



COLORADO WATER CONSERVATION BOARD



WATER SUPPLY RESERVE ACCOUNT APPLICATION FORM

Today's Date: December 31, 2014

Data Logger/Telemetry Installation Project, South Platte River
Basin (Division 1)

Name of Water Activity/Project

Colorado Division of Water Resources

Name of Applicant

Metro (\$50,000)

South Platte (\$103,216)

Amount from Statewide Account:

\$156,432.00

Amount from Basin Account(s):

\$153,216.00

Total WSRA Funds Requested:

\$309,648.00

Approving Basin Roundtable(s)

(If multiple basins specify amounts in parentheses.)

FEIN: 84-0644739 (Tax Exempt)

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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>. In addition, the applicant should also refer to the [Supplemental Scoring Matrix](#) applied to Evaluation Criteria Tiers 1-3 for Statewide Account requests .

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
1313 Sherman St., Room 721
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):	Colorado Division of Water Resources		
	Mailing address:	810 9 th St., Suite 200 Greeley, CO. 80631		
	FEIN #:	84-0644739 (Tax Exempt)		
	Primary Contact:	Brent Schantz	Position/Title:	River Operations Coordinator
	Email:	Brent.schantz@state.co.us		
	Phone Numbers:	Cell: 970-381-8159	Office:	970-352-8712 x 1217
	Alternate Contact:	David Nettles	Position/Title:	Division Engineer
	Email:	David.nettles@state.co.us		
	Phone Numbers:	Cell: 970-590-1472	Office:	970-352-8712 x 1208

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

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

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3. Provide a brief description of your organization

The Contracting Agency for this project will be the Colorado Division of Water Resources. DWR is a state agency in the Department of Natural Resources. Division 1 encompasses the South Platte, Republican, and Laramie drainages within the state, approximately the northeast quarter of the state. Among other responsibilities, Division 1 has been given the responsibility for administration of water rights in these basins under the prior appropriation doctrine. This doctrine can be found in the State constitution along with statutes. The key statutes under which administration authority has been given to DWR may be found in Article 80 and Article 92.

For this application, the applicants are also acting on behalf of various water users along the main stem of the South Platte and its tributaries. As described further in the application, both the water users and DWR will be the beneficiaries of the project installations resulting from grant funds. DWR is a small government agency that receives the bulk of its funding from the General Fund. This funding goes toward operating costs such as mileage for Water Commissioners and there is no excess that could be applied to the project to install data-loggers and telemetry as described further in the application.

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.

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.

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N/A

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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:

Structural Project

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

This grant will include multiple sites throughout the South Platte basin.

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.

This project would allow the replacement of out of date stage recorders and chart recorders by the installation of Sutron Stage Discharge Recorders (SDR) and/or telemetry on 152 water measurement structures within many different water delivery systems in the South Platte basin. The principle focus will be on the main stem of the South Platte River and on several streams tributary to the South Platte including Districts 1, 2, 3, 4, 7, 9 and 64. Data loggers and telemetry have been set up on many major diversion structures downstream of Denver in prior cooperative projects between Northern Water, Lower South Platte Water Conservancy District, St. Vrain and Left Hand Water Conservancy District and the Division of Water Resources (DWR). The South Platte Basin Roundtable previously approved WSRA funding requests for \$48,800, \$46,000 and \$89,205 for data loggers and cellular telemetry. All equipment secured with this funding has been installed and is in successful operation. This application for funding is a continuation of the project started with previous funding.

The costs associated with this grant are to purchase equipment and materials to install SDR's and/or Telemetry on the identified structures. As in-kind service, equipment will be installed in coordination with the various water users (Ditch Companies, Augmentation Plans, Conservancy Districts and Municipalities) and DWR. There are several sites where water users will be required to install infrastructure; these costs range from \$100 - \$4,000. In addition, DWR will work with the respective Water Commissioners to display current data on the DWR FTP site for sites without telemetry as requested by water users. Telemetry sites will be available for viewing on the DWR website with water users outside of Northern Waters' District paying the \$6 monthly fee per site for cellular service to Sutron and Northern paying the fee for those approved sites within their District.

Data loggers allow for continuous water flow information for water users and water administrators and the more efficient use of administrative staff resources. This project will provide an excellent complement to the State's existing diversion and stream gage satellite program and is also complimentary to the work being done for the Colorado Decision Support System in obtaining better data concerning river flows and diversions and for the Alluvial Aquifer Accretion/Depletion Analysis Tool (AAADAT) program which received a WSRA Statewide Grant.

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While the installation of this equipment will be of great benefit to water commissioners by allowing more efficient administration because of more timely availability of information on diversions, the primary benefit of this grant will be the reduction of the workload of ditch users and water commissioners in breaking down charts manually and will allow flexibility in administration by not requiring water users and administrators to change charts on an eight day schedule.

Data loggers allow near real time accounting to occur for augmentation of wells and direct diversions for augmentation and recharge. This is critical for augmentation plans as real time information is necessary to determine recharge and direct flow credits to assure there is no injury to senior water rights. Real time data also helps the water commissioner make a quicker response regarding exchange potential at various points on the river to water users who wish to operate an exchange.

In summary, maximizing the use of existing water supplies within the South Platte basin for decreed purposes with existing infrastructure is the first step in meeting the future needs of users along the South Platte and its tributaries. The increase in the use of data loggers and telemetry has improved administration by allowing DWR staff to spend more time administering water rights and less time breaking down charts. The use of data loggers also allows data to be made available in a timelier manner.

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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 proposed Grant would positively enhance the current system of allocating water within the state. The grant would not affect any contractual agreement between parties or in any other way be inconsistent with Section 37-75-102 Colorado Revised Statutes.

- 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.

A letter of support from both the Metro and South Platte Basin Roundtable are attached to this application.

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

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- c) The water activity meets the provisions of Section 37-75-104(2), Colorado Revised Statutes.² The Basin Roundtable Chairs shall include in their approval letters for particular WSRA grant applications a description of how the water activity will assist in meeting the water supply needs identified in the basin roundtable's consumptive and/or non-consumptive needs assessments.

The proposed grant meets the provisions of 37-92-104 (2). Specifically, the grant will allow for better administration of water by allowing more efficient use of water administrators' time and by making available more timely flow information to water users within the basin. Individual entities will be enabled to better monitor and manage their water rights and diversion operations by having data loggers and telemetry purchased with grant funds.

- 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 but 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 contract or purchase order between the applicant and the State of Colorado is executed. Please describe the source(s) of matching funds. (NOTE: These matching funds should also be reflected in your Detailed Budget in **Exhibit A** of this application)

The South Platte Basin Roundtable has approved a request for \$103,216.00 from their basin account and the Metro Basin Roundtable has approved \$50,000 from their basin account for a total of \$153,216.00 of the total \$309,648.00 requested(49%). In-kind services contributions from DWR and Northern Water personnel to install equipment is estimated to be \$27,000 on 67 telemetry sites and \$11,200 on SDR installations at 112 sites. Water users who will receive equipment on their structures are estimated to contribute up to \$40,000 on improvements to structures and vandal proofing installed equipment. Combined contributions of Basin funds and in-kind services are estimated to be \$231,416.00 which when applied toward the matching requirement exceeds the 25% required.

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

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

Evaluation Criteria – the following criteria will be utilized to further evaluate the merits of the water activity proposed for funding from the Statewide Account. In evaluation of proposed water activities, preference will be given to projects that meet one or more criteria from each of the three “tiers” or categories. Each “tier” is grouped in level of importance. For instance, projects that meet Tier 1 criteria will outweigh projects that only meet Tier 3 criteria. The applicant should also refer to the Supplemental Scoring Matrix applied to Evaluation Criteria Tiers 1-3 for Statewide Account requests. 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).

The proposed data-logger and telemetry project will address the needs of multiple interests. Water users that represent Municipal, Irrigation, Industrial and Augmentation interests will benefit from near real time data being available to assist in decisions in a timelier manner. Water administrators will also be able to determine diversions of decreed amounts and approve exchanges and track deliveries of releases of water including trans-basin releases more timely and efficiently without having to drive to a structure to determine diversion amounts. Both the SPBRT and MBRT are in support of this project.

- 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.

Water- supply planning in the 21st century will necessitate collaborative efforts amongst diverse interests to achieve the diverse aims a limited water supply is called upon to meet. This project encourages collaboration as the water users in some areas are required to pay the annual costs associated with the telemetric data and DWR will develop software for this data to be viewed on its web-site. The realization by water users that near real time data available for all to review helps alleviate speculation on improper use and allows more efficiency in maximizing allowable uses within the South Platte basin and other basins.

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- 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.

Expanded use of technology will assist in water administration. Increasing complexity in water court decrees for changed water rights requires more time from administrators to confirm that decree requirements are followed. Technology in the way of data-loggers and telemetry allows more time to be spent administering water instead of pulling data and visiting diversion daily to verify amounts. This saving in time will allow DWR to do more with less.

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).

Without funding from the Statewide account this project will be dramatically reduced in scale and will have to wait for other sources of funding to be identified to move the project forward. There is currently no source identified at this scale.

- 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.

Matching funds will include \$153,216 from the South Platte and Metro Roundtables, approximately \$27,000 of in-kind from DWR and Northern Water field personnel for installation of telemetry and \$11,000 for installation of sites with only data-loggers and approximately \$40,000 from water users for upgrades to structures and vandal proofing equipment. The commitment by water users to pay the \$6.00 a month fee for cellular data on 67 sites equates to \$4,824 total per year in perpetuity. The cost for DWR to develop software to poll the data and make it available on their website is unknown at this time. These contributions of at least \$236,040 demonstrate a significant commitment to this 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.

The ability to more efficiently administer diversions of water will help assure that we are maximizing the use of water and will result in less waste and more timely decisions resulting in measurable benefit to irrigation water users.

- 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.

Some of the sites that will receive data-loggers and telemetry are in the South Platte Compact section of the river. Having near real time data will help manage the Compact requirements and

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allow a transparent view of diversions affected in Colorado by Nebraska and help maximize diversions while staying in compliance with the Compact.

- 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.

The value of the water administered in the South Platte Basin far exceeds the funding in technology requested to help better administer this valuable resource.

- j. The water activity is complimentary to or assists in the implementation of other CWCB programs.

This water activity will assist all Sections with the CWCB organization, but will be particularly helpful to the identification of in stream flow projects and construction projects.

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

Please attach additional pages as necessary.

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Part IV. – Required Supporting Material

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

The source of supply for the particular structures is the South Platte River and its tributaries. This encompasses Water Districts 1, 2, 3, 4, 7, 9 and 64

The South Platte and its tributaries are all over-appropriated. In past years, there has been a shortage of water on the main stem during the majority of the year resulting in a call on the river. This is in contrast to historic river conditions when there has been a free river for longer periods.

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

In 2006 Northern Water in coordination with DWR, LSPWCD, and individual ditch companies completed a study to determine how best to provide near real time information on water diversions. In the study, Northern Water, DWR and LSPWCD tested a combination of data collecting devices and telemetry options to determine which combination worked best. As a result of this work and operational experience Division 1 staff, Northern Water, and LSPWCD determined that stage discharge recorders (SDR) along with cell phone modems provide the best alternative to provide real time flow information needed for effective water administration and operation by ditch companies.

The installation of data loggers and telemetry in District 1, 2, 3, 4, 5, 6, 7, and 64 has been a huge success. The installation of data loggers has been the only way to handle the explosion of data requirements associated with construction of several hundred new recharge facilities and other diversions. With the information from data loggers, both users and DWR staff have been able to turn around recharge data within a matter of days allowing for users to obtain credit for recharge accretions immediately when appropriate. The increase in diversion and stream flow data on the web has improved administration as both water users and DWR staff become immediately aware of any problems associated with diversion quantities. It also has improved trust between users by providing real time information and confirmation that all users are operating in accordance with their water rights.

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

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See attached Exhibit A

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

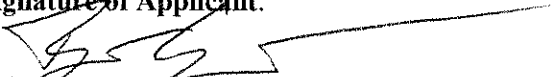
Payment will be made based on actual expenditures and invoicing by the applicant. Invoices from any other entity (i.e. subcontractors) cannot be processed by the State. The request for payment must include a description of the work accomplished by major task, and estimate of the percent completion for 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 10 percent of the entire water activity budget will be withheld until final project/water activity documentation is completed. All products, data and information developed as a result of this grant must be provided to the CWCB in hard copy and electronic format as part of the project documentation. This information will in turn be made widely available to Basin Roundtables and the general public and help promote the development of a common technical platform.

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

Signature of Applicant:



Print Applicant's Name: Brent Schantz

Project Title: Data Logger/Telemetry Installation Project, South Platte River Basin (Division 1)

Date: 12-31-2014

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

Craig Godbout – WSRA Application
Colorado Water Conservation Board
1313 Sherman St., Room 721
Denver, CO 80203
303-866-3441, ext. 3210 (office)
303-547-8061 (cell)
craig.godbout@state.co.us