

United States Department of Agriculture

USDA **NRCS**
U.S. Department of Agriculture
Natural Resources Conservation Service
31 Suttle Street
Durango, CO 81303

Phone: 970-259-3289 ext 3
FAX: 970-247-9301

To: Florida Consolidated Ditch Co.
Wright Water Engineers

Date: June 9, 2015

Subject: Letter of Support for Hess Lateral Pipeline Project

To Whom it May Concern:

The Durango Field Office of USDA's Natural Resources Conservation Service (NRCS) is in full support of the Florida Consolidated Ditch Company's plan to pursue installation of an irrigation pipeline to replace the open ditch on the Hess Lateral south of Durango. The project will provide significant water conservation benefits as well as providing pressurized water to those who desire pressurized irrigations systems on their property.

We can provide technical assistance (conservation planning/engineering assistance) to both the ditch company and individual water users on the ditch. The possibility also exists for NRCS financial assistance for installation of irrigation system improvements to water users on the ditch through our Environmental Quality Incentives Program (EQIP) as the project progresses.

The field office staff and other NRCS staff are prepared to assist in any way we can to assist in seeing the project come to fruition.

Regards,



Sterling Moss
District Conservationist, Durango Field Office
970-259-3289 ext 3

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Department of Transportation

Region 5

Engineering
3803 North Main Avenue, Suite 300
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June 24, 2015

Florida Consolidated Ditch Company
C/O Wright Water Engineers, Inc.
Peter Foster, P.E.
1666 N. Main Ave., Suite C
Durango, CO 81301

RE: Hess Lateral Pipeline Project; CDOT Projects: NH 5501-020 (Sunnyside), SA 19109;
and, NHPP 5501-024 (The Gap), SA 20324;

Mr. Foster

Please allow this letter to serve as the Colorado Department of Transportation's (Department) commitment to entering into an Agreement with the Florida Consolidated Ditch Company (Ditch Company) for the purpose of relocating the Hess Lateral into a piped system along US Hwy 550 in La Plata County, Colorado. Insofar as the above-referenced highway improvements make it necessary to relocate portions of the Hess Lateral and given that the Department is authorized to pay the Ditch Company for the relocation work pursuant to CRS Sections 43-1-208 and 43-1-225, the Department has budgeted, appropriated and otherwise made available an amount not to exceed \$950,000.00 for the relocation of the Hess Lateral. This amount reflects the Department's current estimated construction cost to relocate the Hess Lateral into a similar open ditch beyond the limits of the proposed highway improvements.

Copies of the Department's proposed highway improvement plans are attached herewith. Right of way acquisition is nearing completion for the Sunnyside project and is currently underway for the Gap project. Replacement easements for the relocated Hess Lateral have been accounted for as part of the current design.

In the event the Ditch Company's pipeline relocation project grant application is approved, the Department is prepared to enter into a Standard Utility Agreement with the Ditch Company as well as a Memorandum of Understanding further outlining the obligations and responsibilities of each party to effectuate the relocation of the Hess Lateral into a piped system as a separate project to be constructed prior to the Department's highway improvements. The Department feels it is of mutual benefit to participate with the Ditch Company and would like to complete the work as soon as possible.

Insofar as this commitment is subject to the Ditch Company, and its shareholders, securing the necessary additional funding required for completing the project in total, the Department's offer will be valid up to final hearing on the grant application or September 30, 2015.

Should you require any additional information, please feel free to contact Kevin Walters at 385-1407.

Sincerely,

Edward Archuleta, P.E.
Region 5 Program Engineer

Enclosures

cc: Coggins/Curry/Medenwaldt/Project File