



COLORADO WATER CONSERVATION BOARD

WATER SUPPLY RESERVE ACCOUNT APPLICATION FORM



Storage Feasibility Study Yampa and White Basin

Name of Water Activity/Project

White River Storage Feasibility Study

Name of Applicant

Rio Blanco Water Conservancy District

Amount from Statewide Account:

\$67,500

Amount from Basin Account(s):

\$67,500

Total WSRA Funds Requested:

\$135,000

Approving Basin Roundtable(s)

(If multiple basins specify amounts in parentheses.)

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Required Exhibits

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

Appendices - Reference Material

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

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Instructions

To receive funding from the Water Supply Reserve Account (WSRA), a proposed water activity must be approved by the local Basin Roundtable **AND** the Colorado Water Conservation Board (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): Rio Blanco Water Conservancy District and Board of Directors

Mailing address: 2252 East Main Street
Rangely, CO 81648-2013

Taxpayer ID#:

Primary Contact: Dan Eddy Position/Title: District Manager

Email: rbwcd@yahoo.com

Phone Numbers: Cell: 970-629-2542 Office: 970-675-5055

Alternate Contact: Brad McCloud Position/Title: Project Manager

Email: bmcccloud@eis-solutions.ent

Phone Numbers: Cell: 970-250-7988 Office: 970-241-3008

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

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

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3. Provide a brief description of your organization

The Rio Blanco Water Conservancy District was started in 1992 to facilitate, operate and maintain the construction of Taylor Draw Hydroelectric Dam that creates Kenny Reservoir. The dam is located on the White River approximately six miles upstream of the Town of Rangely, Colorado in Rio Blanco County. The District has currently owned and operated the hydroelectric operation for over 20 years. As part of the Rio Blanco Water Conservancy District, a Board of Directors was appointed by the Water Court to represent the District community to supply fresh water and recreational opportunities within the District.

Rio Blanco Water Conservancy District is also a part of the Colorado River District whose mission is to “lead in the protection, conservation, use, and development of the water resources of the Colorado River basin for the welfare of the District, and to safeguard for Colorado all waters of the Colorado River to which the state is entitled.”

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.

No existing Tabor issues are of concern for the Rio Blanco Water Conservancy District.

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Part II. - Description of the Water Activity/Project

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

Nonconsumptive (Environmental or Recreational)

Agricultural

Municipal/Industrial

Needs Assessment

Education

Other Explain:

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

A storage facility located in the White River basin would serve as a multi-purpose facility. The initial facility would be designed to store adequate water for the Rio Blanco County municipal and industrial future 2050 demands as well as serve as a recreational facility to replace the lost recreational surface area located at the Kenny Reservoir. The storage facility would be designed with the expectation of enlarging the reservoir based on additional basin needs like energy development, threatened and endangered species, and Colorado River Compact Drought Storage components as projected for 2050 demands. The enlargement will greatly depend on the partners and funding the District will be able to receive from the interested parties.

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

Study Implementation

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

New Storage Created (acre-feet)

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

Existing Storage Preserved or Enhanced (acre-feet)

Length of Stream Restored or Protected (linear feet)

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

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

Area of Restored or Preserved Habitat (acres)

Other -- Explain:

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

Latitude:

Not Applicable

Longitude:

Not Applicable

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 Storage Facility would be designed to meet local consumptive and non-consumptive needs with the potential for enlargement to also meet BRT and State needs regarding consumptive and non-consumptive needs such as environmental concerns, minimum in-stream flows, Colorado River Compact Drought Storage, and future industrial shortages in White River Basin. The project would be split into two phases for funding purposes: Phase I – Course Screening, and Phase II – Fine Screening.

The Phase I portion of the Storage Feasibility Study would initiate the planning and design of a multi-purpose facility that meets both consumptive and non-consumptive needs in the Yampa and White River Basins as well as the Colorado River Basin. The initial facility would provide consumptive needs including 2050 municipal and industrial demands for Rio Blanco County with the potential to provide additional storage based on stakeholders and partners identified during the implementation phase.

The WSRA funds would be used to complete Phase I of the Storage Feasibility Study for the Rio Blanco Water Conservancy District. Phase I of the Storage Feasibility Study project components and activities are listed below.

- I. Update 2050 SWSI projected water demands completed in 2010 for municipal, industrial, and self-supported industrial needs for Rio Blanco County and the Yampa and White River Basin Roundtable.
- II. Develop project specific purpose and needs to include needs for the Rio Blanco County as well as the Yampa and White Basins.
- III. An alternatives map study of potential dam sites located in the Rio Blanco County area to achieve the required purpose and needs of the County and BRT.
- IV. Complete course screening of the initial alternatives based on the purpose and needs outlined at the beginning of the project. This task would be to reduce the alternatives prior to completing preliminary engineering analysis for each site (to be completed in Phase II).
- V. Conduct two workshops on the initial alternatives and the course screening processes as part of the stakeholder and public outreach involvement.
- VI. Provide a representative of the project or District to attend each BRT meeting to provide continuous communication on the project status and completion to date.

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Part III. – Threshold and Evaluation Criteria

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

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

This application is consistent with Section 37-75-102 Colorado Revised Statutes, as it's a research based project and does not "supersede, abrogate, or cause injury to vested water rights or decreed conditional water rights." This project also does not "impair, limit, or otherwise affect the rights of persons or entities to enter into agreement, contracts, or memoranda of understanding with other persons or entities relating to the appropriation, movement, or use of water under other provisions of law."

b) The water activity 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.

Phase I funding share was approved at the October 16th, 2013 Yampa and White River Basin Roundtable 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.

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- 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.

One letters of approval from the Basin Roundtable Chairs were provided in Appendix A as part of this application. The letters incorporate the identified consumptive and non-consumptive needs meant through the Storage Feasibility Study.

- 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)

Yampa and White River BRT funds	- \$67,500 (45%)
Statewide account funds	- \$67,500 (45%)
Rio Blanco Water Conservancy District	- \$15,000 (10%)
Total Phase I Project Cost	- \$150,000

Please see Exhibit A for the Detailed Budget.

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.

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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.

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

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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.

Currently, several water bodies have been selected as potential storage sites. If the potential storage facility would be selected at any of the identified sites then that particular body of water would be impacted. Therefore, a list of all the potentially impacted bodies of water is included below, but may change as part of this project: White River, Douglas Creek, Gillam Draw, Chase Draw, Kenny # 2, Spring Creek, Hammond Draw, School Gulch, Little Spring Gulch, Wolf Creek Gulch, McAndrews Draw, Yellow Creek, Tome Little Draw, Wray Gulch, and Kellog Draw. The project map in Exhibit B, shows the potentially impacted water bodies listed above.

The available water rights that would be used for the water project includes the following water rights:

- I. Conditional water right, Taylor Draw Reservoir, in the amount of 13,800 acre feet with an appropriate date of July 3, 1962 for the conditional uses of manufacturing, irrigation, domestic, municipal, stockwatering, and piscatorial.
 - II. Conditional water right, Taylor Draw Reservoir – Second Filling, in the amount of 13,800 acre feet with an appropriate date of November 20, 1982 for the conditional uses of manufacturing, irrigation, domestic, municipal, stockwatering, and piscatorial.
2. Please provide a brief narrative of any related studies or permitting issues.
 - a. Permitting and related issues will be identified in the study.

The related studies include:

- I. Statewide Water Supply Initiative 2010 – Identified existing and future consumptive and non-consumptive demands for the Yampa and White River Basin. Identified Projects and Processes (IPPS) to meet future consumptive and non-consumptive needs. And identified future gaps related to consumptive and non-consumptive needs of the basin accounting for IPPS.
- II. Energy Development Water Needs Assessment Phase II Final Report – Identified energy development and water demands in the Western Colorado.
- III. Yampa-White Basin Projects and Methods Analysis (In-progress) – The project tasks include identification of water needs in the Yampa and White River Basin, analysis of the river operations for the Yampa River, and a comparison of existing water right priorities of SWSI alternatives with those of the Yampa and White River Basin.

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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.

Please see Exhibit A for detailed statement of work, budget and schedule.

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REPORTING AND FINAL DELIVERABLE

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

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

PAYMENT

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

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

Signature of Applicant: 

Print Applicant's Name: DANIEL E Eddy

Project Title: White River Storage Feasibility Study

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