



COLORADO WATER CONSERVATION BOARD



WATER SUPPLY RESERVE ACCOUNT APPLICATION FORM

Today's Date: 1/27/2014

Rehabilitation of the Old Fort at Hesperus Water System

Name of Water Activity/Project

Fort Lewis College

Name of Applicant

Southwest Basin
Roundtable

Amount from Statewide Account:

\$0

Amount from Basin Account(s):

\$25,000

Total WSRA Funds Requested:

\$25,000

Approving Basin Roundtable(s)

(If multiple basins specify amounts in parentheses.)

FEIN: 846000556

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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:

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):	Fort Lewis College		
	Mailing address:	1000 Rim Drive Durango, CO 81301		
	FEIN #:	846000556		
	Primary Contact:	Beth LaShell	Position/Title:	Old Fort Coordinator
	Email:	Lashell_b@fortlewis.edu		
	Phone Numbers:	Cell: 970-759-1387	Office:	970-385-4574
	Alternate Contact:	Steve Schwartz	Position/Title:	VP; Finance & Admin
	Email:	Schwartz_s@fortlewis.edu		
	Phone Numbers:	Cell:	Office:	970-247-7196

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

Fort Lewis College (FLC) is named for Fort Lewis, a U.S. Army Post established in 1878 at Pagosa Springs, Colorado. Two years later, the military post was moved to Hesperus, Colorado, a location more central to Indian settlements and pioneer communities in the early 1890's. In 1911, Congress deeded the Hesperus site to the State of Colorado, which then established a high school of agriculture under the supervision of the State Board of Agriculture. The school began to offer some college-level courses in 1925; by 1933, Fort Lewis College offered higher education courses exclusively.

In 1956, FLC moved to Durango leaving Colorado State University (CSU) on the property. While CSU was operating their Agricultural Experiment Station, they allowed FLC students and staff access to the resource for education and research. In 2002, Fort Lewis College became independent and separated from the State Board of Agriculture. In 2010 when CSU closed the San Juan Basin Research Center, Fort Lewis College and the State Land Board (SLB) began working together on the future and purpose of the property. Since then, they have signed a memorandum of agreement outlining their relationship as asset owner (SLB) and beneficiary (FLC) that outlines responsibilities and processes for operations on the property. In 2013, FLC and the SLB signed a memorandum of understanding naming Fort Lewis College as an agent for the Land Board for the rehabilitation of the water system (attached).

The State Land Board also has leases with Southwest Conservation Corp (base camp), Cugnini Land & Cattle (grazing), Elk Research Institute (grazing) and verbal agreements with Mesa Verde Helitak and Fort Lewis Mesa Fire Department. The Old Fort at Hesperus is seen as a community resource and is also used by Cub Scouts, 4-H groups, Colorado Parks and Wildlife, Forest Service, and Cooperative Extension. Current users purchase bottled water or haul water in coolers from Durango to meet their potable water needs. Upgrading the potable water is imperative to both community and educational uses for the Old Fort at Hesperus.

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

N/A

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

☐

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

☒

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

The standard contract contains indemnification language that Fort Lewis College can not sign. Because our grant is less than \$100,000 a purchase order will be used instead of the standard contract. Grants with other state agencies have also been completed using Intergovernmental Agreements that do not contain indemnification clauses.

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

None

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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.

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:

N 37° 13' 30.9"

Longitude:

W 108° 10' 51.1"

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 current water system was put in place in the 1950s to serve the 400 plus population at Fort Lewis College's campus in Hesperus. In addition to supplying domestic water it was also used for fire protection so the system was very large (25 hp pumps). Once FLC moved to Durango in 1956, daily usage and maintenance decreased. In 1983-84, fire hydrants and irrigation lines were installed throughout the main campus area using the large reservoir on the North end of the property as the source. This allowed smaller pumps (7.5 hp) to be installed. The potable water lines to the buildings were also upgraded at this time.

Since 2010, Fort Lewis College in partnership with the State Land Board has commissioned infrastructure assessments, water source evaluation, and costs estimate that are being used to develop design plans. The latest cost estimates used in this proposal were provided by Russell in January, 2014. Final design plans will be completed this Spring so that the project can go out to bid in late May. With our state bid and award process, the earliest date for construction to begin would be July 1, 2014.

This complete project proposes to rehabilitate the old system by upgrading electrical system, replacing the current pressure tank, installing up to date chlorination system, cartridge filtration equipment, monitoring system and upgrading safety issues in the building. Funds obtained from the Southwest Basin Roundtable (SBR) will be used to purchase the chlorination system, monitoring equipment and assist with installation of the pressure tank. Because of the state-mandated engineering, extensive electrical upgrades and lead time needed for some of the equipment, funds from other sources will be used to pay for these preliminary items.

Summary of current funding sources and designated uses:

SWCD:	\$49,103 (engineering, electrical upgrades and installation of equipment)
State Land Board:	\$20,000 (filtration system, pressure tanks)
Fort Lewis College	\$25,000 (electrical, code compliance, safety issues, in-kind staff time, installation)
WSRA Request:	\$25,000
Total:	\$119,103

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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 current system of allocating water within Colorado shall not be superseded, abrogated, or otherwise impaired by this project. Nothing in this project shall be interpreted to repeal or in any manner amend the existing water rights adjudication system. It 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.

This project 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. Furthermore, it shall not be construed to supersede, abrogate, or cause injury to vested water rights or decreed conditional water rights. And lastly, this project 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.

- 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.

The Coordinator of the Old Fort at Hesperus presented a concept plan for the rehabilitation of the water system at the January 8, 2014 meeting of the Southwest Basin Roundtable meeting. After answering questions, we were asked to submit a full proposal for the March meeting. Additionally, the project was added to the local IPP list in January.

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.

This project is consistent with and in compliance with Section 37--75-104(2), Colorado Revised Statutes which relates to the Statewide Water Supply Initiative (SWSI). With input and advice from affected local government, water providers, and other interested stakeholders, the SBR has been conducting an ongoing SWSI-required needs assessment since approximately 2006/2007. This project was placed on their identified projects and processes (IPP) list.

SBR chair, Mike Preston's, approval letter for the water supply reserve account application, will include a description of how this project helps meet the water supply needs identified in the SBR's consumptive needs assessment. Final approval for the funding project will occur at the March 12, 2014 Southwest Basin Roundtable meeting.

- 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)

NA- Basin Account funding only

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.**

NA- Basin Account funding only

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.

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- 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.

NA- Basin Account Funding Only

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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.

The Colorado State Board of Land Commissioners owns the following water rights from the La Plata River, in the County of La Plata, State of Colorado for use on the Old Fort at Hesperus property:

Name	Decreed Amount	Court Case(s)	Adj. Date	Appro. Date
Hay Gulch Ditch	2.625 cfs	CA0807	1898	1888
Hay Gulch Ditch	2 cfs	CA0807	1898/1919	1889
			transferred from Parrott Ditch	
Ammons Ditch	2 cfs	CA0807-B	1914	1896
Ammons Ditch	4 cfs	CA-0807-B/ CA3446	1914/1922	1882
			transferred from Alfalfa Ditch	
*Lory Spring Ditch	1 cfs	CA-0807-B	1914	1882
Taylor Spring Ditch	1 cfs	CA-0807-B	1914	1882
Spring Gulch Ditch	1 cfs	CA-0807-B	1915/1966	1945

Water from this project will come from the Lory Spring. The adjudicated flow provides adequate water to meet the calculated 2000 gallon per day usage. In the early 1950s a 300 yard collection line was placed north of the existing pump house (**top right corner of Figure 1 map attached to proposal**). It is buried approximately 5 feet below the surface. The collected water is diverted into a metal weir where it is measured before being placed in a storage clearwell. Water not needed by the cistern is diverted back to the ditch.

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

Fort Lewis College serves as an agent for the State Land Board and began working on this project in 2010 by contracting Goff Engineering to do a complete infrastructure assessment. It was completed in April, 2011 and concluded the water distribution system to the buildings was in good shape but the chlorination system was not working and significant electrical upgrades would be needed. In 2012, Russell Engineering prepared a summary of the system including water tests and cost estimates for various options to upgrade the system (**attached**). On-site meetings were held in October, 2013 to evaluate building and electrical upgrades and have Russell Engineering under contract to develop design plans.

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The water source is the Lory Spring and is considered Groundwater Under the Direct Influence of Surface Water (GWUDI) which requires direct filtration and disinfection. Drilling a well for drinking water is not compatible with the existing water rights so we have chosen to rehabilitate the current system. The June, 2012 report from Russell Engineering indicated that the system would be a public. However, when we submitted our usage reports to CDPHE and completed a population certificate indicating that our system does not serve 25 or more people for more than 60 days per year, they determined that the system is non-public and will not require a certified operator and additional monitoring (see attached letter). However, since the ultimate usages of the property are still unknown, the system designed by Russell Engineering includes approved equipment that could be upgraded to a public system in the future. Chlorination, filtration and storage equipment will be purchased from the approved list provided by CDPHE.

3. Statement of Work, Detailed Budget, and Project Schedule (see attached Exhibit A document)

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

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

REPORTING AND FINAL DELIVERABLE

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

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

PAYMENT

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

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

Signature of Applicant:



Print Applicant's Name: Beth LaShell

Project Title: Rehabilitation of the Old Fort at Hesperus Water System

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