30% of the project cost from the WSRA will leverage the project’s momentum and reduce the uncertainty that the project will be implemented in a timely manner. The award will bring awareness to Grand County’s efforts to secure 35% of the funding from boaters and others partners that have



expressed interest in supporting the construction phase of the project.

- e. Grand County, the project sponsor, is contributing the remaining matching funds of 35% of the total cost to complete construction of the features at Pumphouse. Funds from the Colorado Basin Account exceed the minimum required ratio of Basin to Statewide funds, while funds from Grand County exceed the minimum required ration of Basin to Project Sponsor funds.

**TIER 3: ADDRESSES OTHER ISSUES OF STATEWIDE VALUE AND MAXIMIZES BENEFITS**

- f. The project helps sustain recreational needs by providing a “park and play” site on the Upper Colorado. There are not currently any other accessible “park and play” sites located on the Upper Colorado River and this would fill that demand for safe play boating opportunities between the Class IV Gore Canyon reach and the family friendly, Class II/III float boating reach between Pump House and State Bridge.
- g. The project assists in the administration of compact waters by accommodations made in the RICD filing. See Case No 2010-CW-298.
- h. The project does not assist in the recovery program directly, nor are T&E species negatively impacted.
- i. The project provides protection of the important recreational values on the Upper Colorado River which provide significantly more economic benefits now and in the future in relationship to the amount of funds requested. (The economic impact of paddlers to our economy is often underestimated. There are more paddlers in the United States than alpine skiers.)
- j. The negotiations for Colorado River Cooperative Agreement has been complementary to and assists in the implementation of multi-use, trans-basin water projects and the CWCB’s instream flow protections for the environment.

**Part IV. – Required Supporting Material**

1. **Water Rights, Availability, and Sustainability** – This information is needed to assess the viability of the water project or activity. Please provide a description of the water supply source to be utilized, or the water body to be affected by, the water activity. This should include a description of applicable water rights, and water rights issues, and the name/location of water bodies affected by the water activity.

The Gore Canyon Whitewater Park uses the water flowing through the Upper Colorado River at Pumphouse. Existing water releases from upstream reservoirs including Granby, Williams Fork, Wolford, Green Mountain, and Dillon Reservoirs flow through this reach of the Colorado River. This provides late season flows used by boaters when many other rivers in the state no longer support boatable flows. The water rights associated with this Recreational In-Channel Diversion were applied for by Grand County in 2010. Grand County’s RICD was applauded for anticipating the future need for an additional 3,000 AF of water development in the headwaters with a “carve out” for this amount. The water in the RICD protects a minimum recreational experience with flows ranging from 850cfs in spring and fall to 1,500cfs in peak season.

Water is still available for future development above and below this site.

2. Please provide a brief narrative of any related studies or permitting issues.

There are several studies related to the recreational needs of this reach of the Colorado River that will be met by the construction of the Gore Canyon Whitewater Park. The Colorado Basin Roundtable’s Non-Consumptive

Needs Assessment of the Colorado Basin identified the Upper Colorado River as an important reach to protect for environmental and recreational uses. The BLM's Land Use Management plan's Wild & Scenic River study process identified this reach as having Outstandingly Remarkable Values, including recreational float boating flows that needed protection.

Additional related studies for the design and construction of the project are available including.

- Design Engineering Report, prepared by RiverRestoration.org, Jason Carey, PE. 2010.
- 100 Year Flood Flow, Bishop-Brogden Associates, (Wynne) and confirmed by AMEC.
- Grand County intends to apply for all required permits including an Army Corps of Engineers, 404 permit and a Colorado Department of Public Health and Environment 401 permit as required.
- The Bureau of Land Management staff in the Kremmling Office will complete an Environmental Assessment as an in-kind contribution to the project.
- A Right of Way Permit will be required from the BLM.
- The Colorado Division of Parks and Wildlife will continue to be involved in the approval and permitting process.
- There are no other permitting issues that have been identified.

3. Statement of Work, Detailed Budget, and Project Schedule

**See Statement of Work, Detailed Budget and Project Schedule Attached as Exhibits A&B.**

**REPORTING AND FINAL DELIVERABLE**

Reporting: Grand County shall provide the CWCB a progress report every 6 months, beginning from the date of the executed contract. The progress report shall describe the completion or partial completion of the tasks identified in the statement of work including a description of any major issues that have occurred and any corrective action taken to address these issues.

Final Deliverable: At completion of the project, Grand County shall provide the CWCB a final report that summarizes the project and documents how the project was completed. This report may contain photographs, summaries of meetings and engineering reports/designs.

**PAYMENT**

Payment will be made based on actual expenditures and invoicing by Grand County. Invoices from any other entity (i.e. subcontractors) cannot be processed by the State. The request for payment must include a description of the work accomplished by major task, and estimate of the percent completion for individual tasks and the entire water activity in relation to the percentage of budget spent, identification of any major issues and proposed or implemented corrective actions. The last 5 percent of the entire water activity budget will be withheld until final project/water activity documentation is completed. All products, data and information developed as a result of this grant must be provided to the CWCB in hard copy and electronic format as part of the project documentation. This information will in turn be made widely available to Basin Roundtables and the general public and help promote the development of a common technical platform.

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

**Signature of Applicant:** (Signature on hard copy to state)

**Print Applicant's Name:** Lurline Curran, Grand County Manager

**Project Title:** Gore Canyon Whitewater Park at Pumphouse

**Return an electronic version (hardcopy may also be submitted) of this application to:**

Greg Johnson – WSRA Application  
Colorado Water Conservation Board  
1580 Logan Street, Suite 200  
Denver, CO 80203  
[gregory.johnson@state.co.us](mailto:gregory.johnson@state.co.us)