



COLORADO

Colorado Water
Conservation Board

Department of Natural Resources

ATM Grant – Cactus Hill
Contract CORE No. POGG1 2019-20181
CMS #

July 13, 2018

Rio Grande Headwaters Land Trust
Attn: Nancy Butler
P.O. Box 444
Del Norte, CO 81132

Dear Grantee:

We are pleased to inform you that the Colorado Department of Natural Resources, Colorado Water Conservation Board (CWCB) has approved your funding pursuant to the ATM Grant Program (“Program”) for **\$20,000.00**. This letter authorizes you to proceed with the Cactus Hill/Alamosa ATM Conservation Easement Project (“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, Rio Grande Headwaters Land Trust, agree by accepting the Grant Funds.

If you have any questions or concerns regarding the project, please contact Alex Funk, Project Manager at 303-866-3441 or at Alex.Funk@state.co.us.

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.com

Attachments



STATE OF COLORADO
Department of Natural Resources

Page 1 of 1

ORDER

*****IMPORTANT*****

Number: POGG1,PDAA,201900002018

Date: 7/11/18

Description:

PDAA 2500 ATM CACTUS HILL

Effective Date: 07/11/18

Expiration Date: 01/15/21

The order number and line number must appear on all invoices, packing slips, cartons, and correspondence. Please review each line for its corresponding shipping/billing address and delivery instructions.

BUYER

Buyer:

Email:

VENDOR

RIO GRANDE HEADWATERS LAND TRUST

PO BOX 444

DEL NORTE, CO 81132-0444

Contact: .

Phone: .

EXTENDED DESCRIPTION

Line Item	Commodity/Item Code	UOM	QTY	Unit Cost	Total Cost	MSDS Req.
1	G1000		0	0.00	\$20,000.00	<input type="checkbox"/>

Description: PDAA 2500 ATM CACTUS HILL

Service From: 07/11/18

Service To: 01/15/21

Delivery Instructions

FOB: FOB Dest, Freight Allowed

Delivery Date: -

Ship To:

Bill To:

COLORADO WATER BOARD
CONSERVATION

COLORADO WATER BOARD CONSERVATION

1313 SHERMAN STREET, ROOM 718

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DENVER, CO 80203

DENVER, CO 80203

TERMS AND CONDITIONS

<https://www.colorado.gov/pacific/osc/small-dollar-grant-award-terms-conditions>

DOCUMENT TOTAL = \$20,000.00

Exhibit A-1

Statement of Work – ATM Component

WATER ACTIVITY NAME – Cactus Hill/Alamosa ATM Conservation Easement

GRANT RECIPIENT – Rio Grande Headwaters Land Trust

FUNDING SOURCE - The Alternative Agricultural Water Transfer Methods Competitive Grant Program

INTRODUCTION AND BACKGROUND

During the ATM Component, RiGHT will collaborate with City attorneys and water engineers, the Miller family, and its own contracted attorneys and engineers to determine how both the lease and conservation easement will function. As to the lease, RiGHT will primarily be interested in the technical operation aspects, ensuring that there is minimal impact to the agricultural and environmental qualities of the property. RiGHT will also have limited input into the legal aspects of the lease to ensure that it is compatible with its organizational goals, this specific conservation easement, and the legal possibilities of conservation easements generally.

Task 1 funds will be used solely for costs unique to the ATM component of the conservation easement. All other related costs for personnel, due diligence, etc. during the development of the conservation easement will be borne by RiGHT, the landowner, and/or other funders and are included as match.

OBJECTIVES

List the objectives of the project

The objective of this project is the implementation of an Alternative Transfer Mechanism that would permit limited sharing of the water rights associated with the farm.

TASKS

Provide a detailed description of each task using the following format

TASK 1 – Farmland Viability Analysis and Plan

Description of Task

Analyze the ATM and develop scenarios and recommendations on how the farm would best operate and manage water with ATM to minimize damage to conservation values. Guidance may include water rights operations strategies, recommendations for specific farm improvements and cropping options for certain years.

Deliverable

Export report on how to best incorporate ATM into farm plan.

TASK 2- Water Sharing Agreement

Description of Task

Participate in negotiations between Landowners and City of Alamosa on lease agreement and review draft and final lease agreements.

Deliverable

Final lease agreement

TASK 3 – Conservation Easement Development

Description of Task:

Develop and negotiate conservation easement terms that integrate ATM participation. Complete due diligence required for easement purchase.

Final Deliverable

Model conservation easement language for similar transactions

TASK 4 – Project Management

Description of Task:

Coordinate team efforts including meetings, calls and ensuring that project is on-task and on-schedule.

Final Deliverable

Regular reporting updates.

REPORTING AND FINAL DELIVERABLE

Reporting: The applicant shall provide the CWCB a progress report every 6 months, beginning from the date of the executed contract. The progress report shall describe the completion or partial completion 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.

Final Deliverable: At completion of the project, the applicant shall provide the CWCB a final report that summarizes the project and documents how the project was completed. This report may contain 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 <u>entire</u> 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.

EXHIBIT B

COLORADO
Colorado Water
Conservation Board
Department of Natural Resources

Colorado Water Conservation Board**Alternative Agricultural Water Transfer Methods Competitive Grant Program - Exhibit B
Budget and Schedule**

Date: 6/11/18

Name of Applicant: Rio Grande Headwaters Land Trust

Name of Water Project: Cactus Hill/Alamosa ATM Conservation Easement

Task No.	Task Description	Start Date ⁽¹⁾	End Date	Project Cost by Task	Match Funding Cash	CWCB Grant Request	Match Funding In-Kind	Total
1 - Farmland Viability Analysis & Plan	Analyze the ATM and develop scenarios and recommendations on how the farm would best operate and manage water with ATM to minimize damage to conservation values. Guidance may include water rights operations strategies, recommendations for specific farm improvements and cropping options for certain years.	7/11/2018	12/15/2018	\$ 5,500.00		\$ 5,000.00	\$ 500.00	\$ 5,500.00
2 - Water Sharing Agreement	Participate in negotiations between Landowners and City of Alamosa on lease agreement and review draft and final lease agreements.	7/11/2018	10/15/2019	\$ 7,500.00	\$ -	\$ 7,500.00		\$ 7,500.00
3 - Conservation Easement Development	Develop and negotiate conservation easement terms that integrate ATM participation. Complete due diligence required for easement purchase.	10/15/2018	1/15/2021	\$ 37,500.00	\$ 30,000.00	\$ 7,500.00		\$ 37,500.00
4 - Project Management	Coordinate team efforts including meetings, calls and ensuring that project is on-task and on-schedule.	2/23/2018	1/15/2021	\$ 1,500.00			\$ 1,500.00	\$ 1,500.00
Total				\$ 52,000.00	\$ 30,000.00	\$ 20,000.00	\$ 2,000.00	\$ 52,000.00
				Percentage	58%	38%	4%	100%