



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

1313 Sherman Street, Room 718
Denver, CO 80203

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Jared Polis, Governor

Dan Gibbs, DNR Executive Director

Rebecca Mitchell, CWCB Director

TO: Colorado Water Conservation Board Members

FROM: Ben Wade, Water Supply Planning

DATE: March 10-11, 2021

AGENDA ITEM: Consent Agenda 2-r, Water Supply Reserve Fund Change of Grantee

Staff Recommendation:

Staff recommends the Board approve a change of grantee/fiscal agent from the Conejos River System Water Users Association to the Conejos Water Conservancy District for the project titled, "Conejos Groundwater Monitoring and Analysis".

Background:

At the May 2015 Board meeting, the Board approved a \$219,000 grant from the Water Supply Reserve Fund to the Conejos River System Water Users Association (CRSWUA) for the Conejos Groundwater Monitoring and Analysis Project. This Project proposed the installation of a groundwater-monitoring network in the Sub district #3 area of the Rio Grande Water Conservation District as well as the placement of water level transducers in 16 local confined aquifer irrigation wells to record and monitor real-time water level data over a sustained length of time.

The Board approved the grant with CRSWUA as the grantee. CRSWUA is requesting a change in fiscal agent from CRSWUA to the Conejos Water Conservancy District (the District). CRSWUA can no longer afford the insurance required to finish the project. The District, who contributed match to the original proposal, has agreed to become the new grantee/fiscal agent and finish the project.

See attached for the amended Water Activity Summary Sheet, signed letters from both organizations, a revised scope of work, budget, schedule and an updated Certificate of Insurance.



Water Supply Reserve Fund - Grant and Loan Program
Water Activity Summary Sheet
CHANGE OF GRANTEE REQUEST
March 10-11, 2021
Consent Agenda Item 2(r)

Current Grantee/Fiscal Agent: Conejos River System Water Users Association (CRSWUA)
Proposed Grantee/Fiscal Agent: Conejos Water Conservancy District
Water Activity Name: Conejos Groundwater Monitoring and Analysis
Water Activity Purpose: Needs Assessment
County: Conejos
Drainage Basin: Rio Grande
Water Source: Conejos River/San Luis Creek, and Rio Grande Confined Aquifer

Amount Requested: \$19,000 Rio Grande Basin Account
\$200,000 Statewide Account
 \$219,000 Total Grant Request

Matching Funds: Basin Account Match: \$19,000 = 8.7% of total grant request (meets 5% min);
 Basin Account & Applicant Match: \$136,500 = 62% of total grant request (meets 25% min);
 Applicant & 3rd Party Match: \$117,500 = 54% of total grant request (meets 5% min) & 35% of total study costs (\$336,500) (refer to *Funding Summary/Matching Funds*)

Staff Recommendation:

Staff recommends approval of change of fiscal agent from the Conejos River System Water Users Association to Conejos Water Conservancy District for the project titled: Conejos Groundwater Monitoring and Analysis.

Water Activity Summary: If the Change of Grantee is approved, WSRF funds will continue to be expended to finish the Conejos Groundwater Monitoring and Analysis Study (the Project), which will install a groundwater monitoring network in the Sub district #3 area of the Rio Grande Water Conservation District. The proposed grantee, an initial funding partner, will ensure the placement of water level transducers in 16 local confined aquifer irrigation wells to record and monitor real-time water level data over a sustained length of time. A set of existing wells were identified for potential use within the monitoring network based on available information of perforated well intervals and a goal to achieve a regular spacing across representative aquifer conditions given the Thiessen polygon method that is used to spatially weight wells within the network (see attached graphic).

The Project will establish a scientific basis for evaluating the relationships/interconnectivity between different pumping wells in the area in and around

Sub districts #3 and #4 and providing a better understanding of the lateral transmissivity of the confined aquifer, the degree of connection to the overlying unconfined aquifer, and the potential connection to surface water bodies. By gathering groundwater data from a larger and more relevant sample, the proposed grantee will provide to Colorado a scientific assessment to fine tune the model. Deliverables of the Project will prepare for future groundwater administration; help meet the short-term and long-term objectives of water users in the Conejos watershed; improve understanding of the regional groundwater system in the future Subdistrict #3; provide data to influence the accuracy of the currently accepted groundwater model; improve current tools being used for meeting delivery obligations of the Rio Grande Compact; and significantly improve groundwater administration and management in the Rio Grande Basin.

Objectives:

- Develop ground water data to address “Rules Governing Withdrawal of Ground Water in Water Division No. 3”
- Support optimum use of water, consistent with preservation of the priority system of water rights
- Provide scientific data to the RG Basin and DWR to create a plan for groundwater sustainability
- Develop historical analysis and real time data to identify and address injurious stream depletions
- Help identify injurious depletions on the San Antonio, Conejos, La Jara, Alamosa and Rio Grande
- Improve Colorado’s ability to more accurately meet its Rio Grande Compact obligations
- Support agriculture by helping to regulate and balance the use of limited surface and groundwater resources
- Help maintain a sustainable water supply in the Confined and Unconfined Aquifer

Discussion: The proposed needs assessment aligns with many of the Goals and Measurable Outcomes identified in the Draft Rio Grande Basin Water (Implementation) Plan (Goals and Measurable Outcomes: #2, #3, #5 & #6; Section 3.2.1, page 122). In addition, this project comports with aspects of the “Basin Roundtable Identified Projects and Methods” (Section 6.5.1, page 275), also identified in the BIP.

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

Threshold and Evaluation Criteria:

The application meets all four Threshold Criteria.

Tier 1-3 Evaluation Criteria:

Staff has reviewed and evaluated the applicant’s response to the Statewide Account Supplemental Scoring Matrix and has determined that it satisfies the Evaluation Criteria. Please refer to WSRA Application for applicant’s detailed response.

Funding Summary/Matching Funds:

	<u>Cash</u>	<u>In-kind</u>	<u>Total</u>
Conejos Water Conservancy District	\$10,000	\$0	\$10,000
Alamosa/La Jara Water Conservancy District	\$5,000	\$0	\$5,000
Rio Grande Water Conservation District	\$75,000	\$0	\$75,000
Colorado Division of Water Resources	\$0	\$23,500	\$23,500
CRSWUA	\$0	\$4,000	\$4,000
Sub-total matching funds	\$90,000	\$27,500	\$117,500
WSRA Rio Grande Basin Account	\$19,000	n/a	\$19,000
WSRA Statewide Account	\$200,000	\$0	\$200,000
Total	\$309,000	\$27,500	\$336,500

All products, data and information developed as a result of this grant must be provided to the CWCB in hard copy and electronic format as part of the project documentation. This information will in turn be made widely available to Basin Roundtables and the general public and will help promote the development of a common technical platform. In accordance with the revised WSRA Criteria and Guidelines, staff would like to highlight additional reporting and final deliverable requirements. The specific requirements are provided below.

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 scope 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.

Engineering: All engineering work (as defined in the Engineers Practice Act (§12-25-102(10) C.R.S.)) performed under this grant shall be performed by or under the responsible charge of professional engineer licensed by the State of Colorado to practice Engineering.

Conejos River Systems Water User's Ass'n.

PO Box 550

Manassa, Colorado 81140

2/21/2021

Ben Wade and CWCB Board
1313 Sherman St., Rm. 718, Denver, CO 80203
cwc.colorado.gov

Mr. Wade and Board,

This letter is a formal request that Grant POGGI,PDAA,202100002605 Ground Water Monitoring and Analysis in the Rio Grande Basin, be re-assigned to the Conejos Water Conservancy District.

The CRSWUA derives its funds from membership dues and very little else. The unexpected longer time frame for this project has put us financially unable to finish. The timing of when we could do the needed instrumentation needed for this analysis on existing wells was more difficult to synchronize with the well operators than we expected. The problem is always timing. Each individual uses their respective well differently and so we must accommodate their schedule for installation of monitoring equipment. All the equipment is in fact installed but that put us behind and the additional costs of insurance are too much.

In July of 2020 we requested help from the Conejos Water Conservancy District. They agreed to use their insurance to cover the remainder of the project. We now understand that this scenario is not possible and in order to comply completely with the terms and conditions of the State of Colorado, we ask that they be assigned as Grantee and fiscal agent to this WSRF grant.

If you have questions or concerns please feel free to contact Me at:

Brock Canty: brockcanty@gmail.com or (719)588-0383

OR Nathan Coombs wcdd1971@hotmail.com or (719)588-3090

Regards,



Brock Canty, President CRSWUA Board.



Conejos Water Conservancy District

P. O. Box 550

Manassa, CO 81141

Cwcd1971@hotmail.com

Phone 719-843-5261 fax 5452

2/22/2021

Ben Wade and CWCB Board
1313 Sherman ST,
Denver CO 80203

Ben and Board,

The Conejos Water Conservancy District is officially requesting that the Colorado Water Conservation Board assign us as new Grantee and fiscal agent for Grant number POGGI,PDAA, 202100002605 Ground Water and Analysis in the Rio Grande.

This Grant was originally awarded to the Conejos River System Water Users Association. This very needful project has already had impacts on understanding the very complex aquifer system under the Rio Grande Basin. Our Board sees the value of this Project and wants to do what we can to ensure its completion.

The CRSWUA has a VERY limited budget and the length of this project has run their funds extremely low, especially the costs of insurance. The CWCD can finish this project in the remaining timeline and we respectfully request that this transfer be done.

Respectfully,

Nathan Coombs, Manager CWCD

Groundwater Monitoring Support

Scope of Work

Proposal/Project No.: 0282000.737 / 0216906

Task Order No.: 002

Task 1 - Project Management

RTI will perform project management functions in accordance with its adopted project management policies and procedures. This will include:

- Preparing a Project Management Plan that includes Quality Control measures
- Tracking project budget and schedule on at least a monthly basis
- Preparing monthly invoices and status reports
- Maintaining a risk register and an issues log

The RTI project manager will be the main point of contact for this project and will provide general coordination for the activities under this TO. RTI will provide regular (monthly) updates of the work performed to the CLIENT project manager. The budget includes 4-months of project management activities.

Task 2 – Technical Support

RTI will provide technical support for the groundwater monitoring program. The anticipated tasks include:

- Support the transition of the data hosting site/server and perform the necessary adjustment to the Data Management System (DMS) to be operational with the new data hosting provider.
- Updating the data in the DMS database and dashboards on a regular basis.
- Provide support analyzing and understanding the groundwater data
- Explore advanced regression and discovery methods for development of confined aquifer groundwater predictive tool using the data managed in the DMS to support aquifer sustainability management for different hydrologic years.

Deliverables

- **Technical Memo:** RTI will prepare a technical memo describing the findings of the confined aquifer predictive tool.
- **Monitoring Data Updates:** RTI will provide update to the database and analysis dashboard in spring, of 2021.

Task 3 – Presentation of Findings

RTI will summarize the findings of the study to present them to the CLIENT, and two additional presentations as directed by the CLIENT. The presentation will be focused on the scientific knowledge gained from the analysis of the groundwater monitoring data collected, existing information compiled in the DMS, system response to stresses, water balance, and data gaps.

Deliverables

- **Study Presentations:** CONSULTANT will prepare slides to present the results of the study and will perform up to 3 final presentations, including one to the CLIENT.
- **Executive Summary:** CONSULTANT will provide an executive summary with the findings and recommendations for improving groundwater subdistrict sustainability management (Subdistrict #3).

Budget 2021 groundwater monitoring

TASK	CRSWUA	CWCD	WSRA	TOTAL
1 Project Management		\$ 2,500.00	\$ 9,318.00	\$ 11,818.00
2 Technical support			\$ 30,960.00	\$ 30,960.00
3 Presentation of findings	\$ 1,000.00		\$ 12,319.00	\$ 13,319.00
TOTAL	\$ 1,000.00	\$ 2,500.00	\$ 52,597.00	\$ 56,097.00

Ground Water Monitoring Project Schedule of Work

Task	Start Date	Finish Date
Task 1 project management *description in SOW attached	begin Within 10 days of NTP	NTP through completion date 9-30-2021
Task 2 Technical Support * description in attached SOW	begin Within 10 days of NTP	NTP through 8-15-2021
Task 3 Presentation of Findings * description in attached SOW	first presentation arund 45 days after NPT	Final Presentation and Executive Summary to Board of Directors by 9/15/2021



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/29/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER CIA-Leavitt Insurance Agency, Inc. P.O. Box 5002 100 Premium Way Alamosa CO 81101	CONTACT NAME: Brenda Edgar
	PHONE (A/C, No, Ext): (719) 589-3611 FAX (A/C, No): (866) 849-4199
	E-MAIL ADDRESS: brenda-edgar@leavitt.com
INSURER(S) AFFORDING COVERAGE	
	INSURER A: United Fire & Casualty Group NAIC # 13021
	INSURER B: Pinnacol Assurance NAIC # 41190
INSURED Robins Construction, LLLP, DBA: Robins Backhoe Dozer Serv PO Box 212 Antonito CO 81120	INSURER C:
	INSURER D:
	INSURER E:
	INSURER F:

COVERAGES CERTIFICATE NUMBER: 20-21 GL/BA/WC/Umb REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			60485112	12/27/2020	12/27/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Employee Benefits \$ 1,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS			60485112	12/27/2020	12/27/2021	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Medical payments \$ 5,000
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			60485112	12/27/2020	12/27/2021	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
B	<input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	4087938	1/1/2021	1/1/2022	PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
THIS CERTIFICATE IS SUBJECT TO THE TERMS AND CONDITIONS OF THE POLICY.

CERTIFICATE HOLDER cwcd1971@hotmail.com Conejos Water Conservancy District 318 Main Street Manassa, CO 81141	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE L McCloskey/LOMCCL <i>Loritta McCloskey</i>