

COLORADO WATER CONSERVATION BOARD

WATER SUPPLY RESERVE ACCOUNT **APPLICATION FORM**



Today's Date: April 8, 2014

FEASIBILITY STUDY FOR MOUNTAIN HOME RESERVOIR DAM OUTLET WORKS UPGRADE

Name of Water Activity/Project

| TRINCHER | A IRRIGATION | N COMPANY |
|----------|--------------|-----------|
| | | |

Name of Applicant

Rio Grande Basin

Amount from Statewide Account:

0

Amount from Basin Account(s):

\$25,000.00

Total WSRA Funds Requested:

\$25,000.00

Approving Basin Roundtable(s)

(If multiple basins specify amounts in parentheses.)

FEIN 84-0338590

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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 bimonthly 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:

Craig Godbout - WSRA Application Colorado Water Conservation Board 1580 Logan Street, Suite 200 Denver, CO 80203 Craig.godbout@state.co.us

If you have questions or need additional assistance, please contact Craig Godbout at: 303-866-3441 x3210 or craig.godbout@state.co.us.

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|----------------|---------|
|----------------|---------|

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

| 1. | Applicant Name(s): | TRIN | CHERA IRRIGATION (| COMPANY | |
|------|--|---|--|--|-------------------------|
| | Mailing address: | P.O. B | fain Street Box 41 a, CO 81123 | | |
| | FEIN #: | 84-033 | 38590 | | |
| | Primary Contact: | Wayne | e Schwab | Position/Title: | Superintendent |
| | Email: | trinche | rairrigation2@gmail.com | | |
| | Phone Numbers: | Cell: | 719-298-1369 | Office: | 719-379-3467 |
| | Alternate Contact: | Tracy | Kester | Position/Title: | President |
| | Email: | | | | |
| | Phone Numbers: | Cell: | 719-206-0241 | Office: | 719-379-3467 |
| 2. I | Eligible entities for WSRA | A funds i | nclude the following. Wha | at type of entity | is the Applicant? |
| | Federal agencies are grant recipient. Federal alocal partner canno | encoura eral agen ot be the othorities | grant recipient. 5, Title 32/special districts, | tities and the loo if they can make | _ |
| х | Private Incorporated | – mutua | al ditch companies, homed | owners associati | ons, corporations. |
| | | | ips, and sole proprietors a from the Statewide Accou | _ | inding from the Basin |
| | Non-governmental o | rganizat | ions – broadly defined as a | any organization | that is not part of the |

3. Provide a brief description of your organization

Trinchera Irrigation Company (TIC), comprised of 47 stockholders, manages the use of water for irrigation in the northern half of Costilla County, Colorado. TIC operates Mountain Home Reservoir, Smith Reservoir, and the Sangre de Cristo Trinchera Diversion Canal, with a total of approximately 26 miles of canals and 45 miles of laterals. TIC is responsible for the delivery of irrigation water to approximately 100 sprinkler pivots and several thousand acres of flood irrigation. Capacity of Mountain Home Reservoir is 18,000 AF.

The number of irrigated acres served by the company has remained relatively stable over the years. In 1907, as Mountain Home Reservoir and its related canals were being constructed, The Trinchera Canal Company was organized to irrigate about 12,000 acres of land in northern Costilla County. Four years later that company was out of funds and the Trinchera Irrigation District was then formed, issuing \$650,000 in bonds to be paid to the defunct Trinchera Canal Company for its water rights and land. By 1944 the original company went into the hands of receivers and the present Trinchera Irrigation Company was formed as a nonprofit mutual irrigation company. The articles of incorporation were modified in 1946, issuing a total of 12,500 shares of stock, with each share entitling the holder to irrigate one acre of land. Stock ownership was limited to owners of land or users of water within the Trinchera Irrigation District during the year 1943.

Almost all shareholders have both surface water and ground water rights, with most wells dating from the 50s and 60s. TIC's operating funds are derived from assessments levied on shares of stock. These assessments are determined by dividing all operating costs plus debt service, maintaining a budget that reflects the local economy. Despite soaring fertilizer and fuel costs in the past two years, TIC has struggled to keep assessments steady. The flexibility of TIC's irrigation system has allowed it to evolve from former hand/horse powered operations and the truck gardening of spinach, carrots and cabbage prior to the invention of refrigerated transportation, to today's center pivot operations.

The Division of Wildlife (now Colorado Parks and Wildlife or CPW) has leased rights as a State Wildlife Area (SWA) for recreational fishing, boating, and wildlife viewing. CPW maintains a conservation pool of 653 acre feet at Mountain Home Reservoir. Both Smith and Mountain Home reservoirs are stocked with rainbow trout by CPW, providing recreational fishing and boating activities for residents and tourists. TIC is committed to sustain CPW's conservation pool.

As part of this dam upgrade feasibility study, CPW and Trout Unlimited (TU) are collaborating with TIC to explore opportunities to improve and perhaps to extend the environmental, recreational and wildlife benefits provided at Mountain Home Reservoir State Wildlife Area. However, TIC's charter is to provide irrigation water, with Mountain Home Reservoir decreed for irrigation purposes, and this is the primary focus for the company's stockholders. To the extent possible, TIC is releasing its Superintendent from other duties to assist CPW and TU with recreational and environmental matters of mutual interest, but the company must rely upon CPW, TU, the Basin Roundtable and other entities for resources and funding to cover additional costs which go beyond the company's focus on irrigation.

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| 4. | If the Contracting Entity is different than the Applicant (Project Sponsor or Owner) please describe the Contracting Entity here. |
|------------|--|
| | (the same) |
| 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. |
| 5 . | The Tax Payer Bill of Rights (TABOR) may limit the amount of grant money an entity can receive. Please describe any relevant TABOR issues that may affect the applicant. |
| Th | ere are no TABOR limitations for Trinchera Irrigation Company. |
| | |

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| | Pa | rt 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) | | |
| | Х | Agricultural | | |
| | | Municipal/Industrial | | |
| | | Needs Assessment | | |
| | | Education | | |
| | | Other Explain | | |

- 2. If you feel this project addresses multiple purposes please explain.
 - Rehabilitate a reservoir in the Rio Grande Basin A R.G. Basin Water Plan priority
 - Restore full operating capability at Mountain Home Reservoir
 - Meet State requirements for draw-down capacity
 - Improve water management efficiency
 - Reduce risk of flood
 - Help meet Basin water storage needs
 - Significantly reduce storage loss, delivering irrigation water efficiently
 - Reduce reliance on ground water pumping
 - Protect fishery and the CPW conservation pool by avoiding lowering or emptying the reservoir
 - Improve the health of riparian corridors by regulating flows
 - Enhance recreational benefits in Costilla County, where only 2% of the land is public
 - Explore opportunities to enhance environmental, recreational and wildlife habitat assets
 - Collaborate with TU and CPW to explore ways to improve sport fishing and boating

Water Supply Reserve Account – Application Form Revised October 2013

| 3. Is this project primarily a study or implementation of a water activity/project? (Please check of | only |
|---|------|
| one) | |
| X 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) | |
| Avg 1800 AF/yr Efficiency Savings (acre-feet/year OR dollars/year – circle one) | |
| Area of Restored or Preserved Habitat (acres) | |
| Other Explain: | |
| 4. To help us map WSRA projects please include a map (Exhibit B) and provide the general coordinate | 25 |
| below: | .5 |
| Latitude: 37.39512 Longitude: -105.38133 | |
| 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 used for. A full Statement of Work with a detailed budget and schedule is required as Exhib it of this application. | l be |
| (next page) | |

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The outlet works at Mountain Home Reservoir have reached the end of their designed functionality. Further deterioration of the gates will severely compromise the ability of TIC irrigators in northern Costilla County to obtain their decreed water rights in priority.

TIC seeks \$25,000 in WSRA Basin funds for a feasibility study which will conduct an underwater inspection, capture and analyze video data, and determine the best method to repair, upgrade and/or replace the gates and outlet works. Engineers will evaluate the condition of three 30" diameter gate valves, conduits and operators at Mountain Home Reservoir and develop alternative plans to rehabilitate the outlet works.

The objective of this Project is to determine the Scope of Work, Budget and Timeline for the Phase II implementation of this dam restoration project without affecting the CPW conservation pool or requiring the emptying the reservoir.

This project addresses three main issues:

- 1) Dam safety with reliable water level elevation management of the reservoir: The gates don't work well and all three of them leak. For many decades gate number one is the only one that has been used and nobody knows whether gates two and three would open properly or, more importantly, whether they would close properly once opened. The State is now requiring TIC to repair or upgrade the gates and to restore full operating capability at Mountain Home Reservoir.
- **2)** Improved water storage management and reduced storage loss: In a typical year, Mountain Home Reservoir delivers irrigation water for about three months and stores water during the remainder of the year. Depending on the storage elevation (i.e. head pressure) the gate leakage results in the loss of 150 to 250 AF per month, or from 1350 to 2250 AF annually. That high end loss figure is more than ½ the volume stored in TIC's other reservoir, Smith Reservoir, when it is full.
- **3)** Protection of the CPW conservation pool and enhancement of environmental, recreational and wildlife habitat assets: CPW and TU are conducting parallel feasibility studies, in conjunction with this project, to determine how best to expand and enhance wildlife habitat, improve recreational fishing opportunities, and create additional options for hiking, wildlife viewing and public appreciation of the very popular Mountain Home Reservoir State Wildlife Area.

Normally, in the early part of the year and prior to irrigating, 98% of Trinchera Creek flows into storage at Mountain Home Reservoir. Irrigation starts out in April in the southern part of the system, expanding coverage as needed until later in the year and sometimes covering the entire system. For the past ten years or so, due to drought conditions, TIC has had to prematurely release water from Mountain Home Reservoir during irrigation season, tapping reservoir supplies sooner than necessary in order to meet shortfalls in late summer and early fall, when the need is greatest.

Water users within the ground water sub-district take a double hit with the loss of storage water to leakage because a majority of the acreage served by the TIC can be irrigated with both surface water and ground water. The more surface water is available for irrigation, the less supplemental ground water is needed to irrigate the same acreage.

By restoring full designed operating capacity to the outlet works at Mountain Home Reservoir, this Phase I feasibility study addresses several Measurable Goals and Objectives in the Rio Grande Basin Water Plan: Rehabilitate an important Basin reservoir, significantly improve water management efficiency, reduce reliance on groundwater pumping, protect fishery and wildlife habitat assets, and explore ways to improve the outdoor recreational enjoyment of folks who come to Mountain Home.

Part III. - Threshold and Evaluation Criteria

- 1. <u>Describe how</u> 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
 - TIC proposes an eligible water activity, as identified in Senate Bill 06-179, as it involves conducting a feasibility study to determine the best way to repair, upgrade or replace the outlet works at Mountain Home Reservoir.
 - TIC is an eligible entity in that it is a mutual nonprofit ditch company classified under the U.S. tax code under section 501(c)(12).
 - TIC is requesting funds only from the SB 179 Rio Grande Basin Account, and is not requesting any funds at this time from the Statewide Account.
 - TIC is complying with all applicable submission, review, and approval deadlines and procedures.
 - b) The water activity underwent an evaluation and approval process and was approved by the Basin Roundtable (BRT). The application and the Roundtable Chairman's cover letter include a description of the results of the BRTs evaluation and approval of the activity. At a minimum, the description must include the level of agreement reached by the roundtable, including any minority opinion(s) if there was not general agreement for the activity. The description must also include reasons why general agreement was not reached (if it was not), including who opposed the activity and why they opposed it. Note- If this information is included in the letter from the roundtable chair simply reference that letter.
 - This proposal is eligible for funding under Senate Bill 06-179 because 1) it is being submitted for approval to the Rio Grande Interbasin Roundtable pursuant to article 75 of title 37, C.R.S.; 2) this water activity will take place in the Rio Grande Basin; 3) it meets the eligibility categories described below; and 4) this proposal is submitted for approved by the Rio Grande Interbasin Roundtable in conformity with criteria and guidelines jointly developed by the IBCC and CWCB.

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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 right 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.

- This water activity meets the eligibility requirements as required in Part 2 of the criteria and guidelines as detailed above.
- c) The water activity meets the provisions of Section 37-75-104(2), Colorado Revised Statutes. 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.
 - Cover letter from the Chairman of the Rio Grande Basin Roundtable provides this information.
- d) Matching Requirement: For requests from the Statewide Fund, the applicants will be required to demonstrate a 25 percent (or greater) match of the total grant request from the other sources, including by not limited to Basin Funds. A minimum match of 5% of the total grant amount shall be from Basin funds. A minimum match of 5% of the total grant amount must come from the applicant or 3rd party sources. 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)
 - This request for funds is only for the Rio Grande Basin Roundtable funds.

The eligibility and evaluation criteria for #2, below, do not pertain to this request for funds from the Basin Account. We have therefore marked through that portion of the application form.

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.

<u>Evaluation Criteria</u>—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

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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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instance, projects that meet Tier 1 criteria will outweigh projects that only meet Tier 3 criteria. WSRA grant requests for projects that may qualify for loans through the CWCB loan program will receive preference in the Statewide Evaluation Criteria if the grant request is part of a CWCB loan/WSRA grant package. For these CWCB loan/WSRA grant packages, the applicant must have a CWCB loan/WSRA grant ratio of 1:1 or higher. Preference will be given to those with a higher loan/grant ratio.

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

- a. The water activity addresses multiple needs or issues, including consumptive and/or non-consumptive needs, or the needs and issues of multiple interests or multiple basins. This can be demonstrated by obtaining letters of support from other basin roundtables (in addition to an approval letter from the sponsoring basin).
- b. The number and types of entities represented in the application and the degree to which the activity will promote cooperation and collaboration among traditional consumptive water interests and/or non-consumptive interests, and if applicable, the degree to which the water activity is effective in addressing intrabasin or interbasin needs or issues.
- c. The water activity helps implement projects and processes identified as helping meet Colorado's future water needs, and/or addresses the gap areas between available water supply and future need as identified in SWSI or a roundtable's basin-wide water needs assessment.

Tier 2: Facilitating Water Activity Implementation

- d. Funding from this Account will reduce the uncertainty that the water activity will be implemented. For this criterion the applicant should discuss how receiving funding from the Account will make a significant difference in the implementation of the water activity (i.e., how will receiving funding enable the water activity to move forward or the inability obtaining funding elsewhere).
- e. The amount of matching funds provided by the applicant via direct contributions, demonstrable in-kind contributions, and/or other sources demonstrates a significant & appropriate commitment to the project.

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

- f. The water activity helps sustain agriculture & open space, or meets environmental or recreational needs.
- g. The water activity assists in the administration of compact-entitled waters or addresses problems related to compact entitled waters and compact compliance and the degree to which the activity promotes maximum utilization of state waters.
- h. The water activity assists in the recovery of threatened and endangered wildlife species or Colorado State species of concern.
- i. The water activity provides a high level of benefit to Colorado in relationship to the amount of funds requested.
- j. The water activity is complimentary to or assists in the implementation of other CWCB programs.

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

Please attach additional pages as necessary.

This project, which requests Basin funds only, satisfies many of the above #2 criteria, with further details available on request. Upon analysis of the recommendations and conclusions of this Phase I feasibility study, TIC will submit a Phase II application requesting funds from both the Basin and Statewide accounts. A CWCB loan component may be required at that time -- an option which the stockholders of TIC are prepared to consider. The above Statewide eligibility and evaluation criteria will be addressed in that subsequent request for funding.

Colorado Parks and Wildlife has advised this project, assessing the present and potential status of wildlife, fishery and recreational fishing opportunities at Mountain Home Reservoir State Wildlife Area. CPW will conduct a parallel feasibility study to determine how best to improve, enhance, and possibly expand these assets in Phase II.

Mountain Home is a bottom-release reservoir. Although that area is not presently accessible, CPW has observed that streamflow below the reservoir is cooler, narrower and deeper than nearby surface water. CPW points out that if that area were opened up for fishing, and if TIC would consider allowing a minimal year-round flow, that would provide ideal downstream conditions for trout.

TIC is not closed to that idea, but is not sure it wants to do that. At present, that flow is created mostly by the leaks in the outlet works, and the whole point is to stop those losses. During this Phase I feasibility study, CPW and TIC will consider the relative costs/benefits of creating access, for recreation and fishing purposes, to an area extending about half a mile below the dam. CPW would have to make this an attractive option for TIC. CPW would be interested in doing some habitat work in that area, potentially installing stream structures, rocks or j-hooks to provide habitat for fish, stabilizing the river channel, benefiting the stream banks and riparian areas, improving recreational fishing, and enhancing wildlife habitat at the reservoir. TIC is not, at this time, convinced that this is a good idea, but the feasibility period provides an opportunity to consider this option.

For this Phase I project, CPW has committed \$10,000 in matching resources, providing staff time, hydrology data, and fish research and technical assistance. In addition, CPW has suggested funding sources such as "Fishing is Fun" and Great Outdoors Colorado. CPW looks forward to expanding its contractual relationship with TIC to improve recreational fishing and to enhance wildlife habitat at Mountain Home Reservoir.

Trout Unlimited (TU) is a grassroots non-profit organization of over 150,000 members devoted to the protection, conservation, and restoration of North America's cold-water fisheries. The Western Water Project is a national program of TU dedicated to finding solutions to water challenges in the West that benefit both cold-water fish and their habitat as well as agricultural water users. TU has determined that this project, which will investigate and address needed infrastructure repairs at Mountain Home Reservoir, is a great fit for the Western Water Project.

TU will join with CPW to discuss with TIC the potential for significant improvements to both the trout fishery in Trinchera Creek, and to the operations of the Trinchera Irrigation Company. Kevin Terry, TU's Rio Grande Basin project manager for the Colorado Water Project, has committed his time and expertise to investigate ways for TU to become a significant partner in this project. TU intends to contribute considerable staff time for meetings and planning during the initial phase of the project, and will work to bring in funding, volunteer resources, and additional in-kind services as the results of this feasibility study are available.

Great Outdoors Colorado (GOCO) and CPW collaborate to fund numerous outdoor recreation and wildlife projects. CPW and GOCO may collaborate to provide a restroom on the south side of the reservoir as well as other amenities to improve the recreational experience of visitors.

Measurable Goals and Objectives: The Rio Grande Basin has given high priority to reservoir rehabilitation, dam safety and reservoir reoperations, as the funding of these projects provides high yield returns and multiple benefits. In addition, this feasibility project provides an opportunity to investigate options to improve wildlife habitat, fishery, and recreational options at the popular and beautiful Mountain Home Lake.

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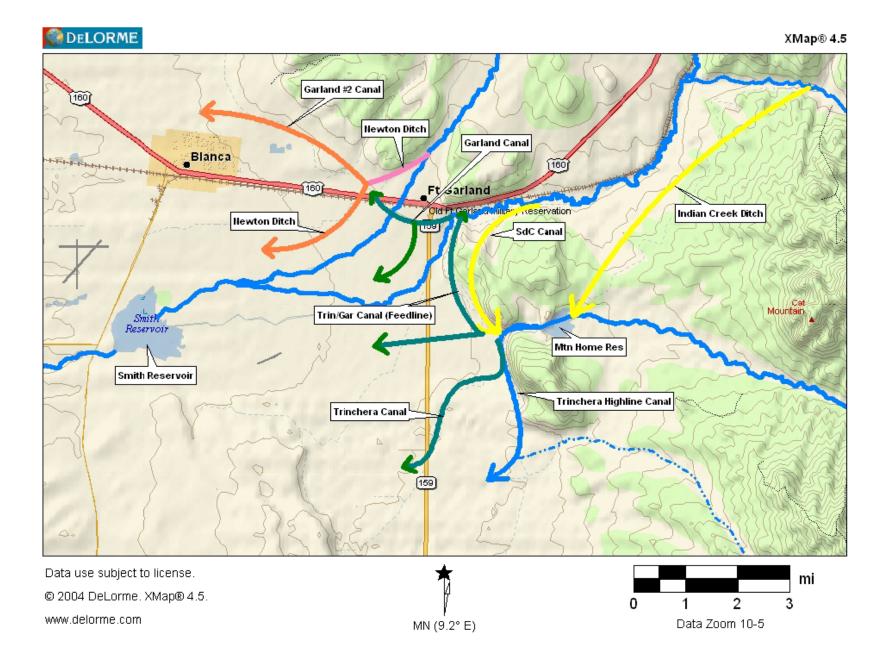
Part IV. - Required Supporting Material

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.

Water rights in the TIC system reflect more than 150 years of evolution. The majority of TIC's water rights, established in 1863, have been set up to be alternate points of diversion (APD) within the network of other company-owned water rights. The advantage of this type of system is that the volume of water which can be taken out at any headgate is not limited to the decreed amount at that specific headgate. For example, the original Sangre de Cristo water right is never taken at its original point, because that ditch no longer exists, so that water is always taken as an APD. The same rule applies to the Jewel Ditch and to a number of the other original water rights because the original point of diversion no longer exists.

This system, described in the map on the next page, is perhaps one of the most extensive uses of the APD system in the San Luis Valley. It has many advantages and continues to work well. By restoring full operational efficiency to the outlet works at Mountain Home Reservoir, TIC gains much needed operational efficiency, reduces groundwater use, and allows water in Mountain Home Reservoir to be maximized for multiple uses in irrigation, flood control, fishery, recreational boating and fishing, and the preservation of wildlife habitat.

(next page)



In the normal flow regime the Trinchera watershed does not contribute water to the Rio Grande. Only occasionally, during heavy spring runoff flood conditions, does Trinchera Creek ever reach the Rio Grande. Historically there have been a few years in which Trinchera Creek ran from the beginning of spring melt until the end of June, but that was in earlier and wetter times. For this reason, the Trinchera watershed is not looked at as a contributing factor for Compact curtailments.

As this application is being written, the parameters for groundwater subdistricts are still being developed (Ground Water Subdistricts Senate Bill 04-222), with numerous court challenges taking place and grass roots Solutions Subcommittees working between and among water users to resolve many complex issues. Although the Trinchera Ground Water Management District has been technically designated as a court-decreed legal entity, until the actual Plan is in place, discussion of these issues here can be only speculative.

The confined aquifer is only found in a small corner of northwestern Costilla County, where the County line leaves the river and runs toward Mt. Blanca, so the Trinchera Basin is considered upstream from the Closed Basin.

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

There are no permitting issues applicable to this feasibility study. No other study has been made with reference to the operation of the outlet works. In 2008 and 2009 CWCB funded two other proposals for the rehabilitation of the Sangre-Trinchera Canal.

2. Statement of Work, Detailed Budget, and Project Schedule

The statement of work will form the basis for the contract between the Applicant and the State of Colorado. In short, the Applicant is agreeing to undertake the work for the compensation outlined in the statement of work and budget, and in return, the State of Colorado is receiving the deliverables/products specified. Please note that costs incurred prior to execution of a contract or purchase order are not subject to reimbursement. All WSRA funds are disbursed on a reimbursement basis after review invoices and appropriate backup material.

Please provide a detailed statement of work using the template in Exhibit A. Additional sections or modifications may be included as necessary. Please define all acronyms and include page numbers.

(Exhibit A follows the signature page)

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REPORTING AND FINAL DELIVERABLE

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

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

PAYMENT

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

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

Signature of Applicant: Coas Laste,

Print Applicant's Name: Tracy Kester

Project Title: FEASIBILITY STUDY FOR MOUNTAIN HOME RESERVOIR DAM OUTLET WORKS UPGRADE

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

Craig Godbout – WSRA Application Colorado Water Conservation Board 1580 Logan Street, Suite 200 Denver, CO 80203 craig.godbout@state.co.us