# STATE OF COLORADO

## **Colorado Water Conservation Board**

Kirk Russell, P.E., Chief

Finance and Administration Section

**Department of Natural Resources** 

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

TO:

FROM:



John W. Hickenlooper Governor

Mike King DNR Executive Director

Jennifer L. Gimbel CWCB Director

- DATE: March 8, 2013
- SUBJECT:Agenda Item 17c, March 19-20, 2013 Board Meeting<br/>Finance/Water Supply Planning CWCB Loan and WSRA Application<br/>Town of Ridgway Lake Otonowanda Renovation Project<br/>(CHANGE OF SCOPE TO EXISTING PROJECT)

Colorado Water Conservation Board Members

## Introduction

The Town of Ridgway (Town), acting by and through its Water Enterprise, received CWCB approval in September 2012 of a CWCB loan and a WSRA grant to finance the Lake Otonowanda Renovation Project (Project). The purpose of the Project is to rehabilitate Lake Otonowanda (Lake O) and increase the Town's raw water storage capacity to ensure a reliable water supply is available under future drought conditions. The Town is requesting the CWCB to consider a change in the Project's original Scope of Work (SOW). The total cost of the Project was and still is estimated to be \$2,080,850. See the attached Project Data Sheet for a location map and project summary.

## **Staff Recommendation for WSRA Grant**

Staff recommends the Board approve a change to the Scope of Work to include acquisition of property for the Renovation of Lake Otonowanda. The WSRA Grant previously approved for this Project amount shall remain at \$600,000.

## **Staff Recommendation for Construction Fund Loan**

Staff recommends the Board approve a change to the Scope of Work to include acquisition of property for the Renovation of Lake Otonowanda. The Loan terms of \$606,000 (\$600,000 for Project costs and \$6,000 for the service fee) for 30 years at 3.0% per annum from the Construction Fund shall remain.

## Background

The Town is responsible for supplying potable water to 695 single family equivalence (SFE's). It derives the majority of its raw water supply from two sources: the Ridgway Ditch system and the Happy Hallow system. Diversions from these two systems directly feed the Town's treatment plant. During 2002, all of the Town's water rights fell out of priority due to extended drought conditions. Over the past decade, the Town has dedicated technical and financial resources towards studying, designing and constructing improvements to increase the reliability and efficiency of its municipal water system to avoid a recurrence of 2002. The renovation of Lake O will improve the Town's overall supply and storage system.

Lake O is a 109-AF reservoir located approximately 4 miles south of the Town. It is situated in a natural depression, and the storage volume is created by a dam crossing the depression. The Ridgway Ditch diversion is on the East Fork of Beaver Creek. A wooden diversion box adjacent to the reservoir controls flow to the reservoir or bypasses it to the Otonowanda Pipeline to the treatment plant's sedimentation basin. The Reservoir's outlet tunnel collapsed several years ago and is inoperable. The Town owns a pump that it can install to draw water from Lake O in an emergency event.

The improvements proposed with this Project include repairing the outlet, lining a portion of Ditch to protect against seepage, and purchasing additional land adjacent to the existing reservoir footprint in order to remove the existing dam and take advantage of the natural topography.

## Loan Feasibility Study

The Loan Feasibility Study titled "*Town of Ridgway – Lake Otonowanda Rehabilitation Project*," dated July 9, 2012, was prepared by Joanne Fagan, P.E., Town Engineer for Ridgway. This study contemplated two options:

Alternative A: On Property - involved removing the existing dam and constructing a larger dam in its place. This scenario maintained the existing footprint while increasing the storage volume by approximately 254 AF (from 109 AF to 363 AF).

Alternative B: Off Property - involved purchase of adjacent land and removing the existing dam to utilize the natural topography to contain the reservoir. This scenario increases the storage volume by approximately 637 AF (from 109 AF to 746 AF) and the surface area by 36 acres (from 26 acres to 62 acres).

Both alternatives included options for seepage control, outlet control, inlet rehabilitation, and spillway design. Following the September 2012 CWCB approval, the Town determined that Alt. A was no longer the preferred alternate. The Town has begun to implement Alt B. Alt B will include negotiation in good faith with the adjacent land owner. The Town anticipates acquisition of the land by mutual agreement however it reserves the right to use other means as necessary, including condemnation. Table 1 provides a breakdown of the changes in Project costs associated with the change in Scope.

Task	Original	Current
Tusk	Estimate	Estimate
Engineering and Construction Management	\$221,000	\$161,000
Permitting and Easement/Land Acquisition	\$40,000	\$690,000
Construction	\$1,660,000	\$1,120,000
Contingency (10%)	\$160,000	\$110,000
Total	\$2,081,000	\$2,081,000

## TABLE 1: TOTAL PROJECT COST SUMMARY

Table 2 provides a summary of the financing components for the Project.

TABLE 2: PROJECT FUNDING SUMMARY (No Change from	m 2012 Approvai)
Applicant Contribution (in-house eng. design and construction mgmt.)	\$161,250
Department of Local Affairs (Energy and Mineral Impact Fund grant)	\$600,000
River District	
Design Grant	\$19,600
Construction Grant	\$100,000
TOTAL	\$119,600
WSRA Grant	
Gunnison River Basin	\$60,000
<u>Statewide</u>	\$540,000
TOTAL	\$600,000
CWCB Construction Fund Loan	\$600,000
Total Project Cost	\$2,080,850

## TABLE 2. PROJECT FUNDING SUMMARY (No Change from 2012 Approval)

Disbursement of CWCB Loan and WSRA Grant funds will be issued at a prorated ratio of 1:1, up to the approved limits for Project related costs.

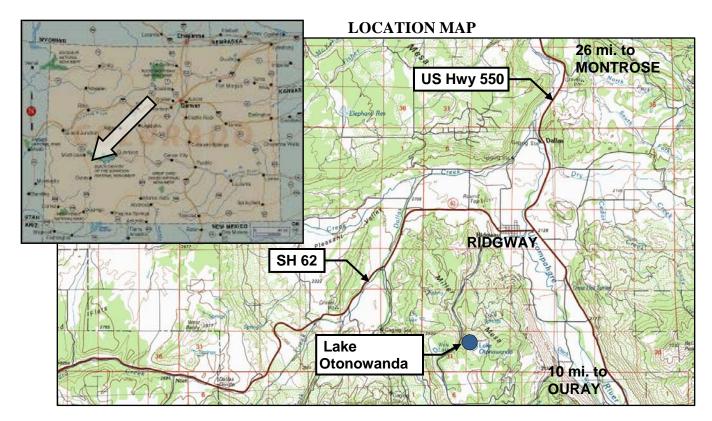
Joanne Fagan, P.E., Town Engineer, Town of Ridgway cc: Susan Schneider, AGO Peter Johnson, AGO

Attachment: Water Project Loan Program - Project Data Sheet

## CWCB Construction Loan Program Project Data Sheet

Borrower: Town of Ridgway	County: Ouray
<b>Project Name:</b> Lake Otonowanda Renovation Project	Project Type: Reservoir Enlargement
Drainage Basin: Gunnison, District 68	Water Source: Ridgway Ditch
Total Project Cost: \$2,080,843	<b>Funding Sources:</b> Construction Fund, WSRA, DOLA, CO River District
Type of Borrower: middle-income municipal	Avg. Diversion: 280 AF (363 AF of storage)
Loan Amount: \$606,000 (Including 1% fee) WSRA Grant Amounts: \$60,000 Gunnison Ba	Interest Rate: 3.0% Term: 30 years sin & \$540,000 Statewide

The Town of Ridgway is requesting a CWCB loan for rehabilitation improvements and enlargement of Lake Otonowanda to ensure a reliable water supply of raw water is available under future drought conditions. Otonowanda is the primary storage facility for the town, responsible for treating and delivering potable water to 695 SFE. Otonowanda, with a current capacity of 109 AF, does not have a functional outlet works; therefore, no way to control reservoir discharge. During 2002, all of the Town's water rights fell out of priority due to extended drought conditions and the Town was dangerously close to running out of water. The improvements to the reservoir, including: replacement of the outlet works, reservoir lining and enlargement, will provide the Town the ability to store more of its adjudicated water rights and a controlled means to release the water, firming the Town's water supply.



## The Gunnison Basin Roundtable 501 Palmer Street Delta, CO 81416

February 12, 2013

Mr. Todd Doherty Intrastate Water Management and Development Section COLORADO WATER CONSERVATION BOARD 1580 Logan Street, Suite 600 Denver, CO 80203

Re: Grant Request from the Water Supply Reserve Account Town of Ridgway Lake Otonowanda Renovation Project – Approval of Modified Scope of Work

Dear Mr. Doherty:

This letter is presented to advise you that the modified scope of work for the grant application submitted by the Town of Ridgway for the Lake Otonowanda Renovation project was reviewed by the Gunnison Basin Roundtable and its Project Screening Committee and was approved by a unanimous vote of the Gunnison Basin Roundtable during our meeting on February 4, 2013.

Further evaluation of the project resulted in a change from pursuing Option A of the 2011 Applegate Feasibility Study to pursuing Option B.

Thank you and please contact me if you have any questions.

Sincerely,

Mulle Een

Michelle Pierce Chair

cc: Tom Alvey (e-mail)



P.O. Box 10, Ridgway, CO 84132 970 626 5308

March 3, 2013

Greg Johnson Colorado Water Conservation Board Water Supply Planning Section 1580 Logan Street, Suite 200 Denver, CO 80203

re: Town of Ridgway Revised Application for Water Supply Reserve Account Funding

The Town of Ridgway is requesting approval of a modification to the scope of work for their Lake Otonowanda Water Supply Reserve Account Grant. The project still includes rehabilitation of the existing Lake and restoring previous storage capacity. However instead of rehabilitating and upsizing the existing dam, the modified project would instead acquire additional land within the basin and expand the reservoir surface area.

Lake Otonowanda is situated in a natural bowl. In the early 1900's, the entire bowl was used as a lake. In the late 1930's the Town acquired some of the land under the lake and current Town Staff believe that at some point in that time frame, a dam was constructed to confine the Town's water to the Town's property. A tunnel was also installed through a saddle on the NW side of the Lake presumably in the same time period. At some in the distance past that tunnel and outlet system failed and at this point the only way to remove water from the Town's Lake is to pump it out.

The feasibility study prepared by the Applegate Group with generous support from the CWCB proposed two options for rehabilitating the Lake and protecting the Town's water supply during low water years. One was to construct a taller dam on the Town's property and the other was to acquire additional land in the basin and store water in more of the natural bowl. The former option limits the capacity of the Lake to handle about a 20 year demand. It would take a substantial amount of imported fill to construct a dam that would hold much more than 400 AF. The option of storing water in more of the basin would allow the Town to store any where from

400 AF to at least the full decreed storage of about 750 AF depending on the height of the water and the shape of possible reshaping in the basin.

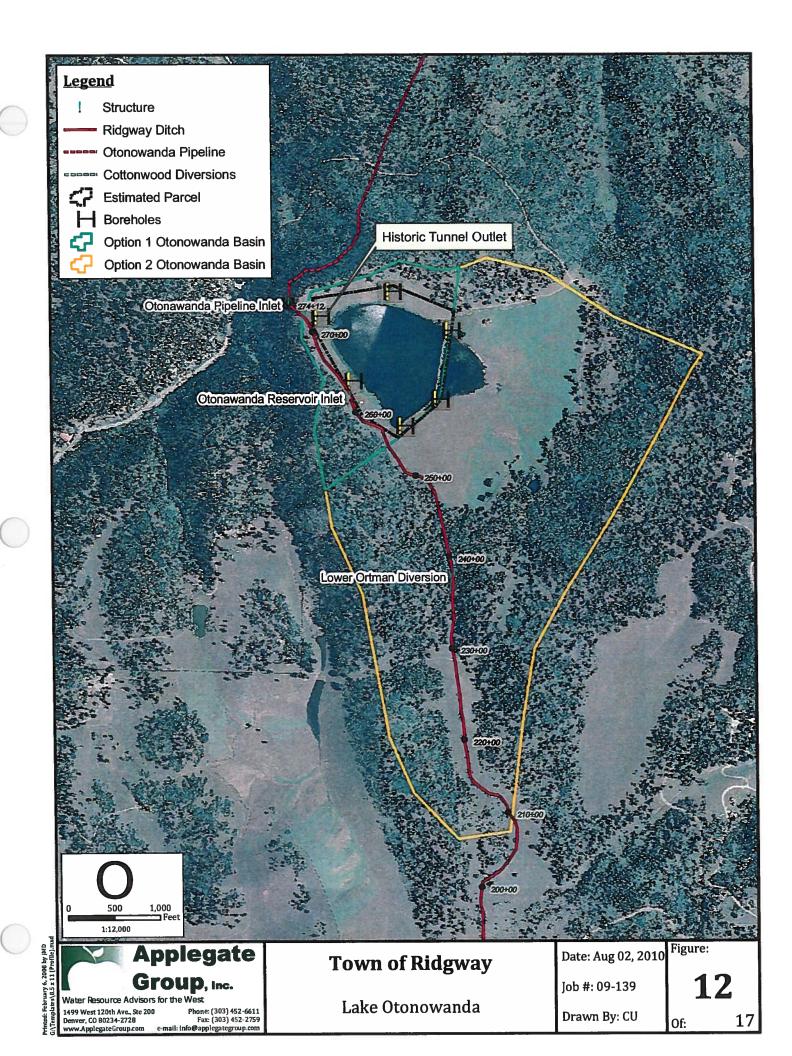
The Town's original application for construction assistance requested funding for construction of the dam and new outlet works. After submitting the application, the Town Council revisited the two options and the amount of effort and materials that would be required to build the lake on the Town property compared with an option with would provide a much longer term solution and restore the Lake to closer to its original design. The cost for a 400 AF reservoir on the Town property is projected to be in the same range as +/- 700 AF reservoir that fills the natural bowl. Given that the Town will be borrowing the money for the Lake rehabilitation for 30 years, Council directed staff to pursue the larger Lake which would address the Town's needs farther into the future for about the same cost.

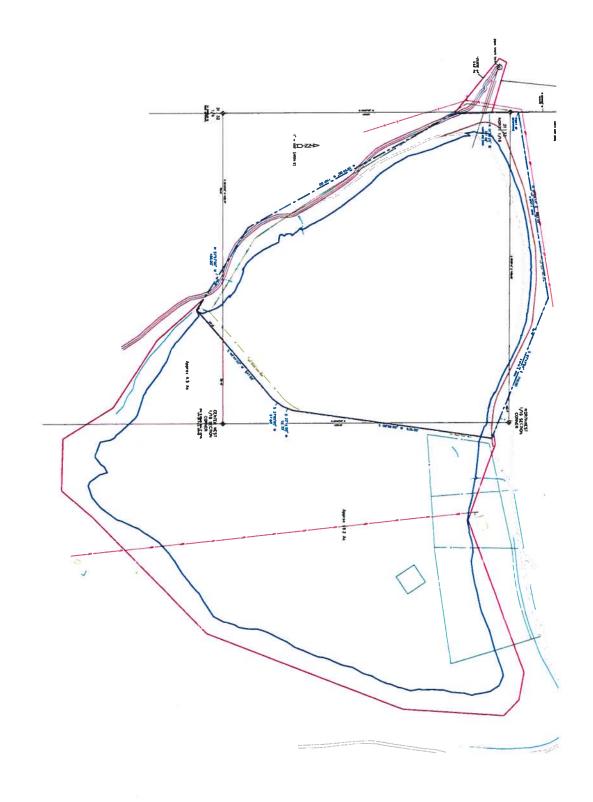
The revised application is for about the same dollar amount as the original application. Work to restore the outlet works and construct a spillway has not changed either. What has changed is how the funds will be expended. The new budget takes the funds that would have been expended constructing a dam and applies those dollars to land acquisition, road relocations, some earth work, revegetation, and other minor costs associated with restoring the Lake to closer to its original shape and capacity.

I have attached a couple of graphics which hopefully will help explain the natural basin concept. One is an aerial view of the site taken from the Applegate report. The other is preliminary design graphic for the proposed rehabilitation. The heavy aqua blue line is the proposed high water line, note however, that the lake footprint may change as the design is refined. Please let me know if you have questions or would like additional information. We appreciate your consideration of our request to modify our application and scope of work.

Sincerely

Joanne Fagan Town Engineer



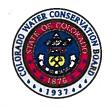


Town of Ridgway Lake Otonowanda Renovation	a Renovati	no													
Cost Estimate - Lake O Renovation/Expansion	/Expansio	c													
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						\$ 2	2,080,900								
					8										



## COLORADO WATER CONSERVATION BOARD

## WATER SUPPLY RESERVE ACCOUNT APPLICATION FORM



Town of Ridgway Lake Otonowanda Renovation Project

#### Name of Water Activity/Project

Tow	n of Ridgway	
Name of Applicant	Amount from Statewide Account:	\$540,000
Gunnison Basin		
	Amount from Basin Account(s):	\$60,000
Approving Basin Roundtable(s)	Total WSRA Funds Requested:	\$600,000
(If multiple basins specify amounts in parentheses.)		L

### **Application Content**

Application Instructions	page 2
Part I – Description of the Applicant	page 3
Part II – Description of the Water Activity	page 5
Part III – Threshold and Evaluation Criteria	page 7
Part IV – Required Supporting Material	
Water Rights, Availability, and Sustainability	page 10
Related Studies	page 10
Signature Page	page 12

#### **Required Exhibits**

- A. Statement of Work, Budget, and Schedule
- B. Project Map
- C. As Needed (i.e. letters of support, photos, maps, etc.)

#### **Appendices – Reference Material**

- 1. Program Information
- 2. Insurance Requirements
- 3. WSRA Standard Contract Information (Required for Projects Over \$100,000)

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4. W-9 Form (Required for All Projects Prior to Contracting)

#### **Instructions**

To receive funding from the Water Supply Reserve Account (WSRA), a proposed water activity must be approved by the local Basin Roundtable **AND** the Colorado Water Conservation Board (CWCB). The process for Basin Roundtable consideration and approval is outlined in materials in Appendix 1.

Once approved by the local Basin Roundtable, the applicant should submit this application with a detailed statement of work including budget and schedule as Exhibit A to CWCB staff by the application deadline.

WSRA applications are due with the roundtable letter of support 60 calendar days prior to the bi-monthly Board meeting at which it will be considered. Board meetings are held in January, March, May, July, September, and November. Meeting details, including scheduled dates, agendas, etc. are posted on the CWCB website at: <u>http://cwcb.state.co.us</u> Applications to the WSRA Basin Account are considered at every board meeting, while applications to the WSRA Statewide Account are only considered at the March and September board meetings.

When completing this application, the applicant should refer to the WSRA Criteria and Guidelines available at: <a href="http://cwcb.state.co.us/LoansGrants/water-supply-reserve-account-grants/Documents/WSRACriteriaGuidelines.pdf">http://cwcb.state.co.us/LoansGrants/water-supply-reserve-account-grants/Documents/WSRACriteriaGuidelines.pdf</a>

The application, statement of work, budget, and schedule **must be submitted in electronic format** (Microsoft Word or text-enabled PDF are preferred) and can be emailed or mailed on a disk to:

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

If you have questions or need additional assistance, please contact Greg Johnson at: 303-866-3441 x3249 or gregory.johnson@state.co.us.

1.	Applicant Name(s):	Town	of Ridgway		
	Mailing address:	PO Bo Ridgw	x 10 ay, CO 81432		
	Taxpayer ID#:	84-60	00714		
	Primary Contact:	Jen Co	oates	Position/Title:	Town Manager
	Email:		jcoates@town.ridgwa	ay.co.us	
	Phone Numbers:	Cell:	970 729 1142	Office:	970 626 5308 x12
	Alternate Contact:	Joann	e Fagan	Position/Title:	Town Engineer
	Email:		jfagan@town.ridgway	y.co.us	
	Phone Numbers:	Cell:	970 729 1282	Office:	970 626 5227

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

X

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

The Town of Ridgway is a home rule municipality with a Town Council/ Town Manager form of governance located in Ouray County, Colorado, and first incorporated in 1891.

Our local government organization retains 13 full-time employees with additional independent contracting services as necessary. Public Safety and Public Works, including water and wastewater services, road maintenance, and parks and recreation. The local government and community are guided by a Home Rule Charter, Municipal Code, Master Plan and a Strategic Plan.

The Town provides water and wastewater services to users within its incorporated boundaries. According to the 2010 US Census, 924 residents occupied Ridgway in 2010, representing an increase of 211 residents since 2000. The most dramatic rate of growth was 11.3% in 2005 – 2006. An additional 193 housing units (a 60.7% increase) were constructed within the municipal boundary between 2000 and 2010. The Census also reports 79% of all housing units as occupied, indicating a substantial year-round population for our rural community. From 2002 through the end of 2011 the Town welcomed 174 additional residential utility users and 43 additional commercial utility users, 67% and 64% increases respectively. These numbers are quite significant for our small community and indicative of the increasing demands on our utility infrastructure.

The Ridgway Local Government has worked actively for many decades to manage growth in a sustainable manner using various land use tools including numerous planning documents, land use regulations and an intergovernmental agreement with Ouray County. The economic recession has yielded a significant drop in construction and development activity and the Town is seizing the opportunity to evaluate and consider growth impacts and service demands. At this time we have a better understanding of our organizational and utility demands for a smart future when growth and development return. The Town water rates have become increasingly aggressive in the last decade and land use regulations encourage conservation.

Address: 201 N. Railroad Street, P.O. Box 10, Ridgway, Colorado 81432 Phone: (970) 626-5308 Town Manager - Jen Coates x12

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

N/A

 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.

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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.

No issues are anticipated.

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

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

	Nonconsumptive (Environmental or Recreational)
	Agricultural
X	Municipal/Industrial
	Needs Assessment
	Education
	Other Explain:

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

The primary purpose of the reservoir renovation is to insure an adequate municipal water supply for Ridgway residents and businesses for both the short-term (low water and drought years) and the long-term (population growth and development). The Town and Ouray County entered into an intergovernmental agreement (IGA) in 2002 whereby growth is targeted and focused to occur within the municipal boundary, capitalizing on available resources and infrastructure, including water supply and availability. The Town of Ridgway is better positioned than Ouray County to provide, conserve, distribute, and monitor water.

This Renovation Project improves on a pre-1922 water storage right for the Town and does not require any additional appropriation of our precious Colorado water supply. The Town is an active participant in the Gunnison Basin Roundtable and understands the value in exercising existing rights in combination with municipal water conservation measures. The Renovation Project is identified as one of the targeted solutions (IPP) in the Statewide Water Supply Initiative for the Gunnison Basin to reach the projected statewide demand for water in the year 2050.

The stored water and renovation of the reservoir will also have habitat value for the wildlife in the area, a valuable commodity in a diminishing open space arena.

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

X

Study

Implementation

4. To catalog measurable results achieved with WSRA funds can you provide any of the following numbers?

	New Storage Created (acre-feet)	Deleted: 347-650	
	New Annual Water Supplies Developed, Consumptive or Nonconsumptive (acre-feet)		
450-746	Existing Storage Preserved or Enhanced (acre-feet)		
	Length of Stream Restored or Protected (linear feet)		
			1
			1

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

Latitude:	38⁰06′39″ N	Longitude:	107⁰46'32" W
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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.

Over the past decade the Town of Ridgway has been working diligently and steadfastly to secure and improve a reliable and functional water supply for the community. The Town has completed various and ongoing water supply and conservation initiatives and projects, including but not limited to: the development and implementation of a non potable water supply system, audits of the water treatment and supply infrastructure, construction of a \$1.5 million water treatment plant, a \$450,000 water service line replacement project, 2005 feasibility study on the development of a collaborative treatment water project, emergency water supply interconnection, user fee increases and the completion of a water supply feasibility study. The Town is now in a position to realize the apex of these efforts, which is a renovation of the Ridgway municipal reservoir, Lake Otonowanda, a raw water storage facility referred to here as the "Renovation Project". The Renovation Project will provide for storage of sufficient water to meet the Town's water needs when the Town's water rights are out of priority by restoring the reservoir to utilize more of its allocated and adjudicated capacity. The renovation of the reservoir will assist the Town in being able to accommodate future growth and development as agreed upon in the 2002 Intergovernmental Agreement with Ouray County for the "efficient provision of public services", including water treatment and supply. By directing and accommodating growth within the municipal boundary, as opposed to encouraging development in unincorporated areas, we are better suited to manage, conserve, and monitor water usage and supply.

Because of the scope and cost of the Renovation Project we have divided it into three more manageable phases: Feasibility Study, Feasibility Follow Up/ Design, and Construction. The first phase, completed in early 2011, was a Ridgway Ditch and Lake Otonowanda Feasibility Study, funded with generous assistance from the CWCB Water Supply Reserve Account. The Feasibility Study was prepared by the Applegate Group Inc. to determine how best to insure an adequate water supply for the Town during times when the Town's water rights are out of priority. The Feasibility Study recommended significant renovations to the municipal reservoir including replacing the outlet works and <u>either removal or replacement of</u> the secondary dam so that the Town could store sufficient water within the municipal reservoir providing for a continuous supply to users even with the Town's flow rights were out of priority. The second phase of the Renovation Project will take the recommendations from the Feasibility Study through the final stages of feasibility assessment and on through completion of the design phase which is budgeted for 2012 and planned for completion in time to bid the construction phase in 2013. The final phase of the Renovation Project is the construction of the improvements, which at this time is targeted to commence during the fall of 2013.

The construction phase of the Renovation Project is anticipated to cost about \$1.12 million plus the costs of land acquisition. As the Ridgway local government and Ridgway community have recently invested heavily in improvements to the Town's municipal water supply, the cost of construction for this Renovation Project is beyond what the community and local government are able to fund without some outside assistance. This application is for assistance in funding this final phase: construction of the Lake Otonowanda Renovation Project.

#### Part III. - Threshold and Evaluation Criteria

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

This Renovation Project, a structural water project, is in need of supplemental financing. The Renovation Project is listed on the Gunnison Basin Roundtable IPP list and upgrade a municipal reservoir with about 100 acre feet of storage no gravity outlet to <u>up to 746</u> acre feet and an efficient delivery through a functional outlet system.

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

This project will fully comply with the Prior Appropriation Doctrine of the State of Colorado, and specifically the decreed water storage right held by the Town of Ridgway, which is a pre-1922 decreed right that is explicit, clear, and necessary for reliable municipal water supply.

b) The water activity underwent an evaluation and approval process and was approved by the Basin Roundtable (BRT) and the application includes a description of the results of the BRTs evaluation and approval of the activity. At a minimum, the description must include the level of agreement reached by the roundtable, including any minority opinion(s) if there was not general agreement for the activity. The description must also include reasons why general agreement was not reached (if it was not), including

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<sup>&</sup>lt;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 of 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 rights. The General Assembly affirms that this article shall not be construed to use of 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.

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 project is being submitted to the Roundtable for review in at their February meeting. This section will be updated after the Roundtable review.

c) 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.

As provided in Section 10.1.6 of the Statewide Water Supply Initiative report (SWSI Phase I), and specific to the Gunnison Basin, numerous M&I projects within the basin have been identified to reasonably meet projected 2030 water demands. Rehabilitation and enlargement of Lake Otonowanda municipal reservoir is included in Table 5-4 of the 2010 SWSI IPP's for Ouray County in the Gunnison Basin IPP's.

The Ridgway Lake Otonowanda Renovation Project will help meet projected growth water supply demands in the Town of Ridgway for the benefit of Ouray County and the Gunnison Basin, and will also provide an augmentation water supply needed to meet calls by senior users. While water contracts are available with Tri-County Water Conservancy District's Ridgway Reservoir to supply augmentation water for downstream users on the Uncompany Rever, the Town's water supply can be called by senior users above Ridgway Reservoir. The Town was subject to a call in 2002 and to a lesser degree in 2003, and as of May 3, 2012, under call again. The Town will certainly be subject again in future drought years, which are likely, if not imminent. The need for the Renovation Project is paramount and the Town is committed to completing it.

d) Matching Requirement: For requests from the Statewide Fund, the applicants is required to demonstrate a 20 percent (or greater) match of the request from the Statewide Account. 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

 $<sup>^2</sup>$  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.



was submitted to the CWCB. Please describe the source(s) of matching funds. (NOTE: These matching funds should also be reflected in your Detailed Budget in Exhibit A of this application)

The Town is seeking <u>\$600,000</u> total from the Water Supply Reserve Account, <u>\$60,000</u> from the Gunnison Basin funds and <u>\$540,000</u> from the Statewide funds. The Town is also intending to apply for a \$600,000 CWCB loan and a <u>\$600,000</u> Energy and Mineral Assistance Grant from the Department of Local Affairs. The Town recently secured a \$19,000 grant from the Colorado River District to assist with design and geotechnical evaluation, which are projected to cost a total of \$85,000. The balance of the option evaluation and design is \$66,000 (\$85,000 less the \$19,000 2012 River District Grant) is will be funded with Town in kind and cash both budgeted for expenditure in the Town's January - December 2012 Fiscal Year and into early 2013. Town cash and in kind will also fund construction management and likely some of the construction including hauling road base and road construction.

2. For Applications that include a request for funds from the **Statewide Account**, <u>describe how</u> 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.) Projects will be assessed on how well they meet the Evaluation Criteria. **Please attach additional pages as necessary**.

**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.

Tier 1: Promoting Collaboration/Cooperation and Meeting Water Management Goals and Identified Water Needs

a. The water activity addresses multiple needs or issues, including consumptive and/or non-consumptive needs, or the needs and issues of multiple interests or multiple basins. This can be demonstrated by obtaining letters of support from other basin roundtables (in addition to an approval letter from the sponsoring basin).

The Project will affect interbasin needs at the municipal level. The additional water which will be stored are pre 1922 waters and will provide some value to all western slope water users if there is a Compact Call on the Colorado River.

b. The number and types of entities represented in the application and the degree to which the activity will promote cooperation and collaboration among traditional consumptive water interests and/or non-consumptive interests, and if applicable, the degree to which the water activity is effective in addressing intrabasin or interbasin needs or issues.

While the project is primarily municipal, some collaboration will occur with affected landowners



near the involved water infrastructure and with other water rights holders utilizing water from Beaver Creek and Cottonwood Creek. The study phase of the project completed a water rights analysis and needs assessment, including consumptive and/or non-consumptive needs, specific to the Ridgway community. The project will meet one or more of the water management objectives identified in the Statewide Water Supply Initiative including providing augmentation supplies that will be needed for existing and future M&I growth in Ridgway, in Ouray County, and potentially the Gunnison basin as a whole.

c. The water activity helps implement projects and processes identified as helping meet Colorado's future water needs, and/or addresses the gap areas between available water supply and future need as identified in SWSI or a roundtable's basin-wide water needs assessment.

The project is included in SWSI 2010 as an Identified Projects and Processes (IPP's) as needed to help meet Colorado's water supply demands in the future and is identified in the Basin's Needs Assessment. The project will provide a high level of benefit to Colorado in relationship to the amount of funds requested with the cost per acre foot of storage projected to be in the \$3000-5000 range

#### Tier 2: Facilitating Water Activity Implementation

d. Funding from this Account will reduce the uncertainty that the water activity will be implemented. For this criterion the applicant should discuss how receiving funding from the Account will make a significant difference in the implementation of the water activity (i.e., how will receiving funding enable the water activity to move forward or the inability obtaining funding elsewhere).

Receipt of funds from the Account will make a significant difference in the implementation of the storage of the Town's municipal water supply. The Town is not in a position to fund the project without significant financial assistance. At approximately \$2 million, this project represents the most significant financial and infrastructure investment for the Ridgway community water supply. The urgency for the project couldn't be greater. The Town's water rights were subject to a call in 2002, 2003, and 2012 and we are on track this year for another potential call with severely low snowpack levels and little precipitation. Rehabilitating and expanding the municipal reservoir, the Town's only major raw water storage facility, will greatly enable the Town to withstand future calls on the river that place its municipal water supply at risk, while securing longer term municipal water supply to accommodate future growth.

e. The amount of matching funds provided by the applicant via direct contributions, demonstrable in-kind contributions, and/or other sources demonstrates a significant & appropriate commitment to the project.

The Town has invested significant funds in this project:

2011 Applegate Reservoir and Ditch Feasibility Study (including remedial improvements to the Ridgway ditch, measuring devices, etc.) – \$10,000 Attorney's Fees in Renovation Project – approximately \$30,000 Deleted: 6500

**Deleted:** if the reservoir is exclusively on Town property (option A) and about \$3500 the Town is successful in working with the adjoining land owner to secure the use of the full basin.

1

Design and Geotechnical - \$15k in 2012 budget \$19k in River District Funding		
Town Engineer Salary and Benefits Investment for design in 2012-3 – \$75,000		
Proposed Ioan to Enterprise Fund - \$600k		
Proposed Construction Management and Road Construction in 2013-4 - \$94,000		

The Town anticipates completing the design of the project in late spring of 2013 and hopes to start construction in late 2013, with the balance of the construction to be completed in 2014. The applicant is a municipal government with significant experience in water resources and in the design and construction of major projects. We have the ability to properly oversee and administer this project.

Tier 3: The Water Activity Addresses Other Issues of Statewide Value and Maximizes Benefits

f. The water activity helps sustain agriculture & open space, or meets environmental or recreational needs.

Lake Otonowanda is situated outside of the Town's municipal boundary on the edge of the San Juan Mountains and is home to various wildlife and native plant species. The municipal reservoir is surrounded by a private conservation easement held by the Rocky Mountain Elk Foundation and the renovation will improve the habitat in this location. The new outlet pipe will provide for improved circulation and aeration of the reservoir, improving water quality and enhancing the overall appeal and benefit of the reservoir.

g. The water activity assists in the administration of compact-entitled waters or addresses problems related to compact entitled waters and compact compliance and the degree to which the activity promotes maximum utilization of state waters.

The expanded reservoir will store pre 1922 waters which should assist both the Town and Basin in the case of Compact Call.

h. The water activity assists in the recovery of threatened and endangered wildlife species or Colorado State species of concern.

Expanding Lake Otonowanda will improve wildlife habitat for many native species that inhabit the area including for eagles and migratory birds.

i. The water activity provides a high level of benefit to Colorado in relationship to the amount of funds requested.

The projected cost per acre foot for the Renovation Project is in the \$3000-5000 range, a cost per acre foot that is substantially below most M&I projects. This Renovation Project is very significant for a small, rural community of 924 residents. As indicated previously, the project is identified in the SWSI 2010 to assist in meeting Colorado's water supply needs. For a small community to come to the table and participate in state-wide solutions for water supply is remarkable.

Deleted: between \$3500 and \$6100 Deleted: depending on the option which is most feasible

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j. The water activity is complimentary to or assists in the implementation of other CWCB programs.

The reservoir Renovation Project including a functional outlet and a deeper, partially lined basin will deliver water more efficiently and effectively to the Town of Ridgway, providing for less seepage loss. The ability for the Town to provide sufficient water supply during periods of drought, in combination with other water conservation efforts that are underway, will mitigate the impact of drought on the Ridgway community in so far as to have water available to mitigate any call on the municipal water supply. Providing the Town with the ability to absorb future growth and an increased population base, as targeted in the Ridgway/Ouray County IGA, allows for targeted growth and development within the municipal boundary thereby alleviating growth pressures in Ouray County, which alleviates environmental issues associated with sprawl and rural/ exurban development. This also provides for more controlled water management and conservation efforts.

Continued: Explanation of how the water activity/project meets all applicable Evaluation Criteria. Please attach additional pages as necessary.

#### 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.

Lake Otonowanda has a storage decree of 746 AF. The Town's most senior decree is 2 cfs from the Siebert Ditch (appropriation 6/1/1882, adjudication 5/15/1897) transferred to the headgate on the Ridgway Ditch in CA-1496. The Town also has a 25 cfs decree for the Ridgway Ditch which supplies water to the municipal reservoir and to Town. The Town intends to fill the municipal reservoir when the Town's flow rights are in priority and to use the water from the municipal reservoir to supply the Town when the flow rates are out of priority.

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

The Ridgway Ditch and Otonowanda Reservoir Feasibility Study prepared by the Applegate Group in January 2011 evaluated ways for the Town water supply to be protected when there is a call on the Town's water rights. The report recommended the rehabilitation and expansion of the Town's municipal reservoir, Lake Otonowanda.

The Applegate Feasibility Study included a wetlands determination which included a classification by the US Army Corp of Engineers (ACOE) of "isolated Waters" which means the wetlands are not subject to the jurisdiction of the ACOE. Applegate also consulted with Ouray County regarding any new land use permitting that might be required. Because the County has not adopted 1041 regulations and the municipal reservoir is not in a view corridor, Ouray County permitting is not

required. The County has provided a letter of support for this project.

Because the renovations and expansion is in a closed basin and does not need a dam, the project is not subject to the State's Dam Safety Regulations. Although the project does not require a Hazard Classification Report, Hydrology Report, Design Report, and review of construction plans and specifications, the Town does intend to provide the project plans to the SEO as a courtesy.

The project will impact more than one acre and thus will need a stormwater management plan, which will be submitted to the Colorado Department of Health and Environment (CDPHE) at least 10 days before construction commences. If dewatering is required for construction, a construction dewatering permit will be required. Application for a dewatering permit needs to be submitted to CDPHE about 60 days in advance of any dewatering activities.

The Town is completing a Source Water Protection Plan in 2012, which encompasses this municipal reservoir and surrounding watershed area. A stakeholder group is now in the process of identifying implementation mechanisms to protect and conserve Ridgway's municipal water supply. This is one mechanism to insure the Town's source water, including the municipal reservoir, is protected into the future.

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

The statement of work will form the basis for the contract between the Applicant and the State of Colorado. In short, the Applicant is agreeing to undertake the work for the compensation outlined in the statement of work and budget, and in return, the State of Colorado is receiving the deliverables/products specified. **Please note that costs incurred prior to execution of a contract or purchase order are not subject to reimbursement.** All WSRA funds are disbursed on a reimbursement basis after review invoices and appropriate backup material.

**Please provide a detailed statement of work using the template in Exhibit A.** Additional sections or modifications may be included as necessary. Please define all acronyms and include page numbers.

#### **Statement of Work**

WATER ACTIVITY NAME - Lake Otonowanda Rehabilitation and Expansion.

#### **GRANT RECIPIENT** – Town of Ridgway

**FUNDING SOURCE -** Water Supply Reserve Account Grant/Loan, Gunnison Basin Roundtable, Department of Local Affairs Energy and Mineral Impact Assistance Fund, Colorado River District, Town of Ridgway Water Enterprise Utility

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**Deleted:** If a new dam is constructed, the design of the dam will be subject to

Deleted: That would require a

Deleted: . Because the basin in which the municipal reservoir sits is a closed basin project impacts will be minimal; however the above reports will still need prepared.

#### **INTRODUCTION AND BACKGROUND**

Provide a brief description of the project. (Please limit to **no more than 200 words**; this will be used to inform reviewers and the public about your proposal)

#### The Renovation Project goals are:

1 - Protect and utilize more of the Town's pre-1922 water storage rights to provide the Town of Ridgway with a reliable water supply when the Town's municipal water flow rights are out of priority and to assist the Colorado River Basin in meeting Compact Calls.

2 – Improve the use, amount and functionality of the Town's pre-1922 deeded water storage right in the municipal reservoir, Lake Otonowanda;

3 – Provide a reliable municipal water source for future growth and development within the Town, which ultimately serves to manage growth in the unincorporated Ouray County pursuant to the Ridgway/Ouray County Intergovernmental Agreement.

The project includes new outlet works to replace the collapsed tunnel outlet, a new spillway, and removal of the <u>sub standard</u> dam and expanding the surface area of the municipal reservoir within the topographically isolated valley. The goal of the project is to construct sufficient storage from which the Town could draw water during a call and meet the Town's future municipal and industrial water needs. The reservoir would be filled when the town's water supply is in priority.

#### **OBJECTIVES**

List the objectives of the project

1 – Renovate and expand the Town's existing municipal reservoir and outlet works to improve the existing storage capacity and to more effectively and efficiently store and deliver municipal and industrial water

2 - Remove sediment from the Town's water supply in advance of the water treatment plant to facilitate water filtration treatment and conserve energy during the treatment process

3 – Upgrade the municipal reservoir to a simple, manageable, efficient and non-labor intensive water intake, storage, and outlet system

#### TASKS

Provide a detailed description of each task using the following format

TASK 1 – Finalize Option Selection and Geotechnical Evaluation (\$42,000)

**Description of Task** 

Deleted: replacement of the substandard secondary dam with a taller dam built to current design standards and/or

**Deleted:** Either option will greatly increase the storage capacity of the municipal reservoir.



Finalizing the details of the project starting from the recommendations from the 2011 Applegate Feasibility Study of Ridgway Ditch and Lake Otonowanda (Feasibility Study) through the final stages of feasibility assessment including determination of the best option for municipal reservoir expansion. The two options include: Option A - removal and replacement of the existing dam exclusively on property the Town current owns and Option B - removal of the dam and expansion of the municipal reservoir without a dam in the confined basin. <u>Evaulation during this phase</u> determined that the town should acquire the necessary land and utilize the natural basin to store as much of the full 746 AF storage decree as possible. This phase also included supplemental geotechnical evaluation to determine the best way to rehabilitate the outlet works.

#### Method/Procedure

Continued efforts toward land acquisition.

Geotechnical investigation of the outlet area to determine practicality and costs of outlet rehabilitation options.

Model municipal reservoir expansion options to determine the most cost effective and practical option for expanding the municipal reservoir's capacity and the best municipal reservoir capacity given unit and total costs.

#### **Deliverable**

Assessment and recommendations for outlet works and municipal reservoir location and capacity.

#### TASK 2 – Permitting (\$2000)

#### **Description of Task**

Secure all the permits and approvals needed for construction of the project including the required reports and assessments needed for SEO approval of the plans and specifications.

#### Method/Procedure

Coordinate other environmental permits if needed

#### **Deliverable**

Issuance of any needed environmental permits. Note: stormwater and dewatering permits are to be prepared and secured by the contractor **Deleted:** Selection will largely be based on the practicality of acquiring the use of the additional land needed for expansion without a dam. There will also be an assessment of the final design capacity for the rehabilitation and expansion.

Deleted: discussions with adjoining land owners to determine practicality of expanding the municipal reservoir surface area. If found practical, prepare documents for execution of property acquisition.

Deleted: on and off land currently owned by the Town (options A and B)

Deleted: Prepare Hydrology Report¶ Prepare Hazard Classification report¶ Prepare Dam Safety Design Report¶ Prepare Dewatering Permit¶

Deleted: Approval of the above reports



## TASK 3 - Design (\$35,000)

#### **Description of Task**

Prepare all the design documents for construction of the rehabilitation and expansion of the municipal reservoir. It is anticipated that design work will include preliminary design documents which will be provided to review entities and final documents which be ready for bidding and construction of the work.

#### Method/Procedure

Use standard engineering criteria and methods to develop plans and specifications for the project.

#### **Deliverable**

Plans, Specifications, and Contract Documents for bidding and construction of the project. Will include preliminary and final documents.

#### TASK 4 - Bidding (\$2500)

#### **Description of Task**

Issue the advertisement for bids Address Bidder questions Hold prebid meeting including site visit Evaluate Bids and Bidders Prepare recommendation for Town Council regarding contract award

#### Method/Procedure

Follow Town and funding agency bidding procedures

#### **Deliverable**

Prebid meeting summary Any needed addenda Summary of questions and answers Summarize bids Provide recommendation for award

### TASK 5 - Land Acquisition (\$700,000)

**Description of Task** 

Deleted: 4 Deleted: 660 Acquire the land necessary to utilize the existing basin to store the Town's stored water decree.

#### Method/Procedure

Determine what land is needed, prepare map and legal description <u>Prepare Appraisal</u> <u>Negotiate with Landowner</u> <u>Negotiate with Rocky Mountain Elk Foundation (holder of a conservation easement on the land)</u>

#### <u>Deliverable</u>

Deed to necessary land Arrangements with Elk Foundation to accommodate a reservoir on the land acquired.

#### TASK 6 - Construction (\$1,233,000) + (78,490 inkind)

#### Description of Task (Town tasks)

Conduct Preconstruction Conference Review submittals and Shop Drawings Oversee construction Insure contractor complies with contract requirements Address Contractor questions. Review test results Review pay requests Prepare record drawings Construct New Road to access headgate

#### Method/Procedure

Standard Engineering and Construction practices Construction in accordance with approved plans and specs and in accordance with contract documents.

Deliverable

A completed municipal reservoir renovation Record drawings CWCB and other funding agency final reports

#### **REPORTING AND FINAL DELIVERABLE**

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Deleted: Prepare all the design documents for construction of the rehabilitation and expansion of the municipal reservoir. It is anticipated that design work will include preliminary design documents which will be provided to review entities and final documents which be ready for bidding and construction of the work

**Deleted:** Use standard engineering criteria and methods to develop plans and specifications for the project.

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

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

#### PAYMENT

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

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

Signature of Applicant: \_\_\_\_\_\_ Print Applicant's Name: Jen Coates

Project Title:Lake Otonowanda Renovation ProjectDate:January 15, 2013

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