



COLORADO WATER CONSERVATION BOARD



WATER SUPPLY RESERVE ACCOUNT APPLICATION FORM

Today's Date: July 1, 2016

Name of Water Activity/Project

Wines Ditch No 1 Diversion Structure and Conveyance System Improvements, Phase I - Preliminary Design, Alternatives Analysis, and Construction Cost Opinion

Name of Applicant

The Nature Conservancy

Amount from Statewide Account:

\$25,000

Amount from Basin Account(s):

\$40,000

Total WSRA Funds Requested:

\$65,000

Approving Basin Roundtable(s)

(If multiple basins specify amounts in parentheses.)

FEIN 53-0242652

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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)

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:

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):	The Nature Conservancy			
	Mailing address:	2424 Spruce Street Boulder, CO 80303			
	FEIN #:	53-0242652			
	Primary Contact:	Celene Hawkins	Position/Title:	Project Manager	
	Email:	celene.hawkins@tnc.org			
	Phone Numbers:	Cell:	970-739-8624	Office:	970-375-0183
	Alternate Contact:	Kevin MacBride	Position/Title:	Grants Specialist	
	Email:	kmacbride@tnc.org			
	Phone Numbers:	Cell:	512-797-5964	Office:	720-974-7001

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

Applicant: The Nature Conservancy is a global 501(c)(3) non-profit organization founded in 1951 with a mission to conserve the lands and waters on which all life depends.

Other Project Partners: This application is a multi-stakeholder, multiple benefit project. Project partners include: Western Sky Investments (the owner of the Wines Ditch No. 1 Diversion structure and the associated water rights and irrigated lands); Colorado Parks and Wildlife, the Bureau of Land Management, and American Whitewater. The Nature Conservancy will work in partnership with these project partners on this collaborative effort.

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

The Nature Conservancy is the Contracting Entity.

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.

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:

2. If you feel this project addresses multiple purposes please explain.

This project addresses non-consumptive and consumptive purposes: it will evaluate agricultural water conveyance in Wines Ditch No. 1, structure redevelopment in terms of agricultural water delivery to the Wines Ditch No. 1, the riparian environment, bank stabilization, recreational boating usage, and sensitive fish species protection and enhancement.

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:

Preliminary design, feasibility, and cost opinion.

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

Latitude: 38.7166

Longitude: -109.0125

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 proposal is for a project to evaluate the preliminary design, alternatives analysis, and construction cost opinions for the reconstruction and improvements of the Wines Ditch No. 1 Diversion Structure and conveyance system located on the Dolores River. The project will address multiple consumptive and non-consumptive water interests, including water delivery improvement, sensitive species protection and enhancement, channel stabilization, and recreation improvement.

The Wines Ditch No. 1 Diversion Structure is a boulder weir across the Dolores River located approximately 3.5 miles downstream of Gateway, Colorado, and approximately 4 miles upstream of the Colorado-Utah Border (see Exhibit B). The diversion structure is decreed for the diversion of water for the irrigation of 111.62 acres of land located on the northeast bank of the Dolores River. The primary water right, held by Western Sky Investments, is a senior, pre-Compact water right decreed in 1913 with a 1900 appropriation date. The Wines Ditch No. 1 Diversion Structure is located on Bureau of Land Management (BLM) land and is operated and maintained by Western Sky Investments under a pre-Federal Land Policy Management Act (pre-FLPMA) authorization.

Plans to improve the Wines Ditch No. 1 Diversion Structure and conveyance ditch are critical because of the following:

- Full delivery of water under the pre-Compact water right requires reoccurring maintenance of the diversion structure using heavy machinery.
- Stormwater interception and resulting sedimentation at times reduces the capacity for Wines Ditch No. 1 to effectively convey diverted water.
- The diversion structure does not allow for regular boat passage at various water levels.
- Stream bank erosion is occurring below the diversion structure and may be attributed to the existing rock weir structure.
- During a high water event, the diversion structure is typically breached before maintenance can occur and no longer acts as a fish barrier, thus increasing the potential for introgression and hybridization of nonnative sucker species that might invade from the Colorado River, and native sucker species upstream of the Wines Ditch No. 1 Diversion in the San Miguel and Dolores Rivers.

The WSRA funds requested for the “Wines Ditch No 1 Diversion Structure and Conveyance System Improvements, Phase I - Preliminary Design, Alternatives Analysis, and Construction Cost Opinion” project is for scoping, alternatives analysis, and the development of a preliminary design for the construction of an improved diversion structure and conveyance system for multiple benefits that

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include: the fulfillment of the Wines Ditch No. 1 water right, sensitive fish species protection and enhancement, channel stabilization, riparian restoration, and improved recreational usage. The work will include topographic, hydraulic, and economic analysis, coordination with multiple agencies including applicant The Nature Conservancy (TNC), US Army Corps of Engineers (USACE), Colorado Parks and Wildlife (CPW), American Whitewater (AW), Western Sky Investments, and the Bureau of Land Management (BLM), a fishery characteristic and riparian habitat evaluation, and the preparation and evaluation of several alternative schematics for design consideration. The project will include the preparation of a preliminary design.

See Exhibit A for the full Scope of Work, budget breakdown, and Schedule.

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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 meets the eligibility requirements outlined in Part 2 of the criteria and guidelines:

The water activity meets eligibility requirements:

As a non-profit corporation, the applicant The Nature Conservancy qualifies as an eligible applicant under the “private incorporated” category.

The proposed water activity is an eligible water activity as identified in Senate Bill 06-179. The project is an analysis and preliminary design for a structural water activity for improved environmental, recreational, and agricultural water uses.

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

The project is based on the principle that the water rights of the Wines Ditch will not in any way be superseded, abrogated, injured or otherwise impaired by any structural improvements made to the Wines Ditch No. 1 Diversion Structure as a result of this project. As a principle, it has allowed TNC to attract Western Sky Investments to the table as a motivated partner willing to participate in the project. In order to ensure this principle to Western Sky Investments, Western Sky Investments will ultimately choose the preliminary design most beneficial to its pre-Compact water right, and the water rights of the Wines Ditch shareholders, with best simultaneous benefits to sensitive fish species, recreation, and stream bank restoration.

- c) 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 BRTs evaluation and approval of the activity. At a minimum, the description must include the level of agreement reached by the roundtable, including any minority opinion(s) if there was not general agreement for the activity. The description must also include reasons why general agreement was not reached (if it was not), including who opposed the activity and why they opposed it. Note- If this information is included in the letter

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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from the roundtable chair simply reference that letter.

Please see Exhibit C.

- d) 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 Southwest Basin Roundtable (Roundtable) has identified several water supply needs within the consumptive and non-consumptive needs assessments. These include maintaining agricultural water delivery and meeting municipal and industrial (M&I), recreational, and environmental water demands. The Roundtable called attention to processes that will help the Basin to achieve these goals such as agricultural diversions, delivery system efficiencies, and habitat restoration.

In the recent Basin Implementation Plan, the Roundtable has refined its work on the water supply needs and has developed goals and measurable outcomes for the Southwest Basin. Those goals and measurable outcomes cover seven main themes, including, among others:

- Balance All Needs and Reduce Conflict
- Maintain Agricultural Water Needs
- Meet Recreational Water Needs
- Meet Environmental Water Needs

The proposed project will meet several goals and measureable outcomes identified in the Basin Implementation Plan.

- “Balance All Needs and Reduce Conflict”: this project will meet several goals and measurable outcomes under this theme because it is a multi-stakeholder, multi-purpose project that promotes dialogue, fosters cooperation, and resolves conflict.
- “Maintain Agricultural Water Needs”: this project will meet several goals and measurable outcomes under this theme because it improves agricultural water delivery of a pre-Compact water right (preserving agricultural and open space values) while helping to address environmental and recreational values.
- “Meet Recreational Water Needs”: this project will meet goals and measurable outcomes

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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because it will enhance and protect recreational values.

- “Meet Environmental Water Needs”: this project will meet several goals and measurable outcomes because it will protect and enhance three sensitive aquatic species (roundtail chub, bluehead sucker, and flannelmouth sucker) in the Dolores and San Miguel Rivers and because it will diminish the impact of the diversion structure on the up-stream and downstream riparian habitat.

The proposed project was identified in the Basin Implementation Plan as a multi-purpose Identified Project and Process (IPP).

- e) 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 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)

Funding Entity	Amount	Percent of Total
CPW	\$7,400.00	6%
TNC	\$30,636.71	26%
AW	\$10,000.00	9%
Western Sky Investments	\$5,000.00	4%
WSRA Statewide Fund	\$25,000.00	21%
SW Basin Fund	\$40,000.00	34%
Total	\$118,036.71	100%

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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. 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 water activity addresses issues of sensitive species protection and enhancement, riparian habitat restoration, channel stabilization, recreational improvements, and pre-Compact water rights delivery improvements and protection. Stakeholders supportive of this project with its multiple beneficial outcomes are: TNC, CPW, BLM, AW, and Western Sky Investments. Letters of support from entities other than the applicant are provided in Exhibit D.

- 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.

There are six entities represented in the application that are participating in the project: BLM, USACE, CPW, TNC, AW, and Western Sky Investments. The BLM and USACE are involved for permitting purposes. TNC is involved as the Applicant and for non-consumptive purposes, and is contributing 26% of the grant total. CPW and AW are involved for non-consumptive interests, representing environmental and recreational purposes. CPW is contributing approximately 6% and AW is contributing approximately 9% of the total project cost. Western Sky Investments is involved for consumptive water interests as the landowner and water rights holder and is contributing approximately 4% of the total project cost.

- 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.

Because the water right associated with the Wines Ditch No. 1 Diversion Structure is a pre-Compact water right, the continued, regular delivery and beneficial use of the full amount of decreed water is

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important in maintaining the right to this water. Preservation of this senior right is critical in the overall planning for the Southwest Basin area and State of Colorado water supply needs.

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).

Securing adequate funds required for Phase 1 of this project will result in a preliminary design, alternatives analysis, and construction cost opinion. This deliverable is necessary to secure future funding for the implementation of Phase 2 of the project, the final design and construction.

- 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.

The applicant is providing \$30,636.71 to the project, \$10,636.71 in-kind and \$20,000 cash contribution. The CPW is providing an in-kind contribution of \$7,400 to the project, and AW is providing a cash contribution of \$5,000 to the project and a \$5,000 in-kind contribution. Western Sky Investments is providing a \$5,000 in-kind match. 45% of the estimated total for the project is covered by matching funds, as shown in Table 2 of Exhibit A.

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.

This project will help sustain agriculture while addressing environmental and recreational needs.

- a) Agriculture: The pre-Compact water right decreed to the Wines Ditch Diversion Structure No. 1 is 5.81 cfs for the irrigation of approximately 112 acres of farmland. Diversion structure reconstruction and ditch conveyance improvements will ensure delivery of the full amount of the decreed water, thus sustaining and protecting its associated agricultural use.
- b) Recreation: The Wines Ditch No. 1 Diversion Structure, located approximately 3.5 miles downstream from the Dolores River put-in at the town of Gateway, does not allow for boat passage at all water levels, forcing boaters floating the Dolores River from Gateway to portage around the structure at various water levels. The proposed planning project will look into redevelopment options which will allow for regular boat passage and access to the last stretch of the Dolores River. This last section of the Dolores River is a 32-mile segment from the town of Gateway to Dewey Bridge at the confluence with the Colorado River, through the Gateway Canyon Recreation Area and into several proposed wilderness areas in Utah.
- c) Environment: The current configuration of the Wines Ditch No. 1 diversion structure causes accelerated flow velocity and stream bank damage below the diversion structure. Design alternatives will explore options to reduce or eliminate the accelerated flows that impact river bank erosion rates downstream of the structure, allowing for the restoration of the riparian habitat. In addition, the project will incorporate into the analysis and preliminary design

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recommendations for protecting upstream native fish species with a fish barrier or a bypass channel with a screen. Inclusion of a fish barrier at this location will reduce movement of undesirable fish species and ultimately reduce hybridization and introgression for several BLM-designated sensitive species of fish, including the flannemouth sucker and the bluehead sucker. In addition, redesign of the diversion structure will benefit aquatic species in general and specifically address the needs of sensitive species (see (h), below).

- 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.

The water right associated with the Wines Ditch No. 1 diversion structure and ditch system is a pre-Compact water right. This project will allow for the continued beneficial use of this water right (detailed in (f) above).

- h. The water activity assists in the recovery of threatened and endangered wildlife species or Colorado State species of concern.

Both the Dolores River and the San Miguel River host three sensitive aquatic species covered by the *Rangewide Conservation Agreement and Strategy for Roundtail Chub *Gila Robusta*, Bluehead Sucker *Catostomus Discobolus*, and Flannemouth Sucker *Catostomus Latipinnis* (2006)* and designated as species of concern by the BLM and the State of Colorado. The populations of these species in the San Miguel River and in the Dolores River near the proposed project have good age-class structures and have a high level of genetic purity because of a lack of introgression with non-native suckers (such as white suckers).

CPW has determined that the number one threat to the bluehead sucker and flannemouth sucker populations in the San Miguel River and in the Dolores River above the proposed project is introgression with non-native suckers that could migrate upstream from the Colorado River. Accordingly, the proposed project will incorporate into the analysis and preliminary design recommendations and design options for reducing movement of non-native fish species upstream of the proposed project. The ultimate goal is to reduce the risk of hybridization and introgression for the flannemouth sucker and bluehead sucker populations in the San Miguel and Dolores Rivers upstream of the proposed project.

This project will also address the needs of the roundtail chub, a Colorado State species of special concern, in work to restore riparian habitat around the diversion structure.

- i. The water activity provides a high level of benefit to Colorado in relationship to the amount of funds requested.

This project will provide a high level of benefit to Colorado relative to the amount of funds requested. The applicant and the project partners have committed 45% of the total project costs in cash and in-kind

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contributions, and this project will provide significant benefits to agriculture, recreation, and to the environment.

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

The Wines Ditch No. 1 Diversion Structure and Conveyance Improvements, Phase I project will assist in the implementation of the CWCB's water supply planning efforts, particularly as that effort relates to preserving senior (pre-Compact) water rights for future use. The project will also assist the implementation of CWCB's endangered species and watershed protection and restoration programs.

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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 Wines Ditch No. 1 Diversion Structure is a boulder weir across the Dolores River located approximately 3.5 miles downstream of Gateway, Colorado, and approximately 4 miles upstream of the Colorado-Utah Border. The diversion structure is decreed for the diversion of 5.81 cubic feet per second of water for the irrigation of 111.62 acres of land located on the northeast bank of the Dolores River. This water right is a pre-Compact water right decreed in 1913 with a 1900 appropriation date. The proposed project will ensure full delivery and preservation of this senior right.

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

Similar Project

A similar project on the Gunnison River, the Hartland Diversion Dam Fish and Boat Passage project, was completed in 2012. The Hartland Dam was modified to create an in-river fish passage and an instream boat passage, and to allow continued diversion of river water to the irrigation canal. This project had relatively similar hydrology and the similar goals as this proposed project for the Wines Ditch No. 1 Diversion Structure: to modify fish passage and to allow boat passage while improving water delivery.

The Hartland Diversion Dam project was a collaborative effort between multiple partners, including the Hartland Irrigation Company, Delta County, the US Fish and Wildlife Service (FWS), the Colorado Water Conservation Board (CWCB), the Colorado River Water Conservation District (River District), and the US Bureau of Reclamation (USBR). The total project cost was \$1.8 million, with \$150,000 of that spent on scoping and engineering. Funding came from:

The CWCB Gunnison Roundtable
The CWCB Fish and Wildlife Resources Fund
The FWS Fish Passage Fund
American Recovery and Reinvestment Act funds (ARRA) allocated by the FWS
Colorado River Water Conservation District
The Walton Family Foundation

The final design for the Hartland Diversion Dam modification project was completed in June 2010, and construction was complete in March 2012. There is a current study underway to evaluate the success of the project in terms of continued water diversion, flow rates, and fish passage.

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Studies

- “A Way Forward: The Dolores River Below McPhee Reservoir”. An effort that produced a complete synthesis of scientific studies for the Dolores River’s three sensitive fish species.
- “Rangewide Conservation Agreement and Strategy for Roundtail Chub *Gila Robusta*, Bluehead Sucker *Catostomus Discobolus*, and Flannelmouth Sucker *Catostomus Latipinnis*”, Utah Department of Natural Resources (UDNR), 2006. A conservation agreement prepared for the CPW by UDNR to protect the three sensitive species throughout their ranges.

Permitting

Permitting may include Section 404 permitting through the USACE and BLM permitting because the structure is located on BLM land. The project team will evaluate these regulatory issues in the course of alternatives development and put forth regulatory permitting requirements of the preferred selected alternative.

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

See 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.

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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.

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

Signature of Applicant: 
Print Applicant's Name: Celene Hawkins
Project Title: Western Colorado Water Project Manager
Date: July 1, 2016

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

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