

COLORADO WATER CONSERVATION BOARD



WATER SUPPLY RESERVE ACCOUNT APPLICATION FORM

TODAY'S Date:

Lightner Creek Canal Improvement and Water Efficiency Project

Name of Water Activity/Project

Big Stick Ditch Company

Name of Applicant

Southwest Basin Roundtable

Amount from Statewide Account:

0

Amount from Basin Account(s):

\$30,000

Total WSRA Funds Requested:

\$30,000

Approving Basin Roundtable(s)

(If multiple basins specify amounts in parentheses.)

FEIN: N/A

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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):	The Big Stick Ditch Company		
	Mailing address:	3938 County Road 122 Hesperus, CO 81326		
	FEIN #:	N/A		
	Primary Contact:	Guy Stees	Position/Title:	President
	Email:	gstees@aol.com		
	Phone Numbers:	Cell: 970-749-9978	Office:	
	Alternate Contact:	Jeff Helmer	Position/Title:	Treasurer
	Email:	bartv@durango.net		
	Phone Numbers:	Cell: 970-759-6946	Office:	

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 Big Stick Ditch Company was formed in 1905 by area irrigators and continues to be run by a volunteer board. The purpose of the Big Stick Ditch Company is to manage the water supply for approximately 4,968 acres of agricultural lands, and for domestic and storage rights in the La Plata River Basin, including the construction and operation of facilities necessary to meet this goal.

The Lightner Creek Canal conveys water from Sawmill Canyon in the Lightner Creek drainage approximately 2.5 miles to meet the La Plata River approximately two miles north of Hesperus, Colorado. The Lightner Creek Canal is located on private and Forest Service land. It is decreed for absolute water rights of ten cubic feet per second (CFS) and was approved by District Court No. 1751-B on May 1, 1952, priority date April 19, 1950, Priority No. 1966-60A, Case No. W-128.

The Big Stick Ditch Company's annual budget, obtained through assessment/shareholder fees, is approximately \$12,800. The funds are spent on existing operations and management commitments.

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.

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:

Water management to help improve irrigation supplies.

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

The proposed work is on the list of identified projects and processes (IPP) for the Multi-Basin and the La Plata River (LPR) Basins, outlined in the Southwest Basin Roundtable Implementation Plan (BIP), dated 04/17/2015: Proposed IPP 4-MB and 15-LaP. 4-MB includes ditch company improvements and efficiency projects to upgrade ditches for the purpose of water conservation and 15-LaP includes La Plata River ditch lining projects that would increase efficiency and existing infrastructure to conserve water used for irrigation. The proposed work will benefit irrigators of the Big Stick Ditch by providing additional water to their limited supplies, as well as benefit the LPR wildlife and river corridor habitat with increased river flows that would otherwise flow into Lightner Creek and the Animas River Basin.

Additionally, the Colorado Division of Water Resources (CDWR) installed a Sutron Satlink2-V2-HDR DCP and stage-discharge-recorder and parshall flume in October 2013 (Station ID LITCANCO) to monitor flows through the ditch; otherwise no maintenance work has occurred in this ditch since the 1960s. The proposed work will also help to provide ease for access and maintenance to the State and monitoring equipment.

3. Is this project primarily a study or implementation of a water activity/project? (Please check only one)

☐ Study

☒ Implementation

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4. To catalog measurable results achieved with WSRA funds can you provide any of the following numbers?

New Storage Created (acre-feet)

New Annual Water Supplies Developed, Consumptive or Nonconsumptive (acre-feet)

Existing Storage Preserved or Enhanced (acre-feet)

Length of Stream Restored or Protected (linear feet)

Length of Pipe/Canal Built or Improved (linear feet)

Efficiency Savings (acre-feet/year OR dollars/year – **circle one**)

Area of Restored or Preserved Habitat (acres)

Other -- Explain:

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

Latitude:

37° 19' 58.09"

Longitude:

108° 00' 53.19"

5. Please provide an overview/summary of the proposed water activity (no more than one page). Include a description of the overall water activity and specifically what the WSRA funding will be used for. A full **Statement of Work** with a detailed budget and schedule is required as **Exhibit A** of this application.

The proposed work includes cleaning and re-grading the Lightner Creek Canal within its existing right of way from the Sawmill Canyon headgate to the La Plata River and line sections of the canal with soil amendments of bentonite and lime with the existing clay soils on the ditch bottom and sides to help prevent seepage losses. This delivery system experiences greater than 70 percent loss due to seepage. In addition, portions of the ditch traveling through gravel and fractured rock will be treated with sac-crete to prevent further seepage. Five culvert pipes with hand-wheel controlled gates will be installed along the ditch to allow it to be drained during the winter months, helping to prevent ditch backup and erosion.

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 project does not conflict with State water law and appropriation system.

- b) The water activity underwent an evaluation and approval process and was approved by the Basin

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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Roundtable (BRT) and the application includes a description of the results of the BRT's evaluation and approval of the activity. At a minimum, the description must include the level of agreement reached by the roundtable, including any minority opinion(s) if there was not general agreement for the activity. The description must also include reasons why general agreement was not reached (if it was not), including who opposed the activity and why they opposed it. Note- If this information is included in the letter from the roundtable chair simply reference that letter.

The proposed project was presented as a concept project at the BRT meeting held on 4/17/17. It was received with support by the Board members because the work meets three of the seven goals outlined in the BIP: balance all needs and reduce conflict; meet agricultural needs, and; meets environmental needs.

- 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.

To be determined at the 4/17/17 BRT meeting.

- d) Matching Requirement: For requests from the Statewide Fund, the applicants will be required to demonstrate a **25 percent** (or greater) match of the total grant request from the other sources, including 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 Big Stick Ditch Company is also seeking funding through the Southwestern Water Conservation District for \$30,000. In-kind contributions will be provided by the Big Stick Ditch Company Board members, Tony Meador (contractor), and Jeff Helmer (surveyor) in the amount of \$18,100. In addition, the Big Stick Ditch Company will provide matching funds of \$11,900.

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 work will help conserve water which, in turn, maintains the quality of life in the LPR Basin: agricultural and environmental needs. The proposed work will benefit irrigators of the Big Stick Ditch by providing additional water to their limited supplies, as well as benefit the LPR wildlife and river corridor habitat with increased river flows that would otherwise flow into Lightner Creek and the Animas River 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.

The Big Stick Ditch Company has worked with the Colorado Division of Water Resources to help to install a Sutron Satlink2-V2-HDR DCP and stage-discharge-recorder and parshall flume in October 2013 (Station ID LITCANCO) to monitor flows through the ditch. This work will also help to provide ease for access and maintenance to the State and monitoring equipment.

- 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[

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The proposed work is on the list of IPPs for the Multi-Basin and LPR Basins, outlined in the BIP: Proposed IPP ID 4-MB and 15-LaP. ID 4-MB includes ditch company improvements and efficiency projects to upgrade ditches for the purpose of water conservation and 15-LaP includes La Plata River ditch lining projects that would increase efficiency and existing infrastructure to conserve water used for irrigation.

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).

is The Big Stick Ditch Company's annual budget, obtained through assessment/shareholder fees, approximately \$12,800. The funds are spent on existing operations and management commitments. There is no budget for maintenance of the Lightner Creek Canal. Funding will assist the Big Stick Ditch Company to perform this work.

- 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 Big Stick Ditch Company is also seeking funding through the Southwest Basin Roundtable for \$30,000. In-kind contributions will be provided by the Big Stick Ditch Company Board members, Tony Meador (contractor), and Jeff Helmer (surveyor) in the amount of \$18,100. In addition, the Big Stick Ditch Company will provide matching funds of \$11,900.

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 proposed work will benefit irrigators of the Big Stick Ditch by providing additional water to their limited supplies, as well as benefit the LPR wildlife and river corridor habitat with increased river flows that would otherwise flow into Lightner Creek and the Animas River Basin. It will help the state have easier access to monitoring equipment and perform maintenance as needed that would otherwise be difficult to reach.

- 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 proposed work will promote maximum utilization of state waters by improving the delivery system to benefit local irrigators within Colorado by conveying water from the Animas River Basin (a water abundant Basin) into the LPR Basin, which is considered a water-short basin.

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

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The additional water supply being conveyed into the LPR Basin will support the LPR native fish species roundtail chub, bluehead sucker, and flannelmouth sucker, and wildlife along the river corridor.

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

The proposed work:

- Improves water management
- Increases irrigation supplies to Colorado ditches
- Helps to sustain native species in the LPR

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

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

Please attach additional pages as necessary.

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 water rights associated with this work:

- Lightner Creek Canal, Case No.W-128, 10 cfs

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

N/A

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.

REPORTING AND FINAL DELIVERABLE

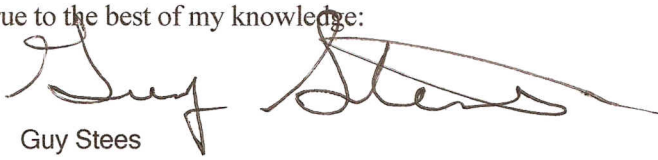
Final Deliverable: Completion of ditch lining work and headgate automation.

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.

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

Signature of Applicant:



Print Applicant's Name: Guy Stees

Project Title: Lightner Creek Canal Improvement and Water Efficiency Project

Date:

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)
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