

Water Supply Reserve Account – Grant and Loan Program
Water Activity Summary Sheet
September 18, 2019
Agenda Item 9(l)

Applicant: Otero Ditch Company
Water Activity Name: Otero Ditch Infrastructure Updates
Water Activity Purpose: Implementation: Agricultural
County: Otero
Drainage Basin: Arkansas
Water Source: Timpas Creek
Amount Requested/Source of Funds: \$5,000 Arkansas Basin Account
\$50,000 Statewide Account
\$55,000 Total Grant Request

Matching Funds: Basin Account Match (\$5,000) = 10% of Statewide Account request (meets 10% min.)
Applicant's cash & in-kind Match (\$49,500) = 99% of Statewide Account request (meets 10% min);
Total Match (Basin & Applicant Match of \$54,500 = 109% of Statewide Account request (meets 50% min).
(refer to *Funding Summary/Matching Funds* section)

Staff Recommendation:

Staff recommends approval of up to \$5,000 from the Arkansas Basin Account and \$50,000 from the Statewide account to help fund the project/study titled: Otero Ditch Infrastructure Updates.

Water Activity Summary:

Otero Ditch Company's head gates and diversion structures were built in 1911 and because of weather and water events, the structures and head gates have deteriorated and are in need of replacement if funding is approved.

The first head gate, or the inlet structure, is one half mile downstream of Otero Ditch's Arkansas River dam. Concrete needs to be reinforced, or perhaps replaced, with reinforced concrete caps, reinforcing the abutments all the way down into the water.

The head gates on the structure currently have four gates, however only two, 5 feet wide gates will need to be replaced with new head gates. This work will be Arkansas River water diverted into the Otero Ditch of approximately 5,140 shares in Otero Ditch, with 80 to 123 cfs of decreed winter water and/or summer time flood water diverted according to the Arkansas River priority system and a second 1903 decree of 334.92 cfs.

If approved, grant funding would also help update the Timpas Creek waste gate structure. This structure needs to be cleaned out and will be done so by contractors. A new 10 foot gate, or two 5 foot gates, will be placed in this structure to aid in keeping the structure clean and functional. The water in this structure is waste water that is being diverted back to the river through Timpas Creek. This structure also needs to be reinforced with concrete, reinforcing the abutments several feet into the water.

Finally, grant funds would be utilized to reinforce a deteriorating culvert that carries drain water, approximately 25 yards south of the waste gate structure.

Discussion: This project is in line with supporting objectives in the Water Plan including: D) Agriculture: *Reduces ditch losses and provides a more efficient use of available supplies.* This project also meets the goals identified in the Arkansas Basin Implementation Plan including: *Continuing to sustain an agricultural economy in the Basin by making more efficient use of existing supplies.*

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

Eligibility Requirements: The application meets requirements of the three subsections of the Eligibility Requirements: General Eligibility, Entity Eligibility, and Water Activity Eligibility.

Eligibility Based on Funding Match Requirements:

The application meets the Statewide Account Matching requirements.

Evaluation Criteria:

This activity has undergone review and evaluation and staff has determined that it satisfies the Evaluation Criteria. Please refer to WSRF Application for applicant's detailed response.

<u>Funding Source</u>	<u>Cash</u>	<u>In-kind</u>	<u>Total</u>
Otero Ditch Company	\$24,500	\$25,000	\$49,500
Sub-total	\$24,500	\$25,000	\$49,500
WSRF Arkansas Basin Account	\$5,000	n/a	\$5,000
WSRF Statewide Account	\$50,000	n/a	\$50,000
Total Project Costs	\$79,500	\$25,000	\$104,500

CWCB Project Manager: Ben Wade

Arkansas Basin Roundtable

July 22, 2019

Via Electronic Mail: ben.wade@state.co.us

Mr. Ben Wade
Colorado Water Conservation Board
1313 Sherman Street, Room 721
Denver, CO 80203

Re: Water Supply Reserve Fund Grant Application: Otero Ditch Company - Otero Ditch Infrastructure Updates

Dear Ben:

At its July 17, 2019 meeting, the Arkansas Basin Roundtable (ABRT) approved support of the Otero Ditch Company - Otero Ditch Infrastructure Updates project grant application for \$5,000 in Basin Funds and \$50,000 in Statewide Funds.

The applicant is providing \$45,000 in matching funds. Regarding the Colorado Water Plan, this project directly supports Objective D, Agriculture: *Reduces ditch losses and provides a more efficient use of available supplies*. In addition, this project meets the goals identified in the Arkansas Basin Implementation Plan including: Continuing to sustain an agricultural economy in the Basin by making more efficient use of existing supplies.

This work will help with improving operation of the Otero Ditch and reduce water losses. The ABRT approved supporting this application by consensus and there were no dissenting views.

Should you have any questions or concerns, please feel free to contact me either by telephone, 719-668-8028, or by email, mshea@csu.org.

With warm regards,



Mark Shea
Chair

Copy via email: Applicant; Mr. Ben Wade; ABRT Executive Committee



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

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⁾	
X	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:	August 2019
Desired Notice to Proceed Date:	September 2019

Water Activity Summary	
Name of Applicant	Otero Ditch Company
Name of Water Activity	Otero Ditch Infrastructure Updates
Approving Roundtable(s)	Basin Account Request(s) ⁽¹⁾
Arkansas Basin	\$5,000
Basin Account Request Subtotal	\$5,000
Statewide Account Request ⁽¹⁾	\$50,000
Total WSRF Funds Requested (Basin & Statewide)	\$55,000
Total Project Costs	\$104,500

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



Last Update: July 31, 2018

Grantee and Applicant Information	
Name of Grantee(s)	Otero Ditch Company; Kenny Mills, Organization President
Mailing Address	P.O. Box 239 La Junta, CO 81050
FEIN	19871126730
Grantee's Organization Contact ⁽¹⁾	Pat Ptolemy
Position/Title	Otero Ditch Company Secretary
Email	prptolemy@gmail.com
Phone	1-719-468-1472
Grant Management Contact ⁽²⁾	Amber Weber
Position/Title	Owner; Ark Valley Writing and Planning Services, LLC
Email	avwps@gmail.com
Phone	1-719-688-9941
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>Otero Ditch Company, organized in 1890, has approximately 73 headgates and two diversion structures including one a half mile below the dam on the river and one on the Apishapa which carries water to approximately 60 shareholders along the ditch. This ditch company delivers 5,140 shares of winter water and summer storm water to these shareholders. These structures were built in the early 1900's and have endured many conditions and water events.</p>



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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.
X	Public (Districts): authorities, Title 32/special districts (conservancy, conservation, and irrigation districts), and water activity enterprises
	Private Incorporated: mutual ditch companies, homeowners associations, corporations
	Private Individuals, Partnerships, and Sole Proprietors: are eligible for funding from the Basin Accounts but not for funding from the Statewide Account.
	Non-governmental organizations: broadly, 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	
	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/Countries	Otero
Latitude	38°08'15" N and 37°56'31" N
Longitude	104°02'42" W and 103°44'54" W



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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, 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.

Otero Ditch Company's head gates and diversion structures were built in 1911 and since then have endured many weather and watering events. Because of those events, there is wear and tear to the structures itself including concrete that has become deteriorated and head gates that need replaced (see attached pictures). This is primarily at the first head gate or the inlet structure, one half mile downstream of Otero Ditch's Arkansas River dam. Concrete needs to be reinforced, or perhaps replaced, with reinforced concrete caps, reinforcing the abutments all the way down into the water. The head gates on the structure currently have four gates, however only two, five feet wide gates will need to be replaced with new head gates. This work will be Arkansas River water diverted into the Otero Ditch of approximately 5,140 shares in Otero Ditch, with 80 to 123 cfs of decreed winter water and/or summer time flood water diverted according to the Arkansas River priority system and a second 1903 decree of 334.92 cfs. The second piece of the grant will go to updating the Timpas Creek waste gate structure. This structure needs to be cleaned out and will be done so by contractors. A new 10 foot gate, or two five foot gates, will be placed in this structure to aid in keeping the structure clean and functional. The water in this structure is waste water that is being diverted back to the river through Timpas Creek. This structure also needs to be reinforced with concrete, reinforcing the abutments several feet into the water. The third piece to this grant is to reinforce a culvert approximately 25 yards south of the waste gate structure. This culvert carries drain water and is deteriorating.

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)	
	Area of Restored or Preserved Habitat (acres)	
64 miles	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](#)).

If head gates cannot be properly utilized, water is being lost in the system. According to the Colorado Water Plan, The Arkansas Basin addressed conservation by stating, "Stakeholders should take all actions required to maintain current water supplies and prevent future water supply gaps from increasing" (CWP p. 6-67). In yet another portion of the Plan, it states that citizens should "implement efficiency and conservation measures to maximize beneficial use and production" (CWP p. 6-31). In the Arkansas Basin's BIP, it says that "agriculture remains the primary user of water when measured by volume diverted" (ArkBIP p. 4) and a goal to conserve water are "regional approaches to water management and the application of conserved water to consumptive and nonconsumptive needs" (ArkBIP p. 7). Should the diversion structure below the Otero Ditch's Arkansas River dam or the culvert should be compromised by the deteriorating concrete, larger conservation and efficiency issues would arise due to the failure.

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



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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)
Total Match	\$
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):
Otero Ditch Company	\$49,500 (\$24,500 cash and 25,000 in-kind)
Ark Basin WSRF	\$5,000
Total Match	\$54,500
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.

None at this time.

Previous CWCB Grants

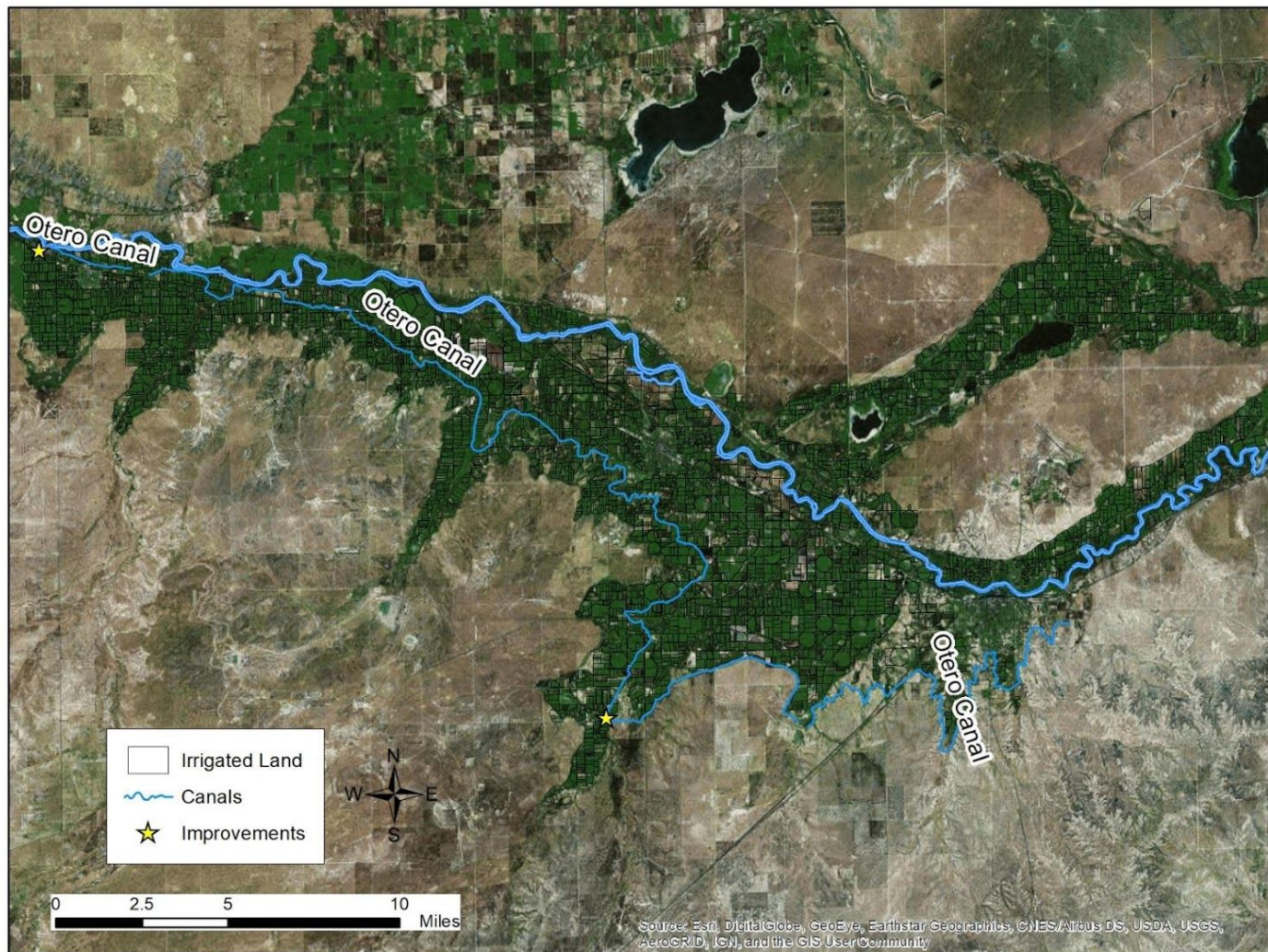
List all previous or current CWCB grants (including WSRF) awarded to both the Applicant and Grantee. Include: 1) Applicant name; 2) Water activity name; 3) Approving RT(s); 4) CWCB board meeting date; 5) Contract number or purchase order

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.

None



Map of Otero Ditch



East Side of Inlet Structure



Top of Inlet Structure



West Side of Inlet Structure



Timpas Creek Waste Gate Structure, East Side



Timpas Creek Waste Gate Structure, South Side



Culvert

May 28, 2019

Pat R. Ptolemy
Board of Directors Secretary
Otero Ditch Company
P O Box 239
La Junta CO 81050

Ben Wade
Colorado Water Conservation Board
1313 Sherman St. Rm. 271
Denver CO 80203

Dear Mr. Wade,

Thank you for your consideration of the Otero Ditch Company's structure improvement grant. This successful completion of this grant work would be tremendous benefit for our shareholders and company and help conserve valuable water resources. It would help ensure continuation of our 100 year plus water delivery system.

Due to the tremendous stewardship of our past Board of Directors we are able to contribute \$49,500 in the form of cash and in-kind support.

Again, we very much appreciate your consideration of our request.

Sincerely,



Pat R Ptolemy, Secretary
Otero Ditch Company