

**Water Supply Reserve Fund  
Water Activity Summary Sheet  
March 21-22, 2018  
Agenda Item 25(t)**

**Applicant & Grantee:** Rio Grande Headwaters Land Trust

**Water Activity Name:** Paulson Conservation Easement

**Water Activity Purpose:** Environmental & Agricultural Implementation

**County:** Rio Grande County

**Drainage Basin:** Rio Grande

**Water Source:** N/A

**Amount Requested:** \$18,000 Rio Grande Basin Account  
\$157,000 Statewide Account  
\$175,000 Total Grant Request

**Matching Funds:** Basin Account Match = \$18,000

- 11% of statewide request (meets 10% min)

Applicant Match (cash & in-kind) = \$230,000

- 146% of the statewide request (meets 10% min)

Total Match (Basin & Applicant) = \$248,000

- 158% of the statewide request (meets 50% min)
- 61% of the total project cost of \$405,000

<b>Staff Recommendation:</b>
------------------------------

Staff recommends approval of up to \$18,000 from the Rio Grande Basin Account and \$157,000 from the Statewide Account to fund the project titled: Paulson Conservation Easement.
---

**Water Activity Summary:** WSRF grant funds, if approved, will contribute to the purchase of a conservation easement on the Paulson Ranch, facilitated by the Rio Grande Headwaters Land Trust (RiGHT). The conservation easement will prevent a future subdivision, limit development, and tie significant senior water rights to the land while maintaining some future flexibility for other uses that accomplish conservation goals. RiGHT will use the requested state and basin funds to provide matching funds towards the purchase of a conservation easement on 180 acres of working ranch with significant senior water rights and in an important corridor of conserved lands. This project is a part of RiGHT's successful Rio Grande Initiative, which benefits both non-consumptive and consumptive water needs in the Rio Grande Basin by protecting over 25,000 acres along the Rio Grande and Conejos rivers.

The conservation easement will tie 1.5 cfs of Atencio (Priority #43), 1 cfs of Horner-Ydren (Priorities #14 and #44), and .35 cfs of John Anderson (Priority #193) surface water rights to the property. These water rights flood irrigate about 150 acres of grass seasonally wet meadow, which is used primarily for hay production. The irrigation water also helps support significant riparian area and 35 acres of wetlands, including 10 acres of potential habitat for the endangered Southwestern Willow Flycatcher that will be protected forever. This project is near seven other easements and continues to build a corridor of conservation on the Rio Grande between Del Norte and Monte Vista.

**Discussion:** As described in the Rio Grande Roundtable chair's recommendation letter, this project was supported and recommended for approval on November 14, 2017. Conservation of the Paulson Ranch meets not only RiGHT's Rio Grande Initiative goals, but is specifically listed as an IPP in the Rio Grande Basin Implementation Plan (RGBIP) meeting five of the fourteen BIP goals:

- # 1. Protect, preserve and/or restore the sustainability of the Rio Grande Basin watersheds by focusing on the watershed health and ecosystem function;
- # 5. Manage water use to help sustain the agricultural economy throughout the Basin's communities;
- # 6. Support the development of projects and methods that have multiple benefits for agricultural, municipal and industrial, and environmental and recreation water needs;
- # 11. Protect, preserve and enhance terrestrial and aquatic wildlife habitats throughout the Basin;
- # 12. Conserve, restore and maintain wetlands and riparian areas for the benefit of a healthy watershed.

The conservation easement will provide these benefits by limiting development to less impactful areas of the property, preventing subdivision that fragments land management and can damage ecosystem function, and by ensuring that the ownership of the water rights stays with the conserved property in perpetuity. RiGHT ties the water to the land with deed language that keeps the water with the land while also allowing some flexibility for changes, so long as the new uses still meet the conservation goals of the easement.

**Issues/Additional Needs:** No additional needs have been identified.

**Eligibility Requirements:** The application meets requirements of all eligibility components.

**Evaluation Criteria:** Staff has determined this activity satisfies the Evaluation Criteria.

**Funding Summary / Matching Funds:**

<b><u>Funding Source</u></b>	<b><u>Cash</u></b>	<b><u>In-Kind</u></b>	<b><u>Total</u></b>
Gates Family Foundation ( <i>pending</i> )	\$100,000	\$0	\$100,000
Landowner Donation	\$0	\$130,000	\$130,000
<b>Subtotal</b>	<b>\$100,000</b>	<b>\$130,000</b>	<b>\$230,000</b>
WSRF Rio Grande Basin Account	\$18,000	n/a	\$18,000
WSRF Statewide Account	\$157,000	n/a	\$157,000
<b>Totals</b>	<b>\$275,000</b>	<b>\$130,000</b>	<b>\$405,000</b>

**CWCB Project Manager:** Megan Holcomb

**Rio Grande Basin Roundtable  
c/o San Luis Valley Water Conservancy District  
623 Fourth Street  
Alamosa, CO 81101**

November 22, 2017

To: Colorado Water Conservation Board  
C/O Becky Mitchel

RE: WSRA Funding Request for the Rio Grande Headwaters Land Trust's *Rio Grande Initiative's Paulson Ranch Conservation Easement*

Dear Members of the Board:

The Rio Grande Basin Roundtable (RGBRT) has determined that the single, most critical water issue confronting the Rio Grande Basin (Basin) is to work toward sustainability of our surface and ground water. The RGBRT has made the decision that water activities that address this issue be favorably considered for funding from the Water Supply Reserve Account, SB 2005-179 (WSRA Funds), providing the proposed water activities meet the SWSI findings for the Basin and the CWCB and IBCC Criteria and Guidelines for funding.

This letter is to express the support of the RGBRT for the accompanying application for funding from the Water Supply Reserve Account's (WSRA) Basin and State-wide funds for the Rio Grande Headwaters Land Trust's (RiGHT) application for the *Paulson Ranch Conservation Easement* project.

Begun in 2007, RiGHT's *Rio Grande Initiative* is a collaborative project to protect land and water along the Rio Grande corridor in the San Luis Valley. The *Initiative* has a proven track record of success and this landscape scale conservation effort has involved many of our Roundtable members in RiGHT's work. Thanks to the CWCB's prior WSRA awards totaling over \$2 million, along with substantial matching funds and landowner contributions, the *Rio Grande Initiative* has protected a number of working ranches and senior water rights in strategic locations along the Rio Grande and Conejos Rivers.

With sustained interest from landowners and funding support from Great Outdoors Colorado, Colorado Parks and Wildlife, the Natural Resources Conservation Service, the Rio Grande Water Conservation District, local counties, private foundations and others, RiGHT has effectively tripled the pace of conservation along the Rio Grande in the past ten years. To date, over 25,000 acres and 47 river miles have been protected and over \$40 million of conservation value have been achieved. Across the San Luis Valley, RiGHT and its partners have protected key water resources along with vital wetlands and wildlife habitat on working agricultural lands. They have long worked in close collaboration with the area's various water, wildlife and land management agencies and districts as well as our farmers and ranchers.

**The *Rio Grande Initiative* is an important contributor to the RGBRT's core purpose: "to achieve water sustainability for the Basin."** Conserving key parcels and their senior surface water rights along rivers assists the State in meeting important non-consumptive and consumptive needs by:

- Assisting the Division Engineer in administering the waters of the Rio Grande and meeting Colorado's compact obligations;

- Assisting Colorado Parks and Wildlife and the US Fish and Wildlife Service in sustaining key wildlife habitat for the many species that depend upon the river corridor: big and small game, waterfowl and many migrating and breeding bird species—including the federally endangered Southwestern Willow Flycatcher and threatened Yellow-billed cuckoo, and important fisheries;
- Assisting in maintaining flood plain functions by keeping open lands along the river intact and undeveloped;
- Protecting farm and ranch lands to sustain the Basin's agricultural economy; and,
- Helping secure and sustain river flows for recreational opportunities and preserving the scenic beauty of our river corridors.

By stabilizing the land and water along the river, many opportunities for restoration, ecological enhancement, and management improvements are possible far into the future. If these same lands were to be subdivided and developed into residential developments, or if the associated water rights are separated from these key riparian areas, many community benefits, river functions and future opportunities will be lost.

As the application outlines, this project will permanently protect the 180 acre Paulson Ranch on the Rio Grande River, ten acres of federally-endangered Southwestern Willow Flycatcher habitat, senior water rights on the Atencio, John Anderson and Horner/Ydren ditches, through the partial purchase of a voluntary conservation easement.

This conservation easement represents an exceptional conservation opportunity to help meet the water needs of the Basin and the State.

At the November 14, 2017 Roundtable Meeting, all of the Members supported this WSRA request for \$18,000 of Rio Grande Basin Funds and \$157,000 of Statewide funds for a total of \$175,000 in funding.

Thank you for your consideration and valued support our work in the Rio Grande Basin.

Sincerely,



Nathan Coombs  
Chair, Rio Grande Basin Roundtable  
(719) 843-5261  
cwcd1971@hotmail.com

Cc. Nancy Butler, Executive Director, Rio Grande Headwaters Land Trust  
Emma Reesor, Executive Director, Rio Grande Headwaters Restoration Project



January 26, 2018

Megan Holcomb

Re: Paulson Conservation Easement Application Pending Commitment Letter

Dear Megan,

As you know, we've applied for a WSRF grant to fund a conservation easement on the Paulson Ranch in Rio Grande County.

RiGHT has secured the \$18,000 in cash match from the Rio Grande Basin Roundtable. RiGHT also has the additional \$100,000 available to complete the project. Currently we are applying to the Gates Family Foundation for the remaining \$100,000 cash match to fund this project. RiGHT and the Rio Grande Initiative are a "Focus Area" for the Gates Family Foundation, and so we are extremely likely to be approved upon applying. Once this source of funding is secured, it will be used to replace RiGHT funding.

The exact amount of landowner in-kind donation will be determined after the conservation easement appraisal is completed.

Please let me know if you have any questions.

Best wishes,

A handwritten signature in black ink that reads "Nancy Butler". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Nancy Butler  
Executive Director

PO Box 444 Del Norte, CO 81132  
(719) 657.0800  
info@riograndelandtrust.org  
[riograndelandtrust.org](http://riograndelandtrust.org)

CONSERVING  
OUR LAND, WATER  
AND WAY OF LIFE  
IN COLORADO'S  
SAN LUIS VALLEY





**COLORADO**  
Division of Water Resources  
Department of Natural Resources

Division 3  
301 Murphy Drive  
Alamosa, CO 81101

January 5, 2017

Colorado Water Conservation Board  
c/o Megan Holcomb - WSRP Program Manager  
1313 Sherman St., Room 721  
Denver, CO 80203

RE: Paulson Conservation Easement  
WSRA Application from the Rio Grande Headwaters Land Trust

Dear Members of the Board:

This letter is in support of an application from the Rio Grande Headwaters Land Trust (RiGHT) as proposed to the Rio Grande Basin Roundtable at the January 9, 2018 meeting for Water Supply Reserve Account funding to establish a permanent conservation easement on the 180 acre Paulson Ranch between the towns of Del Norte and Monte Vista. This project is part of RiGHT's larger *Rio Grande Initiative* to implement conservation easements that keep a land base available to agriculture, tie water rights to the land, and ensure that historic irrigation patterns continue. To complete this project, RiGHT has requested both Basin and Statewide funds that will be matched with additional funding and a significant donation from the landowner.

The protection of the hydrologic characteristics of the riparian corridor of the Rio Grande is important to maintaining a functional river system. This protection includes continued operation of agricultural irrigation along the river; systems which were in place when the Rio Grande Compact was negotiated and are thus a part of the underlying physical framework and assumptions of the Compact. The change of these areas from irrigated agriculture to developed land, or the removal of water rights from these areas, would have a negative effect on the river and the operation of the Compact.

Today, the irrigated lands on the Paulson Ranch create a riparian/groundwater buffer and generate return flows to the Rio Grande. These return flows allow for further diversion of water downstream or can be used to assist in Colorado's delivery obligations under the Compact. Bigger water years will tend to "fill" this alluvial area potentially making deliveries during subsequent drier years less onerous. Absent this buffer and return flows, delivery of Colorado's obligation under the Compact could become more difficult as more water would need to be curtailed from otherwise in-priority water rights to meet the required deliveries to downstream states. Protection of the existing functional system will protect other vested water rights and Colorado's ability to deliver on Compact obligations.

For these reasons, I recommend the CWCB approve funding for this project. If you need further information regarding the benefits of this proposal to Colorado's water administration or Rio Grande Compact operations, please feel free to contact me at (719) 589-6683.

Sincerely,

Craig W. Cotten  
Division Engineer  
Division of Water Resources, Division 3

cc: Nathan Coombs, Chair, Rio Grande Basin Round Table  
Nancy Butler, Executive Director, Rio Grande Headwaters Land Trust





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](mailto:ben.wade@state.co.us)  
303-866-3441 x3238

#### Gunnison | North Platte | South Platte | Yampa/White

Craig Godbout  
[craig.godbout@state.co.us](mailto:craig.godbout@state.co.us)  
303-866-3441 x3210

#### Colorado | Metro | Rio Grande | Southwest

Megan Holcomb  
[megan.holcomb@state.co.us](mailto: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 <a href="#">2016 WSRF Criteria and Guidelines</a> .
X	I acknowledge the Grantee will be able to contract with CWCB using the <a href="#">Standard Contract</a> . <sup>(1)</sup>
Exhibit A	
X	<a href="#">Statement of Work</a> <sup>(2)</sup> (Word – see Exhibit A Template)
X	<a href="#">Budget &amp; Schedule</a> <sup>(2)</sup> (Excel Spreadsheet – see Exhibit A Template)
X	Letters of Matching and/or Pending 3 <sup>rd</sup> Party Commitments <sup>(2)</sup>
Exhibit C	
X	Map <sup>(2)</sup>
X	Photos/Drawings/Reports
X	Letters of Support
	Certificate of Insurance <sup>(3)</sup> (General, Auto, & Workers' Comp.)
Contracting Documents	
	Certificate of Good Standing <sup>(3)</sup>
	W-9 <sup>(3)</sup>
	Independent Contractor Form <sup>(3)</sup> (If applicant is individual, not company/organization)
	Electronic Funds Transfer (ETF) Form <sup>(3)</sup>

(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 2018
Desired Notice to Proceed Date:	

Water Activity Summary		
Name of Applicant	Rio Grande Headwaters Land Trust	
Name of Water Activity	Paulson Conservation Easement	
Approving Roundtable(s)		Basin Account Request(s) <sup>(1)</sup>
Rio Grande		\$18,000
Basin Account Request Subtotal		\$18,000
Statewide Account Request <sup>(1)</sup>		\$157,000
Total WSRF Funds Requested (Basin & Statewide)		\$175,000
Total Project Costs		\$405,000

(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)	Rio Grande Headwaters Land Trust
Mailing Address	PO Box 444, Del Norte, CO 81132
FEIN	84-1495770
Grantee's Organization Contact <sup>(1)</sup>	Allen Law
Position/Title	Conservation Director
Email	allenl@riograndelandtrust.org
Phone	719-657-0800
Grant Management Contact <sup>(2)</sup>	<u>Nancy Butler</u>
Position/Title	Executive Director
Email	nancyb@riograndelandtrust.org
Phone	719-657-0802
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><b>The Rio Grande Headwaters Land Trust (RiGHT)</b> is a 501c3 non-profit organization formed in 1999 with a mission to "Conserve Our Land, Water and Way of Life in the San Luis Valley." RiGHT is a local land trust working throughout the San Luis Valley (SLV) to protect and support working ranches and farms, water resources, wildlife habitat, and scenic landscapes. To date, RiGHT has protected nearly 25,000 acres of land and associated water rights in the SLV through voluntary, incentive-based conservation easements.</p>



Last Update: August 3, 2017

Type of Eligible Entity (check one)	
	<b>Public (Government):</b> 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.
	<b>Public (Districts):</b> authorities, Title 32/special districts (conservancy, conservation, and irrigation districts), and water activity enterprises
	<b>Private Incorporated:</b> mutual ditch companies, homeowners associations, corporations
	<b>Private Individuals, Partnerships, and Sole Proprietors:</b> are eligible for funding from the Basin Accounts but not for funding from the Statewide Account.
X	<b>Non-governmental organizations:</b> broadly, any organization that is not part of the government
	<b>Covered Entity:</b> as defined in <a href="#">Section 37-60-126 Colorado Revised Statutes</a>

Type of Water Activity (check one)	
	Study
X	Implementation

Category of Water Activity (check all that apply)		
X	Nonconsumptive (Environmental)	
	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 <b>decimal degrees</b> . The Applicant shall also provide, in Exhibit C, a site map if applicable.	
County/Counties	Rio Grande
Latitude	37.603370,
Longitude	-106.179236



Last Update: August 3, 2017

### 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, 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, 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.

RiGHT will use the requested WSRA funds to provide matching funds towards the purchase of a conservation easement on the Paulson Ranch, a 180 acre working ranch with significant senior water rights and in an important corridor of conserved lands.

The conservation easement will tie 1.5 cfs of Atencio (Priority #43), 1 cfs of Horner-Ydren (Priorities #14 and #44) and .35 cfs of John Anderson (Priority #193) surface water rights to the property. These water rights flood irrigate about 150 acres of grass seasonally wet meadow, which is used primarily for hay production. The irrigation water also helps support significant riparian area and 35 acres of wetlands, including 10 acres of potential habitat for the endangered Southwestern Willow Flycatcher that will be protected forever. This project is adjacent to another RiGHT conserved ranch and near 7 other easements, so it will continue to build a corridor of conservation on the Rio Grande between Del Norte and Monte Vista.

This project is a part of RiGHT's successful *Rio Grande Initiative*, which benefits both non-consumptive and consumptive water needs in the Rio Grande Basin by protecting over 25,000 acres along the Rio Grande and Conejos rivers.

### Measurable Results

To catalog measurable results achieved with WSRF funds please provide any of the following values.

	New Storage Created (acre-feet)	
	New Annual Water Supplies Developed or Conserved (acre-feet), Consumptive or Nonconsumptive	
	Existing Storage Preserved or Enhanced (acre-feet)	
	Length of Stream Restored or Protected (linear feet)	
	Efficiency Savings (indicate acre-feet/year OR dollars/year)	
180	Area of Restored or Preserved Habitat (acres)	
	Length of Pipe/Canal Built or Improved	
	Other	Explain:



Last Update: August 3, 2017

### 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](#) <sup>(1)</sup>. 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](#)).

Conservation of the Paulson Ranch meets not only RiGHT's *Rio Grande Initiative* goals, but also five of the fourteen goals set forth in the Rio Grande Basin Implementation Plan:

1. Protect, preserve and/or restore the sustainability of the Rio Grande Basin watersheds by focusing on the watershed health and ecosystem function;
5. Manage water use to help sustain the agricultural economy throughout the Basin's communities;
6. Support the development of projects and methods that have multiple benefits for agricultural, municipal and industrial, and environmental and recreation water needs;
11. Protect, preserve and enhance terrestrial and aquatic wildlife habitats throughout the Basin; and,
12. Conserve, restore and maintain wetlands and riparian areas for the benefit of a healthy watershed.

Additionally, the *Rio Grande Initiative* and another conservation easement similar to the Paulson Ranch project are both specifically listed as "Projects and Methods" that are supported by the Rio Grande Basin Roundtable.

The conservation easement will provide these benefits by limiting development to less impactful areas of the property, preventing subdivision that fragments land management and can damage ecosystem function, and by ensuring that the ownership of the water rights stays with the conserved property in perpetuity. RiGHT ties the water to the land with deed language that reads:

Grantor shall retain and reserve the Water Rights and shall not transfer, sell or otherwise separate the Water Rights from the Property. ...Grantor may only encumber, lease, or change the historic use of the Water Rights with the advance written approval of Grantee, and in accordance with Paragraph 7, provided that such activity does not materially diminish or impair the Conservation Values of the Property and is otherwise consistent with the Purpose of this Easement.

This language keeps the water with the land while also allowing some flexibility for changes, so long as the new uses still meet the conservation goals of the easement.

Colorado's Water Plan encourages this type of activity, recognizing the importance of preserving our agricultural heritage while also acknowledging that flexibility will be critical to solving water shortage issues (10-10). Another primary benefit of conservation easements is their ability to "protect... watershed health" which the Water Plan recognizes as important to every Basin across the state (6-15). The Paulson Conservation Easement is also consistent with the Water Plan because its habitat protection component is a "collaborative approach to prevent(ing) listings under the Endangered Species Act" (10-12), protects return flows (6-93), and contributes to long-term predictability of water use which helps water managers fulfill the Rio Grande Compact (9-4).



Last Update: August 3, 2017

### Water Activity Justification

*Rio Grande Initiative* conservation easements protect watershed health by limiting development along rivers, which prevents major human-caused changes to ecosystem function like building roads that block drainage or filling in wetlands. The Paulson easement will also protect Endangered Species habitat by prohibiting development in or clear-cutting of riparian areas. This ranch has over 10 acres of potential habitat for the endangered Southwestern Willow Flycatcher. Tying ownership of the water rights to the land will keep return flows in place, as the ranch flood irrigates with significant senior surface water rights. As the letter of support from District Engineer Craig Cotten explains, these return flows are important to managing the Rio Grande within the rules of the Compact.

Finally, this project supports both consumptive needs and non-consumptive needs goals in SWSI. Section 5 discusses the anticipated decline in agricultural water use. While many acres of agricultural land need to be retired in the Rio Grande Basin, it is vital that significant dry-up does not occur along the river corridors. Using water rights near waterways fills and protects the “sponge” along the rivers, which holds water from high spring runoff, sustains flows, and extends the annual irrigation season. All of these results are also important to addressing non-consumptive needs in Section 6 like flow enhancement and preserving habitat.

Conservation easements are one of the most cost effective tools to ensure that these lands continue to act as a “sponge.” The partial purchase of a conservation easement is much cheaper than buying land outright to protect it, and it still guarantees that the land will not be at risk of permanent water transfer. Additionally, usually people who want to own a conserved property are also interested in long-term agricultural sustainability and ecosystem health.

(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 3<sup>rd</sup> 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)
Total Match	\$
If you requested a Waiver to the Basin Account matching requirements, indicate the percentage you wish waived.	



Last Update: August 3, 2017

### 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<sup>rd</sup> 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):
Rio Grande Basin Funds	\$18,000 (cash)
Gates Family Foundation	\$100,000 (cash) pending
Landowner donation	\$130,000 (in-kind) estimated
Total Match	\$248,000
If you requested a Waiver to the Statewide Account matching, indicate % you wish waived. (Max 50% reduction of requirement).	

### 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.

The Paulson Conservation Easement is complimentary to RiGHT's past CWCB grants, particularly the general *Rio Grande Initiative* grant in March 2008 as well as the Haywood Ranch (2013) and Dugan II Ranch (2016) grants that helped complete conservation easements on nearby properties.

### 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





Last Update: August 3, 2017

### Previous CWCB Grants

All grants listed below have been awarded to the Rio Grande Headwaters Land Trust through the Rio Grande Basin Roundtable. I am not sure which CWCB Board meeting date they were approved at, so I have included the month and year the contracts were signed.

- Rio Grande Initiative, March 2008, #150420
- Rancho Tierra Rica, November 2011, #C150489
- Haywood Ranch, February 2013, #C150514
- Dugan II Ranch, November 2016, #CTGGI 2017-1105

### 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.

None anticipated.



Last Update: November 29, 2017

<b>Colorado Water Conservation Board</b>	
<b>Water Supply Reserve Fund</b>	
<b><u>Exhibit A - Statement of Work</u></b>	
<b>Date:</b>	<b>12/29/17</b>
<b>Water Activity Name:</b>	<b>Paulson Conservation Easement</b>
<b>Grant Recipient:</b>	<b>Rio Grande Headwaters Land Trust</b>
<b>Funding Source:</b>	<b>Rio Grande Basin Roundtable; Water Supply Reserve Fund</b>
<b>Water Activity Overview:</b> (Please provide brief description of the proposed water activity (no more than 200 words). Include a description of the overall water activity and specifically what the WSRF funding will be used for.	
<p>RiGHT will use the requested WSRA funds to provide matching funds towards the purchase of a conservation easement on the Paulson Ranch, a 180 acre working ranch with significant senior water rights and in an important corridor of conserved lands.</p> <p>The conservation easement will tie 1.5 cfs of Atencio (Priority #43), 1 cfs of Horner-Ydren (Priority #14 and #44) and .35 cfs of John Anderson (Priority #193) surface water rights to the property. These water rights flood irrigate about 150 acres of grass seasonally wet meadow, which is used primarily for hay production. The irrigation water also helps support significant riparian area and 35 acres of wetlands, including 10 acres of potential habitat for the endangered Southwestern Willow Flycatcher, that will be protected forever. This project is adjacent to another RiGHT conserved ranch and near 7 other easements, so it will continue to build a corridor of conservation on the Rio Grande between Del Norte and Monte Vista.</p> <p>This project is a part of RiGHT's successful Rio Grande Initiative, which benefits both non-consumptive and consumptive water needs in the Rio Grande Basin by protecting over 25,000 acres along the Rio Grande and Conejos River.</p>	
<b>Objectives:</b> (List the objectives of the project)	
<p>Implement conservation easement on the Paulson Ranch that will prevent future subdivision, limit development, and tie senior water rights to the land while maintaining some future flexibility for other uses that accomplish conservation goals.</p>	



Last Update: November 29, 2017

Tasks
Provide a detailed description of each task using the following format:
<b><u>Task 1 - Implementation</u></b>
Description of Task:  The initial task consists of implementing a conservation easement on the 180 acre Paulson Ranch and its associated senior water rights. WSRA funds will be used solely toward the acquisition of the conservation easement. All other related costs for personnel, due diligence, etc. will be borne by RiGHT, the landowner, and/or other funders and therefore are not documented in this application. The WSRA funds would be expended at closing on the conservation easement through a Title Company, only when all the due diligence is finalized, in a similar process to the prior WSRA awards.  The Conservation Easement process includes: <ul style="list-style-type: none"><li>• Fundraising/submitting grant(s) for balance of state and/or federal funds</li><li>• All due diligence required by law and funding sources including: Appraisal, title work, mineral and water rights, survey (as needed), Environmental Site Assessment, Baseline Condition Report, negotiation of the deed of conservation easement, etc.</li><li>• Closing and recording of the conservation easement</li><li>• Long-term stewardship of the conservation easement as required, including annual monitoring, and enforcement of easement terms when and if necessary.</li></ul>
Method/Procedure:  The conservation easement funded through this application will be held by the RiGHT and the implementation will be conducted according to: <ul style="list-style-type: none"><li>• All legal requirements</li><li>• Best practices determined by national land trust standards, and</li><li>• All due diligence requirements of RiGHT and the project's funders will be fulfilled prior to and as a condition of closing.</li></ul>
Grantee Deliverable: (Describe the deliverable the grantee expects from this task)
The deliverable from this activity will be the completion of a perpetual conservation easement on the Paulson Ranch.
CWCB Deliverable: (Describe the deliverable the grantee will provide CWCB documenting the completion of this task)
At completion of the project, RiGHT will provide the CWCB a final report that summarizes the project and will include a copy of relevant sections of the Deed of Conservation Easement. This report may contain photographs, a budget with actual costs, summary of appraisals, maps, etc.



Last Update: November 29, 2017

### Budget and Schedule

**Exhibit B - Budget and Schedule:** This Statement of Work shall be accompanied by a combined [Budget and Schedule](#) that reflects the Tasks identified in the Statement of Work and shall be submitted to CWCB in excel format.

### Reporting Requirements

**Reporting:** The grantee shall provide their respective Roundtable(s) and the CWCB a Progress Report every 6 months, beginning from the date of executed contract. The Progress Report shall describe the status of the water activity, the completion or partial completion of the tasks identified in the Statement of Work – Exhibit A including a description of any major issues that have occurred and any corrective action to address these issues. The CWCB may withhold reimbursement until satisfactory Progress Reports have been submitted.

**Final Deliverable:** At the completion of the water activity, the grantee shall provide their respective Roundtable(s) and the CWCB a final report on the grantee's letterhead that:

- Summarizes the water activity and how the water activity was completed
- Describes any obstacles encountered, and how these obstacles were overcome
- Explains the Proposed Budget versus the Actual Budget
- Confirms that all matching commitments have been fulfilled
- Includes photographs, summaries of meeting and engineering reports/design, if appropriate

The CWCB will pay the last 10% of the entire water activity budget when the Final Report is completed to the satisfaction of CWCB staff. Once the Final Report has been accepted, and final payment has been issued, the water activity and purchase order or contract will be closed without any further payment. Any entity that fails to complete a satisfactory Final Report and submit to CWCB within 90 days of the expiration of a purchase order or contract may be denied consideration for future funding of any type from CWCB.

Last Update: 12/20/17



## COLORADO

Colorado Water  
Conservation Board

Department of Natural Resources

### Colorado Water Conservation Board

#### Water Supply Reserve Fund

#### EXHIBIT B - BUDGET AND SCHEDULE - Direct & Indirect (Administrative) Costs

Date: 12/29/17

Water Activity Name: Paulson Conservation Easement

Grantee Name: Rio Grande Headwaters Land Trust

Task No. <sup>(1)</sup>	Description	Start Date <sup>(2)</sup>	End Date	Matching Funds (cash & in-kind) <sup>(3)</sup>	WSRF Funds (Basin & Statewide combined) <sup>(3)</sup>	Total
1	Implementation	7/1/2018	6/31/2019	\$230,000	\$175,000	\$405,000
						\$0
						\$0
						\$0
						\$0
Total				\$230,000	\$175,000	\$405,000

(1) The single task that include costs for Grant Administration must provide a labor breakdown (see Indirect Costs tab below) where the total WSRF Grant contribution towards that task does not exceed 15% of the total WSRF Grant amount.

(2) Start Date for funding under \$100K - 45 Days from Board Approval; Start Date for funding over \$100K - 90 Days from Board Approval.

(3) Round values up to the nearest hundred dollars.

- Reimbursement eligibility commences upon the grantee's receipt of a Notice to Proceed (NTP)

- NTP will not be accepted as a start date. Project activities may commence as soon as the grantee enters contract and receives formal signed State Agreement.

The CWCB will pay the last 10% of the entire water activity budget when the Final Report is completed to the satisfaction of the CWCB staff project manager. Once the Final Report has been accepted, the final payment has been issued, the water activity and purchase order (PO) or contract will be closed without any further payment. Any entity that fails to complete a satisfactory Final Report and submit to the CWCB with 90 days of the expiration of the PO or contract may be denied consideration for future funding of any type from the CWCB.

- Additionally, the applicant shall provide a progress report every 6 months, beginning from the date of contract execution

- Standard contracting procedures dictate that the Expiration Date of the contract shall be 5 years from the Effective Date.



**COLORADO**

Colorado Water  
Conservation Board

Department of Natural Resources

**Date: 12/29/2017**

**Name of Applicant: Rio Grande Headwaters Land Trust**

**Name of Water Project: Paulson Conservation Easement**

**Conservation Easement Purchase & Sources of Funds**

Funding Source:	Paulson Conservation Easement
WSRF Statewide	\$157,000
WSRF Rio Grande Basin Roundtable	\$18,000
Gates Foundation (Secured)	\$100,000
Landowner	\$130,000
TOTAL CE Value/Cost	\$405,000
Acres Purchased	25,000 acres
Cost per acre	\$16.20
Percent of Project Funding from WSRF	approx. 38%



**Date:** 12/29/2017  
**Name of Applicant:** Rio Grande Headwaters Land Trust  
**Name of Water Project:** Paulson Conservation Easement

[illegible]






# Rock Paulson Area Map

Haywood  
CWCB funded

Dugan II  
CWCB funded

160

285

-  Rock Paulson Project
-  RiGHT Easements
-  Monte Vista

0 0.5 1 Miles

