

Water Supply Reserve Fund – Grant and Loan Program
Water Activity Summary Sheet
March 21-22, 2018
Agenda Item 25(e)

Applicant & Grantee: Owl Mountain Partnership
Water Activity Name: Jackson County Water Structure Improvement Project
Water Activity Purpose: Multipurpose (Ag/Env&Rec) – Implementation
County: Jackson
Drainage Basin: North Platte
Water Source: Michigan River & Jack Creek
Amount Requested: \$116,300 North Platte Basin Account
Matching Funds: Applicant Match (cash & in-kind) = \$116,800
• 104% of the Basin Account request (meets 10% min)

Staff Recommendation:

Staff recommends approval of up to \$116,300 from the North Platte Basin Account to help fund the project titled: Jackson County Water Structure Improvement Project.

Water Activity Summary: WSRF grant funds, if approved, will assist the Owl Mountain Partnership replace three existing but deteriorating headgates, install a fish-friendly diversion, install a new measuring device, and line an existing section of ditch. These improvements will be constructed on the Old SC, Briggs Bonn, Teller and Darcy Ditches to:

- safely, effectively and efficiently control and regulate irrigation water.
- to reduce irrigation water induced erosion and sediment movement.
- to improve irrigation water management.
- to continue to create irrigation induced wetlands and riparian areas for wildlife habitat
- to provide possible recreational opportunities.

Discussion: This effort assists the North Platte Basin Roundtable satisfy Goal #3 – Continue to restore, maintain, and modernize critical water infrastructure to preserve current uses and increase efficiencies; and Goal #4 - Maintain healthy rivers and wetlands through the strategic implementation of projects that meet prioritized nonconsumptive needs as identified in the North Platte Basin Implementation Plan, while also assisting the state several of the Critical Goals and Actions of Colorado's Water Plan, such as: meeting D. Agricultural (Facilitate Alternative Transfer Methods & Support Agricultural Conservation and Efficiency); and F. Watershed Health, Environment. and Recreation (Enhance Environmental and Recreational Economic Values).

Issues/Additional Needs: Staff will work with the applicant to obtain all letters of matching commitment, otherwise no issues or additional needs have been identified.

Eligibility Requirements: The application meets requirements of all eligibility components: General Eligibility, Entity Eligibility, Water Activity Eligibility, and Eligibility Based on Match Requirements.

Evaluation Criteria: This activity has undergone review and evaluation and staff has determined that it satisfies the Evaluation Criteria. Please refer to Basin Roundtable Chair's Recommendation Letter and the WSRF Grant Application for applicant's detailed response.

Funding Summary/Matching Funds:

<u>Funding Source</u>	<u>Cash</u>	<u>In-kind</u>	<u>Total</u>	<u>Status</u>
NRCS	\$84,690	\$22,000	\$106,690	Secured
Private Land Water Users	\$10,110	\$0	\$10,110	Pending
Subtotal	\$94,800	\$22,000	\$116,800	
WSRF North Platte Basin Account	\$116,300	n/a	\$116,300	
Total Project Costs	\$211,100	\$22,000	\$233,100	

CWCB Project Manager: Craig Godbout

NORTH PLATTE BASIN ROUNDTABLE

Wm. Kent Crowder, Chair
P.O. Box 1019
Walden, Colorado 80480

FAX (970) 723-4706
(970) 723-4660

January 19, 2018

Mr. Craig Godbout - WSRA Application
Colorado Water Conservation Board
1313 Sherman St., Room 721
Denver, CO 80203

Re: Water Supply Reserve Account Grant Application for Jackson County Water Structure Improvement Project – Owl Mountain Partnership - \$116,300 from Bain Account WSRA Funds

Dear Mr. Godbout:

This letter is to advise you that the WSRA grant application submitted by Owl Mountain Partnership requesting \$116,300 from Bain Account WSRA Funds was reviewed and evaluated by the North Platte Basin Roundtable and was approved by a unanimous favorable vote of seven (7) voting members present at the North Platte Basin Roundtable meeting held on the 18th day of January, 2018. Two voting members, Ty Wattenberg and Carl Trick II, abstained from voting because they each had a direct or indirect financial interest in the project. Because there were no dissenting votes, a minority report is not required.

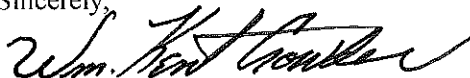
This project will provide funding to replace three old, deteriorating headgate structures, replace one old, non-functioning diversion with a fish friendly structure, construct one new fish friendly diversion, install a permanent measuring device and line a section of ditch with irrigation pipe. These water structure improvements will allow the involved water users to safely, effectively and efficiently control and regulate the amount of water needed to irrigate associated lands and the new diversion structure will eliminate annual damage to the stream banks and reduce sediment discharge.

The NPBRT has identified the development of the full allocation of irrigated acres in the North Platte Basin allowed under the equitable apportionment Supreme Court Decree and the Three States Agreement as a very high priority for the basin. Each of the proposed structures is critical in maintaining the delivery of existing irrigation water to currently irrigated ground and the continued deterioration of these structures will result in decreased irrigated acreage within the watershed.

Installing these improved structures will not only help to maintain our current agricultural economic base, but they will help to meet the identified consumptive need of increasing irrigated acres within the county. This project will help meet both consumptive and non-consumptive needs identified by the NPBRT. The higher degree of control and efficiency provided by these structures will benefit all consumptive and non-consumptive uses of water diverted for irrigation. Improved water efficiency is a benefit to all consumptive and associated non-consumptive uses of irrigation water.

Please feel free to call me with any questions that you may have regarding the North Platte Basin Roundtable meeting or our level of support for this project.

Sincerely,



Wm. Kent Crowder, Chair
North Platte Basin Roundtable



Last Update: August 3, 2017

Colorado Water Conservation Board

Water Supply Reserve Fund Grant Application

Instructions

All WSRF grant applications shall conform to the current [2016 WSRF Criteria and Guidelines](#).

To receive funding from the WSRF, a proposed water activity must be approved by a Roundtable(s) **AND** the Colorado Water Conservation Board (CWCB). The process for Roundtable consideration and recommendation is outlined in the 2016 WSRF Criteria and Guidelines. The CWCB meets bimonthly according to the schedule on page 2 of this application.

If you have questions, please contact the current CWCB staff Roundtable liaison:

Arkansas

Ben Wade
ben.wade@state.co.us
303-866-3441 x3238

Gunnison | North Platte | South Platte | Yampa/White

Craig Godbout
craig.godbout@state.co.us
303-866-3441 x3210

Colorado | Metro | Rio Grande | Southwest

Megan Holcomb
megan.holcomb@state.co.us
303-866-3441 x3222

WSRF Submittal Checklist (Required)

x	I acknowledge this request for funding was recommended for CWCB approval by the sponsoring Basin Roundtable(s).
x	I acknowledge I have read and understand the 2016 WSRF Criteria and Guidelines .
x	I acknowledge the Grantee will be able to contract with CWCB using the Standard Contract . ⁽¹⁾
Exhibit A	
x	Statement of Work ⁽²⁾ (Word – see Exhibit A Template)
x	Budget & Schedule ⁽²⁾ (Excel Spreadsheet – see Exhibit A Template)
x	Letters of Matching and/or Pending 3 rd Party Commitments ⁽²⁾
Exhibit C	
x	Map ⁽²⁾
x	Photos/Drawings/Reports
	Letters of Support
	Certificate of Insurance ⁽³⁾ (General, Auto, & Workers' Comp.)
Contracting Documents	
	Certificate of Good Standing ⁽³⁾
	W-9 ⁽³⁾
	Independent Contractor Form ⁽³⁾ (If applicant is individual, not company/organization)
	Electronic Funds Transfer (ETF) Form ⁽³⁾

(1) Click "Grant Agreements". For reference only/do not fill out or submit/required for contracting

(2) Required with application if applicable.

(3) Required for contracting. While optional at the time of this application, submission can expedite contracting upon CWCB Board approval.



Last Update: August 3, 2017

Schedule		
CWCB Meeting	Application Submittal Dates	Type of Request
January	December 1	Basin Account; BIP
March	February 1	Basin/Statewide Account; BIP
May	April 1	Basin Account; BIP
July	June 1	Basin Account; BIP
September	August 1	Basin/Statewide Account; BIP
November	October 1	Basin Account/BIP

Desired Timeline	
Desired CWCB Hearing Month:	March
Desired Notice to Proceed Date:	August 1, 2018

Water Activity Summary	
Name of Applicant	Owl Mountain Partnership
Name of Water Activity	Jackson County Water Structure Improvement Project
Approving Roundtable(s)	Basin Account Request(s) ⁽¹⁾
North Platte Basin Round Table	\$ 116,300
Basin Account Request Subtotal	\$ 116,300
Statewide Account Request⁽¹⁾	\$ 0.00
Total WSRF Funds Requested (Basin & Statewide)	\$ 116,300
Total Project Costs	\$ 233,100

(1) Please indicate the amount recommended for approval by the Roundtable(s)

Last Update: August 3, 2017

Grantee and Applicant Information	
Name of Grantee(s)	Owl Mountain Partnership (OMP)
Mailing Address	P.O. Box 737 Walden, CO. 80480
FEIN	20-1481796
Grantee's Organization Contact ⁽¹⁾	Pat VanValkenburg
Position/Title	Member
Email	Pvan661@yahoo.com cc: debbi.heeney@co.usda.gov
Phone	(H) 970-723-4774 (C) 970-846-5153
Grant Management Contact ⁽²⁾	Kendall Silverberg
Position/Title	Administrator
Email	Silverberg4@gmail.com cc: debbi.heeney@co.usda.gov
Phone	(H) 970-723-4578 (C) 970-219-3560
Name of Applicant (if different than grantee)	
Mailing Address	
Position/Title	
Email	
Phone	

(1) Person with signatory authority

(2) Person responsible for creating reimbursement invoices (Invoice for Services) and corresponding with CWCB staff.

Description of Grantee
Provide a brief description of the grantee's organization (100 words or less).
<p>The Owl Mountain Partnership (OMP) formed in 1993 as an offshoot of the Colorado Division of Wildlife's Habitat Partnership Program. Their overall mission is based on the five fundamentals of ecosystem management and is "to serve the economic, cultural, and social needs of the community, while developing adaptive long-term landscaped management programs, policies, and practices that ensure ecosystem sustainability." The partnership's steering committee consists of both private landowners, and federal and state agency personnel. OMP is a registered, non-profit corporation in the state of Colorado. This allows the partnership to receive monies from federal, state and private entities.</p>



Last Update: August 3, 2017

Type of Eligible Entity (check one)	
	Public (Government): municipalities, enterprises, counties, and State of Colorado agencies. Federal agencies are encouraged to work with local entities. 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.
x	Non-governmental organizations: broadly, any organization that is not part of the government
	Covered Entity: as defined in Section 37-60-126 Colorado Revised Statutes

Type of Water Activity (check one)	
	Study
x	Implementation

Category of Water Activity (check all that apply)		
x	Nonconsumptive (Environmental)	
x	Nonconsumptive (Recreational)	
x	Agricultural	
	Municipal/Industrial	
	Needs Assessment	
	Education & Outreach	
	Other	Explain:

Location of Water Activity	
Please provide the general county and coordinates of the proposed activity below in decimal degrees . The Applicant shall also provide, in Exhibit C, a site map if applicable.	
County/Counties	Jackson
Latitude	** Reference: the attached Project Location Map for structure locations on each ditch
Longitude	** Reference: the attached Project Location Map for structure locations on each ditch

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Water Activity Overview

Please provide a summary of the proposed water activity (200 words or less). Include a description of the activity and what the WSRF funding will be used for specifically (e.g. studies, permitting, and construction). Provide a description of the water supply source to be utilized or the water body affected by the activity. Include details such as acres under irrigation, types of crops irrigated, number of residential and commercial taps, length of ditch improvements, length of pipe installed, and area of habitat improvements. If this project addresses multiple purposes or spans multiple basins, please explain.

The Applicant shall also provide, in Exhibit A, a detailed Statement of Work, Budget, and Schedule.

The OMP proposes to: replace the Old SC ditch headgate and install a diversion in the Michigan River, replace a headgate and install a measuring device in the Briggs Bohn ditch, replace both a headgate and diversion in the Teller ditch/Jack Creek and line 1002 foot of the Darcy ditch with irrigation pipe. Two of the projects are located on USFS and two on private land. All have received consent from the landowner's and are ready for construction. All structures are ag-exempt with regard to Corp. of Engineer permitting.

Each structure addresses agricultural and environmental water needs in a cost effective, collaborative way and provide irrigation water to twenty different individuals and/or entities that irrigate over 7,000 acres of hay and pasture land in Jackson County. The irrigation water also creates irrigation induced wetlands and riparian areas that provide habitat for many species as well as recreational opportunities.

Ninety four percent of the requested WSRA funds will be used in the actual construction and installation of the shovel ready structures. The remaining six percent of the requested funds will be used for the clerical/administration costs associated with the project.

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Measurable Results	
To catalog measurable results achieved with WSRF funds please provide any of the following values.	
na	New Storage Created (acre-feet)
300 new acres irrigated under the Darcy ditch	New Annual Water Supplies Developed or Conserved (acre-feet), Consumptive or Nonconsumptive
20 cfs continuing to flow into Walden reservoir via the Old SC ditch	Existing Storage Preserved or Enhanced (acre-feet)
na	Length of Stream Restored or Protected (linear feet)
Estimated 10% efficiency in the control and use of 40 cfs in the Old SC ditch, 60 cfs in the Briggs Bohn ditch, 4 cfs in the Teller Ditch and 23 cfs in the Darcy ditch.	Efficiency Savings (indicate acre-feet/year OR dollars/year)
Approximately 1500 acres	Area of Restored or Preserved Habitat (acres)
1002 feet Darcy ditch	Length of Pipe/Canal Built or Improved
	Other Explain:

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Water Activity Justification

Provide a description of how this water activity supports the goals of [Colorado's Water Plan](#), the most recent [Statewide Water Supply Initiative](#), and the respective [Roundtable Basin Implementation Plan and Education Action Plan](#) ⁽¹⁾. The Applicant is required to reference specific needs, goals, themes, or Identified Projects and Processes (IPPs), including citations (e.g. document, chapters, sections, or page numbers).

For applications that include a request for funds from the Statewide Account, the proposed water activity shall be evaluated based upon how well the proposal conforms to Colorado's Water Plan criteria for state support (CWP, Section 9.4, pp. 9-43 to 9-44;) (Also listed pp. 4-5 in [2016 WSRF Criteria and Guidelines](#)).

Colorado's Water Plan (CWP) aims to close the gap between projected supply and demand in each basin, while also addressing the effects of a changing climate on our water resources (CWP 2015). In effort to support the goals of CWP, one of the goals for the North Platte Basin (NPB) is to continue to restore, maintain, and modernize critical water infrastructure to preserve current uses and increase efficiencies (NPBIP 2015, pg. 2). In effort to meet this goal, the NPB seeks to identify specific locations where infrastructure requires improvement or replacement to preserve or maximize existing uses (NPBIP 2015, pg. 21). The Owl Mountain Partnership has identified multiple sites and is proposing to: replace three old and deteriorating headgate structures; replace one old and non-functioning diversion with a fish friendly structure; construct one new fish friendly diversion; install a permanent measuring device, and; line a section of ditch with irrigation pipeline, if awarded this grant funding.

In many cases restoration or modernization efforts serve to address multiple purposes, such as improved diversion reliability and accuracy, lower maintenance costs, the potential addition of hydropower generation, and improved fish passage (NPBIP 2015, pg.21). Each of the proposed structures is critical in maintaining the delivery of existing irrigation water to storage and/or currently irrigated land. Complete failure of these structures will result in decreased irrigation efficiency and irrigated acreage within the watershed. Replacing and/or installing new structures will allow the water users to safely, more effectively and more efficiently control and regulate the amount of water in each of their associated ditches.

The NPB [...] is projected to grow from about 1,500 people in 2008 to about 2,200 people by the year 2050; an increase of about 47 percent. Agriculture has been the largest basic employment sector in NPB and is anticipated to retain this position in 2050 (SWSI 2011). With an anticipated increase of 28,000 irrigated acres (24%) in NPB by 2050 (SWSI 2011), investing in irrigation efficiency improvements is necessary for NPB agriculture now and into the future. Installing these improved structures will not only help to maintain our current agriculture economic base, but they will help to meet the identified consumptive need of increasing irrigated acres and storage within the county. Improved water efficiency and control is a benefit to all consumptive and associated non-consumptive uses of irrigation water.

Another one of the NPB goals is to maintain healthy rivers and wetlands through the strategic implementation of projects that meet prioritized non-consumptive needs (NPBIP 2015, pg. 2). Healthy rivers have always been a critical component to the economy and way of life in the NPB. The new proposed structures will be permanent and will reduce seasonal damage to



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Water Activity Justification

the stream and ditch banks, thereby resulting in less erosion and sediment discharge into the streams. The planned diversion structures are more functional as well as fish friendly.

The NPB Roundtable stands to build on their prioritization of non-consumptive water needs by further focusing on water project efforts (NPBIP 2015, pg. 22). The proposed structures address both the consumptive and non-consumptive water needs in a cost-effective and collaborative way. In addition to irrigating the highly valuable hayland, the irrigation water also creates irrigation-induced wetlands and riparian areas that provide habitat for many species of big game, waterfowl and upland birds, including the Greater Sage Grouse. The ditches, wetlands and riparian areas also provide a variety of recreational opportunities for those whom live in and visit Jackson County.

Literature Cited:

Colorado's Water Plan (CWP). 2015. Available at
<https://www.colorado.gov/pacific/cowaterplan/plan>

Statewide Water Supply Initiative (SWSI). 2011. Section 4: Consumptive Needs Assessments. Colorado Water Conservation Board, Department of Natural Resources. Available at <http://cwcb.state.co.us/water-management/water-supply-planning/Documents/SWSI2010/SWSI2010.pdf>

North Platte Implementation Plan (NPBIP). 2015. Prepared for the North Platte Basin Roundtable for submittal to The Colorado Water Conservation Board. Available at https://www.colorado.gov/pacific/sites/default/files/Final%20NPBIP_4-17-15.pdf

(1) Access Basin Implementation Plans or Education Action Plans from Basin drop down menu.

Matching Requirements: Basin Account Requests

Basin (only) Account grant requests require a 25% match (cash and/or in-kind) from the Applicant or 3rd party and shall be accompanied by a **letter of commitment** as described in the 2016 WSRF Criteria and Guidelines (submitted on the contributing entity's letterhead). Attach additional sheet if necessary.

Contributing Entity	Amount and Form of Match (note cash or in-kind)
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Last Update: August 3, 2017

Matching Requirements: Basin Account Requests	
NRCS – Need and Feasibility Determination	\$2,000 (in-kind)
NRCS – Structure Survey and Design	\$20,000 (in-kind)
NRCS Contract Obligation for Construction/Installation of: Part A. Old SC Ditch –LuAnne Bybee Schellhaas, Part B. Briggs Bohn Ditch – Bear Creek Investments LLP, Part C. Teller Ditch – TCB Properties LLC and Part D. Darcy Ditch – Deline Land & Cattle Co.	\$84,690 (cash) NRCS contracted obligation
Private Land Water Users – LuAnne Bybee Schellhaas, Bear Creek Investments, TCP Properties and Deline Land & Cattle Co.	\$10,110
Total Match	\$116,800
If you requested a Waiver to the Basin Account matching requirements, indicate the percentage you wish waived.	

Matching Requirements: Statewide Account Requests	
Statewide Account grant requests require a 50% match as described in the 2016 WSRF Criteria and Guidelines. A minimum of 10% match shall be from Basin Account funds (cash only). A minimum of 10% match shall be provided by the applicant or 3rd party (cash, in-kind, or combination). The remaining 30% of the required match may be provided from any other source (Basin, applicant, or 3 rd party) and shall be accompanied by a letter of commitment . Attach additional sheet if necessary.	
Contributing Entity	Amount and Form of Match (note cash or in-kind):
na	
Total Match	\$
If you requested a Waiver to the Statewide Account matching, indicate % you wish waived. (Max 50% reduction of requirement).	NA

Related Studies
Please provide a list of any related studies, including if the water activity is complimentary to or assists in the implementation of other CWCB programs.

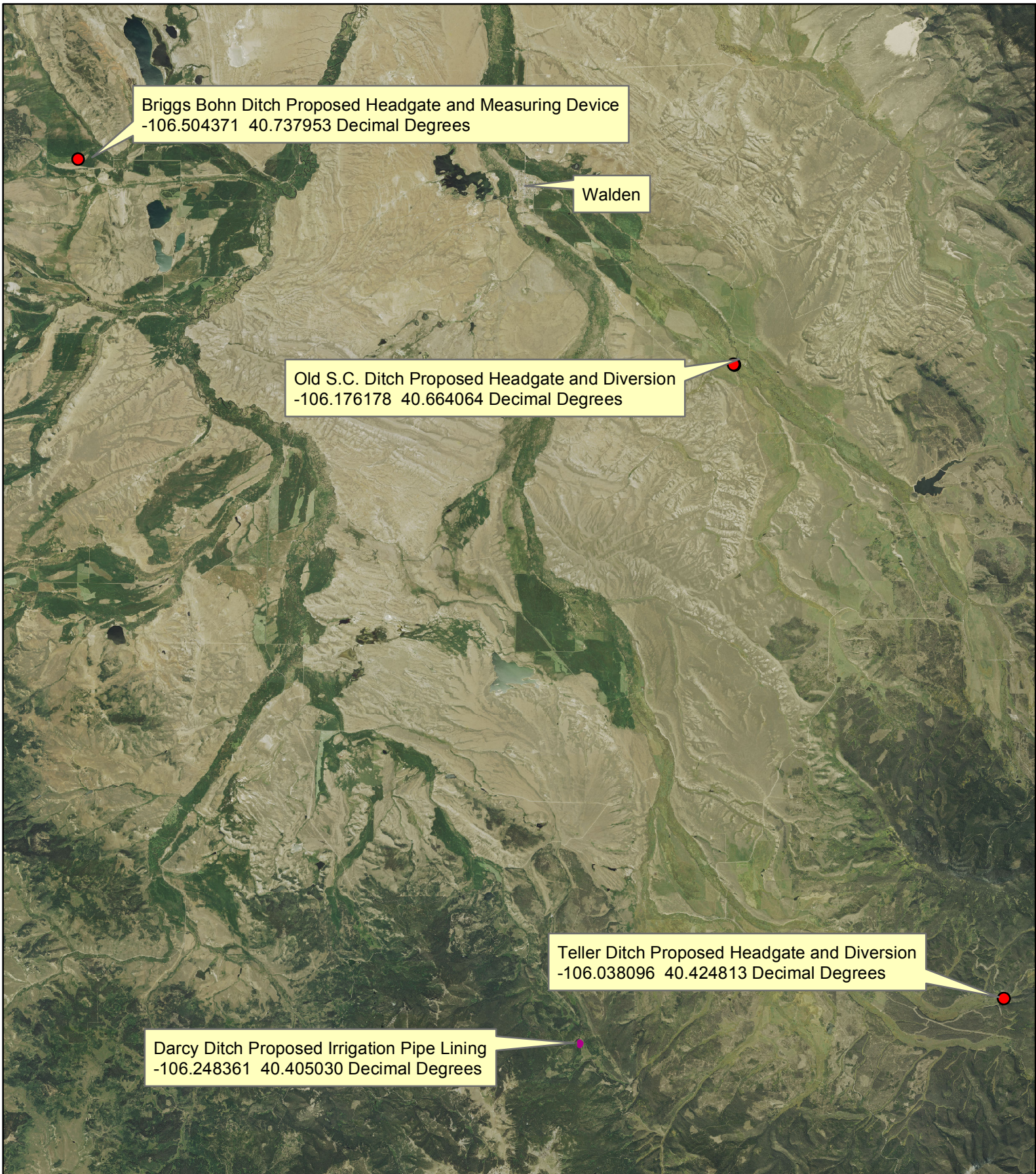
Last Update: August 3, 2017

Related Studies
na

Previous CWCB Grants
List all previous or current CWCB grants (including WSRF) awarded to both the Applicant and Grantee. Include: 1) Applicant name; 2) Water activity name; 3) Approving RT(s); 4) CWCB board meeting date; 5) Contract number or purchase order
None

Tax Payer Bill of Rights
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.
Although OMP is subject to the Tabor Act, OMP will not exceed the permitted acceptable fund limits during the life of the WSRF monies.

WSRA Grant Project Location Map



CONSERVATION PROGRAM CONTRACT

Participant: LUANN BYBEE SCHELLHAAS	Program and Contract Number: EQIP 2014 748B05170M0
County and State: JACKSON County, CO	Subaccount: North Platte-White-Yampa WS - Water Q/Q General (North Platte-White-Yampa Watershed)
Watershed: Middle Michigan River	This agreement is effective on the date signed by the Natural Resources Conservation Service obligating official unless specified otherwise in the applicable Appendix and extends through 12/1/2021

1. The undersigned participants enter into this contract with the Natural Resources Conservation Service (NRCS) to implement and/or maintain specific conservation practices, as set forth in the Conservation Plan Schedule of Operations (NRCS-CPA-1155) on the property as identified on the plan map. In consideration for the implementation and/or maintenance of the practices, the NRCS will make payments to the participant(s) in the amount(s) described in the Schedule of Operations as outlined in the Appendix.
2. This agreement is comprised of this Conservation Program Contract form NRCS-CPA-1202. The NRCS-CPA-1202 Appendix and the NRCS-CPA-1155 Plan Schedule of Operations and plan map are hereby fully incorporated into this document and are binding upon the participant(s). The NRCS-CPA-1155 may be modified through execution of a Modification form (NRCS-CPA-1156) by both NRCS and the participant and becomes a part of the contract when both parties have agreed to and signed the Modification.
3. The participant(s) agree:
 - A) to implement and maintain conservation practices for the life of this agreement in compliance with the plan or schedule of operations and in accordance with the standards, specifications, and other special program criteria obtained from NRCS;
 - B) to forfeit further payments under this agreement and refund the United States, in amounts determined by NRCS, any payments received hereunder upon NRCS determination that participant(s) have violated the material terms of this agreement or accept such payment adjustments as NRCS may deem appropriate if NRCS decides that the participant's violation does not warrant termination of the agreement; and
 - C) to forfeit all rights to further payments under the agreement and refund to the United States, in amounts determined by NRCS, payments received hereunder if the subject land is transferred to a non-participant during the term of this agreement, unless the third party agrees to assume this agreement, and the NRCS consents to the modification.

4. CONTRACT PARTICIPANTS

Name, Address, Telephone LUANN BYBEE SCHELLHAAS PO BOX 246 WALDEN, CO 80480 (970) 218-9334	SSN or TAX ID if applicable *****8929 DUNS (non-individuals)
Signature 	Payment Shares 100.00%
Date 8-29-17	Signature acceptable for payments <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Signature required for modifications <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

5. CONTRACT OBLIGATIONS

2018	2019	2020	2021							Total
\$20,971	\$8,417	\$2,186	\$2,186							\$33,760
										\$33,760

CONSERVATION PROGRAM CONTRACT

Participant: LUANN BYBEE SCHELLHAAS	Program and Contract Number: EQIP 2014 748B05170M0
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6. NRCS APPROVING OFFICIALS

Application Approval DEBBI HEENEY USDA electronic signature; manual signature not required. Date: 8/24/2017	Contract Obligation FRANCINE LHERITIER USDA electronic signature; manual signature not required. Date: 9/7/2017
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PRIVACY ACT STATEMENT

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C 522a). Furnishing this information is voluntary; however failure to furnish correct, complete information will result in the withholding or withdrawal of such technical or financial assistance. The information may be furnished to other USDA agencies, the Internal Revenue Service, the Department of Justice, or other state or federal law enforcement agencies, or in response to orders of a court, magistrate, or administrative tribunal.

This information collection is exempted from the Paperwork Reduction Act under 16 U.S.C. 3801 note and 16 U.S.C. 3846.

NONDISCRIMINATION STATEMENT

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov

USDA is an equal opportunity provider, employer and lender.

CONSERVATION PROGRAM CONTRACT

Participant: BEAR CREEK INVESTMENTS LLP	Program and Contract Number: EQIP 2014 748B05170LA
County and State: JACKSON County, CO	Subaccount: North Platte-White-Yampa WS - Water Q/Q General (North Platte-White-Yampa Watershed)
Watershed: Middle North Fork North Platte River	This agreement is effective on the date signed by the Natural Resources Conservation Service obligating official unless specified otherwise in the applicable Appendix and extends through 12/1/2021

1. The undersigned participants enter into this contract with the Natural Resources Conservation Service (NRCS) to implement and/or maintain specific conservation practices, as set forth in the Conservation Plan Schedule of Operations (NRCS-CPA-1155) on the property as identified on the plan map. In consideration for the implementation and/or maintenance of the practices, the NRCS will make payments to the participant(s) in the amount(s) described in the Schedule of Operations as outlined in the Appendix.
2. This agreement is comprised of this Conservation Program Contract form NRCS-CPA-1202. The NRCS-CPA-1202 Appendix and the NRCS-CPA-1155 Plan Schedule of Operations and plan map are hereby fully incorporated into this document and are binding upon the participant(s). The NRCS-CPA-1155 may be modified through execution of a Modification form (NRCS-CPA-1156) by both NRCS and the participant and becomes a part of the contract when both parties have agreed to and signed the Modification.
3. The participant(s) agree:
 - A) to implement and maintain conservation practices for the life of this agreement in compliance with the plan or schedule of operations and in accordance with the standards, specifications, and other special program criteria obtained from NRCS;
 - B) to forfeit further payments under this agreement and refund the United States, in amounts determined by NRCS, any payments received hereunder upon NRCS determination that participant(s) have violated the material terms of this agreement or accept such payment adjustments as NRCS may deem appropriate if NRCS decides that the participant's violation does not warrant termination of the agreement; and
 - C) to forfeit all rights to further payments under the agreement and refund to the United States, in amounts determined by NRCS, payments received hereunder if the subject land is transferred to a non-participant during the term of this agreement, unless the third party agrees to assume this agreement, and the NRCS consents to the modification.

4. CONTRACT PARTICIPANTS

Name, Address, Telephone BEAR CREEK INVESTMENTS LLP 11325 COUNTY ROAD 12W WALDEN, CO 80480 (970) 723-4247	SSN or TAX ID if applicable *****2529 DUNS (non-individuals) 078360239
Signature BY 9-7-17 Date Jeffrey W. Rickard, managing partner	Payment Shares 100.00%
Signature required for modifications <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Signature acceptable for payments <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

5. CONTRACT OBLIGATIONS

2018	2019	2020	2021							Total
\$18,192	\$4,752	\$3,186	\$3,186							\$29,316
										\$29,316

CONSERVATION PROGRAM CONTRACT

Participant: BEAR CREEK INVESTMENTS LLP	Program and Contract Number: EQIP 2014 748B05170LA
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6. NRCS APPROVING OFFICIALS

Application Approval DEBBI HEENEY USDA electronic signature; manual signature not required. Date: 8/24/2017	Contract Obligation FRANCINE LHERITIER USDA electronic signature; manual signature not required. Date: 9/8/2017
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PRIVACY ACT STATEMENT

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CONSERVATION PROGRAM CONTRACT

Participant: TCB PROPERTIES LLC	Program and Contract Number: EQIP 2014 748B05170VN
County and State: JACKSON County, CO	Subaccount: North Platte-White-Yampa WS - Water Q/Q General (North Platte-White-Yampa Watershed)
Watershed: Jack Creek	This agreement is effective on the date signed by the Natural Resources Conservation Service obligating official unless specified otherwise in the applicable Appendix and extends through 12/1/2019

1. The undersigned participants enter into this contract with the Natural Resources Conservation Service (NRCS) to implement and/or maintain specific conservation practices, as set forth in the Conservation Plan Schedule of Operations (NRCS-CPA-1155) on the property as identified on the plan map. In consideration for the implementation and/or maintenance of the practices, the NRCS will make payments to the participant(s) in the amount(s) described in the Schedule of Operations as outlined in the Appendix.
2. This agreement is comprised of this Conservation Program Contract form NRCS-CPA-1202. The NRCS-CPA-1202 Appendix and the NRCS-CPA-1155 Plan Schedule of Operations and plan map are hereby fully incorporated into this document and are binding upon the participant(s). The NRCS-CPA-1155 may be modified through execution of a Modification form (NRCS-CPA-1156) by both NRCS and the participant and becomes a part of the contract when both parties have agreed to and signed the Modification.
3. The participant(s) agree:
 - A) to implement and maintain conservation practices for the life of this agreement in compliance with the plan or schedule of operations and in accordance with the standards, specifications, and other special program criteria obtained from NRCS;
 - B) to forfeit further payments under this agreement and refund the United States, in amounts determined by NRCS, any payments received hereunder upon NRCS determination that participant(s) have violated the material terms of this agreement or accept such payment adjustments as NRCS may deem appropriate if NRCS decides that the participant's violation does not warrant termination of the agreement; and
 - C) to forfeit all rights to further payments under the agreement and refund to the United States, in amounts determined by NRCS, payments received hereunder if the subject land is transferred to a non-participant during the term of this agreement, unless the third party agrees to assume this agreement, and the NRCS consents to the modification.

4. CONTRACT PARTICIPANTS

Name, Address, Telephone TCB PROPERTIES LLC PO BOX 2671 GRAND JUNCTION, CO 81502 (970) 986-0411	SSN or TAX ID if applicable *****8045 DUNS (non-individuals) 065019301
Signature Date 	Payment Shares 100.00%
Signature required for modifications <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Signature acceptable for payments <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

5. CONTRACT OBLIGATIONS

2018	2019									Total
\$1,362	\$3,404									\$4,766
										\$4,766

CONSERVATION PROGRAM CONTRACT

Participant: TCB PROPERTIES LLC	Program and Contract Number: EQIP 2014 748B05170VN
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6. NRCS APPROVING OFFICIALS

Application Approval DEBBI HEENEY USDA electronic signature; manual signature not required. Date: 8/24/2017	Contract Obligation FRANCINE LHERITIER USDA electronic signature; manual signature not required. Date: 9/8/2017
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CONSERVATION PROGRAM CONTRACT

Participant: DELINE LAND & CATTLE CO	Program and Contract Number: EQIP 2014 748B05170LD
County and State: JACKSON County, CO	Subaccount: North Platte-White-Yampa WS - Water Q/Q General (North Platte-White-Yampa Watershed)
Watershed: Deer Creek-Illinois River	This agreement is effective on the date signed by the Natural Resources Conservation Service obligating official unless specified otherwise in the applicable Appendix and extends through 12/1/2019

- The undersigned participants enter into this contract with the Natural Resources Conservation Service (NRCS) to implement and/or maintain specific conservation practices, as set forth in the Conservation Plan Schedule of Operations (NRCS-CPA-1155) on the property as identified on the plan map. In consideration for the implementation and/or maintenance of the practices, the NRCS will make payments to the participant(s) in the amount(s) described in the Schedule of Operations as outlined in the Appendix.
- This agreement is comprised of this Conservation Program Contract form NRCS-CPA-1202. The NRCS-CPA-1202 Appendix and the NRCS-CPA-1155 Plan Schedule of Operations and plan map are hereby fully incorporated into this document and are binding upon the participant(s). The NRCS-CPA-1155 may be modified through execution of a Modification form (NRCS-CPA-1156) by both NRCS and the participant and becomes a part of the contract when both parties have agreed to and signed the Modification.
- The participant(s) agree:
 - A) to implement and maintain conservation practices for the life of this agreement in compliance with the plan or schedule of operations and in accordance with the standards, specifications, and other special program criteria obtained from NRCS;
 - B) to forfeit further payments under this agreement and refund the United States, in amounts determined by NRCS, any payments received hereunder upon NRCS determination that participant(s) have violated the material terms of this agreement or accept such payment adjustments as NRCS may deem appropriate if NRCS decides that the participant's violation does not warrant termination of the agreement; and
 - C) to forfeit all rights to further payments under the agreement and refund to the United States, in amounts determined by NRCS, payments received hereunder if the subject land is transferred to a non-participant during the term of this agreement, unless the third party agrees to assume this agreement, and the NRCS consents to the modification.

4. CONTRACT PARTICIPANTS

Name, Address, Telephone DELINE LAND & CATTLE CO PO BOX 36 RAND, CO 80473 (970) 723-4491	SSN or TAX ID if applicable *****9438 DUNS (non-individuals) 019273392
Signature <i>Steve Deline President</i> Date <i>9/6/17</i>	Payment Shares 100.00%
Signature required for modifications <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Signature acceptable for payments <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

5. CONTRACT OBLIGATIONS

2018	2019									Total
\$324	\$24,191									\$24,515
										\$24,515

CONSERVATION PROGRAM CONTRACT

Participant: DELINE LAND & CATTLE CO	Program and Contract Number: EQIP 2014 748B05170LD
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6. NRCS APPROVING OFFICIALS

Application Approval DEBBI HEENEY USDA electronic signature; manual signature not required. Date: 8/24/2017	Contract Obligation FRANCINE LHERITIER USDA electronic signature; manual signature not required. Date: 9/13/2017
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