

STATE OF COLORADO

Colorado Water Conservation Board Department of Natural Resources

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TO: Colorado Water Conservation Board Members

John W. Hickenlooper
Governor

FROM: Jacob Bornstein,
Water Supply Planning Section

Mike King
DNR Executive Director

DATE: July 03, 2013

James Eklund
CWCB Director

SUBJECT: **Agenda Item 23, July 16-17, 2013 Board Meeting
Water Supply Reserve Account Program**

Staff Recommendation

A summary of staff's recommendation for each WSRA application is provided in the table below. Favorable recommendations may be contingent on providing the CWCB with additional information, clarifications, or modifications in the scope of work. Please refer to the Water Activity Summary Sheets contained within this agenda item to find a summary of staff's review and any conditions associated with each recommendation. Full application materials are available upon request.

	Basin	Project Name	Total Request	Recommendation
a.	Gunnison	Bonita Reservoir Dam Outlet Pipe Rehabilitation	\$54,285	To fund up to \$54,285 from the Gunnison Basin Account.
b.	Gunnison	Curry Easements Woody Invasives Removal Project - West Side of the North Fork of the Gunnison River	\$8,865	To fund up to \$8,865 from the Gunnison Basin Account.
c.	Rio Grande	Kerber Creek Restoration Project	\$34,871	To fund up to \$34,871 from the Rio Grande Basin Account.
d.	Yampa/White	Development and Implementation of Water Education and Networking 3-Year Program of Discussions, Forums, Workshops, Tours	\$30,000	To fund up to \$30,000 from the Yampa/White Basin Account.
e.	Arkansas	Water Tank Replacement	\$64,000	To fund up to \$64,300 from the Arkansas Basin Account

Background

For this agenda item the Board is provided with a brief overview of applications to the Water Supply Reserve Account (WSRA). Attachments to this memo include:

- Summary spreadsheet detailing funding requests for the basin and statewide accounts;
- Water Activity Summary Sheets which provide an overview, discussion, issues/additional needs, and staff recommendation regarding funding, partial funding, or not funding the applications; and

Staff's review of the applications involves the following steps:

- 1) Applications are reviewed for completeness based on the information requirements, which are primarily outlined in Part 2 of the Criteria and Guidelines (C&G).
- 2) Applications are reviewed to verify that the water activity meets the **eligibility requirements** in Section 39-29-108 (III) C.R.S. (C&G, Part 2) and the **threshold criteria**, which are based on the requirements of Section 39-29-108 (III) C.R.S., and two sections of the Water for the 21st Century Act (House Bill 1177); Section 37-75-102 and Section 37-75-104(2)(c) (C&G, Part 3). Staff also verifies that the applicant is an **eligible entity** to receive funding (C&G, Part 2).
- 3) Staff then prepares the Water Activity Summary Sheet which documents the outcome of the review process and contains staff's recommendations.

Water Supply Reserve Account Balance Summary and Project Status Report

To provide the Board updates on the status of specific Water Supply Reserve Account grant applications and projects, staff provides a status report in the CWCB Director's Report. The WSRA status report includes the following information:

- List of completed WSRA projects;
- List of WSRA projects in progress; and
- List of WSRA projects in the contracting and procurement process.

**Water Supply Reserve Account – Grant and Loan Program
Water Activity Summary Sheet
July 2013 CWCB Meeting
Agenda Item 23.a**

Applicant: Elmer L Ferganchick

Water Activity Name: Bonita Reservoir Dam Outlet Pipe Rehabilitation

Water Activity Purpose: Structural Water Project

County: Delta

Drainage Basin: Gunnison

Water Source: Bonita and Surface Creeks

Amount Requested: \$54,285 (Gunnison Basin Account)

Matching Funds: \$9,500 (cash and in-kind contribution)

Staff Recommendation

Staff recommends approval of up to \$54,285 from the Gunnison Basin Account to help complete the Bonita Reservoir Dam Outlet Pipe Rehabilitation.

Water Activity Summary:

The Bonita Reservoir Dam was constructed in the early 1900's. In 1994, and again in 2012, the State Engineer's Office (SEO) performed an internal inspection of the existing 12" diameter riveted steel outlet pipe, and as a result of the later inspection the SEO discovered that the outlet pipe had deteriorated to the point that a leak had developed near the connection between the outlet pipe and the intake structure. This raised serious safety concerns and the SEO placed a zero storage restriction on the reservoir until the outlet pipe is adequately mitigated. Mitigation efforts began in 1997 with the retention of an engineer to develop plans for rehabilitation of the outlet pipe by slip lining with PVC pipe. Those plans were approved by the SEO, however during the intervening years, due to: economic conditions; family medical issues; legal fees for estate claims and probate processing costs; road access issues; weather conditions; and the inability of the applicant to obtain a loan; the applicant was unable to perform the necessary rehabilitation efforts. Despite these difficulties, the applicant has made several good faith efforts over the intervening years to rectify the situation by: attempting to perform rehabilitation work in 2005; purchasing or trading for construction equipment and hired skilled and experienced operator in anticipation of performing open-cut outlet replacement with his own resources; retaining the services of Western Engineers, Inc.; developing outlet rehabilitation plans that propose the placement of an internal liner by use of the Cured-In-Place Pipe method; and building cash reserves specifically designated for outlet rehabilitation.

Funding Overview

The project proponent (applicant) proposes to provide \$9,500 (approximately 15 percent) in matching contributions to combine with the grant proceeds which may come from other grants, cash reserves, personal assets, private loans. At least a portion of the matching contribution is anticipated to consist of cash which will be used early in the project to provide engineering and permitting efforts. The applicant also possesses equipment and construction capabilities and may provide a portion of this matching contribution in sweat equity or in-kind contributions during the construction process. For a sole-owner agricultural producer, this represents a significant and meaningful contribution indicative of the commitment to complete the project.

Discussion:

No additional discussion is needed.

Issues/Additional Needs:

No issues or additional needs remain.

Staff Recommendation:

Staff recommends approval of up to \$54,285 from the Gunnison Basin Account to help complete the Bonita Reservoir Dam Outlet Pipe Rehabilitation.

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 will help promote the development of a common technical platform. In accordance with the revised WSRA Criteria and Guidelines, staff would like to highlight additional reporting and final deliverable requirements. The specific requirements are provided below.

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 scope 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.

Engineering: All engineering work (as defined in the Engineers Practice Act (§12-25-102(10) C.R.S.)) performed under this grant shall be performed by or under the responsible charge of professional engineer licensed by the State of Colorado to practice Engineering.

**Water Supply Reserve Account Program
Water Activity Summary Sheet
July 2013 CWCB Meeting
Agenda Item 23.b**

Applicant: Delta Conservation District

Water Activity Name: Curry Easements Woody Invasives Removal Project - West Side of the North Fork of the Gunnison River

Water Activity Purpose: Non-consumptive Water Project

County: Delta

River Basin: Gunnison

Water Source: North Fork of the Gunnison River

Amount Requested: \$8,865 (Gunnison Basin Account)

Matching Funds: \$750 in-kind

Staff Recommendation
Staff recommends approval of up to \$8,865 from the Gunnison Basin Account for the project titled: Curry Easements Woody Invasives Removal Project - West Side of the North Fork of the Gunnison River.

Water Activity Summary:

The proposed project covers the removal of invasive species on the Curry Easements along the North Fork of the Gunnison River on the west side of the river. The project will mechanically eradicate Tamarisk and Russian Olive, apply herbicidal treatment, and re-vegetate the area with native species as required. The project area includes an approximately 2 mile long reach of the North Fork of the Gunnison River above and below the Union Pacific railroad bridge in Hotchkiss. The reach contains

This project is a continuation of the Delta Conservancy District's (DCD) North Fork River Improvement Project addressing woody invasive species. The DCD's North Fork River Improvement Project is a multi-year effort that DCD has undertaken to improve the health of the North Fork of the Gunnison River. To date their efforts have completed clearing, herbicidal treatments, and chipping of Russian Olive, Tamarisk, and Siberian Elm on over 300 acres.

Task 1 will identify and obtain permission from landowners to gain the most workable access to the west bank of the Curry Conservation Easements. It will also remove Russian Olive, Tamarisk, and other invasive species in the project area. The DCD will continue to employ the Western Colorado Conservation Corps (WCCC) to do mechanical eradication of the invasive species, including herbicide application with assistance from the Delta County Weed Coordinator. Native vegetation will be reestablished with volunteer labor. Task 2 involves removal and/or treatment of new invasive species growth during Year 2. The final report will comprise Task 3.

Future funding of the multi-year project has been approved under the Invasive Phreatophyte Control Program administered by the Colorado Water Conservation Board.

Threshold and Evaluation Criteria

The application meets all four Threshold Criteria.

Issues/Additional Needs:

- The applicant should have a plan to treat secondary weed infestations.
- The applicant should develop a strategy to re-vegetate the removal sites with native riparian plants.

- The applicant should work with CWCB Staff to ensure that the project meets the criteria outlined in the Invasive Phreatophyte Removal Program (IPCP).

Staff Recommendation:

Staff recommends approval of up to \$8,865 from the Gunnison Basin Account for the project titled: Curry Easements Woody Invasives Removal Project - West Side of the North Fork of the Gunnison River.

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 will help promote the development of a common technical platform. In accordance with the revised WSRA Criteria and Guidelines, staff would like to highlight additional reporting and final deliverable requirements. The specific requirements are provided below.

Reporting and Final Deliverable: 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 scope of work including a description of any major issues that have occurred and any corrective action taken to address these issues. 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.

Engineering: All engineering work (as defined in the Engineers Practice Act (§12-25-102(10) C.R.S.)) performed under this grant shall be performed by or under the responsible charge of professional engineer licensed by the State of Colorado to practice Engineering.

Location Map:

N/A

**Water Supply Reserve Account Program
Water Activity Summary Sheet
July 2013 CWCB Meeting
Agenda Item 23.c**

Applicant: Trout Unlimited, Inc.

Water Activity Name: Kerber Creek Restoration Project (Phase 2)

Water Activity Purpose: Non-consumptive Water Project

County: Saguache

River Basin: Rio Grande

Water Source: Kerber Creek

Amount Requested: \$34,871 (Rio Grande Basin Account)

Matching Funds: \$350,700 from numerous sources

Staff Recommendation
Staff recommends approval of up to \$34,871 from the Rio Grande Basin Account for Kerber Creek Restoration Project (Phase 2).

Water Activity Summary:

The Kerber Creek Restoration Project (KCRP) is a partnership among government agencies, nonprofit organizations, and private landowners dedicated to restoring the Kerber Creek watershed, which has been heavily impacted by legacy mining activities in the Bonanza Mining District. Since 2007, the project has successfully treated over 60 acres of mine wastes, restored over 4,000 feet of stream bank, and installed over 250 in-stream rock structures in the lower watershed. These accomplishments have been made possible by the over \$2 million in grant funding awarded to the project to date and scores of project volunteers, who have collectively contributed over 13,000 hours. On behalf of KCRP, Trout Unlimited (TU) is now requesting \$34,871 to contribute to the restoration of 47,520 additional feet of stream bank. This request is part of the larger effort to restore site KC16, the largest privately owned parcel of land in the watershed. Site KC16 includes almost 30% of the untreated mine waste deposits remaining in the watershed and 17.3% of the entire length of stream bank along Kerber Creek. If this proposal is accepted, funds will be available to completely restore site KC16.

In 2012, TU was awarded a second Colorado Nonpoint Source grant for \$413,000 to treat 36 acres of mine wastes and to restore over 47,520 feet of stream bank at site KC16, the largest privately owned parcel of land in the watershed. This project has received \$350,700 of cash match and in-kind donations from a number of other private, state, and federal entities, and NRCS has contributed \$60,950 to the project through landowner cost-share programs (Table 1, Exhibit A). Site KC16 is divided into three parcels: (1) KC16-E, the easternmost parcel, (2) KC16-M, the middle parcel adjacent to KC16-E, and (3) KC16-W, the western parcel separated from KC16-M by other private lands. The project began in the fall of 2012 with the installation of 46 in-stream rock structures on the easternmost 5,170 ft of stream bank located within KC16-E and will continue in the field seasons of 2013 and 2014, throughout which an additional 10,024 ft of stream bank will be restored in conjunction with the treatment of 19.1 acres of mine wastes at KC16-E. This plan will leave 4,800 ft of un-restored stream bank at KC16-E. NRCS plans to fund the restoration of the westernmost 2,500 ft of this portion in addition to the entire length of stream bank at KC16-M in 2014; however, additional funding is required to restore the remaining 2,300 feet, thus connecting the NRCS and project funded portions (Figures 1-2, Exhibit B; Figures 4-7, Exhibit C).

TU is requesting \$34,871 from WSRA to install 25 in-stream rock structures along this stretch and to reshape the associated stream bank. In-stream rock structures redirect the thalweg to the center of the stream, reducing erosion by decreasing the shear stress on stream banks, improving aquatic habitat by creating pool-riffle

sequences, and decreasing the width-to-depth ratio. Over time, in-stream restoration will also help to reestablish the connection between the stream and its floodplain, thereby increasing groundwater storage and baseflows. Specifically, \$17,484 will be used to purchase 282 cubic yards of rock, \$8,688 will be used to reshape banks, and \$4,963 will pay labor cost. An additional \$3,490 is needed to cover TU administrative, project management, and oversight costs (Table 2, Exhibit A). Where possible, any established riparian vegetation disturbed as a result of project implementation will be recycled by incorporation into channel design using bioengineering techniques, decreasing the quantity of rock needed and thus project costs. Both the phytostabilization and in-stream restoration techniques have proven effective along Kerber Creek in past restoration projects completed between 2008 and 2012.

In addition to project implementation, Colorado Nonpoint Source grant and matching funds will be used to monitor progress towards ecological goals as defined in the Project Implementation Plan¹, to supplement environmental education efforts in the Northern San Luis Valley, and to sustain the BSG, a citizen-based coalition of watershed landowners.

Threshold and Evaluation Criteria

The application meets all four Threshold Criteria.

Issues/Additional Needs:

The monitoring plan should conform to the CWCB Measurable Results Program's Standard Operating Procedures for Topographic Survey of Stream Channels.

Staff Recommendation:

Staff recommends approval of up to \$34,871 from the Rio Grande Basin Account for Kerber Creek Restoration Project (Phase 2).

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 will help promote the development of a common technical platform. In accordance with the revised WSRA Criteria and Guidelines, staff would like to highlight additional reporting and final deliverable requirements. The specific requirements are provided below.

Reporting and Final Deliverable: 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 scope of work including a description of any major issues that have occurred and any corrective action taken to address these issues. 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.

Engineering: All engineering work (as defined in the Engineers Practice Act (§12-25-102(10) C.R.S.)) performed under this grant shall be performed by or under the responsible charge of professional engineer licensed by the State of Colorado to practice Engineering.

Location Map:

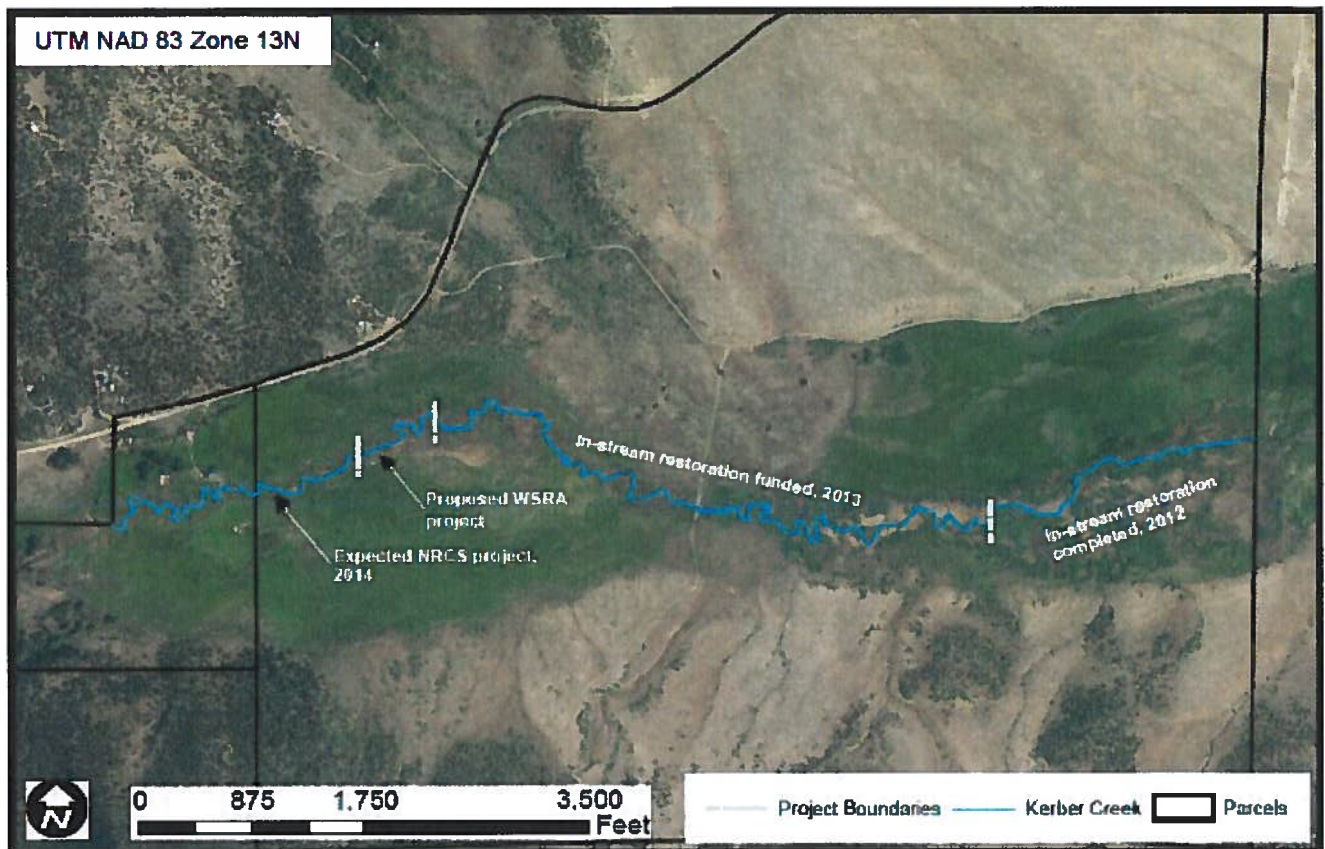


Figure 1. Overview of past and upcoming projects at site KC16-E. KC16-M is represented by the parcel to the left, and KC16-W is not depicted.

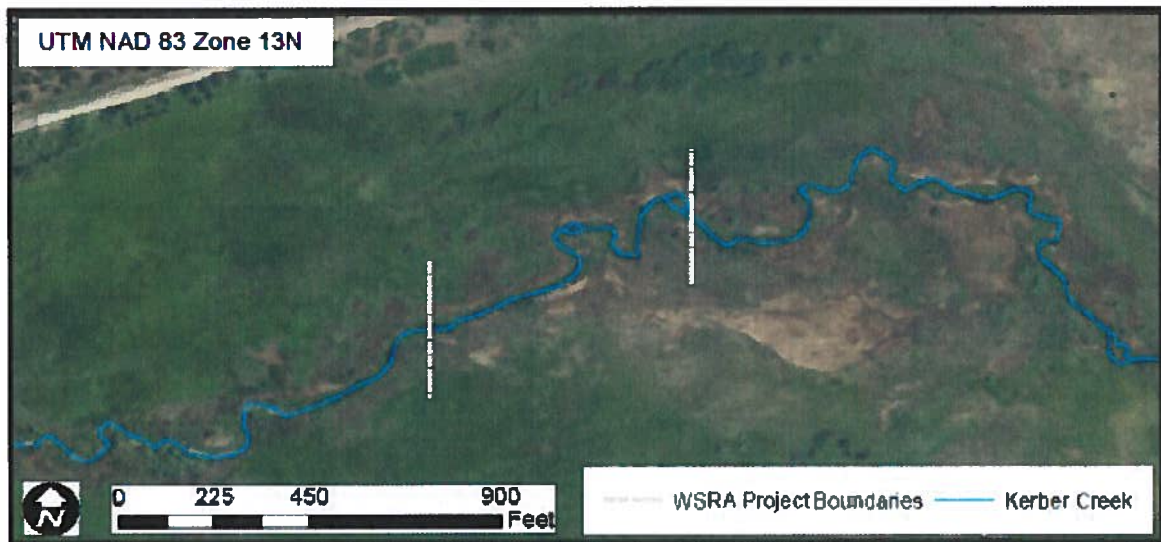


Figure 2. Large-scale view of the WSRA proposed project area labeled in Figure 1 as "Proposed WSRA project."

**Water Supply Reserve Account – Grant and Loan Program
Water Activity Summary Sheet
Agenda Item 23.d**

Applicant: The Community Agricultural Alliance on behalf of the Yampa-White-Green Rivers Basin Roundtables

Water Activity Name: Development and Implementation of Water Education and Networking 3-Year Program of Discussions, Forums, Workshops, Tours

Water Activity Purpose: Education & Outreach (nonstructural)

County: Jackson, Routt, Garfield, Rio Blanco & Moffat

River Basin: Yampa-White-Green

Water Source: N/A

Amount Requested: \$30,000 (Basin Account)

Matching Funds: None

Staff Recommendation
Staff recommends approval of the applicant's request of \$30,000 from the Yampa-White-Green Basin Account for the purposes of Roundtable education and outreach, and community engagement.

Water Activity Summary:

The Yampa-White-Green Rivers Basin Round Table is submitting this proposal to obtain funding to contract with Community Agriculture Alliance to focus on education and community engagement. Decision making and oversight will remain with the YWGRT Education Committee and PEPO Representative, Ren Martyn. CAA will serve as the coordinating force related to the education activities. A minimum of three events/activities per year for the three year period are being targeted in the region. Specific activity plans, content and details will be developed in partnership.

Objectives:

This proposal is primarily focused on community education, outreach and stakeholder participation. Objectives include:

- Provide professional, informative educational activities in the region
- Provide increased understanding of YWGRT activities
- Provide information on regional water projects, studies and related issues
- Engage with community members and regional stakeholders
- Encourage community participation in solution based discussions, issues and solutions.

YWGRT and CAA recognize that topics of immediate interest will happen throughout the three years of this grant application and YWGRT and CAA will be responsive to the topics and needs of the targeted audiences within the basins. YWGRT and CAA intend to search for venues that will be the most effective for the targeted audience. Ideas include the standard forums and tours which we have used in past years plus "outside-of-the box" discussion areas such as social media, college sustainability classes, individual ditch meetings, joint roundtable meetings and barbeque on the river event. The planning committee is looking for new ways to reach people and will refine our ideas as we develop each education event.

For each of the nine (or more) educational events, CAA will perform the following:

- Event Planning and Marketing
- Event Hosting
- Event Reporting and Roundtable Coordination
- Project Management

In addition, for each of the nine (or more) educational events, CAA will:

- Coordinate, network and partner with YWGRT members including meetings, email, telephone
- Manage partner relationships including meetings, email, telephone
- Contact sponsors, speakers and panel members via phone with follow up mail/email
- Communicate with regional media, press releases, email, event listing, advertising
- Manage ongoing event related activities, to do lists providing coordination and assistance as needed

And finally, for each of the nine (or more) educational events, CAA will:

- Assure that all education activities, including discussions, events, forums, tours, print publications and community outreach activities focus on meeting YWGRT goals
- Assure that all education activities achieve the highest professional standards.
- Assure that YWGRT and CAA will provide informative education and work to engage community members in a positive, solutions based manner.
- Assure that all education activities will allow for ongoing community assessment and program improvement

WSRA funding will be utilized to develop and implement:

- A series of public education and participation events. Specific discussions, workshops, forums, and tours will be focused on helping residents, organizations and stakeholders better understand water related issues in Northwest Colorado.
- Collaboration with area water interest groups to encourage constructive discussions and actions regarding water issues and projects in Northwest Colorado.
- Networking opportunities between YWGRT, water stakeholders, the general public and other roundtables.

Ongoing education events will align with YWGRT goals and objectives.

YWGRT, led by their PEPO representative and their education committee, will provide:

- Coordination with CWCB
- Guidance, decision making and approval of all YWGRT education activities
- Evaluations of all YWGRT education activities

CAA will provide the following:

- Full cooperation and disclosure with YWGRT
- Coordination and structure for the YWGRT education activities
- Development of a minimum of three education activities per year, each open and accessible to the public
- Full implementation of YWGRT education activities, including but not limited to contracting speakers, facilities, sponsors, volunteers, advertising and agenda development
- Use of timely, up-to-date and accurate resources including Headwaters Magazine and CWCB publications

- Region wide marketing and collaboration

Jointly, YWCRT and CAA will provide:

- Development of specific plans for YWGRT education activities for the three year granting program
- Full utilization of partnership opportunities with other water-interest organizations, agencies, stakeholder groups and civic groups

The application builds on previous work conducted in the Yampa-White-Green Basin by the Community Agricultural Alliance during 2009 and the work of the IBCCs Public Education, Participation, and Outreach work group and is the second application by the CAA for these purposes.

Threshold and Evaluation Criteria

The application meets all four Threshold Criteria.

Funding Overview:

Grant funding in the amount of \$30,000 is being requested from the Yampa-White-Green Basin Account. No matching funds are proposed.

Discussion:

HB 05-1177 (37-75-104) indicates that each basin roundtable has powers and responsibilities that include the following:

- “(c) ... 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.
- “(d) Serve as a forum for education and debate regarding methods for meeting water supply needs; and
- “(e) As needed, establish roundtable subcommittees or other mechanisms to facilitate dialogue and resolution of issues and conflicts within the basin.”

The previous grant to the Community Agricultural Alliance was successfully completed.

Issues/Additional Needs:

No additional issues or needs were identified.

Staff Recommendation:

Staff recommends approval of the applicant's request of \$30,000 from the Yampa-White-Green Basin Account for the purposes of roundtable and IBCC related education and outreach, and community engagement.

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 will help promote the development of a common technical platform. In accordance with the revised WSRA Criteria and Guidelines, staff would like to highlight additional reporting and final deliverable requirements. The specific requirements are provided below.

Reporting and Final Deliverable: 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 scope of work including a description of any major issues that have occurred and any corrective action taken to address these issues. 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.

Engineering: All engineering work (as defined in the Engineers Practice Act (§12-25-102(10) C.R.S.)) performed under this grant shall be performed by or under the responsible charge of professional engineer licensed by the State of Colorado to practice Engineering.

**Water Supply Reserve Account – Grant and Loan Program
Water Activity Summary Sheet
Agenda Item 23.e**

Applicant: McClave Water Association

Water Activity Name: Water Tank Replacement

Water Activity Purpose: Replace foundation on an existing 50,000 gal Water Tank that pumps approximately 18.8 million gallons per year

County: Bent

River Basin: Arkansas

Water Source: Dakota and Cheyenne aquifer, and Arkansas

Amount Requested: \$64,300 (Arkansas Basin Account)

Matching Funds: \$21,000 combined total from McClave Water Association, Bent County and Lower Arkansas Valley Water Conservancy District

Staff Recommendation
Staff recommends approval of up to \$64,300 from the Arkansas Basin Account for the McClave Water Association Water Tank Replacement Project.

Water Activity Summary:

This tank is one of two 50,000 gallon water tanks constructed in 1974 that has undergone regular maintenance and cleaning during their service, and remains in good condition, if not for the failure of the cement retainer ring. The cement retainer ring around the base of the tank failed, allowing the soil under the west portion of the tank to compact and settle, causing the drain line to snap during June 2013. Failure of the drain line caused the tank to drain completely, and cannot be repaired or replaced without replacing the foundation. Working in tandem, these two tanks also provide water to approximately 25 homes, and the fill/supply for a 150,000 gallon tank that supplies water to the system's remaining customers. The fill/stop controls for both tanks are run by the 150,000 gallon tank, so under current conditions, the water operator must manually check the remaining tank level to ensure that the tank does not run dry, or overflow. Without this storage the supply wells and pumps are being continually stressed creating a situation that is untenable and sustainable only for a very short period of time. This request is for a very small Water Association with little cash reserves to fund this emergency project. In addition, the urgent nature of the project precludes funding sources that would take additional time to secure and obtain a notice to proceed.

Funding Overview:

The project proponent (applicant) proposes to provide \$7,000 (approximately 11 percent) in matching contributions to combine with an additional \$7,000 from Bent County, and another \$7,000 from the Lower Arkansas Valley Water Conservancy District, for a total match of \$21,000 (approximately 33 percent).

Discussion:

No additional discussion is needed.

Issues/Additional Needs:

No additional issues or needs were identified.

Threshold and Evaluation Criteria

The application meets all four Threshold Criteria.

Staff Recommendation:

Staff recommends approval of up to \$64,300 from the Arkansas Basin Account for project titled: Water Tank Replacement.

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 will help promote the development of a common technical platform. In accordance with the revised WSRA Criteria and Guidelines, staff would like to highlight additional reporting and final deliverable requirements. The specific requirements are provided below.

Reporting and Final Deliverable: 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 scope of work including a description of any major issues that have occurred and any corrective action taken to address these issues. 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.

Engineering: All engineering work (as defined in the Engineers Practice Act (§12-25-102(10) C.R.S.)) performed under this grant shall be performed by or under the responsible charge of professional engineer licensed by the State of Colorado to practice Engineering.

The Gunnison Basin Roundtable
501 Palmer Street
Delta, CO 81416

June 4, 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
Elmer Ferganchick
Bonita Reservoir Outlet Repair Project

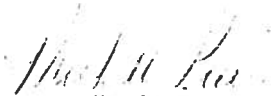
Dear Mr. Doherty:

This letter is presented to advise you that the grant application submitted by Elmer Ferganchick for \$54,285 from Basin Account funds from the Water Supply Reserve Account for the Bonita Reservoir Outlet Repair 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 June 3, 2013.

This water activity meets the provisions of Section 37-75-104(2), Colorado Revised Statutes. The requirements/language from the statute is provided in Part 3 of the Criteria and Guidelines.

This activity furthers the basin-wide consumptive needs for the Gunnison Basin by aiding in the repair of aging infrastructure, maintaining agriculture and preserving a pre 1922 water right .

Sincerely,



Michelle Pierce
Chair

cc: Tom Alvey (e-mail)



COLORADO WATER CONSERVATION BOARD
WATER SUPPLY RESERVE ACCOUNT
APPLICATION FORM



Bonita Reservoir Dam Outlet Pipe Rehabilitation

Name of Water Activity/Project

Elmer L Ferganchick

Name of Applicant

Gunnison Basin

Amount from Statewide Account:

\$0.00

Amount from Basin Account(s):

\$54,285

Total WSRA Funds Requested:

\$54,285

Approving Basin Roundtable(s)

(If multiple basins specify amounts in parentheses.)

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 8
Part IV – Required Supporting Material	
Water Rights, Availability, and Sustainability	page 14
Related Studies	page 14
Signature Page	page 17

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)

Water Supply Reserve Account – Application Form

Revised December 2011

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: <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

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

Water Supply Reserve Account – Application Form
Revised December 2011

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

1.	Applicant Name(s):	Elmer L Ferganchick		
	Mailing address:	21609 Noel Road Eckert, CO 81418-8112		
	Taxpayer ID#:	524801167		
	Primary Contact:	Elmer L Ferganchick	Position/Title:	Owner
	Email:	ferganchick@hotmail.com		
	Phone Numbers:	Cell:	Office:	970-835-3285
	Alternate Contact:	Bruce D Marvin	Position/Title:	Engineering Consultant
	Email:	westeng23@gmail.com		
	Phone Numbers:	Cell:	Office:	970-242-5202

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.

Water Supply Reserve Account – Application Form

Revised December 2011

3. Provide a brief description of your organization

Elmer Ferganchick is the sole owner of the Bonita Reservoir, its dam and storage water rights and is an individual owner and farmer. The principal assets held by the owner related to agricultural production are 175 acres of arable land near Eckert, CO, and full or partial ownership of the following diversion ditches and related water rights: Bonita Ditch, Old Reliable Ditch, W.T. McMurray Ditch and Surface Creek Ditch and Reservoir Company. See figures 1 and 2 attached for location and service area maps.

4. If the Contracting Entity is different then the Applicant (Project Sponsor or Owner) please describe the Contracting Entity here.
5. Successful applicants will have to execute a contract with the CWCB prior to beginning work on the portion of the project funded by the WSRA grant. In order to expedite the contracting process the CWCB has established a standard contract with provisions the applicant must adhere to. A link to this standard contract is included in Appendix 3. Please review this contract and check the appropriate box.

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

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

6. The Tax Payer Bill of Rights (TABOR) may limit the amount of grant money an entity can receive. Please describe any relevant TABOR issues that may affect the applicant.

None

Water Supply Reserve Account – Application Form
Revised December 2011

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.

By increasing the security of the reservoir and the more stable stream flow that results from summer releases, recreational opportunities in the area are protected. Environmental enhancements will result from this project in relation to the potential destructive consequences that might otherwise occur as a result of dam distress events and the loss of summer releases. Enhancement of water conservation and use efficiency is not a direct goal of this project. However, increasing the security of existing water storage facilities is a means to conserve existing water supplies and protect existing water rights. Improving stability and security can be considered a step to improve the efficient use of existing facilities. There are eight other water users which obtain water from other sources but share the same transportation facilities. As will be discussed in other sections of this application, the ability of these users to obtain their full water allocation will be seriously harmed if the Bonita Reservoir water supply is eliminated.

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

☐

Study

☒

Implementation

Water Supply Reserve Account – Application Form
Revised December 2011

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:

Water Supply Reserve Account – Application Form
Revised December 2011

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

Latitude: 39° 03' 10"

Longitude: 107° 50' 49"

6. 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 WSR funding will be used for. A full **Statement of Work** with a detailed budget and schedule is required as **Exhibit A** of this application.

The Bonita Reservoir Dam was constructed in the early 1900's. Its outlet pipe consists of a 12" dia riveted steel pipe which has deteriorated over time. In 1994, the Colorado State Engineer's Office (SEO) noted the deteriorating condition of the outlet based on an internal inspection of the outlet conduit and began to advise the owner that, while the outlet condition did not rise to the level of an imminent safety issue, at some future time the state of deterioration would reach that point. In 1997, the owner hired an engineer to develop plans for rehabilitation of the outlet pipe by means of slip-lining. Those plans were approved by the SEO. However, economic conditions prevented implementation of those plans and the safety status of the outlet pipe continued to remain a concern but not an imminent danger. The applicant tried unsuccessfully to obtain a loan for the work. The cost to upgrade the access road to accommodate construction vehicle traffic was a significant part of the overall project cost. In 2003, access road improvements had been made as part of rehabilitation efforts for Cedar Mesa reservoir and the slip-lining plans were re-submitted to the SEO office for re-approval. The owner began making arrangements with contractors to complete the slip-lining project. The work was scheduled for late fall of 2005 but early snow prevented execution. In 2006, the owner's father (and business partner) became seriously ill requiring extensive care and later died in 2008. Estate legal claims and probate processes continued through 2012 and attorney's costs consumed nearly all of the estate's value including critical water rights which had been used to for the family farming business but had to be liquidated to pay legal costs. In the intervening time since 2006, the owner purchased or traded for construction equipment and hired a skilled and experienced operator in anticipation of performing open-cut outlet replacement with his own resources if needed. Throughout this entire time since the problem was first noted, the applicant has been building cash reserves specifically designated for outlet rehabilitation. In the summer of 2012, the SEO made another internal inspection of the outlet pipe and discovered that the deterioration had continued to the point that a leak had developed near the connection between the pipe and the intake structure. This raised serious safety concerns and the SEO placed a zero storage restriction on the reservoir until the pipe is adequately mitigated. The currently proposed project is intended to restore the outlet to a safe operating condition so that the restriction can be lifted. The work generally consists of two parts. The first is placement of an internal liner by use of the Cured-in-Place Pipe method. The second part will be to mitigate possible erosion of soil along the exterior of the pipe by installation of a filter drain at the downstream end of the pipe. It is hoped that the work can be completed in 2013.

The SEO has also advised that, at some future time, rehabilitation or replacement of the intake structure will likely be required although the current storage restriction is based exclusively on the leaky conduit. Intake structure rehabilitation is not planned as part of the currently proposed scope of work due to the compressed schedule needed to try and complete the work in 2013 in order to restore the storage capability as soon as possible. Completion of the proposed project in 2013 is an optimistic goal and it is feared that the additional design, permitting, approval, and construction work needed for the intake structure rehabilitation would likely prohibit a 2013 completion. Since the proposed outlet pipe lining work will be performed by a specialty contractor, there would be little or no savings in mobilization and demobilization cost by replacing the intake structure now versus later. The owner has farmed the service area land for 43 years and he has both substantial economic and personal attachments to that land. The viability of the owner's agricultural business and the value of the land is highly dependent on continued water delivery from Bonita Reservoir. The dam and

Water Supply Reserve Account – Application Form

Revised December 2011

associated water rights are also an important and valuable asset and the owner is, therefore, highly motivated and committed to continued maintenance and improvement efforts needed to sustain this water supply and storage facility. The proposed project addresses two out of the three concerns related to the outlet works, those two being the overall condition of the outlet pipe and the leak between the pipe and the intake structure.

The applicant asks that the Gunnison BRT and CWCB recognize that time is of the essence for this project and therefore requests that every effort be made to forward and process this application in a manner that it can be placed for review at the CWCB meeting to be held in July of 2013.

See figures 1 and 2 attached for location and service area maps. The proponent has engaged the service of Western Engineers, Inc. (Grand Junction, CO) as engineering consultant.

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.¹

The intent of the activity is to preserve 290 acre-feet of storage capacity which, without the proposed repairs, would be lost and the water right sold or abandoned. No aspect of the activity will violate or conflict with the Colorado water allocation system, interfere with others' use of their water rights or other property or rights.

¹ 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.

Water Supply Reserve Account – Application Form

Revised December 2011

- 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.

See attached letter from Gunnison BRT.

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

The "Water Supply and Needs Report for Gunnison Basin, June, 2006" estimated future water supply needs through the year 2030. A number of specific "projects and processes" were identified that are expected to be capable of satisfying the majority of these needs. However, approximately 20 percent of the projected water shortfall would not be satisfied by these projects and processes. Section 8 of the report ("Options for the Gunnison Basin") explores "basin specific options to help address unmet future water supply needs" one of which is to restore the capacity of reservoirs which are restricted to less than full storage due to safety and other considerations. The possibility of rehabilitating these reservoirs is discussed in Paragraph 8.4.5 ("Summary of Restricted Reservoirs and Potential Storage Sites"). At the time that the report was published it was estimated that the total Gunnison Basin storage volume which could be gained in this manner was about 3,604 acre-feet. The Bonita Reservoir was not under restriction at that time and was, therefore, not included in that estimated amount. But the 290 acre-feet held by Bonita Reservoir represents a significant portion of the total estimated amount (about 8 percent). Therefore, rehabilitation of restricted reservoirs is one of the options discussed in the report for meeting projected water needs and rehabilitation of Bonita reservoir not only falls within that category but represents a significant percentage of the total estimated volume of water that could be gained or preserved in that way. Additionally, the 230 acre-foot storage water right has an 1893 appropriation date. Pre-1922 water rights have particular value to the State of Colorado in general, relative to the Colorado River Compact.

- 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

² 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 un-appropriated 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.

Water Supply Reserve Account – Application Form

Revised December 2011

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)

The project applicant (owner) proposes to provide \$9,500 (approximately 15 percent) in matching contributions to combine with the grant proceeds. This may come from other grants, cash reserves, personal assets or private loans,. At least a portion of the matching contribution is anticipated to consist of cash which will be used early in the project to provide engineering and permitting efforts. The applicant also possesses equipment and construction capabilities and may provide a portion of this matching contribution in sweat equity or in-kind contributions during the construction process.

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).
- 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.
- 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.

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).

Water Supply Reserve Account – Application Form

Revised December 2011

- 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.

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

Continued: Explanation of how the water activity/project meets all applicable **Evaluation Criteria**.

Please attach additional pages as necessary.

Tier 1,b: The original conveyance path for water to reach the service area lands from Bonita Reservoir was by open channel stream flow in a combination of Bonita Creek and Surface Creek to the Old Reliable Ditch diversion and thence to the service area land. However, the conveyance losses in both Surface Creek and the Old Reliable Ditch are very high and, in the mid 1990's the applicant rehabilitated the Bonita Ditch and enclosed it in a 24 inch diameter pipe. The result was a two mile reduction in ditch transmission length (compared to the Old Reliable Ditch) and a significant decrease in conveyance water losses. However, since the Bonita Reservoir releases and other direct flow rights held by the applicant constituted, by far, the greatest portion of flow in the Old Reliable Ditch, the change in diversion scheme had a serious negative impact on the remaining users of the Old Reliable Ditch, so much so, that they were essentially unable to obtain a significant portion of their water on a consistent basis. By consent, and without charge, Elmer therefore agreed to allow eight other water users holding water rights from sources other than Bonita Reservoir to utilize Bonita Ditch to convey water to their lands which are adjacent to, or nearby the subject service area. He allows use of the ditch without charge and provides all maintenance and administration at his sole cost. Also, instead of prorating the open channel stream conveyance losses to each user of the Bonita Ditch, he allows delivery of each other user's full diverted water right amount so that all open channel stream conveyance losses are deducted from the water diversions attributed to his water rights. Additionally, he has implemented water efficiency and conservation measures as part of his operation such that, at times, he diverts amounts of water into the Bonita Ditch in excess of his needs and distributes these excess amounts to the other users as needed. Furthermore, the applicant has a water distribution scheduling arrangement where a portion of his diversion amount can be temporarily used by one or more of the other eight water users on the system during periods of higher irrigation flow requirements. For example, one of the orchardists on the system requires a minimum of 0.75 cfs continuous flow to operate his spray irrigation system but is only able to receive delivery of 0.5 cfs from his water right. The applicant therefore makes up the difference from his diverted water during orchard irrigation periods. Loss of the Bonita Reservoir releases into the Bonita Ditch system will have a seriously detrimental impact, not just on the applicant's agriculture operations, but also on those of the other eight water users supplied by the system. At a minimum, they will receive significantly less water and, in some cases, the majority of their diversions will be consumed by open channel stream losses. The reservoir water will no longer be available to stabilize the flow in the system, absorb conveyance losses or supplement periods of higher demand.

This project is something of a prototype for application of a variation in outlet lining technology for dams. Installation of a cured-in-place liner for outlet rehabilitation is a very cost effective and technically appropriate method to

Water Supply Reserve Account – Application Form

Revised December 2011

address outlet pipe deterioration concerns. To date, dam outlet lining projects using the cured-in-place pipe method have been performed using steam to provide a high temperature cure for the liner. One of the disadvantages to this process is that a steam generator needs to be mobilized to the project by means of either a heavy tandem-axle highway truck or by air-lifting it in. This adds considerable cost to projects with difficult vehicle access issues and can make the technology not feasible for those areas. However, use of ambient temperature or warm water cure has been used for utility rehabilitation work for years and does not require use of a steam truck. For relatively small projects, the materials and equipment needed for low temperature liner cure can be mobilized by 4 wheel drive pickup or even ATV. There are some differences in a low temperature cure process that would have to be accepted for use in dam outlets by regulating agencies, but once that is accomplished, the process would have broad application to small dams in the Rocky Mountain region which have difficult access. The applicant has agreed to making this project a prototype for this new technology variation.

Tier 1, c: The water activity helps implement an option identified as helping meet Colorado's future water needs, and addresses the gap areas between available water supply and future need as identified in "Water Supply and Needs Report for Gunnison Basin, June, 2006". See previous discussion under Part III. – "Threshold and Evaluation Criteria" Section 1, paragraph c. Also, the primary goal of the project is to sustain existing water supplies and the benefits that are produced by those supplies. These benefits accrue directly to the individuals and families who use the water from the reservoir for agricultural supplies and less directly to those who use the reservoirs for recreation; fish, vegetation and wildlife that depend on the reservoirs and the steady stream flow that results from summer releases; other businesses in the community which rely on a stable local agricultural economy and anyone downstream who would be impacted by failure of either a dam or its operational capabilities.

Tier 2, d: The applicant is highly dependent on Bonita Reservoir to supply late-season irrigation water for 175 acres of alfalfa and alfalfa/hay (see figures 1 and 2 attached for location and service area maps). Without that water, the crop yields will be substantially decreased. With the revenue from the grant which is being applied for herein, rehabilitation of the reservoir and subsequent lifting of the storage restriction is a near certainty. Additionally, the grant funds will increase the likelihood that the rehabilitation work can be completed in 2013 so that 2013 will be the only irrigation season during which the storage water will not be available for use due to the current restriction. It is clearly in the proponent's best interest to make every reasonable effort in order to succeed in the rehabilitation efforts regardless of the outcome of this funding application. However, the financial resources of the project sponsor is very limited. This is because revenue is primarily derived from farm revenue. The likelihood of obtaining alternative funding from other public or private grant or loan sources is more remote and the best case would involve additional time delays along with the associated increased loss of production revenues. Continuing delays due to funding difficulties will extend the time period during which production revenues are lost and will make the possibility of finding funding sources even more difficult. Therefore, without the subject grant money, the possibility of completing the rehabilitation project becomes less likely. The final outcome of not proceeding with the rehabilitation will be breaching the dam (with the related costs) and/or sale or abandonment of the water right.

Tier 2, e: The project proponent (applicant) proposes to provide \$9,500 (approximately 15 percent) in matching contributions to combine with the grant proceeds which may come from other grants, cash reserves, personal assets, private loans. At least a portion of the matching contribution is anticipated to consist of cash which will be used early in the project to provide engineering and permitting efforts. The applicant also possesses equipment and construction capabilities and may provide a portion of this matching contribution in sweat equity or in-kind contributions during the construction process. For a sole-owner agricultural producer, this represents a significant and meaningful

Water Supply Reserve Account – Application Form

Revised December 2011

contribution indicative of the commitment to complete the project.

Tier 3, f: Without rehabilitation of the dam, agricultural production on 175 acres of land will either be substantially reduced or eliminated making it more likely that the land will be converted to other uses and that the water will no longer be used for local agricultural production.

Tier 3, g: The 230 acre-foot storage water right has an 1893 appropriation date (pre-1922) which makes it exempt from calls under the Colorado River Compact. During extended exceptionally dry periods, compact-exempt water storage rights will play a very important role in the State of Colorado in providing reliable sources of water for essential services and uses. In the event of abandonment of this water right, or conversion of it to other uses in a manner which changes its appropriation date its value and general utility for the State of Colorado will be decreased. The project promotes maximum utilization of state waters by increasing the security of facilities necessary for continuation of historic use.

Tier 3, h: Hold-over and use of the stored water later in the season (July/August/September) results in return flows to the Gunnison and Colorado River during that time period which would not occur without the Bonita storage facility. These summer return flows occur during a critical time period for threatened and endangered fish when the river flows are low.

Tier 3, i: The rehabilitation cost for the proposed project represents approximately \$220/acre foot. Based on evaluation of potential new storage projects in the area with storage volumes less than 1,000 acre-feet, replacement storage would cost a minimum of \$8,000/acre foot. Therefore, preservation of the existing storage capability is a more effective use of funds by a factor of nearly 40 when compared with construction of replacement storage facilities. Improving the safety of a dam also includes other associated benefits that are more difficult to quantify. The potential losses related to dam distress or failure are substantial and can have wide-reaching impacts. These losses include complete or partial dam failure, risk to human life, property damage, damage to infrastructure, lost water, reduced agricultural production, lost recreational opportunities, environmental damage, repair costs, restitution costs, legal costs and costs incurred by regulatory agencies. The impacts can extend a considerable distance downstream. Additionally, the loss of the ability to operate a dam or to store water primarily results in reduced water supplies and lost agricultural production. However, other associated losses can be experienced including lost recreational opportunities, environmental damage (such as damage to wetlands which rely on the normal reservoir pool) and additional repair costs resulting from the need to make repairs under emergency conditions or less than optimal circumstances. Adequately addressing weaknesses can avoid those losses. The economy in the area surrounding the project is critically dependent on water supplied by storage facilities. This economy includes agricultural production and residential and commercial activities. The viability of the overall community in the area is linked to water supplies. All of the residential and business activities contribute to State and national economic conditions.

Tier 3, j: The project fits well within the stated CWCB mission to “conserve, develop, protect and manage Colorado’s water for present and future generations”. The intent of the project is to enhance the protection of and the ability to manage the existing water storage facility.

Water Supply Reserve Account – Application Form

Revised December 2011

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.

Bonita Reservoir is located on Bonita Creek which is tributary to Surface Creek and eventually to the Gunnison River (see figures 1 and 2 attached for location and service area maps). The reservoir's drainage basin area is approximately 0.26 square miles. Even though the ratio of the drainage basin area to the storage volume is small, the annual yield is quite good. Records show that, of the 42 years of record, the reservoir filled 29 of those (69 percent) and that the average annual yield for the reservoir is 264 acre-feet. This is partially due to the drainage basin's high elevation and partially due to the seniority of the 230 acre-foot storage water right (priority number 10 in the Surface Creek drainage basin). This project will not result in any water storage or use amounts or patterns that differ from what has occurred historically. Since the project will not change historic water use patterns or quantities, there will be no impact on consumptive use. Storage water rights for Bonita Reservoir are as follows:

230 acre feet, absolute, Appropriation date - 8/7/1893, Adjudication date - 9/28/1907 (case # CA0457)
60 acre feet, absolute, Appropriation date - 12/31/1907, Adjudication date - 12/31/1974 (case # W2387)

Other water rights held by the owner which are used for irrigation on the same parcel of land are described below:

- 100 percent ownership of the Bonita Ditch and 1.72 cfs direct flow water right.
- 4/9 interest in Old Reliable Ditch and its total 7.5 cfs direct flow water rights.
- 5/25 interest in W.T. McMurray Ditch and associated direct flow water rights.
- 7 shares of capital stock in the Surface Creek Ditch and Reservoir Company.

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

A previous design for slip-lining the outlet pipe was prepared by Atkins and Associates engineers in 2003. This work was never accomplished and the current rehabilitation design will involve use of cured-in-place pipe rather than slip lining with PVC pipe due to its lower cost and greater likelihood of success. There are also dam safety reports by the State Engineers office which will provide relevant information for the proposed work. The project is in the Grand Mesa National Forest and will require Forest Service permits for access, road use, special use and material use. A Clean Water Act 404 permit may be required but the work will likely fall within the scope of a nationwide permit. The designs and plans will have to be reviewed and approved by the State of Colorado Division of Water Resources, Dam Safety Branch and the Forest Service.

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

Water Supply Reserve Account – Application Form

Revised December 2011

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.

See attached Exhibit A.

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.

Water Supply Reserve Account – Application Form
Revised December 2011

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

Signature of Applicant:

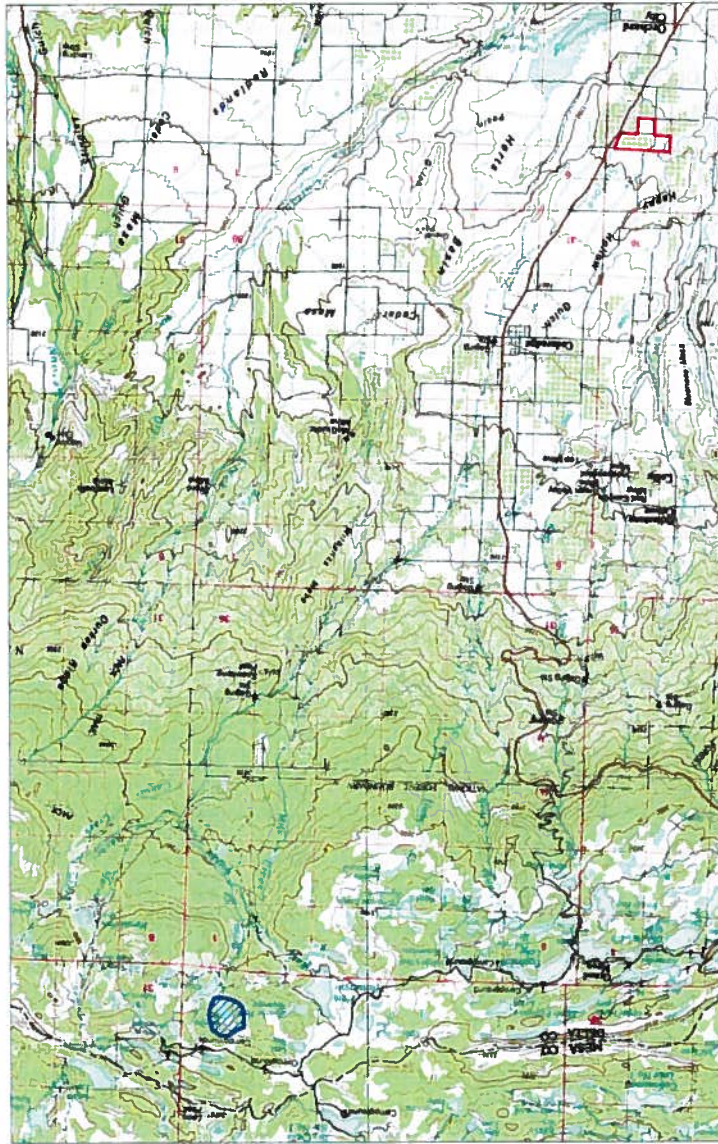


Print Applicant's Name: Elmer L Ferganchick

Project Title: Bonita Reservoir Dam Outlet Pipe Rehabilitation

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



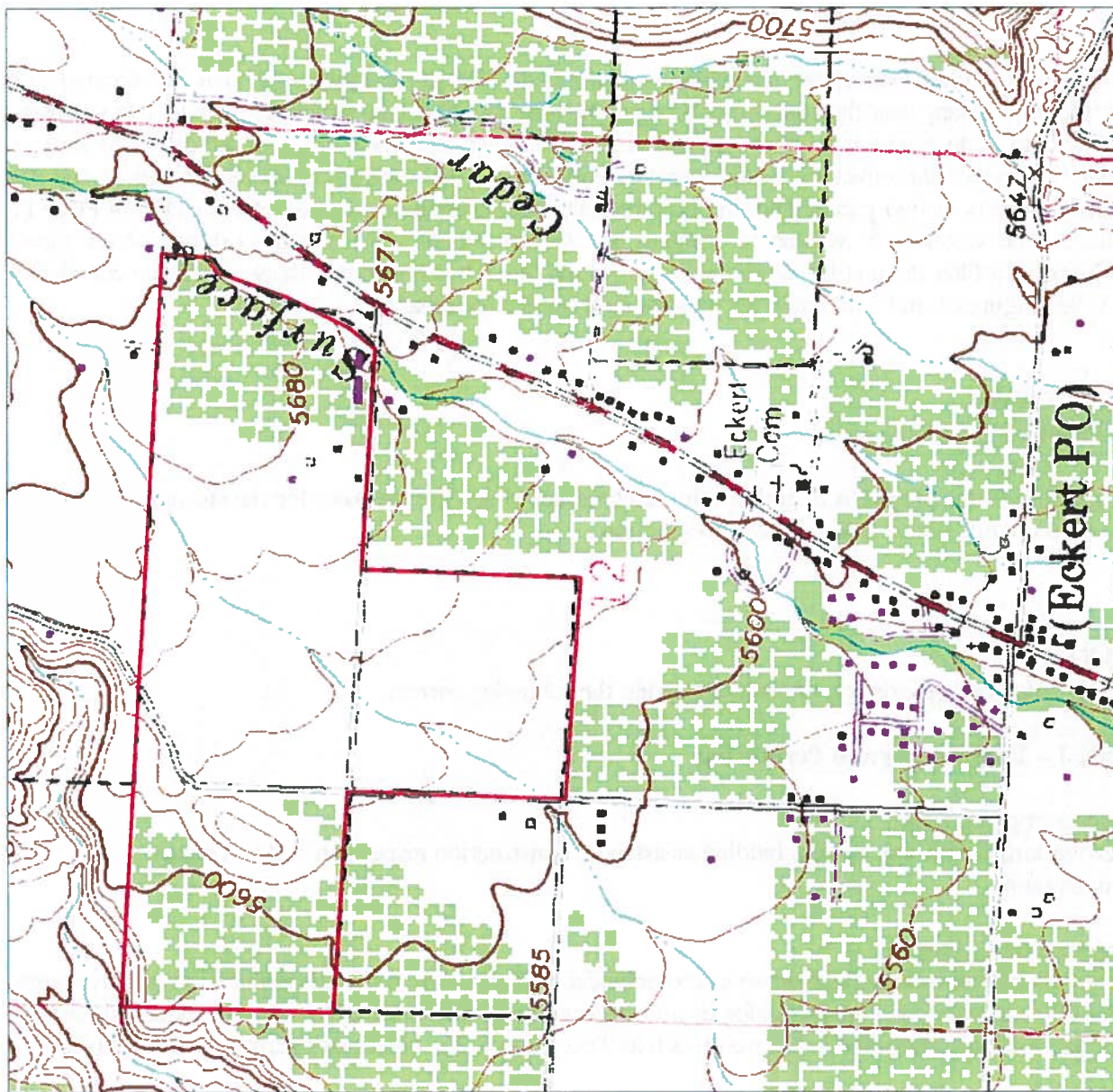
LEGEND:

- SERVICE AREA BOUNDARY
- BONITA RESERVOIR BASIN

BONITA RESERVOIR
LOCATION MAP



FIGURE 1



LEGEND:



SERVICE AREA BOUNDARY

BONITA RESERVOIR
SERVICE AREA

FIGURE 2

WESTERN
ENGINEERS, INC.

Exhibit A
Statement of Work

WATER ACTIVITY NAME - Bonita Reservoir Dam Outlet Pipe Rehabilitation

GRANT RECIPIENT – Elmer L Ferganchick

FUNDING SOURCE – Gunnison Basin Roundtable WSRA

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 Bonita Reservoir Dam outlet pipe consists of a 12” dia riveted steel pipe which has deteriorated to the point that it is leaking near the connection between the pipe and the intake structure. Due to safety concerns, the Colorado State Engineer’s Office has placed a zero-storage restriction on the reservoir. This project is intended to restore the outlet to a safe operating condition so that the restriction can be lifted. The work generally consists of two parts. The first is placement of an internal liner by use of the Cured-in-Place Pipe method. The second part will be to mitigate possible erosion of soil along the exterior of the pipe by installation of a filter drain at the downstream end of the pipe. It is hoped that the work can be completed in 2013. See Figures 1 and 2 attached for location and service area maps.

OBJECTIVES

List the objectives of the project

The purpose of the project is to address the safety issues which are the basis for the storage restriction and, subsequently obtain a lifting of the restriction.

TASKS

Provide a detailed description of each task using the following format

TASK 1 – Engineering and Permitting

Description of Task

Investigation, permitting, design, bidding assistance, construction inspection and as-constructed documentation.

Method/Procedure

Investigations will include field surveys, geotechnical investigations, wetlands delineations and research of existing and previous documents for Bonita Reservoir as well as nearby projects for which similar work has been accomplished in the past (such as Trio Reservoir). Necessary permits will be pursued

with the Forest Service, Corps of Engineers and State of Colorado Division of Water Resources. Design drawings and specifications will be prepared and submitted to appropriate agencies for comment and approval. Construction bids will be solicited. Full-time construction inspection will be performed by the engineer. Final documentation of construction activities and modifications to the design made during construction will be prepared and submitted to the applicable agencies.

Deliverable

Deliverables will include design and investigation reports, permits, construction drawings and specifications and as-constructed documentation.

TASK 2 – Construction

Description of Task

Installation of the pipe liner and outlet filter drain.

Method/Procedure

The contractor will install a cured-in-place pipe liner using standard techniques. The liner will consist of a felt tube saturated with either polyester or epoxy resin. The liner will be inserted into the outlet by inversion using steam, water or air pressure. Thermal curing will be accomplished using steam, hot water or sufficient time at ambient temperature. During curing, the liner will be held in place against the existing pipe by means of internal pressure. Any access improvements necessary to facilitate mobilization and demobilization of equipment will be performed. A rock retaining wall located at the toe of the embankment will be removed around the outlet discharge area to allow extension of the outlet pipe prior to pipe lining. The embankment will be extended downstream by excavating and transporting material from a borrow area and placing and compacting it around the pipe. A sand filter will be placed around the outside perimeter of the pipe to protect against migration of soil due to seepage along the exterior of the pipe. The sand filter will be covered with compacted embankment.

Deliverable

The deliverable for this task will consist of the completed construction work.

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.

BUDGET

Provide a detailed budget by task including number of hours and rates for labor and unit costs for other direct costs (i.e. mileage, \$/unit of material for construction, etc.). A detailed and perfectly balanced budget that shows all costs is required for the State's contracting and purchase order processes. Sample budget tables are provided below. Please note that these budget tables are examples and will need to be adapted to fit each individual application. Tasks should correspond to the tasks described above.

BONITA OUTLET REPAIR COST ESTIMATE				
ITEM	UNIT COST	UNIT S	NUMBER OF UNITS	TOTAL COST
TASK 1				
Field Investigations, Design, Permitting, Bidding	\$90.00	HR	80	\$7,200.00
Construction Inspection	\$90.00	HR	60	\$5,400.00
Mileage	\$0.55	MI	800	\$440.00
Completion Report	\$90.00	HR	40	\$3,600.00
TASK 2				
Mobilization and Demobilization				
Lowboy with Backhoe	\$135.00	HR	10	\$1,350.00
Lowboy with loader	\$135.00	HR	10	\$1,350.00
Pickup with compactor	\$75.00	HR	10	\$750.00
Walk-in Backhoe With Compactor	\$125.00	HR	2	\$250.00
Daily Travel	\$45.00	HR	10	\$450.00
Clear and Strip Borrow Area/Haul Road	\$125.00	HR	1	\$125.00
Excavate Dam Embankment and Extend Pipe	\$125.00	HR	2	\$250.00
Excavate and Condition Borrow Material	\$125.00	HR	2	\$250.00
Haul Borrow Material	\$125.00	HR	2	\$250.00
Place and Compact Embankment	\$110.00	HR	10	\$1,100.00
Standby for Testing	\$45.00	HR	2	\$90.00
Pipe	\$200.00	LS	1	\$200.00
Furnish Diaphragm Sand	\$1,300.00	LS	1	\$1,300.00
Install CIPP Liner	\$30,000.00	LS	1	\$30,000.00
Modify CIPP Liner at Elbow	\$45.00	HR	8	\$360.00
Reclamation, Reseed, Dressing, Cleanup	\$750.00	LS	1	\$750.00
Subtotal Estimated Cost				\$55,465.00
15% Contingency				\$8,320.00
TOTAL ESTIMATED COST				\$63,785.00

SCHEDULE

Provide a project schedule including key milestones for each task and the completion dates or time period from the Notice to Proceed (NTP). This dating method allows flexibility in the event of potential delays from the procurement process. Sample schedules are provided below. Please note that these schedules are examples and will need to be adapted to fit each individual application.

TASK ITEM:	PROJECT MONTH				
	Month 1	Month 2	Month 3	Month 4	Month 5
ENGINEERING AND PERMITTING	←	→			
CONSTRUCTION		←	→		
COMPLETION DOCUMENTATION				←	→

BONITA RESERVOIR DAM OUTLET PIPE REHABILITATION SCHEDULE OF WORK ITEMS

5/1/2013

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.

Appendix 1

Reference Information

The following information is available via the internet. The reference information provides additional detail and background information.

- Water Supply Reserve Account main webpage:
 - <http://cwcb.state.co.us/LoansGrants/water-supply-reserve-account-grants/Pages/main.aspx>
- Water Supply Reserve Account – Basin Fund Application Details:
 - <http://cwcb.state.co.us/LoansGrants/water-supply-reserve-account-grants/Pages/BasinWaterSupplyReserveAccountGrants.aspx>
- Water Supply Reserve Account – Statewide Fund Application Details:
 - <http://cwcb.state.co.us/LoansGrants/water-supply-reserve-account-grants/Pages/StatewideWaterSupplyReserveAccountGrants.aspx>
- Colorado Water Conservation Board main website:
 - <http://cwcb.state.co.us/>
- Interbasin Compact Committee and Basin Roundtables:
 - <http://cwcb.state.co.us/about-us/about-the-ibcc-brts/Pages/main.aspx/Templates/BasinHome.aspx>
- House Bill 05-1177 – (Also known as the Water for the 21st Century Act):
 - <http://cwcbweblink.state.co.us/DocView.aspx?id=105662&searchhandle=28318>
- House Bill 06-1400 – (Adopted the Interbasin Compact Committee Charter):
 - <http://cwcbweblink.state.co.us/DocView.aspx?id=21291&searchhandle=12911>
- Senate Bill 06-179 – (Created the Water Supply Reserve Account):
 - <http://cwcbweblink.state.co.us/DocView.aspx?id=21379&searchhandle=12911>
- Statewide Water Supply Initiative 2010:
 - <http://cwcb.state.co.us/water-management/water-supply-planning/Pages/SWSI2010.aspx>

**Request for Taxpayer
Identification Number and Certification**

Give form to the
requester. Do not
send to the IRS.

Print or type See Specific Instructions on page 2	Name Elmer L Ferganchick	
	Business name, if different from above	
	Check appropriate box: ☒ Individual/ Sole proprietor ☐ Corporation ☐ Partnership ☐ Other ▶	☐ Exempt from backup withholding
	Address (number, street, and apt. or suite no.) 21609 Noel Road	
	City, state, and ZIP code Eckert, CO 81418-8112	
List account number(s) here (optional)		
Requester's name and address (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 3.

Note: If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number								
5	2	4	8	0	1	1	6	7

or

Employer identification number								

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

**Sign
Here**

Signature of
U.S. person ▶

Date ▶

Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee.

Note: If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Foreign person. If you are a foreign person, use the appropriate Form W-8 (see Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien.

Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement that specifies the following five items:

- The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
- The treaty article addressing the income.
- The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
- The type and amount of income that qualifies for the exemption from tax.
- Sufficient facts to justify the exemption from tax under the terms of the treaty article.

The Gunnison Basin Roundtable
501 Palmer Street
Delta, CO 81416

June 4, 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
Delta Conservation District
North Fork of the Gunnison River Corridor Woody Invasives Removal Project

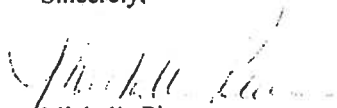
Dear Mr. Doherty:

This letter is presented to advise you that the grant application submitted by the Delta Conservation District for \$8,865 from Basin Account funds from the Water Supply Reserve Account for the North Fork of the Gunnison River Corridor Woody Invasives Removal 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 June 3, 2013.

This water activity meets the provisions of Section 37-75-104(2), Colorado Revised Statutes. The requirements/language from the statute is provided in Part 3 of the Criteria and Guidelines.

This activity furthers basin-wide non-consumptive needs for the Gunnison Basin along a stream segment that has been identified as needing habitat improvement.

Sincerely,



Michelle Pierce
Chair

cc: Tom Alvey (e-mail)



COLORADO WATER CONSERVATION BOARD
WATER SUPPLY RESERVE ACCOUNT
APPLICATION FORM



CURRY EASEMENTS WEST SIDE OF THE NORTH FORK OF THE GUNNISON
RIVER CORRIDOR WOODY INVASIVES REMOVAL PROJECT

Name of Water Activity/Project

DELTA CONSERVATION DISTRICT

Name of Applicant

Gunnison Basin
Roundtable

Amount from Statewide Account:

\$

Amount from Basin Account(s):

\$8,865

Total WSRA Funds Requested:

\$8,865

Approving Basin Roundtable(s)

(If multiple basins specify amounts in parentheses.)

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 11
Related Studies	page 11
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)
- 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: <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

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

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

1.	Applicant Name(s):	DELTA CONSERVATION DISTRICT		
	Mailing address:	690 Industrial Blvd Delta, Colorado 81416		
	Taxpayer ID#:	84-6010950		
	Primary Contact:	RALPH D'ALESSANDRO	Position/Title:	President
	Email:	rdinca@yahoo.com		
	Phone Numbers:	Cell: (970) 314-5355	Office:	(970) 874-5726 x121
	Alternate Contact:	David Carey	Position/Title:	Manager
	Email:	david.carey@co.nacdn.net		
	Phone Numbers:	Cell:	Office:	(970) 874-5726 x121

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 Delta Conservation District (DCD) is a political subdivision of the State of Colorado and its authorities, powers and structure are contained in Colorado Revised Statutes, Title 35, Article 70. The District, initially known as the Delta Soil Conservation District, was organized in 1951 in compliance with the Colorado Revised Statutes and received a certificate of organization from the Colorado Secretary of State. Water quality and quantity, including riparian habitat, are areas of concern within the District's statutory mandate. The DCD has Weed Control and Management as one of its Natural Resource Goals and Objectives in its 2011-2013 Long Range Plan. In 2011 the DCD partnered with Delta County, through its weed coordinator, and the NFRIA-WSERC Conservation Center (NWCC) to conduct an invasive weed survey and removal project on approximately 2 miles of riparian land along the east bank of the North Fork of the Gunnison River in two contiguous conservation easements (The Curry Easements). This was in the area of a former in-stream gravel mine. In 2012 and again in 2013 the DCD utilized the Western Colorado Conservation Corps to address and remove Russian olive and Tamarisk from parcels of approximately 300 acres of public and private land along the corridor of the North Fork of the Gunnison River. The DCD's 2013 Annual Plan of Work continues to address noxious weeds in multiple ways, including seeking additional funding to utilize for weed control and to support the county weed control program. The funding sought for this project is one part of the DCD's Annual Plan of Work. The removal of invasive Tamarisk and Russian olive along riparian areas is of especial importance in controlling invasive weeds because of the spread of seeds by river transport along the entire North Fork River corridor and into both the Gunnison and Colorado Rivers. This project will continue our earlier work along the west bank of the North Fork along The Curry Easements.

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

N/A

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

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

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

6. The Tax Payer Bill of Rights (TABOR) may limit the amount of grant money an entity can receive. Please describe any relevant TABOR issues that may affect the applicant.

There are no relevant TABOR issues.

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 North Fork of the Gunnison River corridor project addresses multiple riparian issues along the 37 mile length of the river corridor. The non-consumptive eradication funds will continue extending the woody invasives removal project initiated in 2011 to address Russian olive and Tamarisk removal and herbicide follow-up treatment from the Paonia Reservoir Dam downstream to the confluence of the Gunnison River. This river corridor long eradication program is reducing seed flow down the North Fork corridor and into the main branch of the Gunnison River.

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:

A report on the invasives removed along this stretch of the length of the North Fork River corridor will be provided.

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

Latitude:

N 38° 52' 29"

Longitude:

W 107° 35' 45"

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.

The project is located within environmental segment 6 on the North Fork of the Gunnison River stretching downstream from well below Paonia to the northern end of the Town of Hotchkiss straddling the above and below the Union Pacific railroad bridge. Task 1 will identify and obtain permission from landowners to gain the most workable access to the west bank of The Curry Conservation Easements and remove Russian olive, Tamarisk and other invasive species along the west side of the North Fork of the Gunnison in Hotchkiss above and below the Union Pacific railroad bridge opposite a portion of The Curry Easements. The DCD will continue to employ the Western Colorado Conservation Corps (WCCC) to do mechanical eradication of Tamarisk and Russian olive trees, including herbicide application with assistance from the Delta County Weed Coordinator. Native revegetation will be accomplished as needed with volunteers. The DCD will partner with WSCC, formerly NWCC, on this part of the project. Invasive regrowth will be removed and/or treated in Year 2 during Task 2. The final report will comprise Task 3.

In-kind participation by the WSCC and DCD and project management will complete the matching funding.

Part III. – Threshold and Evaluation Criteria

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

The proposed project, “North Fork of the Gunnison River Corridor Project,” meets the criteria established in Senate Bill 06-179, as an Eligible Water Activity. The project proposed consists of three Tasks in a single Phase. Task 1 will complete all the tasks required to remove tamarisk and invasive weeds along a linear approximate 2 mile stretch above and below the railroad bridge in Hotchkiss on the west bank of the river. Task 2 remove and/or treat invasive regrowth in the second year, and complete native revegetation. Task 1 will use the Delta County landowner tax map to identify landowners from whom to obtain workable and safe access for this eradication effort. Task 3 will comprise compiling the final report. The water activity is consistent with Section 37-75-102 Colorado Revised Statutes.¹

The proposed project will proceed from the foundational principle that the water rights of any landowner, domestic water or irrigation company will not in any way be superseded, abrogated, or otherwise impaired or affected by invasive removal and surveying efforts or the diversion study of this project.

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

¹ 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.

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

The project will include the removal and survey of invasive weeds, the mapping of river diversions and return flows, the consolidation of prior river studies, the publication of a public river access brochure, and the completion of an industrial/municipal diversion modification study, all of which will have no impact on any water rights, while increase the public's nonconsumptive use of the river corridor. Therefore, the project meets Section 37-75-104(2) C.R.S..

- b) **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)

The total project funding request is \$8,865 and the total match amount is \$750. The total program cost is \$9,615. The total match is 8.5 percent. No statewide funds are requested.

² 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.

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.**

Although no statewide funds are requested in this application, the following still are relevant concerning the benefits of the project.

Relative to the Tier 1, the number and different types of entities represented in this application include a the local conservation district (DCD), a local conservation center (WCC) concerned with river health and committed to invasive control in riparian corridors, the local governmental weed control program (Delta County Weed Control Coordinator) and a local youth conservation organization (Western Colorado Conservation Corps – Grand Junction branch. The project will promote cooperation and collaboration among multiple organizations with non-consumptive interests. The project will address needs identified in the North Fork of the Gunnison Watershed Assessment.

Relative to the Tier 2, receiving funding for this project will enable the North Fork of the Gunnison River Corridor Project to proceed and address invasive weed infestation affecting the health of the river corridor while promoting greater public awareness through press releases.

Relative to the Tier 3, funding of this project will help sustain agriculture. Removal of invasive species along the river corridor will help preserve the available water for agricultural use. The removal of invasive species along the river corridor will assist in the recovery of threatened and endangered wildlife species or Colorado State species of concern. Funding the project will provide a great return for the investment by benefiting an entire river corridor, afford the opportunity to educate landowners about invasive eradication and control. Funding this project will have a multiplier effect by complimenting the implementation of a previously funded project under the Gunnison Basin Round Table CWCB program.

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).
- 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.

- 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.

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).
- 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.

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

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.

N/A – for the non-consumptive use portion of the project.

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

NA

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.

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: RALPH D' ALESSANDRO

Project Title: North Fork of the Gunnison River Corridor Project

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

Exhibit A
Statement of Work

WATER ACTIVITY NAME – Curry Easements Woody Invasives Removal for the west side of the North Fork of the Gunnison River Project

GRANT RECIPIENT – DELTA CONSERVATION DISTRICT (DCD)

FUNDING SOURCE - Water Supply Reserve Account – Basin Account

INTRODUCTION

This project covers the removal of invasives for the Curry Easements along the North Fork of the Gunnison River on the west side of the river. The project will mechanically eradicate and herbicidally treat Tamarisk and Russian olive, and revegetate with native species as required on an approximately 2 mile long linear stretch along the North Fork of the Gunnison River above and below the Union Pacific railroad bridge in Hotchkiss.

This project is a continuation of DCD's North Fork River improvement project addressing woody invasives. The DCD's North Fork River Improvement project is a multi-year large scope effort that DCD has undertaken to improve the health of the North Fork of the Gunnison River. To date our efforts have completed clearing, herbicidally treating and chipping Russian olive, Tamarisk and Siberian elm on parcels comprising 300+ acres:

- Curry easement east side of the river above the railroad bridge
- Paonia River Park
- 5 parcels of privately owned land
- 2 parcels of city/town land

Our effort has been funded by the following organizations:

- Gunnison Basin Roundtable
- Colorado River Water Conservation District
- National Wild Turkey Federation

Future funding of the multi-year project has been approved under the Invasive Phreatophyte Control Program administered by the Colorado Water Conservation Board – Chris Sturm

OBJECTIVES

The project objectives include:

- Complete the removal of woody invasives on the west side of the Curry Easements.
- Generate a final report which details all efforts completed

TASK 1 – Mechanical Removal of Invasive Weeds

Description of Task

The focus of Task 1 is the removal of the woody invasives and native revegetation, as needed.

Method/Procedure

Western Colorado Conservation Corps (WCCC) will be subcontracted to complete mechanical eradication of Tamarisk and Russian olive trees including herbicide application with assistance from the Delta County Weed Coordinator. WCCC will chip the slash as needed. Permission to cross private land to reach the Curry Easements will be obtained as needed from up to 9 potential private property owners.

As required, native revegetation will be accomplished with DCD volunteers.

Deliverable

A report on the activities completed to remove the invasive weeds, will be delivered.

TASK 2 – Regrowth Removal

Description of Task

Tasks will focus on removing regrowth of the invasive weeds and will be completed in Year 2.

Method/Procedure

WCCC will use small tools for removal and herbicide application as required to treat invasive regrowth that occurs.

Deliverable

A report on regrowth encountered and the activities needed to complete removal of the invasive weeds regrowth will be delivered in the final report.

TASK 3 – Final Report

Description of Task

The effort of this task is to compile and document all of the activities of this project.

Method/Procedure

The results of this project will be implemented into the final report. The report will be contributed to and reviewed by all of the partners. The final report will be reviewed and approved by the Board of Supervisors of the DCD.

Deliverable

The final report is the deliverable.

REPORTING AND FINAL DELIVERABLE

DCD shall provide a progress report every 12 months, beginning from the date of the executed contract. Our progress reports 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. All deliverables defined for the tasks will be delivered in the progress reports.

At completion of the project, DCD shall provide a final report that summarizes the project and documents how the project was completed. Our report may contain photographs, summaries of meetings, and deliverables defined for each task.

PROJECT BENEFITS

The will result in the following benefits:

- Russian olive, Tamarisk and other woody invasives will be removed from a significant stretch of the North Fork of the Gunnison River thereby decreasing the seed flow toward the main stem of the Gunnison and improving the river corridor habitat.

PROJECT SUPPORTERS

Curry Easements, Western Colorado Conservation Corps, Delta County Weed Coordinator and Western Slope Conservation Center (formerly NWCC)

BUDGET

The total project funds are given in the Grant Request Table. A total project budget by task is given below

Grant Request Table			
Total Project Cost	\$9,615	Status	Funding Work Area
Water Reserve Account – Statewide Account	\$0		Tasks 1 through 3
Gunnison Basin Roundtable	\$8,865		Tasks 1 through 3
List Funding Sources			
Delta Conservation District	\$ 750	In Kind	Tasks 1 through 3

SCHEDULE - The following tables provide a project schedule including key milestones for each task and the completion dates.

	Start Date	Finish Date
Russian olive and Tamarisk Removal	9/1/2013	11/30/2014
Task 1	9/1/2013	12/20/2013
Task 2	3/1/2014	12/31/2014
Task 3 Final Report	10/1/2014	12/31/2014

Russian olive and Tamarisk Removal	Labor`	ODC	In-Kind Match	Total
Task 1 – Removal of Invasives	\$ 325	\$6,700	\$ 250	\$ 7,275
Task 2 – Regrowth Treatment	\$ 250	\$1,000	\$ 125	\$ 1,375
Task 3 – Final Report	\$ 590	\$ 0	\$ 375	\$ 965
TOTAL	\$ 1165	\$7,700	\$ 750	\$ 9,615

ODC

- Office supplies and materials – \$400; Herbicide - \$600
- WCCC Labor -\$8,865

Labor is DCD project labor and management, and administration estimated at 54 hours valued at \$25.00 per hour.

In-Kind Contribution

Company	Hours	\$/H	Total
DCD	28	\$ 25	\$ 700
WCCC	2	\$ 25	\$ 50

PAYMENT

DCD will request payment based on actual expenditures and invoice accordingly to CWCB. The request for payment will 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. DCD understands that 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 will be provided to the CWCB in hard copy and electronic format as part of the project documentation. This information will in turn be made available to the Gunnison Basin Roundtable.

INSURANCE REQUIREMENTS

DCD will meet all insurance requirements taken from the standard contract apply to WSRA projects that exceed \$25,000 in accordance with the policies of the State Controller's Office. Proof of insurance as stated below will be provided upon notification of intent to award this grant.

W-9 FORM

DCD will provide a completed W-9 form prior execution of a contract or purchase order.

Rio Grande Inter-Basin Roundtable
c/o San Luis Valley Water Conservancy District
623 Fourth Street
Alamosa, CO 81101
Telephone: (719) 589 – 2230
Email: slvwcdco1@qwestoffice.net

June 24, 2013

Mr. Michael King, Executive Director
Colorado Department of Natural Resources

Mr. Todd Doherty, Intrastate Water Management & Development
Colorado Water Conservation Board

Reference: Kerber Creek Restoration

Gentlemen:

The Rio Grande Inter-Basin Roundtable (R.G.R.T) has determined that the single, most critical water issue confronting the Rio Grande Basin (Basin) is the current unsustainable management of surface and ground water. The R.G.R.T. has made the decision that water activities that address this issue be favorably considered for funding from the Water Supply Reserve Account, SB 2005 -179 (WSRA Funds), providing the proposed water activities meet the SWSI findings for the Basin and the CWCB & IBCC Criteria and Guidelines for funding.

The Kerber Creek Restoration Project (KCRP) request will facilitate the final phase of an ongoing community based effort to rehabilitate Kerber Creek, Saguache County.

KCRP is a collaborative effort dedicated to restoring the Kerber Creek watershed, which has been heavily impacted by legacy mining activities in the Bonanza Mining District of Saguache County, Colorado. Many silver, lead, copper, and zinc mines operated in the District from the 1880s to the 1970s, with major production occurring mainly during the 1920s and 1930s. Mine wastes and tailings, originally sequestered behind dams in the upper watershed, were transported downstream and deposited in the Kerber Creek floodplain during high flow events that caused the dams to fail. These mine waste deposits led to phytotoxic soil conditions that decimated the riparian vegetation, which subsequently destabilized the stream banks and significantly altered channel morphology. In addition to these impacts, groundwater and runoff flowing through and over the mine waste deposits as well as flows from mine adits of former mine sites impaired water quality throughout the watershed. In the 1990s, the American Smelting and Refining Company (ASARCO, Inc.) partnered with local landowners, the US Forest Service (USFS), and the Bureau of Land Management (BLM) to initiate voluntary cleanup efforts in the watershed. These efforts significantly improved water quality and aquatic habitat by plugging the Rawley 12 draining adit and relocating major tailings deposits. However, additional work on lower watershed mine waste deposits was not possible when ASARCO, Inc. declared bankruptcy in 2002.

In 2005 the BLM began an investigation of the environmental condition of the lower watershed, completing a full environmental assessment in 2006. This investigation was the

beginning of KCRP, which today functions as a non-legal entity grounded in partnerships among a variety of organizations, including, but not limited to, USFS, BLM, the US Fish and Wildlife Service (USFWS), the Natural Resources Conservation Service (NRCS), Trout Unlimited (TU), Saguache County Sustainable Environment and Economic Development (ScSEED), the Colorado Department of Public Health and Environment (CDPHE), and the Bonanza Stakeholders Group (BSG), a coalition of more than 20 private landowners in the Kerber Creek watershed.

Since 2007, KCRP has successfully treated over 60 acres of mine wastes, restored over 4,000 feet of stream bank, and installed over 250 in-stream rock structures in the lower watershed. These accomplishments have been made possible by the over \$2 million in grant funding awarded to the project to date and scores of project volunteers, who have collectively contributed over 13,000 hours.

Trout Unlimited (TU), an organization dedicated to the restoration of this nation's cold-water fisheries, has been involved in KCRP since its inception. In 2009, TU was awarded a large Colorado Nonpoint Source Program grant on behalf of KCRP to complete phytostabilization of mine wastes along 12 miles of stream covering approximately 40 acres of private and public land. The local TU chapter, Collegiate Peaks Anglers, has contributed over 600 hours of volunteer labor and has committed to adopting this watershed for future work days throughout the length of the project. TU and federal partners have been instrumental in gathering local support for the project and have recruited numerous private landowners to participate and serve as project partners.

TU is an essential KCRP partner and manages the majority of project funding and will serve as the applicant and fiscal agent for this WSRA request.

TU is requesting \$34,871 from WSRA to install 25 in-stream rock structures along some remaining 4,800 ft. of unrestored stream bank, in the center of the overall restoration project. This work will include reshaping the associated stream bank and the installation of in-stream rock structures that will redirect the thalweg to the center of the stream, reducing erosion by decreasing the shear stress on stream banks. This action will improve aquatic habitat by creating pool-riffle sequences, and decreasing the width-to-depth ratio. Over time, in-stream restoration will also help to reestablish the connection between the stream and its floodplain, thereby increasing groundwater storage and base flows. Where possible, any established riparian vegetation disturbed as a result of project implementation will be recycled by incorporation into channel design using bioengineering techniques, decreasing the quantity of rock needed and thus project costs. Both the phytostabilization and in-stream restoration techniques have proven effective along Kerber Creek in past restoration projects completed between 2008 and 2012.

The anticipated total Kerber Creek Restoration Project costs are over \$1,319,000. Of the \$34,871.00 being requested from the Rio Grande Basin Account \$17,484 will be used to purchase 282 cubic yards of rock, \$8,688 will be used to reshape banks, and \$4,963 will pay labor costs. An additional \$3,490 is needed to cover TU administrative, project management, and oversight costs, see following Table.

WSRA Proposed Project Budget

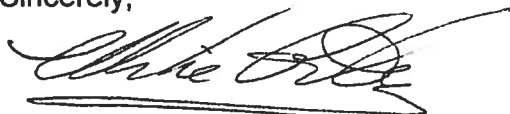
Tasks	Task Description	Price per CY	CY	Total Cost
1	Project Management TU Administrative Costs			\$3,736
3	Stream bank stabilization Reshaping & excavating banks	\$4	2172	\$8,688
4	Engineered rock structure installation Rock	\$62	282	\$17,484
		Price per Hour	Hours	Total Cost
	Labor	\$43.15	115	\$4,963
Total				\$34,871

The balance of the overall Project's funding of \$1,319,000 is coming from the other sources, including, but not limited to: Tiffany & Company Foundation, Norcross Wildlife Foundation, Xcel Energy, CDPHE Non-Point Source Program, Colorado Division of Mine Reclamation and Safety, Colorado State Forest Service, CWCB, NRCS and In-Kind contributions from landowners and volunteers. Details of this matching funding can be seen in Exhibit A, Project Budget, Table 1, in the Application.

At the regular R.G.R.T. meeting on June 11, 2013 the R.G.R.T. Members unanimously approved that this request for funding of \$34,871.00 from the Rio Grande Basin Account be forwarded to the CWCB for their approval. The R.G.R.T. urges the CWB Board to approve this request.

The R.G.R.T. appreciates the support of the Department of Natural Resources, the Colorado Water Conservation Board and the Interbasin Compact Commission in assisting in meeting the needs of all users of Colorado's water.

Sincerely,



Mike Gibson
Chair, Rio Grande Interbasin Roundtable

Attachment (1)



COLORADO WATER CONSERVATION BOARD
WATER SUPPLY RESERVE ACCOUNT
APPLICATION FORM



Kerber Creek Restoration Project (Phase II)

Name of Water Activity/Project

Trout Unlimited, Inc.

Name of Applicant

**Rio Grande Interbasin
Roundtable**

Amount from Statewide Account:

0.00

Amount from Basin Account(s):

34,871

Total WSRA Funds Requested:

34,871

Approving Basin Roundtable(s)

(If multiple basins specify amounts in parentheses.)

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

Water Supply Reserve Account – Application Form

Revised December 2011

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: <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

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

Water Supply Reserve Account – Application Form
Revised December 2011

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

1. Applicant Name(s):

Trout Unlimited

Mailing address:

Trout Unlimited
523 Arbor Drive
Lafayette, CO 80026

Taxpayer ID#:

38-1612715

Primary Contact:

Elizabeth Russell

Position/Title:

Project Manager

Email:

erussell@tu.org

Phone Numbers:

Cell:

720-938-5438

Office:

720-242-7489

Alternate Contact:

Jason Willis

Position/Title:

Field Coordinator

Email:

jwillis@tu.org

Phone Numbers:

Cell:

719-221-0411

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.

3. Provide a brief description of your organization.

The Kerber Creek Restoration Project (KCRP) is a collaborative effort dedicated to restoring the Kerber Creek watershed, which has been heavily impacted by legacy mining activities in the Bonanza Mining District. Dozens of silver, lead, copper, and zinc mines operated in the District from the 1880s to the 1970s, with major production occurring mainly during the 1920s and 1930s. Mine wastes and tailings, originally sequestered behind dams in the upper watershed, were transported downstream and deposited in the Kerber Creek floodplain during high flow events that caused the dams to fail. These mine waste deposits led to phytotoxic soil conditions that decimated the riparian vegetation, which subsequently destabilized the stream banks and significantly altered channel morphology. In addition to these impacts, groundwater and runoff flowing through and over the mine waste deposits as well as flow from draining adits at former mine sites impaired water quality throughout the watershed. In the 1990s, the American Smelting and Refining Company (ASARCO, Inc.) partnered with local landowners, the US Forest Service (USFS), and the Bureau of Land Management (BLM) to initiate voluntary cleanup efforts in the watershed. These efforts significantly improved water quality and aquatic habitat by plugging the Rawley 12 draining adit and relocating major tailings deposits. However, additional work on lower watershed mine waste deposits was not possible after 2002, when ASARCO, Inc. declared bankruptcy.

In 2005, BLM began an investigation of the environmental condition of the lower watershed, completing a full environmental assessment in 2006. This investigation was the beginning of KCRP, which today functions as a non-legal entity grounded in partnerships among a variety of organizations, including, but not limited to, USFS, BLM, the US Fish and Wildlife Service (USFWS), the Natural Resources Conservation Service (NRCS), Trout Unlimited (TU), Saguache County Sustainable Environment and Economic Development (ScSEED), the Colorado Department of Public Health and Environment (CDPHE), and the Bonanza Stakeholders Group (BSG), a coalition of more than 20 private landowners in the Kerber Creek watershed. Since 2007, the project has successfully treated over 60 acres of mine wastes, restored over 4,000 feet of stream bank, and installed over 250 in-stream rock structures in the lower watershed. These accomplishments have been made possible by the over \$2 million in grant funding awarded to the project to date and scores of project volunteers, who have collectively contributed over 13,000 hours.

TU, an organization dedicated to the restoration of this nation's cold-water fisheries, has been involved in KCRP since its inception. In 2009, TU was awarded a large Colorado Nonpoint Source Program grant on behalf of KCRP to complete phytostabilization of mine wastes along 12 miles of stream covering approximately 40 acres of private and public land. The local TU chapter, Collegiate Peaks Anglers, has contributed over 600 hours of volunteer labor and has committed to adopting this watershed for future work days throughout the length of the project. TU and federal partners have been instrumental in gathering local support for the project and have recruited numerous private landowners to participate in the project and serve as project partners. Because TU is an essential KCRP partner and manages the majority of project funding, it will serve as the applicant and fiscal agent for this grant.

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

TU will serve as the Contracting Entity in this case given its extensive involvement and sponsorship of KCRP.

5. Successful applicants will have to execute a contract with the CWCB prior to beginning work on the portion of the project funded by the WSRA grant. In order to expedite the contracting process the

Water Supply Reserve Account – Application Form

Revised December 2011

CWCB has established a standard contract with provisions the applicant must adhere to. A link to this standard contract is included in Appendix 3. Please review this contract and check the appropriate box.

☒

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

☐

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

6. The Tax Payer Bill of Rights (TABOR) may limit the amount of grant money an entity can receive. Please describe any relevant TABOR issues that may affect the applicant.

Water Supply Reserve Account – Application Form
Revised December 2011

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 environmental effects of legacy hardrock mining in the Kerber Creek watershed, including drastically altered stream morphology, reduced connectivity between the stream and its floodplain, and the deposition of acidic, metalliferous mine wastes along the stream, have negatively impacted private lands along Kerber Creek that are allocated for agricultural uses. In addition, the KCRP has provided numerous opportunities for tours, school field trips, and educational events for San Luis Valley residents since 2008 focusing on stream restoration and watershed processes. Thus, the proposed project addresses environmental, agricultural, and educational issues.

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

☐	Study	☒	Implementation
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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)
47,520	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)
36	Area of Restored or Preserved Habitat (acres)
	Other -- Explain:

Water Supply Reserve Account – Application Form

Revised December 2011

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

Latitude:

38°13'13"

Longitude:

106°05'21"

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.

In 2012, TU was awarded a second Colorado Nonpoint Source grant for \$413,000 to treat 36 acres of mine wastes and to restore over 47,520 miles of stream bank at site KC16, the largest privately owned parcel of land in the watershed. This project has received \$350,700 of cash match and in-kind donations from a number of other private, state, and federal entities, and NRCS has contributed \$60,950 to the project through landowner cost-share programs (Table 1, Exhibit A). Site KC16 is divided into three parcels: (1) KC16-E, the easternmost parcel, (2) KC16-M, the middle parcel adjacent to KC16-E, and (3) KC16-W, the western parcel separated from KC16-M by other private lands. The project began in the fall of 2012 with the installation of 46 in-stream rock structures on the easternmost 5,170 ft of stream bank located within KC16-E and will continue in the field seasons of 2013 and 2014, throughout which an additional 10,024 ft of stream bank will be restored in conjunction with the treatment of 19.1 acres of mine wastes at KC16-E. This plan will leave 4,800 ft of unrestored stream bank at KC16-E. NRCS plans to fund the restoration of the westernmost 2,500 ft of this portion in addition to the entire length of stream bank at KC16-M in 2014; however, additional funding is required to restore the remaining 2,300 feet, thus connecting the NRCS and project funded portions (Figures 1-2, Exhibit B; Figures 4-7, Exhibit C).

TU is requesting \$34,871 from WSRA to install 25 in-stream rock structures along this stretch and to reshape the associated stream bank. In-stream rock structures redirect the thalweg to the center of the stream, reducing erosion by decreasing the shear stress on stream banks, improving aquatic habitat by creating pool-riffle sequences, and decreasing the width-to-depth ratio. Over time, in-stream restoration will also help to reestablish the connection between the stream and its floodplain, thereby increasing groundwater storage and baseflows. Specifically, \$17,484 will be used to purchase 282 cubic yards of rock, \$8,688 will be used to reshape banks, and \$4,963 will pay labor cost. An additional \$3,490 is needed to cover TU administrative, project management, and oversight costs (Table 2, Exhibit A). Where possible, any established riparian vegetation disturbed as a result of project implementation will be recycled by incorporation into channel design using bioengineering techniques, decreasing the quantity of rock needed and thus project costs. Both the phytostabilization and in-stream restoration techniques have proven effective along Kerber Creek in past restoration projects completed between 2008 and 2012.

In addition to project implementation, Colorado Nonpoint Source grant and matching funds will be used to monitor progress towards ecological goals as defined in the Project Implementation Plan¹, to supplement environmental education efforts in the Northern San Luis Valley, and to sustain the BSG, a citizen-based coalition of watershed landowners.

¹ Kerber Creek Restoration Project. 2013. Project Implementation Plan. BLM Saguache Field Office.

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.²*

In-stream restoration activities will in no way impact the current system of allocating water within Colorado. No currently existing water rights will be diminished, impaired, or otherwise injured as a result of the implementation of restoration activities as described in this document. All in-stream restoration projects are engineered such that any diversion point that does exist along the relevant reach receives its respective appropriated water right as it had before the restoration project was implemented.

- 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.*

This information is included in the letter from the Rio Grande Roundtable Chair, Mike Gibson, accompanying this proposal.

² 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.

Water Supply Reserve Account – Application Form

Revised December 2011

- c) The water activity meets the provisions of Section 37-75-104(2), Colorado Revised Statutes.³ 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 stated in section 8.5.1 of the Rio Grande basin's non-consumptive needs assessment, "The primary objectives of the environmental and recreational options...are to provide flow and/or habitat enhancement of surface water features," which include fish habitat, water quality, and riparian corridors, among others. This project meets a number of these objectives, including the enrichment of aquatic habitat and the already thriving brook trout fishery through the installation of in-stream rock structures that increase the frequency of pool habitats in Kerber Creek, the improvement of riparian corridors through the treatment and revegetation of mine waste deposits, and the enhancement of water quality through the reduction of the bioavailability of heavy metals. In addition to these improvements in non-consumptive use, in-stream restoration and phytostabilization in the Kerber Creek watershed will increase the availability of uncontaminated surface water to agricultural uses without causing harm to aquatic life; specifically, the many landowners that ranch in the watershed will have improved access to surface water for irrigation purposes. Finally, approval is expected by middle to late summer 2013 on in-stream flow rights on four reaches throughout the Kerber Creek watershed. The approval of this in-stream flow application will ensure that Kerber Creek remains flowing throughout the year, enhancing both its consumptive and its non-consumptive uses. Currently, Kerber Creek frequently runs dry at Villa Grove in late summer. The in-stream flow rights pending approval are detailed in Table 5, Exhibit C.

- 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)

Funds are requested from the Basin account only.

³ 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.

Water Supply Reserve Account – Application Form

Revised December 2011

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).
- 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.
- 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.

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).
- 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.

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.
- 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.
- h. The water activity assists in the recovery of threatened and endangered wildlife species or Colorado State species of concern.
- i. The water activity provides a high level of benefit to Colorado in relationship to the amount of funds requested.

Water Supply Reserve Account – Application Form

Revised December 2011

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

Continued: Explanation of how the water activity/project meets all applicable **Evaluation Criteria**.

Tier 1a

The project will address both consumptive and non-consumptive needs. To satisfy non-consumptive needs, the project will enhance fish habitat, improve water quality, and enrich riparian habitat through the implementation of in-stream restoration and mine waste treatment. Additionally, this water activity will improve the quality of water used for irrigation and help to guarantee that all appropriated water rights are fulfilled without causing significant harm to the downstream aquatic habitat. Moreover, through the pending acquisition of four in-stream flow rights (described in detail in Exhibit C), the project will legally ensure that Kerber Creek remains flowing throughout the year, improving access to flow for both consumptive and non-consumptive uses.

Tier 1b

This water activity will be conducted as an extension of KCRP, which actively engages more than 16 partners in restoration activities and seeks to promote increased interaction among all partners. KCRP relies on cooperation among a number of non-profit organizations, government agencies, and local landowners, including both agricultural producers with water rights and non-producing residents without water rights, to ensure that sufficient funding and staff are available to complete restoration projects in a timely, effective manner and to engage San Luis Valley community residents in the stewardship of the Valley's natural resources. See Table 6, Exhibit C for a full list of project partners. In addition to the project's collaborative structure, the project will address intrabasin interests by reconnecting Kerber Creek to its floodplain, which, as preliminary studies in similar areas have shown⁴, will increase groundwater recharge over time. Because the Kerber Creek watershed is located within the Rio Grande Closed Basin, it is expected that even small increases in groundwater recharge in watersheds like Kerber Creek will eventually increase flows throughout the Closed Basin in both streams and wells.

Tier 2d

WSRA funding will allow for the implementation of restoration activities on an area of KC16-E that is not currently funded. While the project's Colorado Nonpoint Source grant does dedicate \$105,000 to in-stream restoration, the entirety of this sum is needed to address the 10,024 feet of stream bank directly west of the 5,170 feet of stream bank that have already been restored at KC16-E. In the next two years, NRCS cost share programs will support the restoration of the westernmost 2,500 feet of stream bank at KC16-E and the entirety of KC16-M, leaving the 2,300 foot gap in between for which the project is requesting funds from WSRA (Figures 5-6, Exhibit C). Thus, without WSRA funds, degraded conditions will persist along a significant portion of stream located within site KC16, which comprises 17.3% of the entire length of stream banks along Kerber Creek. These conditions could negatively impact the project's investment in the stream reaches upstream and downstream of this area.

Tier 2e

The \$34,871 requested from WSRA constitute only 4.2% of the total confirmed budget for the restoration of site KC16, which is the central goal of KCRPS's second Colorado Nonpoint Source grant. However, this

⁴ Lindquist, D.S. and J. Wilcox. "New concepts for meadow restoration in the northern Sierra Nevada." Feather River Coordinated Resource Management, 2000. Accessed 28 March 2013 at <http://www.feather-river-crm.org/pdf/ieca.pdf>. AND Hammersmark, C. T. and J. F. Mount. "Geomorphic, hydrologic, and ecological effects of the Bear Creek Meadow restoration project: A layman's review." U.C. Davis Center for Watershed Sciences, 2005.

Water Supply Reserve Account – Application Form

Revised December 2011

relatively small sum will be sufficient to allow for the restoration of 7.1% of stream bank in the immediate project area. In total, the confirmed project budget is \$824,650, of which (1) \$413,000 are from the Colorado Nonpoint Source program (CDPHE), (2) \$255,600 are matching funds from state agencies (Colorado State Forest Service, Colorado Water Conservation Board, CDPHE, Division of Reclamation Mining and Safety) and private organizations (BSG, Commission for Environmental Cooperation, Xcel Energy, Tiffany Company Foundation, Norcross Wildlife Foundation), (3) \$85,100 are in-kind donations from local landowners and volunteers, (4) \$10,000 are from federal agencies, and (5) \$60,950 are from NRCS engineering and implementation services on the already completed in-stream restoration project. It is expected that NRCS will contribute approximately \$460,000 in additional funds over the next two or three years through the EQIP cost-share program to complete in-stream restoration at sites KC16-M and KC16-W (Table 2, Exhibit A); however, the project is currently pursuing other funding opportunities in the instance that this funding is not available in the future. This diverse funding base illustrates the variety of interests that KCRP serves and the numerous organizations that have been and continue to be committed to the project.

Tier 3f

This water activity will help to ensure that sufficient quantities of surface water are available to support ranching activities in the Kerber Creek watershed, which occur on the three largest privately owned parcels of land (KC16, KC17, and KC18) as well as other, smaller parcels further upstream. In addition, furthering the restoration effort at site KC16 is necessary to protect the improving environmental conditions at site KC17, located directly downstream of site KC16, and site KC18, located downstream of site KC17. The Rio Grande Headwaters Land Trust (RiGHT) holds a conservation easement on site KC17, and the owners of KC18 are currently pursuing a conservation easement with RiGHT. Although these sites have already undergone significant restoration efforts, the restoration of site KC16 is essential to ensuring that the environmental integrity of these protected areas is maintained in perpetuity.

Tier 3g

As described above under Tier 1b, the reconnection of Kerber Creek and its floodplain will increase groundwater recharge, which will eventually help to increase groundwater quantities in the Closed Basin. This, in turn, could provide some additional flow that could supplement the water currently available for distribution as required by the Rio Grande Compact. In addition, the acquisition of in-stream flow rights throughout the Kerber Creek watershed (see Exhibit C) will incrementally increase surface flow in San Luis Creek.

Tier 3h

According to the BLM Environmental Assessment of the Kerber Creek watershed completed in 2006⁵, potential habitat for the Southwestern Willow Flycatcher (SWWFL) does exist throughout the watershed, including at site KC16. Although surveys conducted in 2004 and 2005 on adjacent BLM lands found that no SWWFLs were present, it is possible that restoration of the Kerber Creek riparian corridor will allow for the development of more suitable habitat that will eventually contribute to the recovery of SWWFL in Colorado. No SWWFL surveys have been conducted since the completion of the environmental assessment.

Tier 3i

The WSRA funds requested comprise 4.2% of the total confirmed budget for the project (Table 1, Exhibit A). However, if accepted, the proposed project will contribute to the contiguous restoration of 17.3% of the entire length of stream banks along Kerber Creek. This figure clearly demonstrates the significance of the impact that funding this proposal would have on the Kerber Creek watershed relative to the amount of funds requested.

⁵ Bureau of Land Management. 2006. Environmental Assessment CO-500-07-014 EA. BLM Saguache Field Office.

Water Supply Reserve Account – Application Form

Revised December 2011

Tier 3j

The restoration of this portion of Kerber Creek will assist in the implementation of CWCB's in-stream flow program by helping to ensure that the pending in-stream flow rights on Kerber Creek can be maintained as described. Furthermore, WSRA funding will complement the \$37,000 that CWCB has already contributed to KCRP as matching funds for this project through other grant programs.

Water Supply Reserve Account – Application Form

Revised December 2011

Part IV. – Required Supporting Material

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

The Kerber Creek watershed is located in the northeastern San Juan Mountains in Saguache County, Colorado (Figure 1, Exhibit C). It is geographically defined by the United States Geological Survey (USGS) as a 5th level watershed with the HUC 1301000302. Kerber Creek flows through the towns of Bonanza (elevation 9,465 feet) and Villa Grove (elevation 7,986 feet) before confluencing with San Luis Creek. The watershed is part of the Rio Grande Closed Basin. The entire Kerber Creek watershed encompasses 64,323 acres, and Kerber Creek is 26 miles long from its origin to its confluence with San Luis Creek. The San Luis Creek watershed is defined as a 4th level watershed with the HUC 13010003. Major tributaries include Slaughterhouse Creek, Brewery Creek, Skunk Creek, Rawley Gulch, Eagle Gulch, and Squirrel Creek.

The proposed water activity will in no way impact, diminish, impair, or otherwise injure the water rights that currently exist throughout the watershed.

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

BLM holds both the U.S. Army Corps of Engineers 404 permit and the CDPHE stormwater permit that allow for the implementation of restoration activities. These permits were renewed in 2009 and are valid throughout the duration of the project.

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.

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: Elizabeth Russell (Trout Unlimited)

Project Title: Kerber Creek Restoration Project (Phase II)

Date: 6/4/2013

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

Exhibit A
Statement of Work

WATER ACTIVITY NAME – Kerber Creek Restoration Project

GRANT RECIPIENT – Trout Unlimited

FUNDING SOURCE – Rio Grande Interbasin Roundtable Account

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 Kerber Creek Restoration Project (KCRP) is a partnership among government agencies, nonprofit organizations, and private landowners dedicated to restoring the Kerber Creek watershed, which has been heavily impacted by legacy mining activities in the Bonanza Mining District. Since 2007, the project has successfully treated over 60 acres of mine wastes, restored over 4000 feet of stream bank, and installed over 250 in-stream rock structures in the lower watershed. These accomplishments have been made possible by the over \$2 million in grant funding awarded to the project to date and scores of project volunteers, who have collectively contributed over 13,000 hours. On behalf of KCRP, Trout Unlimited (TU) is now requesting \$34,871 to contribute to the restoration of 47,520 feet of stream bank. This request is part of the larger effort to restore site KC16, the largest privately owned parcel of land in the watershed. Site KC16 includes almost 30% of the untreated mine waste deposits remaining in the watershed and 17.3% of the entire length of stream bank along Kerber Creek. If this proposal is accepted, funds will be available to completely restore site KC16.

OBJECTIVES

List the objectives of the project

- 1) Effectively manage project
- 2) Phytostabilization of 36 acres of mine waste deposits
- 3) Stream bank stabilization along 47,520 feet of stream bank
- 4) Installation of in-stream rock structures where necessary along 23,760 feet of stream
- 5) Monitoring of geomorphological, biological, and water quality variables
- 6) Engineering at upper watershed source areas
- 7) Development of a sustainable BSG

TASKS

Provide a detailed description of each task using the following format

TASK 1 – Project management

Description of Task

Project funds will be effectively managed and documented, and all necessary project reports will be completed efficiently and submitted in a timely manner.

Water Supply Reserve Account – Application Form

Revised December 2011

Method/Procedure

TU personnel will manage all project funding in a consistent manner and use its considerable experience to ensure that all reports are submitted to the appropriate entity on time, as it has in the past.

Deliverable

Appropriately completed project reports; Completed restoration project

TASK 2 – Mine wastes treatment (not funded through WSRA)

Description of Task

A total of 36 acres of mine wastes will be treated at site KC16, the largest privately owned parcel of land along Kerber Creek. In-situ phytostabilization is the treatment method of choice.

Method/Procedure

A pre-determined mixture of soil amendments will be applied to 36 acres of mine waste deposits and incorporated to a depth of 18". Amendments include: (1) lime, to neutralize soil pH in the short-term, (2) limestone, to provide long-term buffering capacity, and (3) compost, to limit bioavailability in soils by chemically binding metals to the organic molecules. This method also limits the bioavailability of metals mobilized from the deposit to the stream by runoff or groundwater, since metals will still remain bound to the organic component. Specific amendment application rates have been determined using data from previous site characterization efforts and from rates used to treat deposits at similar sites in the Kerber Creek watershed. Following amendment application, a native seed mix will be distributed using broadcast seeding to promote revegetation of the treated deposits. Straw will then be crimped on top to provide protection from erosion.

Deliverable

36 acres of mine wastes treated

TASK 3 – Stream bank stabilization

Description of Task

A total of 47,520 feet of stream bank at site KC16 will be restored using both vegetation and engineered rock structures. WSRA funding will be used to restore 2,300 feet of stream bank.

Method/Procedure

Following the appropriate site survey and design of engineered structures by NRCS personnel, a contractor will implement restoration activities where prescribed. These activities include the installation of root wads, willow fascines, and engineered rock structures. In-stream restoration will be implemented before Task 1 (mine wastes treatment) to prevent negative impacts from heavy equipment on treated areas. Volunteers will plant willows, sedge mats, and cottonwoods with supervision from project personnel following the completion of construction activities.

Deliverable

47,520 feet of stream bank restored

TASK 4 – Engineered rock structure installation

Description of Task

A variety of engineered in-stream rock structures will be installed at designated points along 47,520 feet of stream bank. WSRA funds will be used for rock structures to be installed along 2,300 feet of stream bank located at KC16-E, and NRCS will contribute the necessary engineering as an in-kind donation.

Method/Procedure

Cross vanes, J-hooks, rock barbs, and low-head dams will be installed as per NRCS engineering designs. These structures redirect the thalweg to the center of the stream, reducing erosion by decreasing the shear stress on stream banks, improving aquatic habitat by allowing for the development of self-scouring pools separated by shallower riffles, increasing sinuosity, and decreasing the width-to-depth ratio.

Deliverable

Approximately 250 in-stream rock structures installed along 47,520 feet of stream bank

TASK 5 – Monitoring (not funded through WSRA)

Description of Task

Project personnel will monitor a variety of geomorphological, biological, and water quality variables at previously established sites throughout the watershed. Data collected will be used to evaluate the effects of the project and to document project success.

Method/Procedure

As specified in the KCRP Sampling and Analysis Project Plan (SAPP)⁶, available upon request: water quality, stream sinuosity, macroinvertebrate population, fishery density, and vegetation cover will be monitored at five sites; channel width and channel depth will be monitored at four sites; and repeat photographs will be taken at five sites that correspond with vegetation monitoring sites. All monitoring and data analysis methods will follow standard, approved practices that have been utilized for past restoration projects in the watershed, thus allowing for direct comparison between data collected before and after restoration.

Deliverable

Documented improvement in both geomorphological and biological variables as a result of restoration that can be included in project reports

TASK 6 – Engineering at source areas (not funded through WSRA)

Description of Task

Design alternatives will be developed for contaminant source areas in the upper watershed to help mitigate persistent water quality issues in the Kerber Creek watershed. Specifically, efforts will focus on the identification of possible solutions to contaminant loadings from the Minnie Lynch Mine Site.

⁶ Kerber Creek Restoration Project. 2013. Sampling and Analysis Project Plan. BLM Saguache Field Office.

Water Supply Reserve Account – Application Form

Revised December 2011

Method/Procedure

TU will contract with experts to complete an Engineering Evaluation/Cost Analysis (EE/CA) that will identify cleanup alternatives for the Minnie Lynch Mine Site. The EE/CA will use characterization data collected in 2009 and 2010 and compiled into a technical memorandum to evaluate potential options.

Deliverable

Implementation alternatives that could result in a 30-60% reduction in metals loading to Kerber Creek downstream of its confluence with Rawley Gulch

TASK 7 – BSG Development (not funded through WSRA)

Description of Task

Efforts to keep BSG members engaged in the project and to share project successes will continue. Through outreach documents, conference attendance, and educational tours, San Luis Valley residents will remain knowledgeable of and interested in KCRP.

Method/Procedure

Quarterly BSG meetings will continue throughout the remainder of the project to keep stakeholders informed of watershed issues. In addition, KCRP will continue to publish quarterly newsletters, to host public watershed tours, and to attend and present at a variety of relevant conferences. Finally, three interpretive signs will be designed and installed throughout the watershed to provide visitors with an introduction to the project and the history of the watershed.

Deliverable

Committed stakeholders; informed public; quarterly newsletters; three interpretive signs

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.

BUDGET

Provide a detailed budget by task including number of hours and rates for labor and unit costs for other direct costs (i.e. mileage, \$/unit of material for construction, etc.). A detailed and perfectly balanced budget that shows all costs is required for the State's contracting and purchase order processes. Sample budget tables are provided below. Please note that these budget tables are examples and will need to be adapted to fit each individual application. Tasks should correspond to the tasks described above.

Two budget tables are attached (Tables 1 and 2). Table 1 presents a complete project budget with confirmed funding, expected funding from NRCS, and proposed funding from WSRA. Table 2 presents an itemized budget specific to the proposed WSRA project.

SCHEDULE

Two schedules are presented (Tables 3 and 4). Table 3 presents a generalized project schedule, and Table 3 gives a schedule specific to the proposed WSRA project.

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.

Appendix 1
Reference Information

The following information is available via the internet. The reference information provides additional detail and background information.

- Water Supply Reserve Account main webpage:
 - <http://cwcb.state.co.us/LoansGrants/water-supply-reserve-account-grants/Pages/main.aspx>
- Water Supply Reserve Account – Basin Fund Application Details:
 - <http://cwcb.state.co.us/LoansGrants/water-supply-reserve-account-grants/Pages/BasinWaterSupplyReserveAccountGrants.aspx>
- Water Supply Reserve Account – Statewide Fund Application Details:
 - <http://cwcb.state.co.us/LoansGrants/water-supply-reserve-account-grants/Pages/StatewideWaterSupplyReserveAccountGrants.aspx>
- Colorado Water Conservation Board main website:
 - <http://cwcb.state.co.us/>
- Interbasin Compact Committee and Basin Roundtables:
 - <http://cwcb.state.co.us/about-us/about-the-ibcc-brts/Pages/main.aspx/Templates/BasinHome.aspx>
- House Bill 05-1177 – (Also known as the Water for the 21st Century Act):
 - <http://cwcbweblink.state.co.us/DocView.aspx?id=105662&searchhandle=28318>
- House Bill 06-1400 – (Adopted the Interbasin Compact Committee Charter):
 - <http://cwcbweblink.state.co.us/DocView.aspx?id=21291&searchhandle=12911>
- Senate Bill 06-179 – (Created the Water Supply Reserve Account):
 - <http://cwcbweblink.state.co.us/DocView.aspx?id=21379&searchhandle=12911>
- Statewide Water Supply Initiative 2010:
 - <http://cwcb.state.co.us/water-management/water-supply-planning/Pages/SWSI2010.aspx>

Appendix 2
Insurance Requirements

NOTE: The following insurance requirements taken from the standard contract apply to WSRA projects that exceed \$25,000 in accordance with the policies of the State Controller's Office. Proof of insurance as stated below is necessary prior to the execution of a contract.

13. INSURANCE

Grantee and its Sub-grantees shall obtain and maintain insurance as specified in this section at all times during the term of this Grant: All policies evidencing the insurance coverage required hereunder shall be issued by insurance companies satisfactory to Grantee and the State.

A. Grantee

i. Public Entities

If Grantee is a "public entity" within the meaning of the Colorado Governmental Immunity Act, CRS §24-10-101, et seq., as amended (the "GIA"), then Grantee shall maintain at all times during the term of this Grant such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities under the GIA. Grantee shall show proof of such insurance satisfactory to the State, if requested by the State. Grantee shall require each Grant with Sub-grantees that are public entities, providing Goods or Services hereunder, to include the insurance requirements necessary to meet Sub-grantee's liabilities under the GIA.

ii. Non-Public Entities

If Grantee is not a "public entity" within the meaning of the GIA, Grantee shall obtain and maintain during the term of this Grant insurance coverage and policies meeting the same requirements set forth in §13(B) with respect to sub-Grantees that are not "public entities".

B. Sub-Grantees

Grantee shall require each Grant with Sub-grantees, other than those that are public entities, providing Goods or Services in connection with this Grant, to include insurance requirements substantially similar to the following:

i. Worker's Compensation

Worker's Compensation Insurance as required by State statute, and Employer's Liability Insurance covering all of Grantee and Sub-grantee employees acting within the course and scope of their employment.

ii. General Liability

Commercial General Liability Insurance written on ISO occurrence form CG 00 01 10/93 or equivalent, covering premises operations, fire damage, independent Grantees, products and completed operations, blanket Grantual liability, personal injury, and advertising liability with minimum limits as follows: (a) \$1,000,000 each occurrence; (b) \$1,000,000 general aggregate; (c) \$1,000,000 products and completed operations aggregate; and (d) \$50,000 any one fire. If any aggregate limit is reduced below \$1,000,000 because of claims made or paid, Sub-grantee shall immediately obtain additional insurance to restore the full aggregate limit and furnish to Grantee a certificate or other document satisfactory to Grantee showing compliance with this provision.

iii. Automobile Liability

Automobile Liability Insurance covering any auto (including owned, hired and non-owned autos) with a minimum limit of \$1,000,000 each accident combined single limit.

iv. Additional Insured

Grantee and the State shall be named as additional insured on the Commercial General Liability and Automobile Liability Insurance policies (leases and construction Grants require additional

insured coverage for completed operations on endorsements CG 2010 11/85, CG 2037, or equivalent).

v. Primacy of Coverage

Coverage required of Grantee and Sub-grantees shall be primary over any insurance or self-insurance program carried by Grantee or the State.

vi. Cancellation

The above insurance policies shall include provisions preventing cancellation or non-renewal without at least 45 days prior notice to the Grantee and the State by certified mail.

vii. Subrogation Waiver

All insurance policies in any way related to this Grant and secured and maintained by Grantee or its Sub-grantees as required herein shall include clauses stating that each carrier shall waive all rights of recovery, under subrogation or otherwise, against Grantee or the State, its agencies, institutions, organizations, officers, agents, employees, and volunteers.

C. Certificates

Grantee and all Sub-grantees shall provide certificates showing insurance coverage required hereunder to the State within seven business days of the Effective Date of this Grant. No later than 15 days prior to the expiration date of any such coverage, Grantee and each Sub-grantee shall deliver to the State or Grantee certificates of insurance evidencing renewals thereof. In addition, upon request by the State at any other time during the term of this Grant or any sub-grant, Grantee and each Sub-grantee shall, within 10 days of such request, supply to the State evidence satisfactory to the State of compliance with the provisions of this §13.

Appendix 3
Water Supply Reserve Account Standard Contract Information

NOTE: The standard contract is required for WSRA projects that exceed \$100,000. (Projects under this amount will normally be funded through a purchase order process.) Applicants are encouraged to review the standard contract to understand the terms and conditions required by the State in the event a WSRA grant is awarded. Significant changes to the standard contract require approval of the State Controller's Office and often prolong the contracting process.

It should also be noted that grant funds to be used for the purchase of real property (e.g. water rights, land, conservation easements, etc.) will require additional review and approval. In such cases applicants should expect the grant contracting process to take approximately 3 to 6 months from the date of CWCB approval.

The standard contract is available here under the header "Additional Resources" on the right side:
<http://cwcb.state.co.us/LoansGrants/water-supply-reserve-account-grants/Pages/BasinWaterSupplyReserveAccountGrants.aspx>

Appendix 4
W-9 Form

NOTE: A completed W-9 form is required for all WSRA projects prior execution of a contract or purchase order. Please submit this form with the completed application.

Exhibit A
Project Budget

See the final page of this document for project budget tables (Tables 1-2)

Project Schedule

Table 3: Complete Project Schedule

Tasks	Task Description	Start Date*	Finish Date
1	Project management ⁷	6/1/2011	2/1/2016
2	Mine wastes treatment ⁸	8/1/2011	12/1/2015
3	Stream bank stabilization ⁹	10/1/2012	12/1/2015
4	Engineered rock structure installation ⁹	10/1/2012	12/1/2015
5	Monitoring ¹⁰	10/29/2012	10/29/2016
6	Engineering at source areas	6/1/2013	6/1/2015
7	BSG development ¹¹	5/1/2012	12/1/2015

Table 4: Project Schedule: WSRA Funds

Tasks	Task Description	Start Date	Finish Date
3	Stream bank stabilization		
	Reshaping & excavating banks	Upon NTP [†]	12/1/2014
4	Engineered rock structure installation		
	Rock	Upon NTP	12/1/2014

*All listed dates are approximate. Project implementation (i.e., tasks 2-5) is dependent upon weather conditions.

[†]NTP: Notice to proceed from CWCBC.

⁷ Project management is ongoing. Dates listed refer to the period throughout which the project as identified in documents necessary for the Colorado Nonpoint Source Program grant will be managed (see *Kerber Creek Restoration Project. 2013. Project Implementation Plan. BLM Saguache Field Office AND Kerber Creek Restoration Project. 2013. Sampling and Analysis Project Plan. BLM Saguache Field Office*).

⁸ The KCRP Colorado Nonpoint Source Program grant includes treatment of mine wastes completed before the grant was officially awarded.

⁹ In-stream restoration activities began in October, 2012 on the easternmost 2,585 feet of KC16-E as identified in Figure 5 (Exhibit C).

¹⁰ Project monitoring will continue past the official end date of the Colorado Nonpoint Source Program project, which is 12/1/2016 (see *Kerber Creek Restoration Project. 2013. Sampling and Analysis Project Plan. BLM Saguache Field Office*).

¹¹ BSG development is ongoing. Dates listed refer to the period throughout which these activities will be documented for the Colorado Nonpoint Source Program grant.

Exhibit B
Project Map

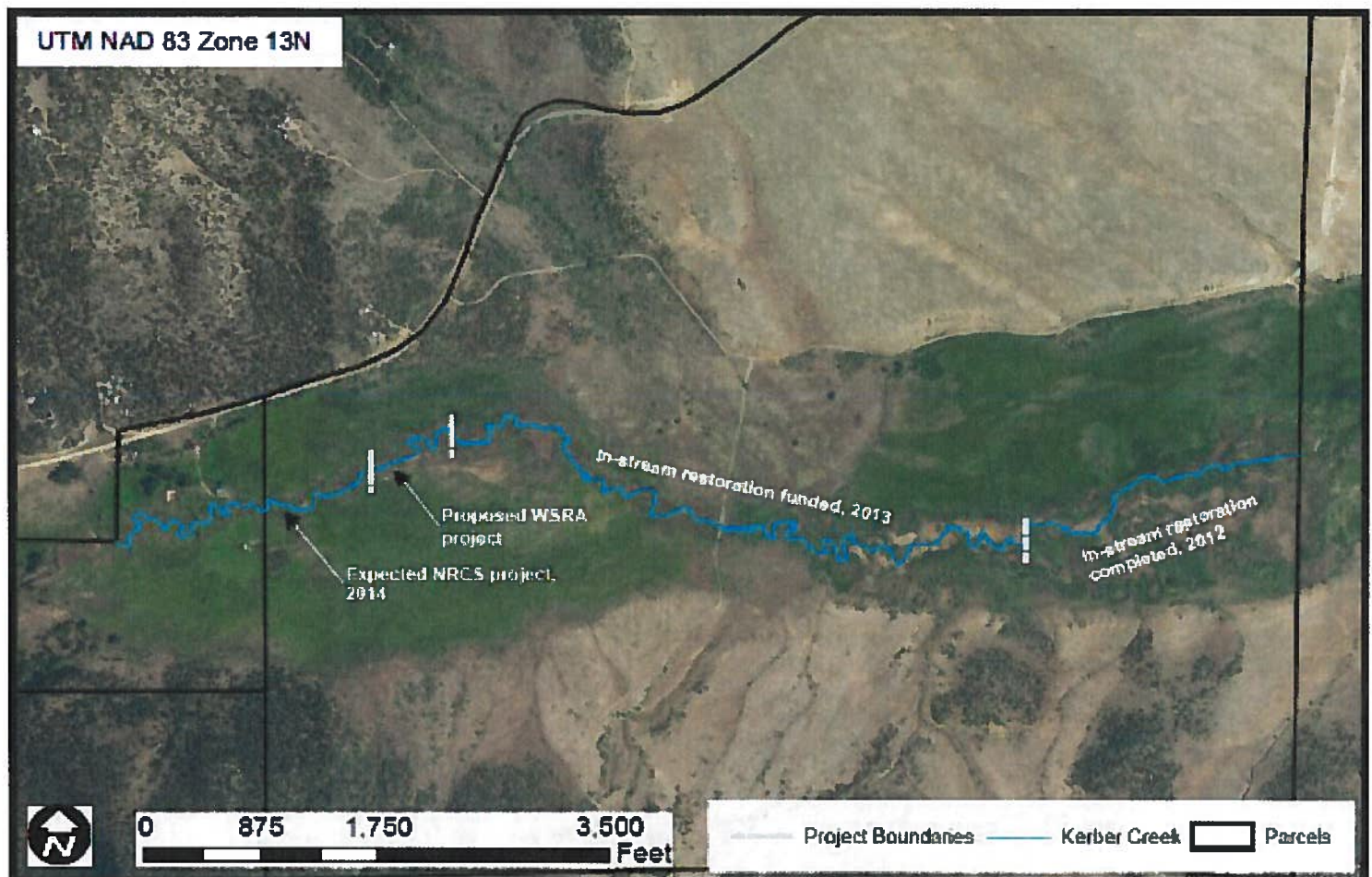


Figure 1. Overview of past and upcoming projects at site KC16-E. KC16-M is represented by the parcel to the left, and KC16-W is not depicted.

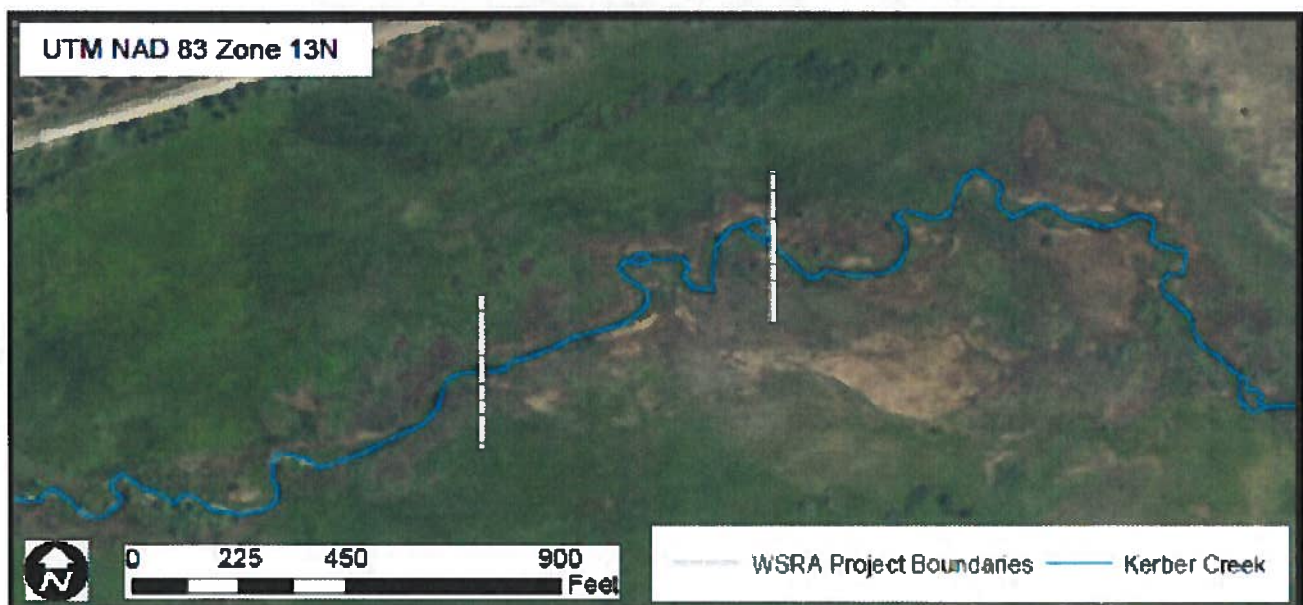


Figure 2. Large-scale view of the WSRA proposed project area labeled in Figure 1 as "Proposed WSRA project".

Exhibit C
Additional Maps and Tables

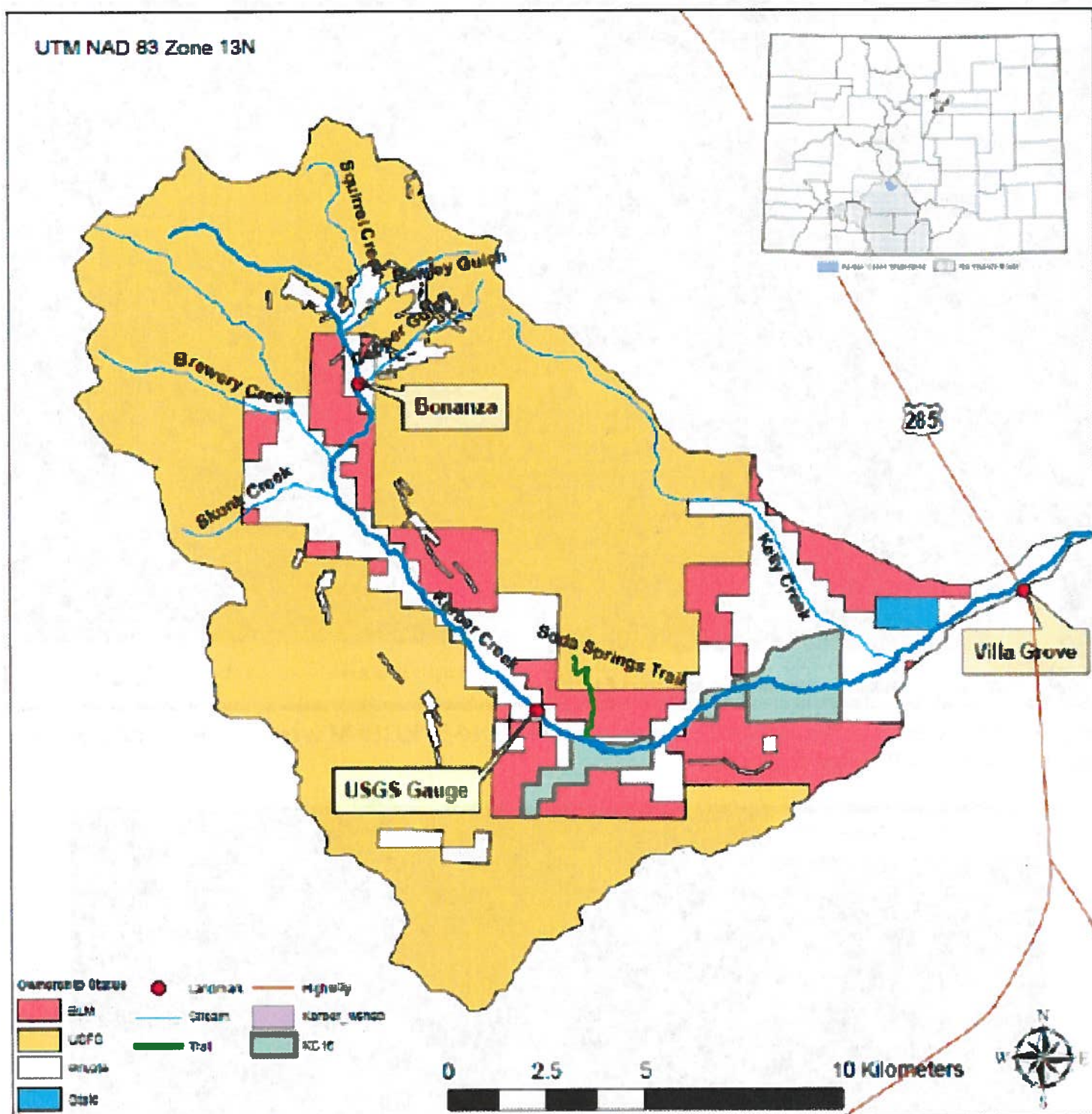
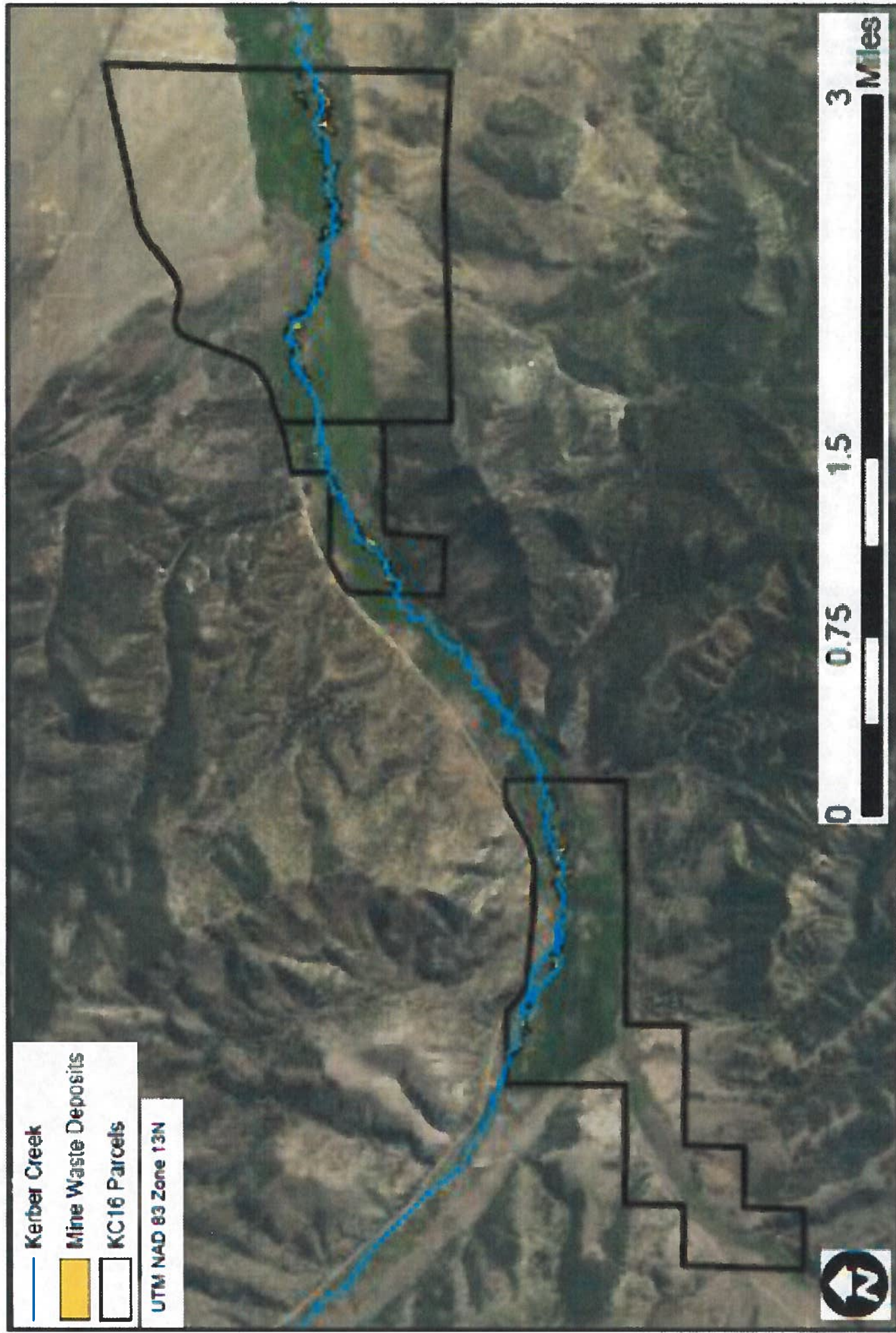
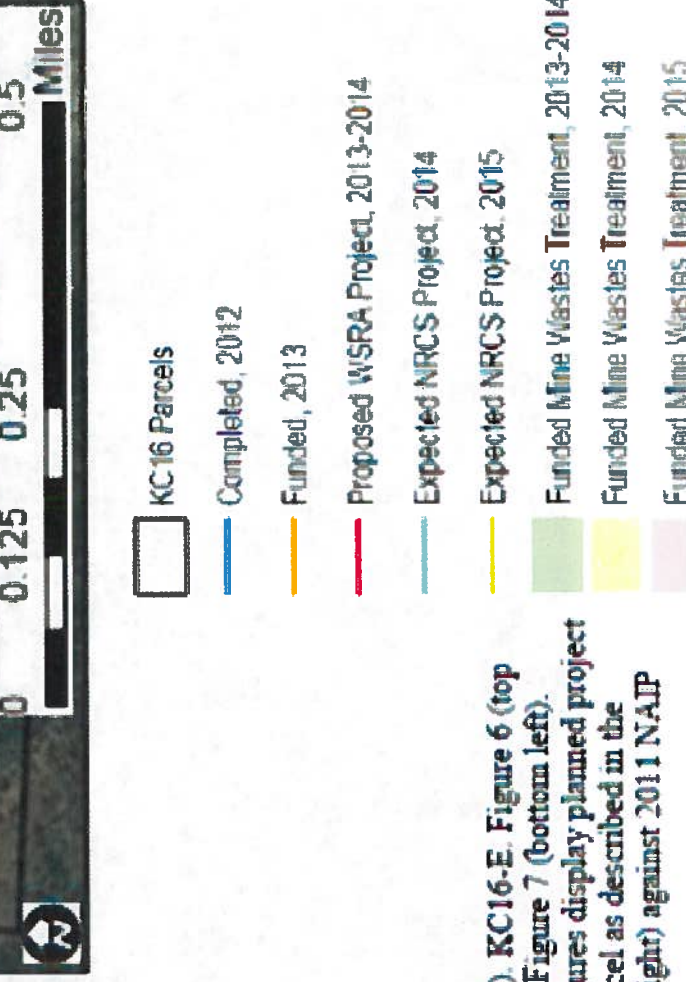
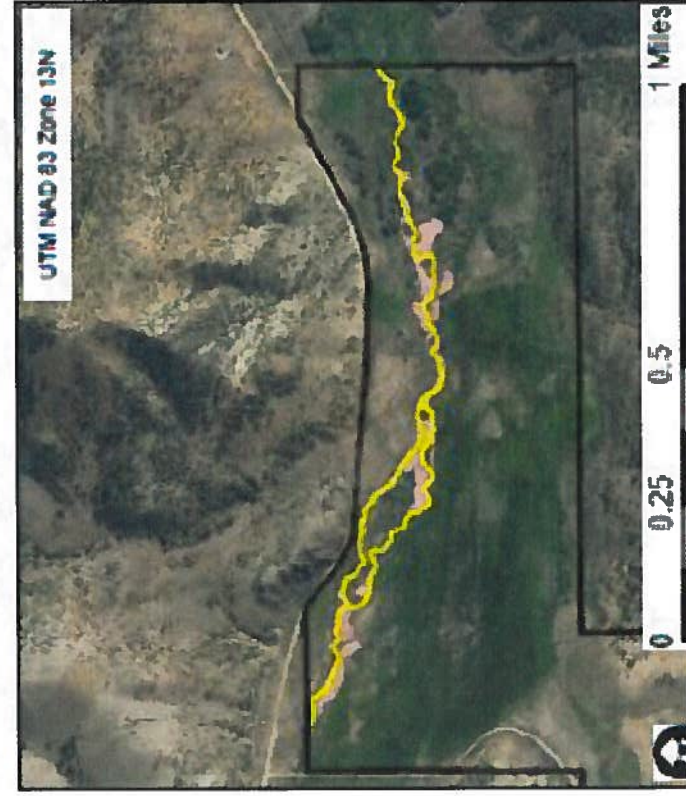
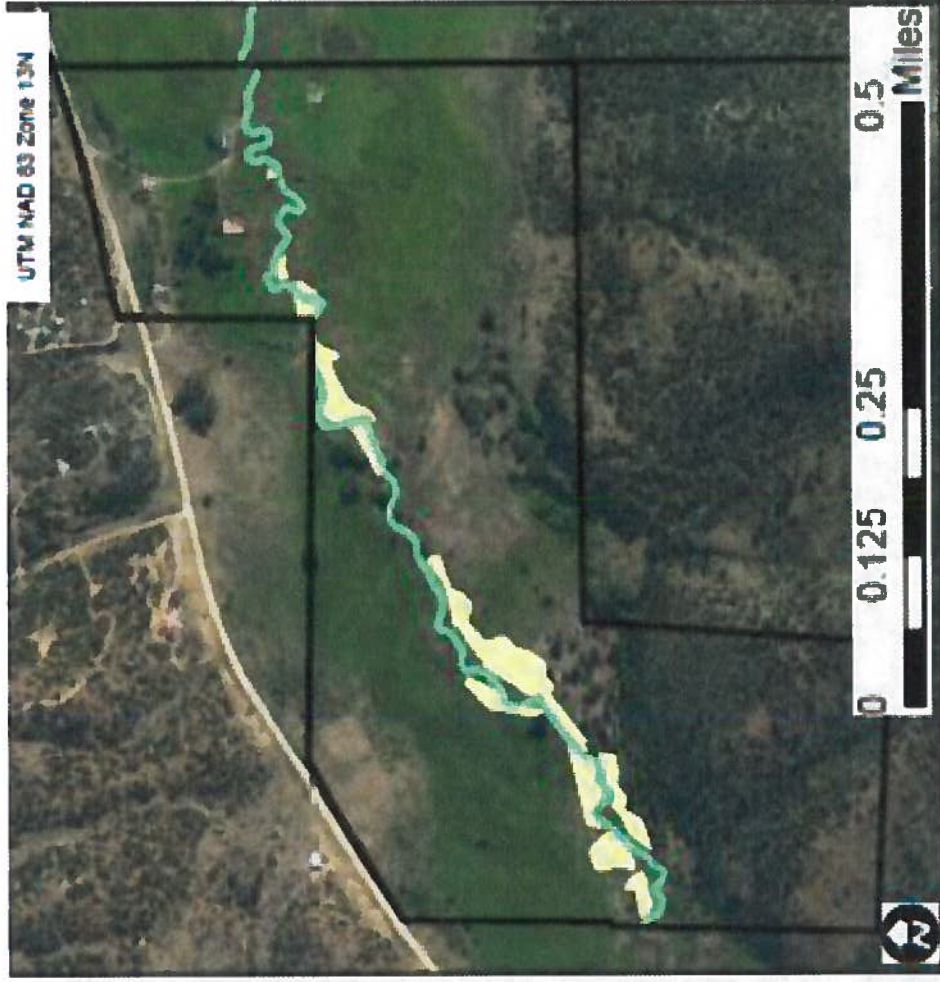
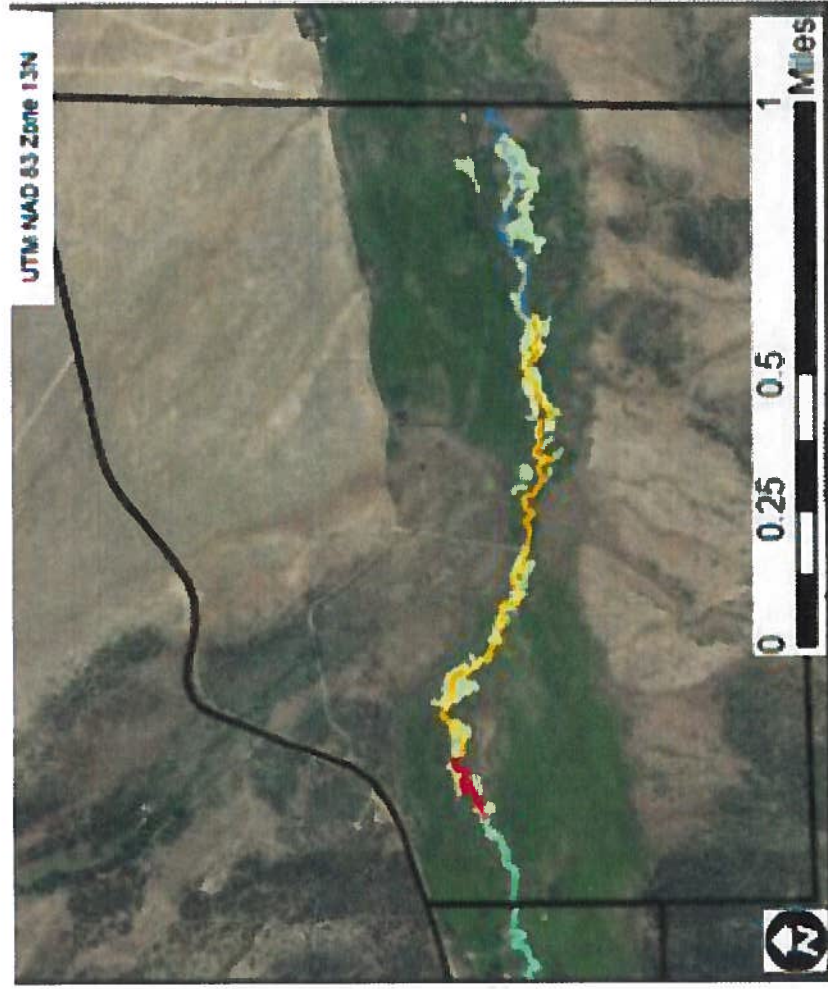


Figure 3. Kerber Creek watershed with tributaries, major landmarks, and project site location. Inset shows Kerber Creek watershed location within Colorado's Rio Grande basin.

Water Supply Reserve Account – Application Form

Revised December 2011





-  KC16 Parcels
-  Completed, 2012
-  Funded, 2013
-  Proposed WSRRA Project, 2013-2014
-  Expected NRCs Project, 2014
-  Expected NRCs Project, 2015
-  Funded Mine Wastes Treatment, 2013-2014
-  Funded Mine Wastes Treatment, 2014
-  Funded Mine Wastes Treatment, 2015

Figure 5 (top left). KC16-E. Figure 6 (top right). KC16-M. Figure 7 (bottom left). KC16-W. All figures display planned project work in each parcel as described in the legend (bottom right) against 2011 NAIP

Water Supply Reserve Account – Application Form

Revised December 2011

Table 5: Proposed In-stream flow rights within the Kerber Creek watershed.

	Brewery Creek: USFS Boundary to Confluence with Kerber Creek	Elkhorn Gulch: USFS/BLM Boundary to Confluence with Kerber Creek	Kerber Creek: Confluence with Elkhorn Gulch to Confluence with Brewery Creek	Kerber Creek: Brewery Creek to Wells Kerber Ditch Headgate
April 1 – July 31	2.85 cfs			6.75 cfs
April 16 – July 15			3.5 cfs	
April 15 – July 31		1.05 cfs		
July 16 – October 31; March 2 – April 15			1.45 cfs	
August 1 – November 15	2.10 cfs			4.0 cfs
August 1 – April 14		0.55 cfs		
November 1 – March 1			10.8 cfs	
November 16 – March 31	1.60 cfs			2.6 cfs

Water Supply Reserve Account – Application Form
Revised December 2011

Table 6: Complete List of KCRP Partners

Nonprofit Organizations

Collegiate Peaks Anglers Chapter, Trout Unlimited
Commission for Environmental Cooperation
Norcross Wildlife Foundation
Office of Surface Mining Western Hardrock Watershed Team / AmeriCorps Volunteer in Service to America Program
Orient Land Trust
Saguache County Sustainable Environment and Economic Development
Trout Unlimited, National
Rio Grande Watershed Conservation and Education Initiative
Southwest Conservation Corps

Government Agencies (State and National)

Bureau of Land Management
Colorado Department of Public Health and Environment
Colorado Parks and Wildlife
Colorado State Forest Service
Colorado Water Conservation Board
Colorado Division of Water Resources – Division 3
Division of Reclamation Mining and Safety
Environmental Protection Agency
Natural Resources Conservation Service
U.S. Fish and Wildlife Service
U.S. Forest Service

Other

AmeriCorps – Saguache Methodists
Bonanza Stakeholders Group
Center Conservation District
Northern San Luis Valley Conservation Roundtable
Tiffany and Company Foundation
Xcel Energy

Exhibit A
Project Budget

Table 1: Total Project Budget

Tasks	Task Description	Sources										Confirmed Totals	Expected NRCS Funding ¹³	Expected Totals ¹⁴	Proposed WSRA Funding	Proposed Totals ¹⁵
		Nonpoint Source	DRMS	CWCB	CSFS	CDPHE	BSG	Tiffany & Company Foundation	CEC	Xcel Energy	Norcross Wildlife Foundation	In-Kind Donations	Federal Funding	NRCS ¹²		
1	Project management	\$36,000	\$0	\$6,200	\$3,800	\$6,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$52,000	\$55,736
2	Mine wastes treatment	\$221,000	\$19,400	\$0	\$30,600	\$30,000	\$19,500	\$4,000	\$28,000	\$2,500	\$0	\$50,000	\$0	\$0	\$405,000	\$405,000
3	Stream bank stabilization	\$44,000	\$5,600	\$27,400	\$0	\$12,000	\$5,000	\$5,000	\$6,000	\$0	\$0	\$5,000	\$0	\$8,000	\$118,000	\$189,169.50
4	Engineered rock structure installation	\$53,000	\$0	\$3,400	\$0	\$6,000	\$500	\$10,600	\$4,900	\$0	\$0	\$5,000	\$0	\$52,950	\$136,350	\$556,315.50
5	Monitoring	\$22,000	\$0	\$0	\$0	\$3,000	\$0	\$0	\$6,000	\$0	\$0	\$5,100	\$10,000	\$0	\$46,100	\$46,100
6	Engineering at source areas	\$25,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$25,000	\$25,000
7	BSG development	\$12,000	\$0	\$0	\$0	\$3,000	\$0	\$400	\$5,100	\$0	\$1,700	\$20,000	\$0	\$0	\$42,200	\$42,200
Source Totals		\$413,000	\$25,000	\$37,000	\$34,400	\$60,000	\$25,000	\$20,000	\$50,000	\$2,500	\$1,700	\$85,100	\$10,000	\$60,950	\$824,650	\$1,319,521

Table 2: WSRA Proposed Project Budget

Tasks	Task Description	Price per CY	CY	Total Cost
1	Project Management			
	TU Administrative Costs			\$3,736
3	Stream bank stabilization			
	Reshaping & excavating banks	\$4	2172	\$8,688
4	Engineered rock structure installation			
	Rock	\$62	282	\$17,484
		Price per Hour	Hours	Total Cost
	Labor ¹⁶	\$43.15	115	\$4,963
Total				\$34,871

¹² NRCS funding includes both project design and implementation. NRCS funds projects through landowner cost-share programs (e.g., EQIP, WHIP); thus, TU does not receive NRCS funding directly. Rather, NRCS funds are used to restore private lands either by reimbursing landowners who pay the contractors or by directly paying the contractors. The NRCS funds listed here were used to pay the contractor who completed in-stream restoration on the easternmost 2.585 feet of stream at KC16-E.

¹³ NRCS expects to receive approximately half of the listed sum in 2014 through the EQIP program to complete in-stream restoration on the westernmost 1,250 feet of stream at KC16-E and the entirety of the stream at KC16-M. A second application to the EQIP program for the other half will be written in 2014 to cover in-stream restoration at KC16-W. Because NRCS cost-share programs depend on federal budget allocations, TU is also pursuing other potential grant funding opportunities to complete the associated restoration projects.

¹⁴ Expected totals list totals for each task equivalent to the sum of confirmed totals and expected NRCS funding.

¹⁵ Proposed totals list totals for each task equivalent to the sum of confirmed totals, expected NRCS funding, and proposed WSRA funding.

¹⁶ Labor costs cover both rock installation and bank stabilization. For this reason, labor costs are halved and distributed between tasks 3 and 4 in Table 1.



COLORADO WATER CONSERVATION BOARD

WATER SUPPLY RESERVE ACCOUNT APPLICATION FORM



Development and Implementation of Water Education and Networking
3-Year Program of Discussions, Forums, Workshops, Tours

Name of Water Activity/Project

Yampa-White-Green Rivers Basin Roundtable Educational Outreach

Name of Applicant

Yampa-White-Green Rivers Basin
Roundtable

Amount from Statewide Account:

Amount from Basin Account(s):

\$30,000

Total WSRA Funds Requested:

\$30,000

Approving Basin Roundtable(s)

(If multiple basins specify amounts in parentheses.)

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

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

Appendices – Reference Material

- Program Information
- Insurance Requirements
- WSRA Standard Contract Information (Required for Projects Over \$100,000)
- W-9 Form (Required for All Projects Prior to Contracting)

Water Supply Reserve Account – Application Form

Revised December 2011

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: <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

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

Water Supply Reserve Account – Application Form

Revised December 2011

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

1.	Applicant Name(s):	The Yampa-White-Green Rivers Basin Roundtable		
	Mailing address:	Attention: Ren Martyn: PEPO Representative YWGRT 3001 S. Lincoln Avenue, Suite E Steamboat Springs, Co. 80487		
	Taxpayer ID#:			
	Primary Contact:	Ren Martyn	Position/Title:	PEPO Representative
	Email:	rm@frpwetlandbank.com		
	Phone Numbers:	Cell: 970-846-3118	Office:	970-879-4546
	Alternate Contact:	Marsha Daughenbaugh	Position/Title:	Executive Director, CAA
	Email:	marshad@communityagalliance.org		
	Phone Numbers:	Cell: 970-846-7054	Office:	970-879-4370

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 Yampa-White-Green Rivers Basin Round Table (YWGRT) Education Committee has partnered with the Community Agriculture Alliance (CAA) since 2009 to provide water education in the region. Past events, forums and water tours have proven very successful with plans for ongoing events in 2013-2015. The partnership has been strengthened by the involvement of Ren Martyn, who serves as the Yampa White Green Rivers Basin Round Table PEPO Representative and as an Advisor for the Community Agriculture Alliance Board of Directors. The YWGRT will serve as the primary agent with CAA serving as the fiscal agent.

All YWGRT members are encouraged to provide input and suggestions to the Education sub-committee. The Education sub-committee seeks to represent the agriculture, municipal and industrial interests of the basin. Current members include: Ren Martyn, PEPO Representative; Jeff Devere, Rio Blanco At-Large Rep; Mary Brown, Ag At-Large Rep; Kent Vertrees, Routt County Recreation Rep; Doug Monger, Routt County Commissioner Rep; Kevin McBride, Voting At-Large Rep. Education sub-committee goals focus on the development and implementation of an EAP that facilitates educational opportunities for the public. Priority will be given to facilitating discussions on water management issues and encouraging locally driven collaborative solutions.

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

The Community Agriculture Alliance (CAA) is an incorporated, non-profit community organization serving Routt County and the Yampa River Valley region. The CAA was established in 1999 in response to concerns over the loss of agriculture and the community's desire to ensure ongoing support, allowing agriculture to adapt to changes in the local and regional economy. The overall goal is to allow agriculture to remain an active and vital part of the area for generations to come. CAA's mission is *"To preserve the agricultural heritage of the Yampa River Valley by initiating, supporting and encouraging actions, programs and policies that mutually benefit and connect agricultural producers and consumers"*.

CAA is legally registered as a 501(c)3 with the State of Colorado and IRS. The organization carries insurance for general liability, director liability and worker compensation. CAA's by-laws require that the Board of Directors and Advisors be recruited from agriculture, business, community and resort interests representing the geographic and demographic mix of the region. The Board meets quarterly and maintains a membership of approximately 15 Directors and 15 Advisors. CAA has one full time and two part time employees.

The over-arching strategic anchors of CAA are:

1. The Enhancement and Promotion of Local Agriculture (Food, Fiber, Products and Services)
2. Providing Education about the Critical Importance of Agriculture and Agricultural Issues
3. Service as an Ag Resource Connector

CAA is a member based organization, with over 200 individuals, businesses and organizations supporting the mission. A volunteer base of well over 150 people and a strong partnership base with numerous non-profit organizations, government agencies and local businesses and a volunteer base of well over 150 people ensure that all programs and initiatives implemented by CAA provide pertinent and neutral information.

Water Supply Reserve Account – Application Form

Revised December 2011

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

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

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

6. The Tax Payer Bill of Rights (TABOR) may limit the amount of grant money an entity can receive. Please describe any relevant TABOR issues that may affect the applicant.
Not applicable

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.

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

☐ Study

☒ Implementation

Water Supply Reserve Account – Application Form
Revised December 2011

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:

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

Latitude:

Longitude:

Water Supply Reserve Account – Application Form

Revised December 2011

- 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.

The Yampa White Green Rivers Basin Round Table requests \$30,000 to contract with Community Agriculture Alliance in funding for a three year period (2013-2015).

WSRA funding will be utilized to develop and implement:

- A series of public education and participation events. Specific discussions, workshops, forums, and tours will be focused on helping residents, organizations and stakeholders better understand water related issues in Northwest Colorado.
- Collaboration with area water interest groups to encourage constructive discussions and actions regarding water issues and projects in Northwest Colorado.
- Networking opportunities between YWGRT, water stakeholders, the general public and other roundtables.

Ongoing education events will align with YWGRT goals and objectives.

YWGRT, led by their PEPO representative and their education committee, will provide:

1. Coordination with CWCB
2. Guidance, decision making and approval of all YWGRT education activities
3. Evaluations of all YWGRT education activities

CAA will provide the following:

1. Full cooperation and disclosure with YWGRT
2. Coordination and structure for the YWGRT education activities
3. Development of a minimum of three education activities per year, each open and accessible to the public
4. Full implementation of YWGRT education activities, including but not limited to contracting speakers, facilities, sponsors, volunteers, advertising and agenda development
5. Use of timely, up-to-date and accurate resources including Headwaters Magazine and CWCB publications
6. Region wide marketing and collaboration

Jointly, YWCRT and CAA will provide:

1. Development of specific plans for YWGRT education activities for the three year granting program
2. Full utilization of partnership opportunities with other water-interest organizations, agencies, stakeholder groups and civic groups

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.¹

This proposal will provide the public, stakeholders and Roundtable members with direct engagement, educational information and increased understanding of water issues in Northwest Colorado. Outreach and participation efforts will encourage balanced discussions and problem-solving related to regional water issues.

All activities will be consistent with CRS Section 37-75-102 and educational in nature.

- 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.

This application is a coordinated effort between Yampa-White-Green Rivers Basin Roundtable and Community Agriculture Alliance.

- c) The water activity meets the provisions of Section 37-75-104(2), Colorado Revised Statutes.² The Basin

¹ 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.

² 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

Water Supply Reserve Account – Application Form

Revised December 2011

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.

CRS Section 37-75-104(2) requires that "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."

This proposal will further the YWGRT Education objectives by providing a structure and means for public outreach and engagement. The request for funding is specifically related to water education and public outreach.

- 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)
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).

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.

Water Supply Reserve Account – Application Form

Revised December 2011

- 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.
- 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.

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).
- 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.

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

Continued: Explanation of how the water activity/project meets all applicable **Evaluation Criteria**.

Please attach additional pages as necessary.

Letters of support

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.

No water supply source will be utilized and no water body will be affected by this water and natural resource conservation education activity. This project does not affect any water rights.

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

Not applicable.

Water Supply Reserve Account – Application Form
Revised December 2011

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.

Water Supply Reserve Account – Application Form

Revised December 2011

Water Activity Name -

Development and Implementation of Water Education and Networking
3-Year Program of Discussions, Forums, Workshops, Tours and Social Networking

Grant Recipient – Yampa-White-Green Rivers Basin Roundtable Education Committee

Funding Source – Yampa-White-Green Rivers Basin Roundtable

Introduction and Background

The Yampa-White-Green Rivers Basin Round Table is submitting this proposal to obtain funding to contract with Community Agriculture Alliance to focus on education and community engagement. Decision making and oversight will remain with the YWGRT Education Committee and PEPO Representative, Ren Martyn. CAA will serve as the coordinating force related to the education activities. A minimum of three events/activities per year for the three year period are being targeted in the region. Specific activity plans, content and details will be developed in partnership.

Objectives

This proposal is primarily focused on community education, outreach and stakeholder participation. Objectives include:

- Provide professional, informative educational activities in the region
- Provide increased understanding of YWGRT activities
- Provide information on regional water projects, studies and related issues
- Engage with community members and regional stakeholders
- Encourage community participation in solution based discussions, issues and solutions

YWCRT PEPO and CAA have begun the process of engaging water stakeholders about discussions of the topics and venues that will be most beneficial to the area during the next three years. There appears to be four audience areas that should be targeted:

1. Elected officials and other decision makers
2. General Public
3. YWGRT Outreach to the public
4. YWGRT Networking with other round tables

Suggested topics include but are not limited to:

Alternative to Agricultural Dry-up

Drought Management

Oil and Gas Fracturing

Storm Water Issues (cities and HOAs)

Updates on Legislative Proposals and Actions

Water Supply

Water Measurement Structures on the Yampa, White and Green Rivers and their subsidiaries

Conservation and Efficient Use of Water

Interbasin Water Compact Negotiations

Stakeholder Participation in Solution Based Discussions

Transfer of Treated Water

Water Leasing

YWGRT and CAA recognize that topics of immediate interest will happen throughout the three years of this grant application and we will be responsive to the topics and needs of the targeted audiences within the basins.

Water Supply Reserve Account – Application Form

Revised December 2011

We intend to search for venues that will be the most effective for the targeted audience. Ideas include the standard forums and tours which we have used in past years plus “outside-of-the box” discussion areas such as social media, college sustainability classes, individual ditch meetings, joint roundtable meetings and barbeque on the river event. The planning committee is looking for new ways to reach people and will refine our ideas as we develop each education event.

Tasks

Description of Tasks -- For **each of the nine (or more)** educational events, CAA will perform the following:

Task 1. Event Planning and Marketing:

- Designate working committee related to specific plans, to include YWGRT PEPO Representative, other committee members and regional partners
- Contact and contract with potential speakers, panel members, moderators
- Contact potential sponsors
- Arrange lodging and travel arrangements
- Coordinate facility reservations, including meals
- Coordinate tour or on-site needs, including transportation
- Develop a marketing schedule and coordinate with regional media
- Develop and create collateral marketing materials

Task 2. Event Hosting:

- Facilitate activity/event, including registration, set-up, take down and evaluation
- Produce acknowledgements, thank you notes/letter for sponsors, speakers, partners

Task 3. Event Reporting and Roundtable Coordination:

- Coordinate with YWGRT PEPO and Education Committee to plan event activities
- Designate working committee related to specific plans, to include YWGRT PEPO Representative, other committee members and regional partners
- Develop program/activity evaluation

Task 4. Project Management:

- Develop annual plans, time line and format for activities
- Maintain all related financial records; collect sponsorships, fees and pay invoices
- Coordinate, manage all related activities as needed.

Method/Procedure-- For **each of the nine (or more)** educational events, CAA will:

- Coordinate, network and partner with YWGRT members including meetings, email, telephone
- Manage partner relationships including meetings, email, telephone
- Contact sponsors, speakers and panel members via phone with follow up mail/email
- Communicate with regional media, press releases, email, event listing, advertising
- Manage ongoing event related activities, to do lists providing coordination and assistance as needed

Water Supply Reserve Account – Application Form

Revised December 2011

Deliverable -- For each of the nine (or more) educational events, CAA will:

- Assure that all education activities, including discussions, events, forums, tours, print publications and community outreach activities focus on meeting YWGRT goals
- Assure that all education activities achieve the highest professional standards.
- Assure that YWGRT and CAA will provide informative education and work to engage community members in a positive, solutions based manner.
- Assure that all education activities will allow for ongoing community assessment and program improvement

Budget - Based on three educational activities per year for three years

Task	Explanation	Total Projected Annual Costs	Annual CAA or Partner Funding	Total Three Year Cost	Total Requested From CWCB for Three Year Period
Implementation	200 hours@\$30	\$6,000	\$1,800	\$23,400	\$9,600
Mileage	600 miles@\$.505	\$300	0	\$900	
Advertising		\$2,500	0	\$7,500	\$7,500
Speaker Fees, Per Diem		\$1,000	0	\$3,000	\$3,000
Facility Rental		\$600	0	\$1,800	\$2,100
Event Expenses	Supplies, Meals	\$1,000	\$500	\$4,500	\$4,500
Printing	Programs, Promotions, Newspaper inserts	\$1,500	\$500	\$6,000	\$1,800
Transportation	Tour van/bus	\$500	0	\$1,500	\$1,500
Total		\$13,400	\$2,800	\$48,600	\$30,000

This budget proposal does not include time or expenses for administration of the grant

Schedule

YWGRT and CAA are in the planning phase of specific activities. The following provides a tentative outline:

Activity	Start Date	Completion Date
Education Event	Upon NTP	Summer 2013
Outreach Event	Upon NTP	Fall 2013
Education Activity	Upon NTP	End of 2013
Education Event	Upon NTP	Spring 2014
Outreach Event	Upon NTP	Summer 2014
Education Activity	Upon NTP	Fall 2014
Education Event	Upon NTP	Spring 2015
Outreach Event	Upon NTP	Summer 2015
Education Activity	Upon NTP	Fall 2015

Water Supply Reserve Account – Application Form

Revised December 2011

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 program the applicant shall provide 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.

YWGRT and CAA agree to the above requirements.

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.

Water Supply Reserve Account – Application Form

Revised December 2011

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

Signature of Applicant:

Print Applicant's Name: Ren Martyn

Project Title: Development and Implementation of Water Education and Participation Events, Forums, Workshops and/or Tours

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

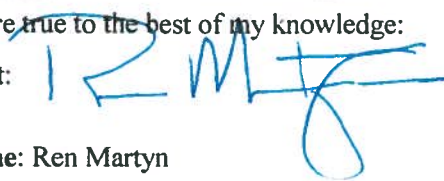
Greg Johnson – WSRA Application
Colorado Water Conservation Board
1580 Logan Street, Suite 200
Denver, CO 80203
gregory.johnson@state.co.us

Water Supply Reserve Account – Application Form

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Project Title: Development and Implementation of Water Education and Participation Events, Forums, Workshops and/or Tours

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

Yampa White Green Roundtable Water Education
May 9, 2013 Meeting

Summary:

February 19, 2013 PEPO workgroup conference call

March 13, 2013 Strategy Planning Meeting: 14 people in attendance including RT Members: Kevin McBride, Erin Light and John Hill.

March 21, 2013 Conference call with Marsha, Jacob B and Kristen M. (Colorado Foundation For Water Education) : Discuss water education topics & objectives, other RT water education.

April 25, 2013 3-Year \$30,000 Grant Submitted to Jacob B.

May 9, 2013: Propose 2nd Reading of 3 Year Grant \$30,000

3 Year Water Education YWG Grant

The Yampa-White-Green Rivers Basin Round Table is submitting this grant proposal to obtain **\$30,000** over three years to contract with Community Agriculture Alliance to focus on education and community engagement. Decision making and oversight will remain with the YWGRT Education Committee and PEPO Representative, Ren Martyn. CAA will serve as the coordinating force related to the education activities. A minimum of three events/activities per year for the three year period are being targeted in the region. Specific activity plans, content and details will be developed in partnership.

Objectives

This proposal is primarily focused on community education, outreach and stakeholder participation. Objectives include:

Provide professional, informative educational activities in the region

Provide increased understanding of YWGRT activities

Provide information on regional water projects, studies and related issues

Engage with community members and regional stakeholders

Encourage community participation in solution based discussions, issues and solutions

YWCRT PEPO and CAA have begun the process of engaging water stakeholders about discussions of the topics and venues that will be most beneficial to the area during the next three years. There appears to be four audience areas that should be targeted: Elected officials and other decision makers, General Public, YWGRT Outreach to the public and YWGRT Networking with other round tables.

3 YR. Grant Budget - Based on three educational activities per year for three years

Task	Explanation	Total Projected Annual Costs	Annual CAA or Partner Funding	Total Three Year Cost	Total Requested From CWCB for Three Year Period
Implementation	200 hours@\$30	\$6,000	\$1,800	\$23,400	\$9,600
Mileage	600 miles@\$.505	\$300	0	\$900	
Advertising		\$2,500	0	\$7,500	\$7,500
Speaker Fees,Per Diem		\$1,000	0	\$3,000	\$3,000
Facility Rental		\$600	0	\$1,800	\$2,100
Event Expenses	Supplies, Meals	\$1,000	\$500	\$4,500	\$4,500
Printing	Programs, Promotions, Newspaper inserts	\$1,500	\$500	\$6,000	\$1,800
Transportation	Tour van/bus	\$500	0	\$1,500	\$1,500
Total		\$13,400	\$2,800	\$48,600	\$30,000

This budget proposal does not include time or expenses for administration of the grant

Copy Minutes from April 18, 2012 Meeting:



Ms. Rebecca Mitchell
Colorado Water Conservation Board
Water Supply Planning Section
1580 Logan Street, Suite 600
Denver, Colorado 80203

Re: Water Supply Reserve Account Grant Application for McClave Water Association – Water Tank Replacement

Dear Ms. Mitchell:

Under separate cover you will receive a WSRA grant application for McClave Water Association – Water Tank Replacement. At the July 2, 2013, meeting of the Arkansas Basin Roundtable Needs Assessment Committee, we approved by consensus this application for \$64,300 in Basin Funds subject to two (2) conditions:

- a. The grant approval will be ratified by the full Arkansas Basin Roundtable at its meeting July 24th, and;
- b. The funding provided by the matching entities, totaling \$21,000.00, will be spent first and completely; any cost savings associated with the project will be credited to the Arkansas Basin fund account. In other words, if there are cost savings on the estimated cost, the funding from the Basin account will be reduced by an equal amount.

I understand this grant request will be heard at the July, 2012 CWCB meeting. Please do not hesitate to contact me if you have any questions.

Sincerely,

Gary Barber
Chair

c: Executive Committee, Ark Roundtable
Elise Bergsten



COLORADO WATER CONSERVATION BOARD
WATER SUPPLY RESERVE ACCOUNT
APPLICATION FORM



McClave Water Association - Water Tank Replacement

Name of Water Activity/Project

McClave Water Association

Name of Applicant

Arkansas Basin

Amount from Statewide Account:

Amount from Basin Account(s):

\$64,300

Approving Basin Roundtable(s)

(If multiple basins specify amounts in parentheses.)

Total WSRA Funds Requested:

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

Water Supply Reserve Account – Application Form

Revised December 2011

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://cwcbb.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://cwcbb.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

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

Water Supply Reserve Account – Application Form
Revised December 2011

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

1.	Applicant Name(s):	McClave Water Association, Inc.		
	Mailing address:	P.O. Box 73 McClave, CO 81057		
	Taxpayer ID#:	84-0567009		
	Primary Contact:	Julie Roesch	Position/Title:	Bookkeeper
	Email:	kjroesch@arkvi.com		
	Phone Numbers:	Cell: 719-688-0438	Office:	719-829-4577
	Alternate Contact:	Kathie VanCampen	Position/Title:	Water Operator
	Email:	mwa@arkvi.com		
	Phone Numbers:	Cell: 719-940-1964	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.

Water Supply Reserve Account – Application Form
Revised December 2011

3. Provide a brief description of your organization

The McClave Water Association, Inc. was initiated in February 1965 to provide potable water for the town of McClave. The system expanded significantly to the surrounding area (6 miles west, 2 miles east, 1 mile north and 1 mile south) in 1974. Until that time, residents of McClave and the surrounding area hauled water from local wells to fill cisterns on their property to supply their water needs.

Currently, 176 taps serve approximately 450 people. McClave is a small farming community in Bent County, largely supplied with irrigation water from the Fort Lyon Canal Company. There is virtually no industry - although one of the two schools in the County is in McClave. There is also a bank and two churches within the service area.

Approximately 15 of the taps are for agricultural use - supplying small pastures with livestock water, not for irrigation. Usually these taps are only used for a couple of months out of the year, when the farm fields are used for fall/winter pasture for cattle, after the crops are harvested. Several are not used at all.

Remaining taps are for residential users, most of whom use between 5,000-10,000 gallons per month. Usage increases slightly in the summer months, though many people have shallow wells that they use for watering landscape, like yards and trees, but the water is not suitable for drinking. Several of these wells have gone dry in the past couple of years. Most people, especially the older generation, are very conservative with the water, because they still remember what it was like to have to haul water - though that group is definitely getting smaller as new people move into the area.

The association has four wells that supply needed water. Three of the wells are in the Dakota aquifer and regulated through LAWMA. The well readings are reported monthly and the association maintains one share of LAWMA water for each well, though no augmentation is required. The fourth well, the newest, is in the Cheyenne aquifer and is augmented with Fry-Ark Project Water. The water quality of the wells is good. The Dakota wells have always exceeded the secondary MCL for fluoride, and the Cheyenne well has high radium 226 & 228, but is blended with the other well water prior to usage to keep the levels at acceptable levels. The Association is not on any Colorado Department of Health orders.

The area has typically been economically challenged, but this has been further compounded by the historic drought that the area is currently experiencing, leaving more than half of the farmland barren this year.

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

Water Supply Reserve Account – Application Form
Revised December 2011

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

☒

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

☐

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

6. The Tax Payer Bill of Rights (TABOR) may limit the amount of grant money an entity can receive. Please describe any relevant TABOR issues that may affect the applicant. N/A

Water Supply Reserve Account – Application Form
Revised December 2011

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.

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:

Preserves a water tank that pumps approximately 18.8 million gallons per yr.

Water Supply Reserve Account – Application Form
Revised December 2011

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

Latitude:

Longitude:

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.

One of two 50,000-gallon above ground water tanks needs to be re-seated. The cement retainer ring around the base of the tank cracked on the west side, allowing the soil under the west portion of the tank to compact and settle. The soil settlement caused the west side of the tank to settle which snapped the drain line on June 4, 2013. This caused the tank to drain completely, and it cannot be used without replacing the foundation.

The repair plan requires that the tank be temporarily relocated, a new base constructed on the original location, repair of the drain line and re-setting the tank on the new base.

The tank that has failed was part of a 1974 expansion, funded by a loan/grant from Rural Development. The 40-year loan for this project was paid off earlier this year. The tank has undergone regular maintenance and cleaning during its service, and remains in very good condition, if not for the failure of the cement retainer ring.

This tank is one of two 50,000-gallon tanks in which water from 4 supply wells is first blended and stored. Approximately 25 houses receive their water supply directly from these tanks. More importantly, however, these tanks are also the fill/supply for a 150,000-gallon tank that is approximately four miles east, just north of the town of McClave, which supplies the remaining customers with water.

The storage this tank provides is crucial to the water system as a whole. The fill/stop controls for both tanks are run by this tank, so in the current situation, the water operator must manually check the remaining tank level to ensure that the tank does not run dry or overflow. Without this storage the supply wells and pumps are being continually stressed. The situation is untenable and sustainable only for a very short period of time.

Water Supply Reserve Account – Application Form
Revised December 2011

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.¹

The project will 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. The 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.

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 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 undergoing the approval process at this time.

¹ 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.

Water Supply Reserve Account – Application Form

Revised December 2011

- c) The water activity meets the provisions of Section 37-75-104(2), Colorado Revised Statutes.² 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 structural project restores the viability of a small water system which provides approximately 18.8 million gallons of water per year to the Town of McClave. It prevents a new storage gap from occurring.

- 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)

FUNDING SUMMARY

Basin Funds	\$ 64,300
McClave Water Association	\$ 7,000
Bent County	\$ 7,000
LAVWCD	<u>\$ 7,000</u>
PROJECT COST	\$ 85,300

² 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.

Water Supply Reserve Account – Application Form
Revised December 2011

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.**

This application is for Basin Funds only. However, some of the criteria do apply, as follows:

Tier 2: Facilitating Water Activity Implementation

- a. Funding from this Account will reduce the uncertainty that the water activity will be implemented.

This project is for a very small Water Association with little cash reserves. Although a Rural Development loan was recently paid off, the Association does not have monies in reserve that would fully fund this emergency project. In addition, the urgent nature of the project precludes funding sources that would take additional time to secure and get to a notice to proceed.

- b. 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.

McClave Water Association, Bent County, and LAVWCD have committed funding representing 33% of the project.

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.

Four wells supply water to McClave Water Association. Three of the wells are in the Dakota aquifer and are regulated through LAWMA. Well readings are reported monthly and the Association maintains one share of LAWMA water for each well, though no augmentation is required. The fourth well, the newest, is in the Cheyenne aquifer and is augmented with Fry-Ark Project Water.

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

Bent County Commissioners have confirmed that there are no permitting issues involved.

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.

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.

Water Supply Reserve Account – Application Form
Revised December 2011

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

Signature of Applicant:

Print Applicant's Name:

Project Title:

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

Exhibit A
Statement of Work

WATER ACTIVITY NAME – McClave Water Tank Repair

GRANT RECIPIENT – McClave Water Association, Inc.

FUNDING SOURCE - WSRA Basin Funds

INTRODUCTION AND BACKGROUND

This project repairs a 50,000-gallon above-ground water tank.

The cement retainer ring around the base of the tank cracked on one side, allowing the soil under that portion of the tank to compact and settle. The soil settlement caused the side of the tank to settle, which snapped the drain line on June 4, 2013. This caused the tank to drain completely, which cannot be used without replacing the foundation. The tank itself has undergone regular maintenance and cleaning during its service, and remains in very good condition.

This tank is one of two 50,000-gallon tanks in which water from 4 supply wells is first blended and stored. Approximately 25 houses receive their water supply directly from these tanks. More importantly, however, these tanks are also the fill/supply for a 150,000-gallon tank that is approximately four miles east, just north of the town of McClave, which supplies the remaining customers with water. The storage this tank provides is crucial to the water system as a whole. The fill/stop controls for both tanks are run by this tank, so in the current situation, the water operator must manually check the remaining tank level to ensure that the tank does not run dry or overflow. Also, without this storage vessel the supply wells and pumps are being continually stressed. The situation is untenable and sustainable only for a very short period of time.

OBJECTIVES

The purpose of this project is to restore the use of a 50,000-gallon water tank. A contractor will temporarily relocate the tank, construct a new base, repair the drain line and re-set the tank on its new base.

DESCRIPTION BY TASK

TASK 1 – Engineering Design, Construction Admin, Geotechnical Allowance

Description of Task

GMS Inc. will provide engineering services, construction administration, and geotechnical services.

Method/Procedure

GMS Inc. will provide final design and construction drawings. Bent County and McClave Water Association will solicit proposals and enter into a construction services contract. GMS Inc. will provide construction administrative services and geotechnical services.

Deliverable

Final Design drawings, bid packet, geotechnical report.

TASK 2 – 8: Tank Removal, Repairs, Tank Replacement

Description of Task

Water Supply Reserve Account – Application Form
Revised December 2011

After bid process is complete, selected contractor will provide construction services.

Method/Procedure

- Remove tank and temporarily displace during foundation construction, including welded pick points for crane.
- Install new tank foundation pad.
- Reconnect to existing yard piping from booster pump.
- Replace tank inlet, outlet and drain piping.
- Move tank onto new foundation.
- Weld pipe penetrations.
- Re-paint welded areas

Deliverable

Completed improvements.

TASKS 10: Construction Observation

Description of Task

GMS Inc. will provide construction observation services.

BUDGET - MCCLAVE WATER TANK REPAIR				
(PRELIMINARY COST ESTIMATE)				
Task #	Task Description	Matching Funds	Grant Funds	Total Expense
1	Engineering Design/Construction Admin/Geotechnical	\$ 7,000	\$ 6,000	\$ 13,000
2	Remove tank temporarily		\$ 3,800	\$ 3,800
3	New tank foundation pad	\$ 7,000	\$ 21,000	\$ 28,000
4	Reconnect to existing yard piping from booster pump		\$ 3,000	\$ 3,000
5	Tank inlet, outlet and drain piping	\$ 7,000	\$ 5,500	\$ 12,500
6	Move tank onto new foundation		\$ 3,000	\$ 3,000
7	Weld pipe penetrations		\$ 2,000	\$ 2,000
8	Paint allowance for coating welded areas		\$ 2,000	\$ 2,000
9	Construction observation		\$ 18,000	\$ 18,000
	Totals:	\$ 21,000	\$ 64,300	\$ 85,300

Water Supply Reserve Account – Application Form

Revised December 2011

TIMELINE - MCCLAVE WATER TANK REPAIR		
Task #	Task Description	
1	Engineering Design/Construction Admin/Geotechnical	NTP + 30
2	Remove tank temporarily	NTP + 30
3	New tank foundation pad	NTP + 60
4	Reconnect to existing yard piping from booster pump	NTP + 60
5	Tank inlet, outlet and drain piping	NTP + 60
6	Move tank onto new foundation	NTP + 60
7	Weld pipe penetrations	NTP + 60
8	Paint allowance for coating welded areas	NTP + 60
9	Construction observation	NTP + 60