



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources
1313 Sherman Street, Room 718
Denver, CO 80203

WSRF – Colorado – Toponas Project- Phase 1
POGG1 2020-2269

October 1, 2019

Mr. Charles F. Perry
P.O. Box 213
Toponas, CO 80479

Dear Grantee:

We are pleased to inform you that the Colorado Department of Natural Resources, Colorado Water Conservation Board (CWCB) has approved your grant request for your project pursuant to the WSRF Grant Program (“Program”). This letter authorizes you to proceed with Toponas Project- Phase 1 (“Project”) in accordance with the terms of this Grant Award Letter.

Attached to this letter are the terms and conditions of your Grant. Please review these terms and conditions, as they are requirements of this Grant to which you, Mr. Charles F. Perry, agree by accepting the Grant Funds.

If you have any questions or concerns regarding the project, please contact Megan Holcomb, Project Manager at 303-866-3441 or at Megan.Holcomb@state.co.us. Please send all grant correspondence directly to Megan and please, cc me on your invoice billing requests.

Thank you.

Sincerely,

//s//

Doriann Vigil
Program Assistant II

O 303-866-3441 ext. 3250

1313 Sherman Street, Rm. 719, Denver, CO 80203

Dori.vigil@state.co.us / cwcb.state.co.us





STATE OF COLORADO
Department of Natural Resources

Page 1 of 1

ORDER				*****IMPORTANT*****			
Number: POGG1,PDAA,202000002269				The order number and line number must appear on all invoices, packing slips, cartons, and correspondence.			
Date: 9/28/19				BILL TO			
Description: PDAA 2500 WSRF - CHARLES PERRY_TOPONAS PROJECT				COLORADO WATER BOARD CONSERVATION 1313 SHERMAN STREET, ROOM 718 DENVER, CO 80203			
Effective Date: 09/25/19							
Expiration Date: 12/31/22							
BUYER				SHIP TO			
Buyer:				COLORADO WATER BOARD CONSERVATION			
Email:				1313 SHERMAN STREET, ROOM 718			
VENDOR				DENVER, CO 80203			
CHARLES F PERRY 36100 HWY 134 TOPONAS, CO 80479							
Contact: .				SHIPPING INSTRUCTIONS			
Phone: .				Delivery/Install Date: -			
				FOB: FOB Dest, Freight Allowed			
VENDOR INSTRUCTIONS							
EXTENDED DESCRIPTION							
Line Item	Commodity/Item Code	UOM	QTY	Unit Cost	Total Cost	MSDS Req.	
1	G1000		0	0.00	\$25,490.00	<input type="checkbox"/>	
Description: PDAA 2500 WSRF - CHARLES PERRY_TOPONAS PROJECT							
Service From: 09/25/19				Service To: 12/31/22			
TERMS AND CONDITIONS							
https://www.colorado.gov/pacific/osc/small-dollar-grant-award-terms-conditions							
DOCUMENT TOTAL = \$25,490.00							

Last Update: July 31, 2018



COLORADO

Colorado Water
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Colorado Water Conservation Board

Water Supply Reserve Fund

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

Date: 03/19/2019

Water Activity Name: The Toponas Project

Grantee Name: Charles F. Perry

<u>Task No.</u> ⁽¹⁾	<u>Description</u>	<u>Start Date</u> ⁽²⁾	<u>End Date</u>	<u>Matching Funds</u> (cash & in-kind) ⁽³⁾	<u>WSRF Funds</u> (Basin & Statewide combined) ⁽³⁾	<u>Total</u>
1	Toponas Rock Reservoir - Spillway Repair	September 2019	Dec 2022	\$42,000	\$13,000	\$15,000
2	Toponas Rock Reservoir - Spillway/Channel Path Construction	September 2019	Dec 2022	\$1,000	\$12,490	\$13,490
TOTALS				\$43,000	\$25,490	\$68,490



Last Update: January 9, 2018

Colorado Water Conservation Board	
Water Supply Reserve Fund	
Exhibit A - Statement of Work	
Date:	August 1, 2019
Water Activity Name:	The Toponas Project: Phase One
Grant Recipient:	Charles F. Perry
Funding Source:	WSRF: Colorado Basin Roundtable
Water Activity Overview:	
<p>This grant supports improvements to Toponas Rock Reservoir, splash pool channel, and road base. Perry Ranch owns the majority share the 1st fill and all of the 2nd fill (up to 262 acre-feet annually). Funds will be used for spillway repair as a result of Spring 2019 runoff damage, addressing safety concerns and deferred maintenance, finishing a splash pool basin, outlet pipe lining and outlet seepage cure, finish construction of splash pool path into West fork of Toponas Creek. Some road base strengthening may be required by spillway along with reseeding at end of project. Funding from the Basin account will allow the ranching operation to repair, sustain, and improve upon, current consumptive needs.</p>	
Objectives:	
<p><u>Toponas Rock Reservoir:</u></p> <ul style="list-style-type: none">• Repair spillway damage• Spillway Splash pool channel finish into Toponas Creek• Address road base issue above spillway and install outlet pipe liner or CIPP and stabilize the area around the outlet pipe per Div 5 instruction• install the new custom measuring and splitter box a bit downstream from outlet pipe <p>Start date target in late summer 2019 with finish by 2020 or 2021. Outcomes include safety compliance with Div 5 along spillway, controlling high spring melt flow into Toponas Creek, limit of outlet pipe seepage for optimum water flow to areas of irrigation use, improvement & restored natural environment on state land board benefitting wildlife, vegetation, grazing cattle and the ag lease/recreational lease partners. We will address the lesser safety concern of the outlet pipe repairs in 2-3 years per the permission of the State Engineer's office as of May, 2019.</p>	

Tasks



Last Update: January 9, 2018

Tasks
Provide a detailed description of each task using the following format:
Task 1 - (Name): Toponas Rock Reservoir No. 2 Spillway REPAIRS
Description of Task: <u>Spring 2019:</u> Monitor spring runoff, watershed during snowmelt, currently tracking erosion and damage via photo and video logs to submit to state engineer. Make note of road base erosion, spillway use, note worsening impacts on splash pool and channel into stream flow during heavy snow year/high run-off season. As of June 1, the Spillway has been active since mid-May, further erosion and damage is being documented and communicated with the Div 5 Dam Safety Engineer Goal of start is late summer into fall 2019. Repair East side of spillway and stilling basin with contractor to reinstall Mirafi and fracking tarp, move soil, grade, reinstall concrete railroad ties that were displaced during run off. Per same structure as 2018 – K&M will haul in heavy equipment and supplies, deposit at state land board approved staging site – working consecutive days, including weekends, to finish this work. We will document progress with notes and photos.
Method/Procedure: <ol style="list-style-type: none">1. Spring, 2019 planning session with K&M Excavation and Korey Kadrmas from Div 5. Craft plan of attack on spillway repairs and dirt work to be done.2. Haul in equipment, soil grading.3. Reposition and install Mirafi and Fracking tarp base layers4. Re-establish structure of spillway design by repositioning concrete ties, securing in place.5. Haul in and spread load of cinder gravel6. Grade base/install new culvert7. Grade base/prep for channel path in Step 2, as previously done fall 2018
Grantee Deliverable: Once complete task one will finish addressing the primary concern of Div 5 Dam Safety. This is a serious safety concern. The runoff moved several concrete ties, each weighing 725 lbs. Cost for mandatory work this season is \$28,490. We would have liked to also addressed road base, but will try to push out a year if the state land board and state engineer will allow.
CWCB Deliverable: We will provide CWCB with a dropbox link of meeting summaries, designs reviewed & approved by Div 5, any delays or obstacles we encounter along with a final report of this task including notes, photos, invoices, and finally – a statement of completion from Div 5.

Tasks



Last Update: January 9, 2018

Tasks
Provide a detailed description of each task using the following format:
Task 2 - (Name): Toponas Rock Reservoir No. 2 Spillway Finish/Channel Path
Description of Task: Build transition from bottom of stilling basin down path into Toponas Creek
<p><u>Spring 2019:</u> Monitor watershed during snowmelt, make note of road base erosion, spillway use, note impact on splash pool and channel into stream flow during heavy snow year/high run-off season</p> <p><u>Goal of start is late summer into fall 2019.</u> Possible movement of road into hillside by 3-7 feet, creating a berm on West side to act as a guard rail and erosion mitigation. Grade channel to stream bed of West Fork of Toponas Creek, implementing one of two options:</p> <ul style="list-style-type: none">A. 60 ft controlled flow sluice box (cheapest)B. Channel Path Trench & placement of large cobble per design with Div 5 engineer. <p><u>In Process:</u> 2 options for channel path being presented to state engineer: a controlled sluice box (cheaper) using materials from Perry Ranch or trenched channel with rip rap. Determine task build after Spring planning meeting with SEO. Schedule work before prime hunting seasons – partner with state land board and keep record of dates workmen are on site. Schedule work to be done all at once, as quickly as possible during dry months before snowfall. Request utility locate on phone line under road base. Per same structure as 2018 – K&M will haul in heavy equipment and supplies, deposit at state land board approved staging site – working consecutive days, including weekends, to finish this work. We will document progress with notes and photos.</p>
Method/Procedure:
<ul style="list-style-type: none">8. Spring, 2019 planning session with K&M Excavation and Korey Kadrmas from Div 5. Craft plan of attack on road base stabilization and channel path work to be done. Review updated estimates from contractor (K&M) and supplier (Egeria Aggregates). Process:9. Establish road base work, excavate into East hillside above spillway to shift road further in and create a protective berm to act as a safety measure and guard rail.10. Channel Path: Install a controlled sluice box of 60 ft vs. higher cost of excavation and loading in large angular rip rap. We are not able to repurpose more concrete ties as proposed in late 2018, supply is depleted. Per Korey with State Engineer's office, we will need to create a hybrid of my dad's new proposed design and the more robust original design utilizing some step down approaches and large, angular rip rap to ensure the velocity and damage control of the water running thru the spillway can be slowed and controlled.
Grantee Deliverable:
Once complete, task two will finish addressing the primary concern of Div 5 Dam Safety. This is an outstanding work order that has appeared in the past 2-3 inspection reports. The work has been deferred for 20-30 years.
CWCB Deliverable:
We will provide CWCB with a dropbox link of meeting summaries, designs reviewed & approved by Div 5, any delays or obstacles we encounter along with a final report of this task including notes, photos, invoices, and finally – a statement of completion from Div 5.



Last Update: January 9, 2018

Reporting Requirements

Progress Reports: The grantee shall provide the CWCB a progress report every 6 months, beginning from the date of issuance of a purchase order, or the execution of a contract. The progress report shall describe the status of the tasks identified in the statement of work, including a description of any major issues that have occurred and any corrective action taken to address these issues. The CWCB may withhold reimbursement until satisfactory progress reports have been submitted.

Final Report: At completion of the project, the grantee shall provide the CWCB a Final Report on the grantee's letterhead that:

- Summarizes the project and how the project was completed.
- Describes any obstacles encountered, and how these obstacles were overcome.
- Confirms that all matching commitments have been fulfilled.
- Includes photographs, summaries of meetings and engineering reports/designs.

Payments

Payment will be made based on actual expenditures, must include invoices for all work completed and must be on grantee's letterhead. The request for payment must include a description of the work accomplished by task, an estimate of the percent completion for individual tasks and the entire Project in relation to the percentage of budget spent, identification of any major issues, and proposed or implemented corrective actions.

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.

Performance Requirements

Performance measures for this contract shall include the following:

(a) Performance standards and evaluation: Grantee will produce detailed deliverables for each task as specified. Grantee shall maintain receipts for all project expenses and documentation of the minimum in-kind contributions (if applicable) per the budget in Exhibit B. Per Grant Guidelines, the CWCB will pay out the last 10% of the budget when the final deliverable is completed to the satisfaction of CWCB staff. Once the final deliverable has been accepted, and final payment has been issued, the purchase order or grant will be closed without any further payment.

(b) Accountability: Per the Grant Guidelines full documentation of project progress must be submitted with each invoice for reimbursement. Grantee must confirm that all grant conditions have been complied with on each invoice. In addition, per the Grant Guidelines, Progress Reports must be submitted at least once every 6 months. A Final Report must be submitted and approved before final project payment.

(c) Monitoring Requirements: Grantee is responsible for ongoing monitoring of project progress per Exhibit A. Progress shall be detailed in each invoice and in each Progress Report, as detailed above. Additional inspections or field consultations will be arranged as may be necessary.

(d) Noncompliance Resolution: Payment will be withheld if grantee is not current on all grant conditions. Flagrant disregard for grant conditions will result in a stop work order and cancellation of the Grant Agreement.