

COLORADO WATER CONSERVATION BOARD
WATER SUPPLY RESERVE ACCOUNT
APPLICATION FORM



Telluride Pines Water Augmentation

Name of Water Activity/Project

Telluride Pines Homeowners Association

Name of Applicant

Southwest

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.)

Application Content

Application Instructions	page 2
Part I – Description of the Applicant	page 3
Part II – Description of the Water Activity	page 5
Part III – Threshold and Evaluation Criteria	page 7
Part IV – Required Supporting Material	
Water Rights, Availability, and Sustainability	page 10
Related Studies	page 10
Signature Page	page 12

Required Exhibits

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

Appendices – Reference Material

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

Water Supply Reserve Account – Application Form

Revised December 2011

Instructions

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

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

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

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

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

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

If you have questions or need additional assistance, please contact Greg Johnson at: 303-866-3441 x3249 or gregory.johnson@state.co.us.

Water Supply Reserve Account – Application Form

Revised December 2011

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

1.	Applicant Name(s):	Telluride Pines Homeowners Association		
	Mailing address:	P.O. Box 88 Placerville, CO 81430		
	Taxpayer ID#:	84-1095209		
	Primary Contact:	Kurt Shugars	Position/Title:	President TPHOA
	Email:	KShugars@telluride.k12.co.us		
	Phone Numbers:	Cell: 970-728-7022	Office:	970-369-4719
	Alternate Contact:	Deb Dion Kees	Position/Title:	Secretary TPHOA
	Email:	debbiekees@gmail.com		
	Phone Numbers:	Cell: 970-708-0060	Office:	970-728-4245

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.

Water Supply Reserve Account – Application Form

Revised December 2011

3. Provide a brief description of your organization

Telluride Pines Homeowners Association is a volunteer board that serves a residential subdivision located in Section 18 and 19, Township 44 North, Range 10 West and Section 24, Township 44 North, Range 11 West of the New Mexico Principal Meridian, San Miguel County, Colorado. The water supply is committed to serve a total of 38 lots. The subdivision is centrally located between Norwood, Ridgway, and Telluride, and is close to Placerville.

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

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

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

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

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

None—San Miguel County enacted local legislation to counteract TABOR.

Water Supply Reserve Account – Application Form

Revised December 2011

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:

Water Supply Reserve Account – Application Form

Revised December 2011

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

Latitude:

Longitude:

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.

TPHOA has an existing water system that consists of spring collection, filtration, and distribution. TPHOA's water system is committed to serve 39 lots, only 24 of which are developed, and the spring collection has proved unable to satisfy even current demand during the winter months when the springs produce less water. This past winter our storage was intermittently empty and the flow from the springs was as low as .25 gpm for a week, and several times residents were without water. Residents have been conserving water we use, limited to 100 gpd.

TPHOA has existing water rights from Alder Creek and we have filed an augmentation plan and for appropriation of these rights for 7 gpm. Additionally, we have completed a site analysis, a water needs study, and engineering for an infiltration gallery, pump system, water storage, and installation and upgrades to water lines to accommodate the augmentation. The WSRA funding would be used to implement the augmentation plan, which would supply additional water during the late fall and winter months, including the gallery wells, the pump system, storage tank and the water line improvements.

Water Supply Reserve Account – Application Form

Revised December 2011

Part III. – Threshold and Evaluation Criteria

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

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

TPHOA fielded and attained studies of the feasibility and water needs from Wright Water Engineers and of our water rights from Rebecca Nichols and attorney John Irwin. Thanks in part to grant funding from the SWCD, we were also able to complete an engineering study for the project from Buckhorn Geotech, which has been filed with the CDPHE and San Miguel County for a permit. (See attachments.) We would like to move forward with the outlined project, which includes the recommended construction of an infiltration gallery, water filtration upgrades, improved water storage and proposed water line improvements.

- 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.

¹ 37-75-102. Water rights - protections. (1) It is the policy of the General Assembly that the current system of allocating water within Colorado shall not be superseded, abrogated, or otherwise impaired by this article. Nothing in this article shall be interpreted to repeal or in any manner amend the existing water rights adjudication system. The General Assembly affirms the state constitution's recognition of water rights as a private usufructuary property right, and this article is not intended to restrict the ability of the holder of a water right to use or to dispose of that water right in any manner permitted under Colorado law. (2) The General Assembly affirms the protections for contractual and property rights recognized by the contract and takings protections under the state constitution and related statutes. This article shall not be implemented in any way that would diminish, impair, or cause injury to any property or contractual right created by intergovernmental agreements, contracts, stipulations among parties to water cases, terms and conditions in water decrees, or any other similar document related to the allocation or use of water. This article shall not be construed to supersede, abrogate, or cause injury to vested water rights or decreed conditional water rights. The General Assembly affirms that this article does not impair, limit, or otherwise affect the rights of persons or entities to enter into agreements, contracts, or memoranda of understanding with other persons or entities relating to the appropriation, movement, or use of water under other provisions of law.

Water Supply Reserve Account – Application Form

Revised December 2011

- c) The water activity meets the provisions of Section 37-75-104(2), Colorado Revised Statutes.² The Basin Roundtable Chairs shall include in their approval letters for particular WSRA grant applications a description of how the water activity will assist in meeting the water supply needs identified in the basin roundtable's consumptive and/or non-consumptive needs assessments.
- 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)
- \$36,800 in grant funds allocated by the SWCD this spring in support of our preliminary engineering and water studies
 - \$1,898 in preparation of water samples from existing and new sources, detailed water analysis at both sites to determine necessary treatment upgrades
 - \$1,600 in legal and quasi-legal fees to appropriate water and file for augmentation

TOTAL: \$40,298 (

² 37-75-104 (2)(c). Using data and information from the Statewide Water Supply Initiative and other appropriate sources and in cooperation with the on-going Statewide Water Supply Initiative, develop a basin-wide consumptive and nonconsumptive water supply needs assessment, conduct an analysis of available unappropriated waters within the basin, and propose projects or methods, both structural and nonstructural, for meeting those needs and utilizing those unappropriated waters where appropriate. Basin Roundtables shall actively seek the input and advice of affected local governments, water providers, and other interested stakeholders and persons in establishing its needs assessment, and shall propose projects or methods for meeting those needs. Recommendations from this assessment shall be forwarded to the Interbasin Compact Committee and other basin roundtables for analysis and consideration after the General Assembly has approved the Interbasin Compact Charter.

Water Supply Reserve Account – Application Form

Revised December 2011

2. For Applications that include a request for funds from the **Statewide Account**, describe how the water activity/project meets all applicable **Evaluation Criteria**. (Detailed in Part 3 of the Water Supply Reserve Account Criteria and Guidelines and repeated below.) Projects will be assessed on how well they meet the Evaluation Criteria. **Please attach additional pages as necessary.**

Evaluation Criteria – the following criteria will be utilized to further evaluate the merits of the water activity proposed for funding from the Statewide Account. In evaluation of proposed water activities, preference will be given to projects that meet one or more criteria from each of the three “tiers” or categories. Each “tier” is grouped in level of importance. For instance, projects that meet Tier 1 criteria will outweigh projects that only meet Tier 3 criteria. WSRA grant requests for projects that may qualify for loans through the CWCB loan program will receive preference in the Statewide Evaluation Criteria if the grant request is part of a CWCB loan/WSRA grant package. For these CWCB loan/WSRA grant packages, the applicant must have a CWCB loan/WSRA grant ratio of 1:1 or higher. Preference will be given to those with a higher loan/grant ratio.

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

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

Tier 2: Facilitating Water Activity Implementation

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

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

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

Water Supply Reserve Account – Application Form
Revised December 2011

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

- This project falls under the Tier 2 criteria. Funding from the account, in addition to our TPHOA contributions, will ensure that this very urgent project moves forward. A NOTE ABOUT THE URGENCY: The water situation in this subdivision is dire. Only 24 of the 39 lots that are served by our system are developed lots, and we are already experiencing severe, extreme shortages. This winter our storage was completely empty at times, and during one week of December our water supply was coming in at just .25 gpm. On several occasions residents were without water, despite rationing our use to 100 gpd per household. TPHOA has additional water rights from an alternate source that we are currently perfecting (see attachment) which can satisfy our water needs through this augmentation project. We will still be able to use our current spring collection system during the summer months, but during the winter months, when the springs don't supply enough water, we will be able to augment our supply from the Alder Creek diversion.**
- We have already spent a considerable amount of money on this problem, prior to the nine months preceding this current request from the account in which money spent counts as an in-kind contribution toward the request. TPHOA paid \$350 for a water rights consultation, \$4,500 for a water study and site analysis from WWE, \$13,200 to upgrade our existing spring collection system and \$7,500 improving our existing water treatment facility. That is a total of \$25,550 just to get us to the point at which we were ready to lay the groundwork for the project, the engineering, perfecting the water rights, and testing the new water supply to determine our treatment and storage needs.**
- The total project cost from this point is \$177,170. Thanks in part to the SWCD grant and the contributions from the TPHOA, we have acquired the engineering report, have filed for our water rights appropriation, have tested the new water source and developed a water treatment and storage plan. The engineering report has been filed with the CDPHE and San Miguel County for permits. This is represented in our \$40,298 of in-kind contributions. We are ready to implement the project now and are desperately in need of your support. We have drained our reserves and are looking at a combination of loans/assessments to make up the difference in the \$25,000 we hope to receive from the round table, and the \$136,872 we still need to implement the project. The \$25,000 will help us to move forward with the infiltration gallery and pumping, we are looking at an assessment to pay for the new treatment unit, and we hope to work with the USDA Rural Development Program for a loan to help with the additional storage and line improvements. Your support is crucial to the project and we thank you for your consideration.**

Water Supply Reserve Account – Application Form

Revised December 2011

Part IV. – Required Supporting Material

1. **Water Rights, Availability, and Sustainability** – This information is needed to assess the viability of the water project or activity. Please provide a description of the water supply source to be utilized, or the water body to be affected by, the water activity. This should include a description of applicable water rights, and water rights issues, and the name/location of water bodies affected by the water activity.

TPHOA has claimed its 7 gpm conditional water right from its source, Alder Creek, which is a tributary to Leopard Creek, which is a tributary to San Miguel River. TPHOA obtained a Plan for Augmentation in Water Court Case 02CW033. The Alder Creek Augmentation plan provides for an alternate source for water. We will still use our spring collection system during the summer months, but will supplement with diversions from the Alder Creek pipeline during times when the springs do not produce enough water to meet the demands of the subdivision, typically from the late fall through the winter months.

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

A site analysis by Wright Water Engineering determined that the shortfall in our water supply from the springs collection system could be remedied by claiming our existing water rights appropriation from Alder Creek. We have filed the appropriate augmentation plan and claim in the Water Division of District Court and our appropriation is set to initiate on December 1, 2013.

Buckhorn Geotech has already filed its construction plan with the CDPHE and San Miguel County, which will need to permit the project before it moves forward.

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.

Water Supply Reserve Account – Application Form

Revised December 2011

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:

Kurt Shugars

Project Title: Telluride Pines Water Augmentation

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