



# COLORADO WATER CONSERVATION BOARD

## WATER SUPPLY RESERVE ACCOUNT APPLICATION FORM



CULEBRA WATERSHED VALLEJOS DITCH HEADGATE REPLACEMENT

Name of Water Activity/Project

SANGRE DE CRISTO ACEQUIA ASSOCIATION

Name of Applicant

RIO GRANDE BASIN

Amount from Statewide Account:

90,000.00

Amount from Basin Account(s):

10,000.00

Total WSRA Funds Requested:

100,000.00

Approving Basin Roundtable(s)

(If multiple basins specify amounts in parentheses.)

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

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### **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 (CWCBC). 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 CWCBC 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 CWCBC website at: <http://cwcb.state.co.us> 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: <http://cwcb.state.co.us/LoansGrants/water-supply-reserve-account-grants/Documents/WSRACriteriaGuidelines.pdf>

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](mailto: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](mailto:gregory.johnson@state.co.us).

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

1.	Applicant Name(s):	SANGRE DE CRISTO ACEQUIA ASSOCIATION		
	Mailing address:	P.O. Box 721 San Luis, CO 81152		
	Taxpayer ID#:	EIN #37-1551174		
	Primary Contact:	Delmer Vialpando	Position/Title:	President
	Email:	none		
	Phone Numbers:	Cell: 719-672-0944	Office:	719-672-1019
	Alternate Contact:	Joseph Gallegos	Position/Title:	Vice President
	Email:	centranch0@gmail.com		
	Phone Numbers:	Cell: 719-298-7278	Office:	

### 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.

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### I. Provide a brief description of your organization

**The Applicant organization**, previously known as the Colorado Acequia Association, is the Sangre de Cristo Acequia Association (SCAA), formed on 11/18/1998. It was established by the Costilla County Conservancy District (CCCD) when local family farmers requested an organization to serve the needs of the historic acequias, or communal irrigation ditches, in the Culebra River watershed in southern Colorado's San Luis Valley.

**The Project organization**, or beneficiary of this grant proposal, is the Vallejos Ditch, with boundaries shown in the attached map, serving 1,316 irrigated acres.

The main goals of the SCAA are to preserve the acequia agricultural lifestyle; to improve the quality of the environment; to keep all water with the land on which it is located, and to serve as an umbrella membership organization serving irrigators and water users in the Culebra Creek watershed who depend upon the acequia system of irrigation. This includes a community of 228 families, most of whom are fifth and sixth generation landowners, organized into 64 separate acequia groups.

The Culebra watershed acequias irrigate 23,000 acres in approximately 360 square miles of South Central Colorado on the eastern edge of the San Luis Valley. Headwaters of the Culebra watershed are on the western slope of the Sangre de Cristo Mountains. This network of acequias (see maps) diverts from streams in the watershed and transports and distributes water to irrigate agricultural lands, with return flows from this irrigation then reentering the natural streams in the watershed. Although part of the Rio Grande Basin's complex network of underground aquifers, the waters of the Culebra watershed do not reach the Rio Grande or the Conejos River and are not subject to the Rio Grande Compact.

In the past 15 years the residents of Costilla County have initiated a series of investigations, with the assistance of the Natural Resources Conservation Service (NRCS) and multiple other entities to protect the Culebra Watershed. These efforts included: 1) the Land Rights Council (LRC) management plan for the former Taylor Ranch, 2) the Vega Board grazing plan for the Vega, and (3) the Culebra Watershed Management Plan. SCAA played a leading role in these developments.

The Sangre de Cristo Acequia Association hosted a public meeting in May 2008 to coordinate planning efforts between all identified active projects in the watershed. The purpose of the Culebra Watershed Assessment and Management Plan was to help the Costilla County community evaluate, prioritize, and manage problems affecting their ground and surface waters. The Plan's approach entailed a thorough watershed investigation to help identify water quality impairments, sources of the impairments, and critical areas to protect or restore. This watershed assessment was partially completed, developing some valuable data, however, due to lack of funding, it was not completed. Today the SCAA provides fiscal, organizational, legal, and technical resources which are otherwise not available to many of the watershed's independent ditch associations and acequias. This watershed-based approach, combined with SCAA's positive social and cultural outreach, provide a high level of integration in assessing, planning, and implementing ditch and water projects, giving them a high likelihood of success. The SCAA provides assistance on issues of water conservation; offers referral for legal assistance; collaborates and assists with physical improvements and upgrades; provides guidance for members seeking to file for corporation status; and, as in this case, provides technical assistance and administration in obtaining grant funds.

The SCAA is requesting funds of \$100,000 on behalf of the Vallejos Ditch Association in order to replace a diversion on Vallejos Creek.

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

The Contracting Entity and the Applicant are the same -- the SCAA.

4. 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.

5. 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.

There are no TABOR issues involved.

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### 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

☐

Municipal/Industrial

☐

Needs Assessment

☐

Education

☐

Other

Explain:

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

The replacement of the Vallejos Ditch headgate will help meet the consumptive needs of irrigators by enabling timely distribution and management of their decreed water. The project will also improve water quality by reducing downstream erosion and facilitating the redirection of surface and flood flows back into the Culebra Creek for downstream irrigators. This first implementation project of the SCAA will also help to remedy significant flooding problems in the Town of San Luis and surrounding communities. By improving irrigation efficiency it will conserve water, protect water resources, reduce the propagation of maintenance issues, and restore full operational capacity to a system which has reached the end of its useful life.

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

☐

Study

☒

Implementation

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

New Storage Created (acre-feet)

New Annual Water Supplies Developed, Consumptive or Nonconsumptive (acre-feet)

Existing Storage Preserved or Enhanced (acre-feet)

Length of Stream Restored or Protected (linear feet)

Length of Pipe/Canal Built or Improved (linear feet)

Efficiency Savings (acre-feet/year OR dollars/year – **circle one**)

Area of Restored or Preserved Habitat (acres)

Other -- Explain:

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

Latitude:

E 466644

Longitude:

N 4109643

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.

(next page please)

## **PROJECT OVERVIEW/SUMMARY**

**The Structural Problem:** This water activity will replace the existing diversion structure on Vallejos Creek. The turnout on the north side of the creek feeds both the North and South laterals. The south lateral is supplied water with a drop structure and corrugated metal pipe located under the main structure. The concrete structure has deteriorated, with the walls cracked and crumbling. In high flows the headgate fails to divert excess water, causing flooding of the neighboring residential areas. The crumbled structure leaks and the water gates are almost inoperable. Built around 1965, the headgate has surpassed its effective service life. NRCS has determined that this headgate is beyond repair and must be replaced. The new structure will pull water from both the north and south, thus simplifying the original design, eliminating higher construction costs, and reducing requirements for maintenance.

**Related Problems:** Riparian and water quality issues are also involved. The banks of Vallejos Creek upstream and downstream of the headgate are deteriorated due to continual seepage and vegetative overgrowth, exacerbating the already serious sedimentation and erosion problems which have been identified throughout the Culebra watershed. Loss of stability and control have caused the targeted section of Vallejos Ditch to lose 70% of its carrying capacity.

**High Priority:** Of the 83 acequias currently in operation in Water District 24, Division 3, the Vallejos Ditch is one of the earliest, established in 1854 with priority #5. Vallejos Ditch is approximately 4 miles long, located within the Sangre de Cristo Land Grant lands near San Pablo in the San Luis Valley of Costilla County. The two branches of Vallejos Creek, the North Vallejos and the South Vallejos, are each about 2 miles in length. With 13 cfs, historically irrigated acreage has been computed at 1316 acres, serving 64 operators. Repeated flooding, high maintenance, and reduced water management capabilities make this a high priority project.

**A larger strategy:** In 2005 the Sangre de Cristo Acequia Association (SCAA) initiated the Culebra Watershed Plan to study and begin addressing numerous water quality issues throughout the Culebra system. Many entities were involved; some funding was obtained; several valuable studies were completed over the next few years; but ultimately the project was not completed due to lack of funding from Colorado Department of Public Health and Environment (CDPHE). Hereafter references to this work by SCAA and others will be referred to as “the watershed plan.” This project draws on much of that work and implements some of its findings.

**A Regional Approach:** By working with each individual ditch or acequia project, such as the present Vallejos Ditch Project, SCAA is able to quantify identified impacts, evaluate the condition of the Culebra Watershed riparian corridor, and implement best management practices throughout the watershed to address such common concerns as water quality, sedimentation, as well as impacts to river/flood plain and larger ecosystem functions.

**Long Term Stewardship:** Maintenance is an expectation of every practice that NRCS designs. For example, NRCS contracts require every practice be maintained according to an Operation & Maintenance agreement. Failure to do so requires refund of any NRCS cost share payment. NRCS Standards and Specifications also set a high standard for quality and durability—demanding the proper materials, type of construction, and attention to detail that guarantee the practice will deliver expected results under all circumstances and contingencies. Based on these Standards & Specifications, NRCS establishes an expected Practice Lifespans (see Conservation Practices and Practice Service Life Table, attached). An “Irrigation Water Conveyance, Ditch & Canal Lining, Plain Concrete (#428)” and a “Structure for Water Control (#587)” each have a 20-year lifespan. Vallejos Ditch Association (VDA) has voted to approve a Resolution to guarantee this maintenance for a period of 25 years.



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### 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>

1) This proposal is eligible for funding under Senate Bill 06-179 because 1) it is being submitted for approval to the Rio Grande Interbasin Roundtable pursuant to article 75 of title 37, C.R.S.. This water activity will take place in the Rio Grande Basin; 2) it meets the eligibility categories described below; and 3) this proposal is submitted for approved by the Rio Grande Basin Roundtable and conforms to criteria and guidelines developed by the IBCC and CWCB.

2) This water activity meets the eligibility requirements as required in Part 2 of the criteria and guidelines as detailed above.

3) The water activity is consistent with Section 37-75-102 C.R.S., because it restores, repairs, and upgrades existing irrigation structures within the Vallejos Ditch system. This Project therefore does not supersede, abrogate, or otherwise impair the State's current system of allocating water within Colorado nor does it in any manner repeal or amend the existing water rights adjudication system. This Project does not affect the State Constitution's recognition of water rights as a private usufructuary property right nor is it 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. By improving surface water management on the Vallejos Creek, and by being the first such project to be implemented under the Culebra Watershed Plan, this water activity is consistent with Section 37-75-102 C.R.S..

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

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<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 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.

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Chairman of the RGBRT has included this information in the letter accompanying this proposal.

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.

This water activity promotes better management of surface water in the Culebra Watershed, thereby assisting in the Rio Grande Basin's goal of achieving sustainable aquifers. Replacement of the Vallejos Ditch headgate greatly reduces or eliminates current flooding problems and the excessive maintenance and water management issues caused by deteriorated structures, leakage, bank instability, and loss of carrying capacity. This project thereby conforms to the Basin's emphasis on improving surface water management. This project leads the way, combining WSRA funding, NRCS technical support, and SCAA stewardship for future projects in the Culebra Watershed.

The accompanying approval letter from the Chairman of the RGBRT describes how this water activity assists in meeting the water supply needs identified in the Rio Grande Basin Roundtable's consumptive and/or non-consumptive needs assessments.

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 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).

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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.

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Total Project Cost	=	\$116,100	
Grant Amount Requested	=	\$100,000	\$10,000 Basin; \$90,000 Statewide
20% match of Statewide funds =			Required Match \$18,000.00

Rio Grande Basin Funds	\$10,000.00	WSRA Account
Costilla Conservancy District	\$ 2,400.00	Cash – Research & Cash Match
SCAA (applicant)	\$ 1,200.00	Cash – Landowner Coordination
NRCS	\$10,600.00	Technical Assistance
Vallejos Ditch	\$ 1,900.00	In-kind Services
	\$26,100.00	TOTAL MATCH
<b>TOTAL MATCHING FUNDS</b>	<b>\$26,100.00</b>	<b>or 22.5 % of Total Project</b>
		<b>29.0% of Statewide WSRA funds</b>

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.) 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).
- **Promoting Collaboration/Cooperation:** By its very nature the SCAA is an organization built on uniting, consolidating, bringing together, and supporting the interests of acequia irrigators and landowners in the Culebra watershed. This project responds to the mission of SCAA and begins to implement some of the consumptive and nonconsumptive needs identified in the Culebra watershed plan. In preparation for this proposal the Vallejos Ditch Association and SCAA collaborated to collect data, maps, and numerous historical documents from the Division of Water Resources; jointly consulting with Costilla County’s Land Use Planner, and the County Commissioners. Key guidance and preliminary plans were provided by the San Luis field office of NRCS, with several of their staff attending numerous meetings. Since VDA had very little documentation, The Costilla Water Conservancy District provided \$2,400 to conduct research and recover documents, assisted in great part by staff at the Alamosa office

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of the Division of Natural Resources. Additional research was required to recover documentation from various sources involved in the watershed plan,

- 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.
- **Including Multiple Entities --** Referenced frequently in this proposal, the watershed plan was a collaboration of The Rural Community Assistance Corporation, the Colorado Watershed Network, Riverwatch, the Costilla County Commission, and the SLV GIS/GPS Authority, and was funded in part with two EPA grants (\$10,000 and \$50,000) and \$3,500 from the Costilla County Water Conservancy District. Technical support toward implementation was provided over almost two years by CDPHE. Although the Nonpoint Source Project grant was not awarded by CDPHE, many community meetings were held with local land owners, commissioners, and state agencies. NRCS assisted VDA with project assessments, document recovery and analysis, and gave many hours of technical assistance from their lead conservationist, planner, engineering staff, and technician.
- 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.
- **Meeting Rio Grande Basin needs assessment -** By replacing the Vallejos Ditch irrigation head gates and stabilizing the banks above and below the headgate, this Project helps address the single most critical water issue confronting the Rio Grande Basin, which is the current unsustainable management of surface and ground water.

### 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).
- **Funds Make Implementation Possible –** The Vallejos Ditch Association has insufficient funds to undertake the replacement of the diversion structure, and it also lacks the organizational requirements to qualify for a loan or to apply for grant funds directly, because it is not incorporated, does not have a Tax ID number, and does not have the required insurance to apply. For this reason the SCAA has stepped forward, in keeping with its mission, to satisfy the eligibility requirements and to provide the needed infrastructure and administration to fulfill the terms of this proposal. The SCAA has contributed what it can and has requested assistance from the Costilla Water Conservancy District, but, as a collaborative water user organization involving many entities, it does not have the ability to solicit or raise the required funds. This grant is essential in order to replace the headgate on Vallejos Creek.
- 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.

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- **A Significant and Appropriate Commitment** – Total matching funds of \$26,100 includes \$5,500 from the Applicant, from Vallejos Ditch Association, and from local stakeholders, with total match exceeding the guideline's requirements.

### 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.
- **Agriculture** – With 1316 acres irrigated by the Vallejos Ditch Association, the replacement of the diversion structure and the inclusion of new design elements by NRCS enables the timely distribution and management of decreed water rights in priority.
- 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.
- **Keeping Water in the Basin** - Although this project is not related to the Rio Grande Compact, SCAA's sponsorship, fiscal agency, and administration brings a much larger perspective to this project. Thanks to NRCS' strong participation, this project has the benefit of past studies and watershed analyses and anticipates a watershed-wide perspective. SCAA's administration and its collaborative involvement with multiple acequias and ditches fosters a united approach to solving problems that goes back many generations, thus promoting maximum utilization of state waters.
- h. The water activity assists in the recovery of threatened and endangered wildlife species or Colorado State species of concern.
- We do not have information for this element.
- i. The water activity provides a high level of benefit to Colorado in relationship to the amount of funds requested.
- j. The water activity is complimentary to or assists in the implementation of other CWCB programs.
- **CWCB's continuing support** – In July 2008 CWCB supported the studies in SCAA's watershed plan, providing \$5,000 to construct and install trash racks on the main acequias to reduce sediment buildup. The SCAA is now stepping up to provide the much needed administrative support to back up this proposal. SCAA anticipates fulfilling similar proposals for other unincorporated ditches and acequias in the future, with the assistance of NRCS, as much work remains to be done throughout the Culebra Watershed.

### **Part IV. – Required Supporting Material**

- k. **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.

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**Location:** The Culebra watershed is located in the southeastern quadrant of the San Luis Valley, a high altitude alpine desert with an average elevation of 7,800 feet above sea level, enclosed between the Sangre de Cristo Range to the east and the San Juan Range to the west. The headwaters of the 360-square mile Culebra watershed are in the southernmost segment of the Sangre de Cristo Range. (See maps)

**The Culebra Watershed** is located within the Rio Grande Basin, but is not subject to the Rio Grande Compact. The historic town of San Luis, the seat of Costilla County, has a population of 739. Officially established in 1851 by Hispanic settlers, San Luis is the oldest town in the state of Colorado. San Luis is home to the San Luis People's Ditch, the oldest water right in Colorado, established in 1852. The Culebra watershed also hosts the only remaining true common grazing area left in the country, a 633 acre plot of land called La Vega. The primary water source in the Culebra Watershed is snowmelt from the Sangre de Cristo range. This water is primarily used for storage in the Sanchez Reservoir and is released for irrigation.

Domestic drinking water comes primarily from groundwater sources. The San Luis Water and Sanitation District provides water from underground aquifers to water tanks and has a sewer system with a treatment plant in town. Most other landowners outside the town of San Luis are on individual wells or water tanks supplied by pumps from the aquifer and use septic tank leach fields to treat waste water.

The watershed is bound by 14,000 ft mountain peaks of the Sangre De Cristo Range to the east and the flat, arid San Luis Valley bottomlands to the west. The San Luis Valley is characterized as a high mountain desert with cool summers and cold winters. Precipitation in the Culebra Watershed ranges between 10 to 14 inches/year in the lowlands and up to 20 inches/year in the mountains. Over 98 percent of the watershed is privately owned. There are a few large private holdings higher up in the watershed, but most land ownership consists of small family farms ranging from 11 to 40 acres.

Soils range from sandy loam to loamy clay and the primary vegetation is rangeland sagebrush and western wheatgrass. The Culebra Watershed geology is part of the Rio Grande Rift. The Rift is filled by sedimentary and volcanic rock. The basin has a series of geologically young faults which could potentially cause earthquakes. Large arroyos on the surficial sedimentary deposits of the Santa Fe group present in the basin are highly erosive.

**Historical water use:** Historically, an average of six to seven hundred farming families irrigated with acequias in this watershed, but after 1960, after the enclosure of the Sangre de Cristo land grant, the number of family farms declined. Today fewer than 300 families, descendants of the original nineteenth century settlers, are using acequia water delivery systems to irrigate some 24,000 acres of crop and pasture lands.

*The acequia system and the network of community ties they have created constitute structures that are reliable, well understood, governed by accepted rules, and that depend on technologies within the economic reach of the communities. The physical and social landscape of the [acequia neighborhood] has continuing value to the community of users because it promotes their common flourishing. It has wider public value for the stability of settlement and the suite of natural resource assets it has created.*

**Devon Peña, Ph.D. – Secretary, Sangre de Cristo Acequia Association**

**Peña, Devon G., and Hicks, Gregory A., *Community Acequias in Colorado's Rio Culebra Watershed: A Customary Commons in the***

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**Acequia Communities:** These small holders are bound together in informal networks for the exchange of labor, resources, and mutual support to clean and maintain the acequias. They irrigate and work their croplands and grazing lands in ways that are based on the capacities and water delivery methods of the acequia. A co-founder of SCAA and its current Secretary is Dr. Devon Peña, scholar and authority on acequias, University of New Mexico.

**Vallejos Creek:** Mike Sullivan, formerly State Water Engineer for Division 3, identified three decrees awarded to the Vallejos ditch (email to Virginia Sanchez 2/12/04). The Hayt Decree of June 14, 1889 allowed the ditch to have 17 cfs as priority 5 based on an appropriation date of March 31, 1854. Sullivan: “This decree is really the best water right for the Vallejos ditch and reflects the San Luis/San Pablo area in 1854.” The Holbrook Decree of December 14, 1905 was an enlargement decree for an additional 1.5 cfs as priority 58 (appropriation date March 1, 1898). On November 23, 1917, water users requested an additional 8cfs for domestic purposes, but this was never granted, until finally, in the Roxton Decree in 1935, the additional decree was reduced to 0.52 cfs for domestic purposes, and it could only be diverted during the non-irrigation season.

Sullivan: “While all the ‘decreeing’ was occurring there was a tremendous fight between many of the ditches (including the Vallejos) and the Freehold Land and Emigration Company. It is a rather complicated affair.... But really it looks to be a ‘water grab’ [against] the poor rural folks.... It looks like it went back and forth as to who owned the water before the court gave it back (I think) to the original owners.” Sullivan encouraged further research.

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

SCAA initiated a watershed plan in 2002, primarily to address the sedimentation issues related to logging on what was then known as The Taylor Ranch. Some portions of that study were completed, but the entire study was not completed, due to lack of funding. Despite this, SCAA played, and continues to play, a guiding role in addressing issues of concern to water users in the Culebra watershed.

NRCS has advised that there are no permitting requirements expected in this project.

2. 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.

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### **REPORTING AND FINAL DELIVERABLE**

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

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

### **PAYMENT**

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

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

**Signature of Applicant:**

**Print Applicant's Name:**

**Project Title: CULEBRA WATERSHED VALLEJOS DITCH HEADGATE REPLACEMENT**

**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)