

Last Update: July 31, 2018

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
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WSRF Submittal Checklist (Required)
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X	I acknowledge this request was recommended for CWCB approval by the sponsoring roundtable.
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⁾
Application Documents	
x	Exhibit A: Statement of Work ⁽²⁾ (<i>Word – see Template</i>)
x	Exhibit B: Budget & Schedule ⁽²⁾ (<i>Excel Spreadsheet – see Template</i>)
x	Letters of Matching and/or Pending 3 rd Party Commitments ⁽²⁾
x	Map ⁽²⁾
x	Photos/Drawings/Reports
x	Letters of Support
Contracting Documents⁽³⁾	
	Detailed/Itemized Budget ⁽³⁾ (<i>Excel Spreadsheet – see Template</i>)
	Certificate of Insurance ⁽⁴⁾ (<i>General, Auto, & Workers' Comp.</i>)
	Certificate of Good Standing ⁽⁴⁾
	W-9 Form ⁽⁴⁾
	Independent Contractor Form ⁽⁴⁾ (<i>If applicant is individual, not company/organization</i>)
	Electronic Funds Transfer (ETF) Form ⁽⁴⁾

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

(2) Required with application if applicable.

(3) Additional documentation providing a Detailed/Itemized Budget maybe required for contracting. Applicants are encouraged to coordinate with the CWCB Project Manager to determine specifics.

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

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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:	July 2019
Desired Notice to Proceed Date:	August 1, 2019

Water Activity Summary		
Name of Applicant	Charles F. Perry	
Name of Water Activity	The Toponas Project: Phase 1	
Approving Roundtable(s)	Basin Account Request(s) ⁽¹⁾	
Colorado River Basin Roundtable	\$25,490	
Basin Account Request Subtotal	\$25,490	
Statewide Account Request ⁽¹⁾	\$0	
Total WSRF Funds Requested (Basin & Statewide)	\$25,490	
Total Project Costs:	\$68,490 (Phase 2 expected costs: \$143,552)	



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Grantee and Applicant Information	
Name of Grantee(s)	Charles F. Perry
Mailing Address	PO Box 213, Toponas, CO 80479
FEIN	
Grantee's Organization Contact ⁽¹⁾	Chuck Perry
Position/Title	Owner
Email	cfperryco@hughes.net
Phone	970.638.4581
Grant Management Contact ⁽²⁾	Marissa Perry
Position/Title	General Manager
Email	rooperry@gmail.com (pls include Marissa on all communication)
Phone	720.810.7352
Name of Applicant (if different than grantee)	
Mailing Address	
Position/Title	
Email	
Phone	

Description of Grantee
<p>Provide a brief description of the grantee's organization (100 words or less).</p> <p>Perry Ranch is a 5th generation ranch of approximately 350 acres. We are seeking funding for water projects and a pipeline installation. We own water rights from 2 sources, the Toponas Rock #2 (262af) and the EM Curry Reservoirs (13af). Primary goals: to improve the production of the land, stabilize the structure and deliverability of water resources. In 1992, the majority of the former ranch (approx. 2,650 acres) South of Hwy 134 was foreclosed on. We retained all land & water rights North of Hwy 134. Our majority share of Toponas Rock water cannot be used on the ranch until a pipeline is installed to deliver water to our hay meadow. We have had NRCS support and plans since 1993. In early 2019, after informal negotiations 1993-2015 and a formal legal pursuit 2015-2019, we came to an agreement with our neighbors and purchased an easement of 900 feet across their land between the state school section and our upper meadow. We have spent \$40,000 on reservoir improvement as of Fall, 2018 along with \$143,049.97 in legal fees since 2015. <u>Total spend past 4 years:</u> \$183,049.97</p> <p>From 1950-1962, we raised approximately 30 acres of oats. Our organization seeks to develop this formerly productive land additional acres of Timothy and Red Clover. In addition, 50-80 acres of pasture can be irrigated for better grazing, more hay production or exploratory crops.</p> <p>The pipeline from the reservoir will augment limited irrigation of 13af from the EM Curry Reservoir to the restore the existing hay meadow, and add acreage to produce more hay.</p> <p>Please note the spring runoff has caused severe damage to the spillway construction implemented Fall, 2018. Mandatory repairs will need to take place late summer 2019 to address new dam safety concerns – that total is \$28,490 minimum. We would like to also apply now, or in future for the</p>

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statewide basin/August 1st deadline for the CWBC grant app/loans. We've broken up the project into several phases to take place over the next 2-4 years and will reapply for funding as needed. We expect to receive funding for the pipeline from NRCS in 2020 which we'll pair with an ag loan. We're applying for an Ag loan with CoBank, will apply with CWCB as well depending on interest rates. Due to work schedules, spring season and notice on April 24th of outside funding needed, we're still in the loan application process.

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
x	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, 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)		
	Nonconsumptive (Environmental)	
	Nonconsumptive (Recreational)	
x	Agricultural	
	Municipal/Industrial	
	Needs Assessment	
	Education & Outreach	
x	Other	Explain: Repairs to Spillway work done Fall 2018. Greater Community Benefit: Source of water for Routt County Emergency Response and Forest Service for fire suppression. Future Pipeline installation creates a more direct path to the Colorado River and downstream ag lease potential.

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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	Routt County
Latitude	Toponas Rock Reservoir No 2: 40° 5'56.74"N Perry Pipeline approx.: 40° 5'14.58"N
Longitude	Toponas Rock Reservoir No 2: 106°45'36.94"W Perry Pipeline approx.: 106°46'41.97"W

Water Activity Overview
<p>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.</p>
<p>Water activities are centered around repairs to the Toponas Rock Reservoir Spillway, improvements to overall irrigation, the Toponas Rock No 2 Reservoir, and pipeline installation. Primary goals are to repair & improve our reservoir, improve agricultural production and the surrounding natural environment.</p> <p><u>Toponas Rock Reservoir</u> is a large body of water on the State School Section. Perry's own the majority share the 1st fill and all of the 2nd fill - up to 262 af annually. 400 acres of hay production under irrigation currently include 2 neighboring ranches we lease to every other year as requested, along with grazing areas on 1 state land board parcel. Funds will be used for addressing 2019 runoff damage, safety & deferred maintenance, installing an outlet pipe liner of 203 feet, finishing a splash pool basin (mostly done 2018) with path into West fork of Toponas Creek, erosion control on the road base, final road grading and reseeding. See Exhibit A, maps.</p> <p><u>Perry Pipeline</u> is a design from NRCS to transport our Toponas Rock water via existing waterways to our meadow and grazing area West of the state school section. We had a hydrologist study completed in 2018 to determine the best pathway with least impact on the land and least amount of transit loss. See Exhibit A, maps and hydrologist video. Spring, 2019 – NRCS will conduct another site visit to finalize and reapprove the 1993 plans recertified back in 2015. They may change the siphon system to a horizontal drill at the end of the pipeline.</p> <p><u>Multi-Purpose:</u> Largest reservoir and the pipeline installation (twice previously received grant money for and had to return to NRCS until our easement was obtained). It is noteworthy to mention Toponas Rock #2 sits on an existing state school section. Water from Toponas Rock enters Toponas Creek which flows into Egeria Creek, tributaries to the Colorado River. Our water resources are divided between the state land board, and up to 3 ranches currently with lease potential downstream. The National Forest Service and Routt County Fire Control have accepted our offer to dedicate a percentage of our stored water annually for fire suppression use. We will install a dry hydrant at our North meadow fence line upon pipeline completion. We are in process of developing a partnership for an area of wild land study and sage grouse protection. We have reached out to the engineering departments at CSU and School of Mines to offer a field experience to students in 2020-2023.</p>

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Measurable Results		
To catalog measurable results achieved with WSRF funds please provide any of the following values.		
	New Storage Created (acre-feet)	
Limit of transit loss	New Annual Water Supplies Developed or Conserved (acre-feet), Consumptive or Nonconsumptive	
153 af + 109 af refill = 262 af	Existing Storage Preserved or Enhanced (acre-feet)	
50-75 feet of stream restoration	Length of Stream Restored or Protected (linear feet)	
At least 40-50 af	Efficiency Savings (indicate acre-feet/year OR dollars/year)	
	Area of Restored or Preserved Habitat (acres)	
900 ft	Length of Pipe/Canal Built or Improved	
Safety & Environmental Impact	Other	Explain: Addressing urgent safety concerns & deferred maintenance at the reservoir <u>and</u> installing a pipeline will restore natural areas and allow for increased vegetation growth along the Western border of land surrounding the State School Section.

Water Activity Justification
<p>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).</p> <p>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).</p>

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Water Activity Justification

Funding from the Basin account will allow the ranching operation to repair, sustain, and improve upon, current consumptive needs. The water projects seek to mitigate damage from the 2019 spring thaw, costs on repairs are unforeseen and unestimatable until conclusion of spring runoff. We're in regular contact with the dam safety engineer, water commissioner and our contractor. We have been instructed by the SEO to plan on mandatory work on the spillway repairs, spillway finish and downstream channel path for late summer, 2019.

Overall goal is to improve existing water resources and demonstrates to the State of Colorado that the owner of the water rights aims to preserve and enhance usage to expand agricultural production, grazing capacity with a focus on community and public benefit where possible in our remote location. This work will also enhance the existing remote ecosystem for native wildlife. Funding for The Toponas Project will benefit the state of Colorado by improving the structure of the reservoir spillway (also the road base), the safety of the outlet pipe and transfer to measuring box, & the ditch inception point on the state's school section property. Reseeding the erosion site will protect and mitigate further damage to the state school section.

Perry Ranch water rights serve the land and the state of Colorado best by reaching their full potential on the land where consumptive needs are met first, nearest the source of the water. Perry Ranch is East of Toponas, in a remote area of Northwestern Colorado. The owner seeks to capture and optimize water activity where it will be most productive. Enhancing the existing reservoir structure will benefit the ag lease on the school section and at least 3 ranchers enabling sustained agricultural production.

From a conservation standpoint, using the water nearest the source eliminates evaporation, seepage and transit loss when sent thru the to be constructed Perry Pipeline downstream via Skinner Creek, into Toponas Creek into Egeria Creek, then Rock Creek. Current water activity can be improved upon by implementation of the pipeline to allow Mr. Perry to use water he owns but currently cannot access. Funding for the pipeline will ensure that the land reaches its optimal production potential, creating a significant improvement in the current condition and increase productive acreage of irrigated meadow and pastureland by 80+ acres.

The Toponas Project supports other environmental needs. With the installation of the pipeline, the current meadow and grazing areas will receive more moisture creating a more inviting and welcoming ecosystem for sage grouse and other wildlife that currently exist and regularly migrate through our land. We have letters of support from the community showing how the land will become an area of multi-use and public benefit. The National Forest Service and local fire departments have accepted our offer to dedicate a percentage of stored water annually for fire suppression use along with our pledge to install a dry hydrant closer to Hwy 134. We are currently pursuing a partnership with local conservationists for protection of sage grouse lecks. Letters of support from:

- CO State Land Board
- Div 5 State Engineer's Office
- Routt County Emergency Response
- Yampa Forest Service Office
- Sage Grouse Working Groups
- NRCS Steamboat Office
- Ranch Manager/Ranch Real Estate Specialist
- Local Ranchers/Lessee Rancher



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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)
Marissa Perry	\$43,000 (of which \$40,000 already expended in fall 2018 for Toponas Rock Spillway work)
Ag Loan from CO Bank or CWCB (pending/unconfirmed)	\$10,000 Summer/Fall 2019
Total Match	\$43,000
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 3rd 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):
Total Match	\$
If you requested a Waiver to the Statewide Account matching, indicate % you wish waived. (Max 50% reduction of requirement).	

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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.

Michael Erion with Resource Engineering completed a hydrology assessment in 2019 for Perry Ranch. Please see his video and exhibits. The improvements to Toponas Rock Reservoir will impact the State School Section by positively addressing 30+ years of safety concerns related to the spillway, road base, outlet pipe and downstream flow into the West Fork of Toponas Creek, a tributary of Egeria Creek. Improvements to the Toponas Rock Reservoir will impact the state school section, up to 3 ranches currently with potential for more downstream leases, improve the condition of the water storage for wildlife in the area, the state land board livestock lease, and the state land board recreational lease.

The Perry Pipeline will give the surrounding land owners (primarily Perry Ranch and optional lease neighbors) the ability to directly transfer stored water to their land to the West of the state school section. The efficient transfer of up to 262 acre feet of stored water annually will increase the productivity of the land directly surrounding the state school section that is currently irrigated with a 13 acre foot, much smaller draw, from the EM Curry Reservoir. Having the ability to augment current irrigation practices with a greater source of stored water is imperative during periods of drought & future climate change.

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. Perry Ranch applied in 2015, and during our presentation to the CO River Basin Roundtable – we received support and were asked to reapply after we secured our easement.

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.

**Water Supply Reserve Fund
Water Activity Summary Sheet
July 17, 2019
Agenda Item 8(c)**

Applicant & Grantee: Learning By Doing, Inc.
Water Activity Name: Design of Hammond Ditch Improvements: Phase One
Water Activity Purpose: Env, Rec, & Agricultural Study
County: Grand
Drainage Basin: Colorado
Water Source: Fraser River
Amount Requested: \$27,000 Colorado Basin Account
Matching Funds: Applicant Match (cash & in-kind) = \$11,000

- 40.7% of the Basin Account request (meets 25% min)
- 28.9% of the total project cost of \$38,000

Staff Recommendation:

Staff recommends approval of up to \$27,000 from the Colorado Basin Account to help fund the project titled: Design of Hammond Ditch Improvements: Phase One.

Water Activity Summary: This project is a collaborative effort by the Learning By Doing (LBD) partners to improve an irrigation diversion structure to prevent fish entrainment, improve diversions efficiency, and improve habitat connectivity and fish passage on the Fraser River. LBD is a cooperative effort of Grand County, Denver Water, Northern Water, Middle Park Water Conservancy District, Colorado River Water Conservation District, Trout Unlimited and Colorado Parks and Wildlife, resulting from two intergovernmental agreements.

LBD plans to install a fish screen at the headgate of Hammond No. 1 Ditch to prevent fish loss in the ditch, make improvements to the diversion structure to reduce leakage, and retrofit a rock cross vane on the mainstem Fraser River in the vicinity of the headgate to improve fish passage. A Colorado Parks and Wildlife fish biologist documented fish entrainment in the ditch when it's diverting. Significant leaks at the diversion structure were also observed. Further, the rock cross vane diversion structure is potentially a barrier to some fish species and life stages, preventing upstream migration to spawning areas. LBD plans to complete this project in two phases, beginning with design and engineering in 2019 (this request), followed by construction in 2020 providing funding is secured. LBD anticipates requesting additional funding once the cost of construction is estimated as part of design and engineering. Ditch owners have provided preliminary approval pending review of the design.

Discussion: As described in the Colorado Basin Roundtable (BRT) chair's recommendation letter, this project was unanimously supported and recommended for approval by the roundtable on May 20, 2019. This project will meet two primary Colorado Basin Implementation Plan goals to 1) "Protect and Restore Healthy Streams, Rivers, Lakes and Riparian Areas" and 2) "Sustain Agriculture". Specifically, the project will improve irrigation infrastructure while improving improve habitat connectivity and fish passage on the Fraser River.

Issues/Additional Needs: None

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:

<u>Funding Source</u>	<u>Cash</u>	<u>In-Kind</u>	<u>Total</u>
Learning By Doing Management Committee	\$9,000	\$2,000	\$11,000
WSRF Colorado Basin Account	\$27,000	n/a	\$27,000
Totals	\$36,000	\$2,000	\$38,000

CWCB Project Manager: Megan Holcomb

THE COLORADO BASIN ROUNDTABLE
C/O P.O. BOX 1120
GLENWOOD SPRINGS, COLORADO 81602

May 24, 2019

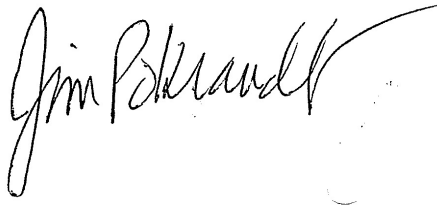
Megan Holcomb
Colorado Water Conservation Board
Water Supply Planning Section
1313 Sherman Street
Denver CO

Dear Megan:

The Colorado Basin Roundtable voted unanimously at its May 20, 2019 meeting to support the WSRF request of \$25,490 for the Perry Ranch project to repair the Toponas Rock Reservoir No. 2 dam. This comports with our Basin Implementation Plan in our theme of sustaining agriculture. More than that, so much work in water concerns fixing what we got to get full usage of existing infrastructure – and this is that.

The Perrys are in a sustained program to improve their ranch and irrigation infrastructure. This grant will help them comply with work the Colorado Dam Safety Office has been urging for the past number of years. Once completed, the Dam Safety Engineer says this project will “much extend the service life of this dam.”

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jim Pokrandt", with a long, sweeping horizontal stroke extending to the right.

Jim Pokrandt
Chair, Colorado Basin Roundtable