



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.)

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Required Exhibits

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

Appendices – Reference Material

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

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Instructions

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

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

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

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

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

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

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

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entity eligible for the Statewide Account.

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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.

☐

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.

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.

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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)

☐

Nonconsumptive (Environmental or Recreational)

☐

Agricultural

☐

Municipal/Industrial

☒

Needs Assessment

☐

Education

☐

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)

☒

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)

6

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

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

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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.

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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

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.

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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.

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.

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\$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.

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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.

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

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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

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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
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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

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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.

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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.

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.

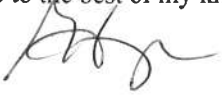
Final Deliverable: At completion of the project, the applicant shall provide the CWCB a final report that summarizes the project and documents how the project was completed. This report may contain photographs, summaries of meetings and engineering reports/designs.

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