

Water Supply Reserve Account – Grant and Loan Program
Water Activity Summary Sheet
September 24, 2013
Agenda Item 18(b)

Applicant: Ute Mountain Ute Tribe (UMUT)

Water Activity Name: Ute Mountain Ute Tribe Water Conservation and Management Plan

Water Activity Purpose: Planning

County: Montezuma/La Plata

River Basin: Southwest

Water Source: San Juan River Basin

Amount Requested: \$40,000 (Statewide Account); \$30,000 (Southwest Basin Account)

Matching Funds: \$30,331 (24%) for UMUT (in-kind and Bureau of Indian Affairs) and \$25,000 (20%) from U.S. Bureau of Reclamation Water Conservation Field Services Program

Staff Recommendation:
Staff recommends approval of up to \$40,000 from the Statewide Account, and \$30,000 from the Southwest Basin Account to help complete the project titled: Ute Mountain Ute Tribe Water Conservation and Management Plan

Water Activity Summary:

Now that the Animas-La Plata Project is in the final stages of construction, the UMUT faces significant questions about the best long-term management and planning for the development and use of its Animas-La Plata Project water. The UMUT also faces significant water management and use issues with its direct diversion and storage water rights and the rights used from the Dolores Project. Because the UMUT has limited time and funds to undertake significant work maintaining and implementing important water settlement and management work, it is important for the Tribe to develop water management and development priorities and that the UMUT have a clear plan supporting its management and development activities.

To meet this need, the UMUT is proposing to undertake a comprehensive water conservation and management plan (to meet, among other things, Bureau of Reclamation guidance for the development of water conservation and management plans). The overarching goal of this planning effort is to develop short-term and longterm planning goals to allow the UMUT to prudently and efficiently manage, develop, use, and protect its water resources. The specific objectives of this plan are: develop and prioritize water management goals; support basic services to UMU Tribal members; partner with non-Tribal entities to reduce costs, meet objectives and increase water efficiencies and yields; undertake short-term and long-term planning including investment partnerships; and create a final water conservation and management plan. The UMUT anticipates that this planning effort will: (i) identify areas where the UMUT can work with local, regional, state, and federal partners to develop and manage shared water infrastructure and resources; and (ii) allow the UMUT to develop prudent water management practices to implement in its own management and development of water resources.

The title indicates that this is a water conservation plan. This proposal does not intend to create a typical water conservation plan that satisfies the CWCB or Bureau of Reclamation guidelines but rather would be an inventory of water supply and rights as well as a demand study. The demand study is critical to pinpointing what water conservation measures could then be employed in a water conservation plan. This is preferred by CWCB staff as this will allow the UMUT to more efficiently and effectively use conservation measures to address their water management goals.

Threshold and Evaluation Criteria

The application meets all four Threshold Criteria.

The application articulates how the project meets the Evaluation Criteria as summarized below:

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

- a. **Multipurpose:** The project meets many varying needs for better management of the UMUT's water supply and demand, both consumptive and non-consumptive.
- b. **Collaboration and Cooperation:** This planning effort will create a planning structure to work with interested parties to evaluate how the UMUT can undertake short-term and long-term planning efforts to ensure that the UMUT makes appropriate regulatory and water use decisions. The UMUT vies this planning process as one that will help the UMUT and local water users avoid intra-basin conflicts.
- c. **Meets Defined Needs:** The UMUT anticipates that the proposed planning effort will assist in identifying collaborative options for meeting the water supply needs identified in the Southwest Basin Roundtable's consumptive and non-consumptive needs assessment.

Tier 2: Facilitating Water Activity Implementation:

- d. While the applicant has significant matching funds and in-kind support, without WSRA funding, the scope of work will have to be modified so that the project would have to be modified dramatically in order to go forward.
- e. The UMUT has dedicated \$20,000 from Bureau of Indian Affairs, \$25,000 from Bureau of Reclamation and \$10,311 in-kind commitment to this project demonstrating a 138% for the statewide amount requested and a 44% match to the total project budget and thus satisfying both matches for the statewide and basin grant percentages.

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

- f. The UMUT will identify environmental considerations in the San Juan River basin, including sensitive, threatened, and endangered species and including Tribal environmental principles. Additionally, the UMUT will identify short-term and long-term goals for the Tribe and for regional partners and interested parties which will address environmental considerations and the health of riparian habitats in southwestern Colorado, as well as land use planning considerations. The UMUT also anticipates that continued support for the vibrant agricultural economies in southwestern Colorado (including, for example, the UMUT's own Farm & Ranch Enterprise, which was developed with Dolores Project water) will be a central focus of the UMUT planning effort.
- g. The applicant anticipates the planning effort will evaluate how UMUT water management and development impacts or assists in the interstate compact issues.
- h. The applicant anticipates that this work will look at the UMUT's participation in the San Juan River Recovery Implementation Program, the UMUT's participation in the Dolores River Dialogue and other groups involved in management of the Dolores Project, and UMUT work with the State of Colorado on sensitive fish species and tamarisk removal in the Mancos River watershed.
- i. The project provides a high level of benefit to Colorado in relationship to the amount of funds

- requested through the improvement of UMUT water management and development planning activities which will improve both the State's role in management and administration of water in Southwest Colorado and the State's role in managing and developing share project water resources and associated water infrastructure.
- j. The planning effort will help identify areas where the UMUT and the CWCB share water management and use priorities and where the CWCB and UMUT might have opportunities to work together to implement CWCB programs.

Discussion:

No additional discussion is needed.

Issues/Additional Needs:

No issues have been identified.

Staff Recommendation:

Staff recommends approval of up to \$40,000 from the Statewide Account, and \$30,000 from the Southwest Basin Account for project titled: Ute Mountain Ute Tribe Water Conservation and Management Plan

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.

SOUTHWEST BASINS ROUNDTABLE

Michael Preston, Chair
c/o Dolores Water Conservancy District
P.O. Box 1150
Cortez, Colorado 81321
970-565-7562

May 6, 2013

Mr. Greg Johnson
Program Manager, Water Supply Management Section
Colorado Water Conservation Board
1580 Logan Street, Suite 600
Denver, Colorado 80203

SUBJECT: Ute Mountain Tribe Water Conservation and Management Plan - \$30,000
from Basin Account and \$40,000 from Statewide Account

Dear Mr. Johnson:

The Southwest Basin Roundtable is pleased to recommend funding of \$30,000 from the Southwest Basin Account and \$40,000 from the Statewide Account for the Ute Mountain Tribe Water Conservation and Management Plan. The application was considered in detail and approved at the April 17, 2013 meeting of the Southwest Basin Roundtable. There was a quorum of Roundtable members present.

The Ute Mountain Tribe has water rights, Reclamation Project allocations and water infrastructure investments throughout the Basin, most of which involve SWBRT IPPs. Examples include allocations in the Dolores and Animas La Plata Projects, as well as investments in Long Hollow Reservoir, and the Lake Nighthorse inlet to serve M&I water on Fort Lewis Mesa. The plan also involves optimizing use of Dolores Project M&I water which provides the water source for domestic use and commercial development in Towaoc, as a key component in the Colorado Ute Indian Water Rights Settlement. Formulating a plan for the long term management of the Tribe's water portfolio will provide critical input to the formulation of the SWBRT Implementation Plan and the update of SWSI.

The completed Grant Application will be forwarded directly to you by the applicant. Please contact the applicant directly or me at 970-565-7562, mpreston@frontier.net, if you have questions or wish to discuss this application in more detail.

Sincerely,



Michael Preston
Southwest Basin Roundtable Chair



COLORADO WATER CONSERVATION BOARD



WATER SUPPLY RESERVE ACCOUNT APPLICATION FORM

Ute Mountain Ute Tribe Water Conservation and Management Plan

Name of Water Activity/Project

Ute Mountain Ute Tribe

Name of Applicant

Southwest Basin
Roundtable

Amount from Statewide Account:

\$40,000

Amount from Basin Account(s):

\$30,000

Total WSRA Funds Requested:

\$70,000

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

- 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

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Instructions

To receive funding from the Water Supply Reserve Account (WSRA), a proposed water activity must be approved by the local Basin Roundtable **AND** the Colorado Water Conservation Board (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.

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

1.	Applicant Name(s):	Ute Mountain Ute Tribe		
	Mailing address:	Ute Mountain Ute Tribe Justice Department P.O. Box 128 Towaoc, CO 81334		
	Taxpayer ID#:	84-0404385		
	Primary Contact:	Celene Hawkins	Position/Title:	Assoc. General Counsel
	Email:	chawkins@utemountain.org		
	Phone Numbers:	Cell: (970) 739-5725	Office:	(970) 564-5642
	Alternate Contact:	Deanne Wall	Position/Title:	Grant Manager
	Email:	dwall@utemountain.org		
	Phone Numbers:	Cell:	Office:	(970) 564-5656

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.

Please note: if CWCB determines that a federally-recognized Indian Tribe is not eligible under the “Public (Government)” designation, please contact the Tribe’s representative to discuss classifying the Tribe as another

Water Supply Reserve Account – Application Form
Revised December 2011

entity eligible for the Statewide Account.

Water Supply Reserve Account – Application Form

Revised December 2011

3. Provide a brief description of your organization

The Ute Mountain Ute Tribe (“UMUT”) is a federally-recognized Indian Tribe with jurisdiction over approximately 600,000 acres of Ute Mountain Ute Reservation lands located in southwestern Colorado, northwest New Mexico, and southeastern Utah. The UMUT has significant water rights in the San Juan River Basin. In Colorado, the UMUT holds rights decreed pursuant to the Colorado Ute Indian Water Rights Final Settlement Agreement (“Colorado Settlement Agreement”) and state-appropriated water rights for use on off-Reservation ranches.

The UMU Tribal government and enterprises have a combined staff of approximately 900 employees. The UMUT currently does not have a governmental division or employees that are fully dedicated to manage water resources, although staff from several governmental divisions and enterprises (including the Natural Resources Department, the Environmental Programs Department, the Public Works Department, the Justice Department, the Farm & Ranch Enterprise, and Weeminuche Construction Authority) all play important roles in the management and protection of UMUT water resources. The UMUT also has a qualified water engineering firm under a general services retainer to assist with Tribal water planning and management work. The UMUT manages a significant portfolio of federal, state, and other grant resources and is fully capable of managing a Water Supply Reserve Account grant and accomplishing the proposed Ute Mountain Ute Tribe Water Conservation and Management Plan.

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

The contracting entity and the applicant are the same (Ute Mountain Ute Tribe).

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.

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

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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.

The form Exhibit A states: “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.)” Because the UMUT is only requesting \$30,000 in Southwest Basin funds and \$40,000 in Statewide Funds (for a total of \$70,000), we are not sure whether the UMUT should perform a full review of the contract or whether a purchase order can be used.

The UMUT has worked with other State of Colorado agencies to revise some of the State’s standard contract revisions to properly reflect the needs of the UMUT. If the CWCB requires the use of a contract, rather than a purchase order, the UMUT anticipates that it can use a recently-negotiated (and fully approved and executed) State/UMUT grant funding agreement as a template.

Water Supply Reserve Account – Application Form

Revised December 2011

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.

The UMUT is not aware of any TABOR issues that affect the UMUT.

Part II. - Description of the Water Activity/Project

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

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

Explain:

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

The UMUT proposes to undertake a comprehensive water conservation and management plan to ensure that the UMUT can prioritize water management and development activities and that the UMUT can undertake prudent and efficient water management efforts to best use its scarce resources. This planning effort will evaluate the UMUT's use of water rights secured under the Colorado Settlement Agreement, which includes rights currently decreed for irrigation, livestock, municipal and industrial, and other uses. This planning effort will also evaluate UMUT water management priorities, which include priorities like the maintenance of the Tribal domestic water distribution systems and non-consumptive use considerations. Accordingly, the primary purpose is marked as a needs assessment, but this project will allow the UMUT to prioritize water management efforts in all areas of UMUT water planning and management.

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

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

<input type="text"/>	New Storage Created (acre-feet)
<input type="text"/>	New Annual Water Supplies Developed, Consumptive or Nonconsumptive (acre-feet)
<input type="text"/>	Existing Storage Preserved or Enhanced (acre-feet)
<input type="text"/>	Length of Stream Restored or Protected (linear feet)
<input type="text"/>	Length of Pipe/Canal Built or Improved (linear feet)

Water Supply Reserve Account – Application Form

Revised December 2011

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

Latitude:

Longitude:

Please see the attached map, Exhibit B. The UMU Reservation consists of a large land base in Colorado. A simple latitude/longitude may not provide enough information for review.

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.

Since the 1980s, the UMUT has undertaken significant work and expense in litigating, and then settling, its water rights within the State of Colorado. This effort was significantly complicated in the 1990s by concerns with the Animas-La Plata Project, and the UMUT ultimately revised its Colorado Settlement Agreement and its settlement-based decrees to reflect the project ultimately approved by Congress in 2000. Since 2000, the UMUT has worked hard to ensure that the water projects promised under the Colorado settlement legislation and decrees have been built.

Now that the Animas-La Plata Project is in the final stages of construction, the UMUT faces significant questions about the best long-term management and planning for the development and use of its Animas-La Plata Project water. The UMUT also faces significant water management and use issues with its direct diversion and storage water rights and the rights used from the Dolores Project. Because the UMUT has limited time and funds to undertake significant work maintaining and implementing important water settlement and management work, it is important for the Tribe to develop water management and development priorities and that the UMUT have a clear plan supporting its management and development activities.

To meet this need, the UMUT is proposing to undertake a comprehensive water conservation and management plan (to meet, among other things, Bureau of Reclamation guidance for the development of water conservation and management plans). The overarching goal of this planning effort is to develop short-term and long-term planning goals to allow the UMUT to prudently and efficiently manage, develop, use, and protect its water resources. The specific objectives of this plan are: develop and prioritize water management goals; support basic services to UMU Tribal members; partner with non-Tribal entities to reduce costs, meet objectives and increase water efficiencies and yields; undertake short-term and long-term planning including investment partnerships; and create a final water conservation and management plan. The UMUT anticipates that this planning effort will: (i) identify areas where the UMUT can work with local, regional, state, and federal partners to develop and manage shared water infrastructure and resources; and (ii) allow the UMUT to develop prudent water management practices to implement in its own management and development of water resources.

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 Ute Mountain Ute Tribe Water Management and Conservation Plan is consistent with C.R.S. 37-75-102. The UMUT holds water rights decreed under Case No. W-1603-76(A)-(I) (as amended) and water rights decreed under Colorado state law for off-Reservation ranch properties. The UMUT also participates in certain intergovernmental organizations (such as the Animas La Plata Operations, Maintenance, and Replacement Association, a Colorado unincorporated nonprofit association) related to water development and management. The proposed Ute Mountain Ute Tribe Water Management and Conservation Plan will allow the UMUT to prioritize its water management work so that it can undertake prudent and efficient water management efforts to best use of its water resources. The UMUT does not propose any work to repeal the existing water rights adjudication system or to diminish, impair, or cause injury to any contractual rights related to its water resources or any other entity's water resources.

- 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.

On April 17, 2013, the UMUT presented this application to the Southwest Basin Roundtable. The May 6, 2013 letter from Mike Preston, Southwest Basin Roundtable Chair, explains that the entire application was discussed in detail and approved at the April 17, 2013 meeting.

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.

The proposed Ute Mountain Ute Tribe Water Conservation and Management Plan will assist in meeting the water supply needs identified in the Southwest Basin Roundtable's consumptive and non-consumptive needs assessment. The UMUT holds a significant portfolio of water rights in several river basins in Southwest Colorado. These water rights include allocations from two federal projects that serve Tribal and non-Tribal water users in southwestern Colorado and direct diversion, storage, and other rights to surface water and tributary groundwater resources. The UMUT also owns both on-Reservation and off-Reservation water development infrastructure that could facilitate water supply development with non-Tribal partners. The UMUT's management, development, and use of UMUT water resources all have the potential to affect (and in some cases, to help address) many consumptive and non-consumptive needs identified in the SWSI needs assessment process.

As part of the proposed Water Conservation and Management Plan, the UMUT proposes work to identify priorities for the use of federal settlement funds that could allow the joint development of projects to address important consumptive and non-consumptive needs in southwestern Colorado.

- 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)

The UMUT meets the matching requirements.

The total anticipated cost for the Ute Mountain Ute Water Conservation and Management Plan is \$125,331. The UMUT has requested \$25,000 (the maximum amount available) from the Bureau of Reclamation Water Conservation Field Services Program. The UMUT has proposed using \$20,000 from requested Bureau of Indian Affairs water funding and dedicating at least \$10,331 in in-kind contributions (not including any work on grant applications). Thus, the UMUT has provided more than the required 20 percent match for the

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

\$40,000 requested from the Statewide Account.

The UMUT is now requesting \$30,000 from the Southwest Basin Roundtable funds and \$40,000 from the statewide water supply reserve account. Thus, the UMUT has requested more than the minimum match of 5 percent from the Southwest Basin funds.

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

Water Supply Reserve Account – Application Form

Revised December 2011

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

Please attach additional pages as necessary.

The proposed Ute Mountain Ute Tribe Water Conservation and Management Plan meets and promotes many of the evaluation criteria for the use of the Statewide Account funds.

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

a. Addressing Multiple Needs or Issues, Consumptive and Non-Consumptive Interests, Multiple Basins

The proposed Water Conservation and Management Plan will address the UMUT's entire portfolio of Colorado-based water rights. This portfolio includes water rights decreed for irrigation, municipal and industrial, livestock, and other uses. The use of this portfolio will present significant opportunities for meeting future UMUT water needs and for managing and addressing consumptive and non-consumptive water interests. The proposed planning activity will allow for the UMUT to receive input from interested parties and to evaluate non-consumptive concerns while it sets short-term and long-term priorities for its water use, management, and development.

The proposed Water Conservation and Management Plan should not have interbasin impacts. The vast majority of the UMUT's Colorado-based water rights are held within the Southwest Basin. The planning process will help identify project and development priorities in different river basins within the Southwest Basin. The UMUT notes here that, because many of the UMUT water rights and some of the UMUT water infrastructure is located near the Colorado-New Mexico State line, development and use of UMUT water can have impacts on interstate compact compliance. The UMUT anticipates that the planning process will help identify impacts and options to address important interstate issues.

b. Promotion of Cooperation and Collaboration, Consumptive and Non-Consumptive Interests, Addressing Intrabasin and Interbasin Needs or Issues

The proposed Water Conservation and Management Plan is designed to promote cooperation and collaboration with important local and state partners as the Tribe undertakes a comprehensive management and planning effort for its water resources. The proposed planning effort seeks to provide a planning structure to work with interested parties to evaluate how the UMUT can undertake short-term and long-term planning efforts to ensure that the UMUT makes appropriate regulatory and water use decisions. Accordingly, the UMUT views this planning process as one that will help the UMUT and local water users avoid intrabasin conflicts.

The proposed Water Conservation and Management Plan should not have interbasin impacts. The vast majority of the UMUT's Colorado-based water rights are held within the Southwest Basin. The planning process will help identify project and development priorities in different river basins within the Southwest Basin. The UMUT notes here that, because many of the UMUT water rights and some of the UMUT water infrastructure is located near the Colorado-New Mexico State line, development and use of UMUT water can have impacts on interstate compact compliance. The UMUT anticipates that the planning process will help identify impacts and options to address important interstate issues.

c. Meeting Colorado's Future Water Needs

The proposed Ute Mountain Ute Tribe Water Conservation and Management Plan will not directly

Water Supply Reserve Account – Application Form

Revised December 2011

implement any specific projects identified in the SWSI needs assessment. However, the need for this planning effort (and for certain tasks identified in the scope of work) was identified in an earlier SWSI-listed (and CWCB-funded) Dolores Water Conservancy District/Ute Mountain Ute Tribe Reconnaissance Study to Evaluate Potential Water Needs and Supplies (“Joint Study”).

The UMUT anticipates that the proposed planning effort will assist in identifying collaborative options for meeting the water supply needs identified in the Southwest Basin Roundtable’s consumptive and non-consumptive needs assessment. The UMUT holds a significant portfolio of water rights in several river basins in southwest Colorado. These water rights include allocations from two federal projects that serve Tribal and non-Tribal water users in southwestern Colorado and direct diversion, storage, and other rights to surface water and tributary groundwater resources. The UMUT also owns both on-Reservation and off-Reservation water development infrastructure that could facilitate water supply development with non-Tribal partners. The UMUT’s management, development, and use of UMUT water resources all have the potential to affect (and in some cases, to help address) many consumptive and non-consumptive needs identified in the SWSI needs assessment process. As part of the proposed Water Conservation and Management Plan, the UMUT proposes work to identify priorities for the use of federal settlement funds that could allow the development of projects to address important consumptive and non-consumptive needs in southwestern Colorado.

Tier 2: Facilitating Water Activity Implementation

d. Importance of CWCB Funding for Project

The total anticipated cost of the Ute Mountain Ute Tribe Water Conservation and Management Plan is \$125,331. The UMUT is actively seeking to work to seek funds from the proposed funding sources outlined in the Table below.

Proposed Funding Sources

Proposed Funding Sources	Funding Type	Funding Amount
USBR Water Conservation Field Services Program	Federal	\$ 25,000
Ute Mtn Ute Contribution (BIA funds)	Federal	\$ 20,000
Sub-Total Federal		\$ 45,000
CWCB Southwest Basin Roundtable	State	\$ 30,000
CWCB Statewide Water Supply Reserve Account	State	\$ 40,000
Sub-Total CWCB		\$ 70,000
Total Funding		\$ 115,000

In addition, the UMUT’s initial calculation of in-kind contributions is at least \$10,331.

Because of the size of the UMUT’s water portfolio, the location of UMUT water resources in several river basins and two federal water projects, and the complexities of addressing water resources use, development, and management on a large land base located near the Colorado State border, there is a significant amount of work

Water Supply Reserve Account – Application Form

Revised December 2011

involved in performing the proposed planning effort. The UMUT has carefully crafted the scope of work tasks and the proposed budget relying on multiple grant and Tribal funding sources. While the scope of work could be adjusted to remove some tasks, the two allocations of CWCB funding requested under this application (the \$30,000 in Southwest Basin Roundtable funds and the \$40,000 from the Statewide Account) are crucial funds to allow even a modified scope of work to move forward. Accordingly, the UMUT anticipates that the two allocations of CWCB funding will be necessary to allow the proposed planning effort to occur.

e. Matching Funds

The total anticipated cost of the Ute Mountain Ute Tribe Water Conservation and Management Plan is \$125,331. The UMUT is actively working to seek funds from the proposed funding sources outlined in the Table below.

Proposed Funding Sources

Proposed Funding Sources	Funding Type	Funding Amount
USBR Water Conservation Field Services Program	Federal	\$ 25,000
Ute Mtn Ute Contribution (BIA funds)	Federal	\$ 20,000
Sub-Total Federal		\$ 45,000
CWCB Southwest Basin Roundtable	State	\$ 30,000
CWCB Statewide Water Supply Reserve Account	State	\$ 40,000
Sub-Total CWCB		\$ 70,000
Total Funding		\$ 115,000

In addition, the UMUT's initial calculation of in-kind contributions is at least \$10,331. This means that the UMUT has allocated at least \$30,331 (in funding that would otherwise be dedicated to UMUT water resource work and in-kind funds) to this planning project.

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

f. Agriculture, Open Space, Environmental/Recreational Needs

The focus of the Water Conservation and Management Plan is to allow the UMUT to develop short-term and long-term water conservation and management priorities and to undertake prudent water management efforts while using and developing its water resources. In Task 4 of the scope of work, the UMUT will identify environmental considerations in the San Juan River basin, including sensitive, threatened, and endangered species and including Tribal environmental principles.

In Task 6, the UMUT will identify short-term and long-term goals for the Tribe and for regional partners and interested parties. The UMUT anticipates that some of these goals will address environmental considerations and the health of riparian habitats in southwestern Colorado, as well as land use planning considerations. The UMUT also anticipates that continued support for the vibrant agricultural economies in southwestern Colorado (including, for example, the UMUT's own Farm & Ranch Enterprise, which was developed with Dolores Project

Water Supply Reserve Account – Application Form

Revised December 2011

water) will be a central focus of the UMUT planning effort.

- g. Assisting in administration of compact-entitled waters, compact compliance

The UMUT's use of its water portfolio and the UMUT development of water infrastructure in southwest Colorado has the potential to assist in the administration of compact-entitled waters and to assist in compact compliance activities. The UMUT holds significant water resources in the Animas-La Plata project, which is an interstate project that delivers water to both Colorado and New Mexico. The UMUT has already participated in jointly developing important compact compliance water projects like the current Long Hollow reservoir project. The UMUT anticipates undertaking some evaluation of how UMUT water management and development impacts or assists in interstate compact issues.

- h. Recovery of federal threatened and endangered species, Colorado State species of concern

The Ute Mountain Ute Tribe Water Conservation and Management plan will not directly impact the recovery of threatened and endangered species or Colorado species of concern. However, in Task 4 of the scope of work, the UMUT will identify environmental considerations in the San Juan River basin, including sensitive, threatened, and endangered species and including Tribal environmental principles. The UMUT anticipates that this work will, at a minimum, look at the UMUT's participation in the San Juan River Recovery Implementation Program, the UMUT's participation in the Dolores River Dialogue and other groups involved in management of the Dolores Project, and UMUT work with the State of Colorado on sensitive fish species and tamarisk removal in the Mancos River watershed.

- i. High level of benefit to the State

The UMUT believes that this planning effort has a very high level of benefit to Colorado in relationship to the amount of funds requested. The State of Colorado is a party to the Colorado Settlement Agreement, and state water administrators have significant responsibilities to administer water resources with the UMUT. In addition, several state agencies, including the CWCB and the Colorado Water Resources & Power Development Authority, are members of the Animas La Plata Operations, Maintenance, & Replacement Association with the UMUT. Improving UMUT water management and development planning activities will improve both the State's role in management and administration of water in Southwest Colorado and the State's role in managing and developing shared project water resources and associated water infrastructure.

- j. Complimentary, Assists in Implementation of other CWCB programs

The UMU Tribal government shares a significant number of responsibilities and priorities with the CWCB, including, but not limited to, water management programs, water efficiency and improvement of municipal water systems, watershed protection and maintenance of healthy river systems, and addressing interstate compact concerns. As the UMUT undertakes a comprehensive water management and planning effort, the UMUT will be setting short-term and long-term priorities for its use and management of water resources. The UMUT anticipates that this planning effort will help identify areas where the UMUT and the CWCB share water management and use priorities and where the CWCB and the UMUT might have opportunities to work together to implement CWCB programs. The UMUT also notes that the proposed study builds on the "Joint Study," and therefore directly implements certain tasks and an overall planning efforts identified in an earlier, CWCB-funded study.

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.

N/A. The proposed Water Conservation and Management Plan does not involve the development of any physical water infrastructure, water rights, or water supplies. The planning effort will evaluate the UMUT's entire portfolio of Colorado-based water rights. The UMUT's rights decreed pursuant to the Colorado Ute Indian Water Rights Final Settlement Agreement ("UMUT Settlement Rights") can be found in Case No. W-1603-76(A)-(I) (as amended). The UMUT Settlement Rights include allocations in the Dolores Project and in the Animas-La Plata Project. The UMUT has additional, state-based water rights for use at its off-Reservation ranch properties.

The UMUT does not believe that additional detail on any of its water rights will help the CWCB assess the viability of the proposed Water Conservation and Management Plan activity. To the extent that the CWCB needs specific information about the UMUT portfolio to review this grant request, the UMUT may provide additional information.

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

The UMUT does not anticipate any permitting issues with the proposed Water Conservation and Management Plan project. The UMUT participated in the Joint Study with the Dolores Water Conservancy District that addressed a narrower set of issues with the UMUT's use of water from the Dolores Project. The UMUT is seeking to undertake some of the recommendations of the Joint Study (including, for example, undertaking the recommended leak detection study on the Towaoc municipal water system).

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.

See Exhibit A, attached.

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.

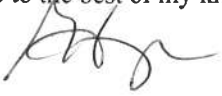
Final Deliverable: At completion of the project, the applicant shall provide the CWCB a final report that summarizes the project and documents how the project was completed. This report may contain photographs, summaries of meetings and engineering reports/designs.

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: GARY HAYES CHAIRMAN – UTE MOUNTAIN UTE TRIBE

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 – Ute Mountain Ute Tribe Water Conservation and Management Plan

GRANT RECIPIENT – Ute Mountain Ute Tribe

FUNDING SOURCE - Multiple. From CWCB funding sources, the UMUT is requesting \$30,000 from the Southwest Basin Roundtable fund and \$40,000 from the Statewide Water Supply Reserve Account.

INTRODUCTION AND BACKGROUND

In Colorado, the UMUT holds a significant portfolio of water rights obtained through settlement of federal reserved water rights claims and off-Reservation land purchases. This portfolio includes allocations from both the Dolores and Animas-La Plata projects and direct diversion and storage rights in several river basins. In recent years, the UMUT has faced increasing pressure to make decisions regarding its long-term plans for Tribal development of water resources. The UMUT has also experienced recent cycles of drought on its semi-arid Reservation lands and its off-Reservation ranch lands, and has many demands on Tribal resources to construct water infrastructure off and on the Reservation and to pay operations and maintenance charges on infrastructure. The UMUT understands that successful implementation of its water rights settlement (including the use of settlement funds dedicated to work in partnership with the non-Indian community) and continued use of state-appropriated water resources may depend on short-term and long-term planning efforts and on the Tribe undertaking prudent and efficient water management efforts to best use its scarce water resources. Accordingly, the Tribe now proposes to utilize federal, Tribal, and CWCB resources to undertake a comprehensive water conservation and management plan for the Ute Mountain Ute Tribal water resources.

OBJECTIVES

The objectives of the water conservation and management plan are:

- Develop and prioritize water management goals
- Support basic services to Tribal members
- Partner with non-tribal entities to reduce costs, meet multiple objectives and increase water efficiencies and yields
- Short-term and long-term planning including investment partnerships
- Create Water Conservation and Management Plan

TASKS

TASK 1 – Project Kickoff

Description of Task

Hold a meeting of the core project team to review tasks, deliverables and delegate key responsibilities

Method/Procedure

- Meet with Tribal staff, representatives and consultant to establish project work group
- Review the project area and scope of resources to be included in the Plan
- Review delegation of tasks per project scope, discuss opportunities for collaboration, and identify any additional resources for information

Deliverable

Documentation: Document recorded project work group members, general delegation of project responsibilities, contact information and additional resources that may be tapped for specific needs.

Funding Source for Task 1: U.S. Bureau of Reclamation (100%)

TASK 2 – Inventory of Water Resources

Description of Task

Create an inventory of Tribal water resources that will establish the scope of resources to be addressed in the plan and will create databases that will facilitate later work for the plan.

Method/Procedure

- Consolidate existing studies, databases and information on municipal, agricultural, tribal ranches and Settlement Rights water resources.
- Integrate the existing information in a single Excel database
- Identify gaps and input additional information, if necessary
- Create a geospatial database of water rights to be used for planning and future water management

Deliverables

Reference File: electronic repository for all existing studies that are pertinent to Water Resources Conservation and Management

Database of Resources: Excel spreadsheet integrating all Tribal water resources being considered in the Plan

Geodatabase of Resources: GIS Geodatabase with Tribal water resources being considered in the Plan

Narrative Description: Brief narrative description of the Tribal Water Resources

Funding Source for Task 2: U.S. Bureau of Reclamation (100%)

TASK 3 – Create Water Budgets

Description of Task

Update municipal data by conducted a leak detection study. Using readily available data, create a water budget for major resources categories (i.e. Municipal, Agricultural) based on current demands, projected demands, and supplies identified in Task 1.

Method/Procedure

- Conduct municipal pipeline leak detection study
- Update Municipal Study with new data and incorporate into Plan
- Using existing data, create Farm Ranch Enterprise (FRE) spreadsheet showing calculated demands, historical use, and projected demands
- Update Tribal Ranch water supply and demand data and projected demands based on current information
- Create spreadsheet of current and projected uses of Settlement Rights water rights (based on existing management system of water rights) and identify areas of physical/legal water shortages and surpluses.

Deliverables

Water Budgets Analysis: Excel spreadsheets for Municipal, FRE, Tribal Ranch and Settlement Rights water supplies, demands and projected growth based on existing information

Water Budget Narrative: Narrative summary of the status of water resources for each resource category that identifies surplus, shortfalls and potential issues in projected needs.

Funding Source for Leak Study and Municipal Update: CWCB Statewide Water Reserve Account (100%)

Funding Source for remaining Task 3 items: U.S. Bureau of Reclamation (100%)

TASK 4 – Legal, Institutional and Environmental Considerations

Description of Task

Prepare a narrative description of legal, institutional and environmental considerations in the San Juan River basin that may affect water resource management. This will be based on existing work and Tribal expertise, existing projects and studies, and experience in the San Juan River Basin. These considerations will be incorporated into subsequent tasks.

Method/Procedure

- Summarize legal considerations for water resources including the Colorado water law framework, the Settlement Act and existing contracts.
- Summarize institutional considerations for water resources including contracts with Reclamation, existing partnerships and Tribal Trust Asset issues.
- Summarize environmental considerations for water resources potentially including Threatened and Endangered Species and Species of Concern in the region, streamflow shortages, San Juan Recovery Implementation Plan, and Tribal environmental principles

Deliverable

Narrative: A written summary of legal, institutional and environmental considerations that may affect Tribal Water Resources

Funding Sources for Task 4: U.S. Bureau of Reclamation (76%), CWCB Southwest Basin Roundtable (24%)

TASK 5 – Existing Water Management Measures and Programs

Description of Task

Summarize existing water management measures for each water resource category using knowledge of Tribal staff and experience of project team.

Method/Procedure

- Generate a list of existing management measures for each resources category
- Review list of measures with appropriate Tribal staff (i.e. utilities department, water quality program, FRE staff) and stakeholders (i.e. Dolores Water Conservancy District, Southwestern Water Conservation District)
- Refine list of existing management measures and include known issues

Deliverables

Narrative: A written summary of existing water management measures for municipal and agricultural resources. The summary will include basic information on each measure as well as known issues with ongoing implementation of measures

Table of Existing Measures: Table of measures including the following data: Measure Name, Manager(s)/Partners, Funding Source, Issues.

Funding Source for Task 5: CWCB Southwest Basin Roundtable (100%)

TASK 6 – Identify Issues and Goals

Description of Task

Create a list of short-term and long-term goals as well as issues to be addressed for both Tribal and regional water resources. Using this consolidated list, propose water management measures that address issues and assist the Tribe with reaching its water management goals.

Method/Procedure

- Gather input from Tribal members, Tribal staff and Tribal Council on water resource issues as well as short-term and long-term goals
- Discuss issues and goals with regional partners and interested parties
- Consolidate input from various entities into master list of short-term and long-term goals and issues to be addressed
- Propose candidate water management measures to be evaluated based on the identified goals and issues. These measures include investment in regional projects, conservation measures from

Reclamation guidance documents, and innovative measures that may be appropriate for the resources.

Deliverables

Narrative: A written summary of goals and issues based on meetings, discussions and public outreach.

Table: A table including the following fields: water resource category, stakeholders, short-term goal, long-term goals, issues, candidate management measures.

Funding Source for Task 6: CWCB Southwest Basin Roundtable (100%)

TASK 7 – Evaluation of Candidate Water Management Measures

Description of Task

Following Reclamation methodology, evaluate the candidate measures feasibility and effectiveness in meeting the stated goals. Evaluations will include consideration of opportunities to partner with other regional entities to share infrastructure, develop projects and implement conservation.

Method/Procedure

- For each candidate measures, briefly describe the strengths and weaknesses in regards to estimated costs, legal/institutional/environmental considerations, opportunities to share investments and infrastructure with regional partners, and the projected outcome of the measure.
- Using the summary of each measure, create a prioritizing table of candidate measures

Deliverables

Narrative: A written evaluation of each candidate measure based on relevant criteria and available information.

Table: A table including the following fields: goal, candidate measure, major pros/cons, priority ranking

Funding Source for Task 7: CWCB Southwest Basin Roundtable (100%)

TASK 8 – Adopted Plan Elements

Description of Task

Develop plans for implementing high priority measures identified in Task 7. Establish responsibilities for monitoring the implementation of the management measures.

Method/Procedure

- For high priority measures, develop implementation schedule, estimate costs, and identify funding options including partnerships. This will be done with input from Tribal staff, cost information from Tribal companies and consultant expertise, and review by stakeholders involved in the candidate measure.
- Identify a Water Management Coordinator to oversee implementation of the priority candidate measures. For each measure, suggest criteria to monitor success in meeting Tribal goals.

Deliverables

Narrative: A written summary of how to implement the priority candidate measures as well as how to track the success of the overall water management plan.

Delegated Roles: Identify a water management coordinator tasked with coordinating implementation of the water management plan

Table: A table including the following fields: Candidate Measure, Tasks, Cost, Funding Source, Partnership Opportunities, Implementation Schedule.

Funding Sources for Task 8: CWCB Southwest Basin Roundtable (77%), Ute Mountain Ute Tribe through BIA Funding (23%)

TASK 9 – Environmental Review

Description of Task

Summarize the potential environmental effects of implementing the Water Conservation and Management Plan. Conduct a brief review of the candidate measures and goals to identify environmental considerations that will need to be addressed in implementation.

Method/Procedure

- Using information from preceding tasks, identify environmental compliance issues for candidate measures.
- Review individual measures to generate an overall estimate of environmental outcomes from implementation of the Plan

Deliverable

Narrative: A written summary of projected environmental outcomes from creating the Water Conservation and Management Plan, including overview of compliance issues identified for candidate measures.

Funding Source for Task 9: Ute Mountain Ute Tribe through BIA Funding (100%)

TASK 10 – Prepare Report

Description of Task

Create the final document of the Water Resource Conservation and Management Plan.

Method/Procedure

- Consolidate all of the deliverables from previous tasks into a single document following Reclamation format
- Prepare additional portions of the report including introduction, summary, figures, documentation, etc.
- Provide a draft report for review and edits by Tribal Council and project team
- Create final report

Deliverable

Final Report: Hard copies and electronic copies of the Ute Mountain Ute Tribal Water Resources Conservation and Management Plan.

Funding Source for Task 10: Ute Mountain Ute Tribe through BIA Funding (100%)

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.

Please see the comprehensive budget inserted below ("Proposed Budget"). The Proposed Budget provides the CWCB with the entire budget for the proposed Water Conservation and Management Planning Effort (which the UMUT anticipates funding with the resources identified in the "Proposed Funding Sources" Table). The Proposed Budget also provides detailed information about the calculation of both Tribal in-kind contributions and consultant costs for the entire project.

Project Funding Sources

Proposed Funding Sources	Funding Type	Funding Amount
USBR Water Conservation Field Services Program	Federal	\$ 25,000
Ute Mtn Ute Contribution (BIA funds)	Federal	\$ 20,000
Sub-Total Federal		\$ 45,000
CWCB Southwest Basin Roundtable	State	\$ 30,000
CWCB Statewide Water Supply Reserve Account	State	\$ 40,000
Sub-Total Non-Federal		\$ 70,000
Total Funding		\$ 115,000

Project Budget Summary

Task #	Task Name	Task Detail	Tribal	Consultant
1	Project Kick-Off	Preparation/Documentation		
		Project Work Group Meeting		
			\$ 364	\$ 1,280
2	Inventory of Water Resources	Consolidate existing data and studies		
		Create Excel Database		
		Create GIS Database		
		Task Subtotal	\$ 784	\$ 6,407
3	Create Water Budgets	Municipal		
		Agricultural - FRE		
		Agricultural - Tribal Ranches		
		Consent Decree Rights (current uses and supply)		
		Leak Detection Study	\$ 40,000	
		Task Subtotal	\$ 1,747	\$ 7,624
4	Legal, Institutional and Environmental Considerations	Summary narrative of considerations		
		Review and input on Tribal-specific issues		
		Task Subtotal	\$ 154	\$ 6,590
5	Existing Water Management Measures and Programs	Document existing measures		
		Tribal and Partner Input on existing measures		
		Final list of existing measures including issues		
		Task Subtotal	\$ 805	\$ 3,518
6	Identify Issues and short-term and long-term Goals	Gather Tribal input		
		Gather partner input		
		Create master list of goals and issues		
		Propose candidate measures to meet goals		
		Task Subtotal	\$ 1,177	\$ 8,811
7	Evaluate Candidate Water Management Measures	Evaluate each measure on list of criteria		
		Create a prioritization table for all measures		
		Task Subtotal	\$ 1,863	\$ 10,752
8	Adopted Plan Elements	Plan elements for high priority measures		
		Identify Water Management Coordinator		
		Task Subtotal	\$ 1,002	\$ 3,545
9	Environmental Review	Narrative summary of potential environmental effects		
		Identify environmental compliance issues for measures		
		Task Subtotal	\$ 107	\$ 3,682
10	Prepare Report	First draft		
		Review and edits		
		Final Report		
		Task Subtotal	\$ 2,328	\$ 14,854
Other	Quarterly reports to Reclamation			\$ 2,744
Expenses	Mileage, copies, map prints, and postage			\$ 5,193
Total Project Costs				\$ 115,000
Total Project Contributions			\$ 10,331	
Total Project Value			\$	125,331

Budget Proposal							
Budget Item Description	Computation		Total Cost	Applicant (In-Kind)	State	Other Federal (BIA)	Reclamation Funding
	Rate/Hr	Hours					
Salaries and Wages (See attached Tribal In-Kind Calculations)							
Tribal Staff	\$ 30	230	\$ 6,900	\$ 6,900	\$ -	\$ -	\$ -
Tribal Associate General Counsel	\$ 47	73	\$ 3,431	\$ 3,431	\$ -	\$ -	\$ -
Contractual (See attached Consultant Cost Calculations)							
Project Manager	\$ 192	107	\$ 20,544	\$ -	\$ 8,832	\$ 7,104	\$ 4,608
Project Consultant	\$ 100	312	\$ 31,200	\$ -	\$ 14,700	\$ 7,600	\$ 8,900
Project GIS	\$ 78	162	\$ 12,636	\$ -	\$ 2,652	\$ 3,276	\$ 6,708
Project Assistant	\$ 81	67	\$ 5,427	\$ -	\$ 1,216	\$ 1,370	\$ 2,834
Consultant Expenses (includes copies, mileage, postage, map printing)			\$ 5,193	\$ -	\$ 2,600	\$ 650	\$ 1,950
Contract			\$ 40,000	\$ -	\$ 40,000	\$ -	\$ -
Total Direct Costs			\$ 125,331	\$ 10,331	\$ 70,000	\$ 20,000	\$ 25,000
Total Project Costs			\$ 125,331	\$ 10,331	\$ 70,000	\$ 20,000	\$ 25,000

Budget Narrative - Forecasted Cash Needs					
First Year of Grant					
Funding Source	Total 1st Year	QUARTER 1	QUARTER 2	QUARTER 3	QUARTER 4
Reclamation	\$ 23,628	\$ 8,680	\$ 8,617	\$ 5,988	\$ 343
BIA	\$ -	\$ -	\$ -	\$ -	\$ -
Non-Federal	\$ 44,004	\$ -	\$ -	\$ 41,595	\$ 2,409
Total	\$ 67,632	\$ 8,680	\$ 8,617	\$ 47,583	\$ 2,752
Second Year of Grant					
Funding Source	Total 2nd Year	QUARTER 5	QUARTER 6	QUARTER 7	QUARTER 8
Reclamation	\$ 1,372	\$ 343	\$ 343	\$ 343	\$ 343
BIA	\$ 20,000	\$ -	\$ -	\$ 4,509	\$ 15,491
Non-Federal	\$ 25,996	\$ 11,220	\$ 6,026	\$ 8,750	
Total	\$ 47,368	\$ 11,563	\$ 6,369	\$ 13,602	\$ 15,834

Budget Narrative - Tribe In-Kind and Consultant Cost Details

Task #	Task Detail	Tribal Hours		Consultant Hours			
		Tribal Staff	Assoc. General Counsel	Manager	Consultant	GIS	Assistant
1	Preparation/Documentation				2	3	2
	Project Work Group Meeting	9	2	2	3		
2	Consolidate existing data and studies	20	2	2	4		3
	Create Excel Database	1			7		
	Create GIS Database	2				60	
3	Municipal	8	4	4	11	6	2
	Agricultural - FRE	10	2	5	10	6	1
	Agricultural - Tribal Ranches	7	1	1	3	4	1
	Consent Decree Rights (current uses and supply)	16	4	3	10	2	
4	Summary Narrative of Considerations			6	18	7	4
	Review and input on Tribal-specific issues	2	2	4	20		
5	Document existing measures	5	1	3	9	3	1
	Tribal and Partner Input on existing measures	12	3	2	4		
	Final list of existing measures including issues	2	1	2	4	1	1
6	Gather Tribal input	20	4	6	6		4
	Gather partner input	2	3	4	14	4	1
	Create master list of goals and issues				10	4	1
	Propose candidate measures to meet goals		4	7	12	2	1
7	Evaluate each measure on list of criteria	40	6	10	40	10	1
	Create a prioritization table for all measures	8	3	5	23	6	3
8	Plan elements for high priority measures	20	5	4	18	4	1
	Identify Water Management Coordinator	4	1	2	2		
9	Narrative summary of potential environmental effects			4	17	6	2
	Identify environmental compliance issues for measures	2	1	2	2		
10	First Draft			19	35	20	4
	Review and Edits	40	24				
	Final			10	20	14	10
Other	8 quarterly reports over 2 year project				8		24
Total Project Hours		230	73	107	312	162	67

In the Task List (above, in the scope of work), the UMUT has broken each task by funding source and by percentage. The CWCB-funded portions of the Task list are:

Task 3, CWCB Statewide Funding, \$40,000, leak detection study
 Task 4, CWCB Roundtable Funding, 24%
 Task 5, CWCB Roundtable Funding, 100%
 Task 6, CWCB Roundtable Funding, 100%
 Task 7, CWCB Roundtable Funding, 100%
 Task 8, CWCB Roundtable Funding, 77%

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.

Projected Activity Schedule									
Task #	Task Name	QUARTER 1	QUARTER 2	QUARTER 3	QUARTER 4	QUARTER 5	QUARTER 6	QUARTER 7	QUARTER 8
1	Project Kick-Off	X							
2	Inventory of Water Resources	X							
3	Create Water Budget		X	X					
4	Legal, Institutional and Environmental Considerations			X					
5	Existing Water Management Measures and Programs				x				
6	Identify Issues and Short-Term and Long-Term Goals				x	x			
7	Evaluate Candidate Water Management Measures						X	X	
8	Adopted Plan Elements							X	
9	Environmental Review							X	
10	Prepare Report								X
	Reporting	X	X	X	X	X	X	X	X

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.

Ute Mountain Ute Reservation - Location Map

