

**COLORADO**Colorado Water
Conservation Board

Department of Natural Resources

Colorado Water Conservation Board

Water Plan**Water Project Summary**

Name of Applicant	Rio Grande Headwaters Land Trust
Name of Water Project	Project-01867 San Luis Creek Conservation Partnership
Grant Request Amount	\$450,000.00
Primary Category	\$400,000.00
<i>Agricultural Projects</i>	
Additional Funding Category	\$50,000.00
<i>Watershed Restoration & Recreation</i>	
Total Applicant Match	\$4,829,550.00
<i>Applicant Cash Match</i>	\$2,015,025.00
<i>Applicant In-Kind Match</i>	\$2,814,525.00
Total Other Sources of Funding	\$6,769,575.00
<i>USFWS/NAWCA</i>	\$660,000.00
<i>NRCS/ALE</i>	\$894,375.00
<i>Gates Family Foundation</i>	\$215,000.00
<i>Landowner donations</i>	\$4,829,550.00
<i>NFWF</i>	\$100,000.00
<i>Landowner expenses</i>	\$70,650.00
Total Project Cost	\$12,049,125.00

Applicant & Grantee Information

Name of Grantee: Rio Grande Headwaters Land Trust
Mailing Address: PO Box 444 Del Norte CO 81132
FEIN: 1,495,770

Organization Contact: Allen Law

Position/Title:

Phone: (719) 657-0800

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Organization Contact - Alternate: Allen Law

Position/Title:

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Grant Management Contact: Allen Law

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Grant Management Contact - Alternate: Allen Law

Position/Title:

Phone: (719) 657-0800

Email: allenl@riograndelandtrust.org

Description of Grantee/Applicant

The Rio Grande Headwaters Land Trust is a non-profit land trust working to conserve our land, water, and way of life in Colorado's San Luis Valley.

Type of Eligible Entity

- ☐ Public (Government)
- ☐ Public (District)
- ☐ Public (Municipality)
- ☐ Ditch Company
- ☐ Private Incorporated
- ☐ Private Individual, Partnership, or Sole Proprietor
- ☒ Non-governmental Organization
- ☐ Covered Entity
- ☐ Other

Category of Water Project

- ☒ Agricultural Projects
Developing communications materials that specifically work with and educate the agricultural community on headwater restoration, identifying the state of the science of this type of work to assist agricultural users among others.
- ☐ Conservation & Land Use Planning
Activities and projects that implement long-term strategies for conservation, land use, and drought planning.
- ☐ Engagement & Innovation Activities
Activities and projects that support water education, outreach, and innovation efforts. Please fill out the Supplemental Application on the website.
- ☒ Watershed Restoration & Recreation
Projects that promote watershed health, environmental health, and recreation.
- ☐ Water Storage & Supply
Projects that facilitate the development of additional storage, artificial aquifer recharge, and dredging existing reservoirs to restore the reservoirs' full decreed capacity and Multi-beneficial projects and those projects identified in basin implementation plans to address the water supply and demand gap.

Location of Water Project

Latitude	38.014725
Longitude	-105.857212
Lat Long Flag	
Water Source	San Luis Creek; Lone Tree Creek; Decker Creek; Rock Creek; Rito Alto Creek
Basins	Rio Grande
Counties	Saguache
Districts	25-San Luis Creek

Water Project Overview

Major Water Use Type	Agricultural
Subcategory	
Scheduled Start Date - Design	4/1/2022
Scheduled Start Date - Construction	
Description	

The San Luis Creek Conservation Partnership (SLCCP) is an effort to conserve important water rights, productive agriculture, and critical wetland habitat on four large ranches encompassing nearly 7,000 acres and 13 miles of stream along San Luis Creek and tributaries with voluntary conservation easement (CE) agreements. CWCB funds will be used for CE purchases on two ranches, pay for transaction costs associated with CE's on another two ranches, and support sage grouse habitat restoration and improvement on newly conserved lands. All four ranches are likely or actual acquisition targets for Renewable Water Resources, a company aiming to export water from the San Luis Valley despite fierce local opposition. Protecting all four properties and their water is more urgent than ever given the renewed threat of export. Two of these ranches are under high development pressure and are regularly used by the highly vulnerable Poncha Pass population of Gunnison Sage-grouse. The other two ranches are next to the Baca National Wildlife Refuge and will add to a landscape-scale network of conserved grasslands and playa wetlands. The Rio Grande Headwaters Land Trust and partners have already secured over \$2 million in matching funds, and the landowners are expected to donate an additional \$2.8 million in conservation value.

Measurable Results

	New Storage Created (acre-feet)
	New Annual Water Supplies Developed or Conserved (acre-feet), Consumptive or Nonconsumptive
	Existing Storage Preserved or Enhanced (acre-feet)
	New Storage Created (acre-feet)
64,600	Length of Stream Restored or Protected (linear feet)
	Efficiency Savings (dollars/year)
	Efficiency Savings (acre-feet/year)
7,000	Area of Restored or Preserved Habitat (acres)
	Quantity of Water Shared through Alternative Transfer Mechanisms or water sharing agreement (acre-feet)
	Number of Coloradans Impacted by Incorporating Water-Saving Actions into Land Use Planning
	Number of Coloradans Impacted by Engagement Activity

Water Project Justification

The project supports many goals in the Water Plan (WP) and draft Rio Grande BIP update:

- WP (10-10): "Maintain [...] agricultural productivity, support of rural economies"
- WP (10-12): "Promote restoration, recovery, and resiliency of endangered, threatened, and imperiled aquatic and riparian dependent species..."
- WP (10-12): "Protect, maintain, and improve conditions [...] to promote [...] functional riparian and wetland habitat"
- WP (8-13): The project opposes efforts to implement a new TMD that does not meet Conceptual Framework Principles 1, 2, 3, 6, or 7
- BIP (V1, 7): "Increased pressure for transbasin water exports" is a major cross-sector challenge
- BIP (V1, 7): The project conserves and improves habitat for three water dependent species under the ESA
- BIP (V1, 39): The project is similar to Conejos Ranchland Initiative IPP but on San Luis Creek
- BIP (V1 8, 13, 18, 20; V2 66, 92): Conservation easements noted as beneficial to agriculture and environment goals

Related Studies

The activities in the SLCCP project are supported by numerous plans or studies:

- Resolutions by Rio Grande Water Conservation District and 60 partners opposing Renewable Water Resources export scheme
- The SLV Development Resources Group has found irrigated agriculture and related jobs is about a third of the SLV's regional economy.
- CEs are a priority activity in both the USFWS Draft Recovery Plan for Gunnison Sage-grouse and local Poncha Pass Gunnison Sage-grouse Conservation Plan.
- The Colorado Natural Heritage Program described area wetlands as "unique" and "top priorities in any protection plans for Saguache County."
- The SLV Wetland and Wildlife Conservation Assessment found wetlands near Baca NWR are in sharp decline; SLCCP will conserve 2,000 acres of resilient, irrigated wet meadows.
- SLCCP is match for important conservation on Baca NWR, including restoration of 7 stream miles with native Rio Grande Sucker and Chub and enhancement of 3,000 acres of playa wetlands.

Taxpayer Bill of Rights

TABOR does not create issues for this project.

Budget and Schedule

This Statement of Work shall be accompanied by a combined Budget and Schedule that reflects the Tasks identified in the Statement of Work and shall be submitted to CWCB in excel format.

Reporting Requirements

Progress Reports: The applicant 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.

Final Report: At completion of the project, the applicant shall provide the CWCB a Final Report on the applicant's letterhead that: (1) Summarizes the project and how the project was completed. (2) Describes any obstacles encountered, and how these obstacles were overcome. (3) Confirms that all matching commitments have been fulfilled. (4) Includes photographs, summaries of meetings and engineering reports/designs. The CWCB will pay out the last 10% of the 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 purchase order or grant will be closed without any further payment.

Payment

Payment will be made based on actual expenditures and must include invoices for all work completed. 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. Costs incurred prior to the effective date of this contract are not reimbursable. The last 10% of the entire grant will be paid out when the final deliverable has been received. All products, data and information developed as a result of this contract must be provided to as part of the project documentation.

Performance Measures

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 the Budget & Schedule Exhibit B. Per Water Plan Grant Guidelines, the CWCB will pay out the last 10% of the 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 purchase order or grant will be closed without any further payment. (b) Accountability: Per Water Plan 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 Water Plan 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.



Last Updated: May 2021

Colorado Water Conservation Board

Water Plan Grant – Statement of Work – Exhibit A

Statement Of Work

Date:	11.24.21
Name of Grantee:	Rio Grande Headwaters Land Trust
Name of Water Project:	San Luis Creek Conservation Partnership
Funding Source:	Water Plan

Water Project Overview:

With this San Luis Creek Conservation Partnership proposal (SLCCP), Rio Grande Headwaters Land Trust (RiGHT), Colorado Cattlemen’s Agricultural Land Trust (CCALT), and The Trust for Public Land (TPL) will conserve four large working ranches with priority water rights and water dependent wildlife habitat totaling nearly 7,000 acres along San Luis Creek. These lands and the associated water rights will be protected with voluntary conservation easements (CEs) between the landowners, RiGHT, and CCALT. The SLCCP adds to one of the most important watershed-scale conservation projects in Colorado history: the expansion of Great Sand Dunes National Park and Preserve and creation of the Baca National Wildlife Refuge.

Unfortunately, the landscape along San Luis Creek is threatened by rapid change. With cattle profits low and little other industry in the area, the northeast corner of Saguache County is economically depressed. A company called Renewable Water Resources (RWR) is trying to capitalize on the desperation by purchasing water rights for over 30,000 acre-feet of water for use in a new trans-mountain diversion exporting water from the Rio Grande basin to the urban Front Range. Two of the ranches in this proposal were specifically targeted for acquisition by water speculators and fortunately were purchased by individuals committed to land and water conservation instead. Just an easy 15-minute drive away in Chaffee County, land prices have skyrocketed to 10 times the market along San Luis Creek. With the huge disparity in value, the area is now attracting significant attention for rural subdivision. While ranchers have resisted selling to exporters and developers in the past, times are harder now and agricultural producers are aging. The SLCCP is a timely effort to provide an alternative for folks who do not want to sell their water to the Front Range or land for second homes.

The SLCCP proposal is especially urgent because all four ranches and water rights are buy-and-dry targets for Renewable Water Resources, a company aiming to export water from the basin despite fierce local opposition. Two of the ranches to be conserved by this proposal were approached by RWR either for purchase or lease (further described in ‘Tasks’ below). The other two ranches are adjacent to RWR headquarters and own over 3,500 acre-feet per year in surface and ground water rights that would be highly valuable for augmentation.



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This proposal not only protects these four ranches, by making water export more difficult, it helps to sustain all irrigated agriculture in the San Luis Valley (SLV). Keeping water in the SLV is the lifeblood of the community and regional economy. According to the San Luis Valley Development Resources Group, irrigated agriculture is the Valley's largest supplier of basic income and largest source of employment. Local opposition to RWR is near absolute. Despite being offered millions of dollars to support RWR, the Rio Grande Water Conservation District voted overwhelmingly to reject their plan. The Conservation District lists 60 partners in opposition, with every major town in the Valley, every water users' association, and 24 conservation organizations from across the political spectrum joining the fight.

SLCCP also protects significant habitat for water-dependent wildlife. The two conservation projects to the north, Lone Tree Ranch and Slash LD Ranch, are occupied habitat for Gunnison Sage-grouse (GSG). Slash LD Ranch is within a half mile of the only established GSG lek in the SLV. These two ranches are located within minutes of very significant land development in neighboring Chaffee County and would be prime targets for subdivision that would risk extirpating the small Poncha Pass GSG population. Conserving existing sage grouse habitat with conservation easements, especially properties near leks, is a priority action in the USFWS Draft Recovery Plan for GSG and the highest priority in the locally-developed Poncha Pass GSG Conservation Plan. As part of this proposal, the partners will commit to developing habitat management plans and implementing restoration projects for the GSG. RiGHT will lead this effort on the two properties because of its local staff presence with experience in riparian restoration.

Further south Chokurei Ranch and the Albert Ranch also have special conservation importance. The 4,700 acres of CEs are adjacent to one another and to the Baca National Wildlife Refuge. These two ranches have over 2,500 acres of wetlands within an area of importance to migratory birds, especially shorebirds who rely on shallow flooded meadows and playa wetlands. The Colorado Natural Heritage Project has described these habitats as "a unique landscape in the Southern Rocky Mountain Ecoregion" and "top priorities in any protection plans for Saguache County." The North American Waterbird Conservation Plan and Shorebird Conservation Plan both recognize the SLV as one of the most significant areas regionally for sustaining migratory bird populations, and both plans identify competition for water resources, like water export for urban development, as the main threat to water-dependent bird habitat. The SLV Wetland and Wildlife Conservation Assessment found that the San Luis Creek corridor has the sharpest decline in wetland habitat of any area of the SLV. The SLCCP proposal will conserve highly resilient wetlands sustained by flood irrigation with reliable water rights in the area.

Finally, the proposal is urgent because of its match funding. RiGHT and partners have secured over \$1.5 million in cash match for the proposal. Much of this match is from two North American Wetland Conservation Act grants. The Upper San Luis Valley NAWCA grant is within a year and a half of closing, and RiGHT still needs to raise approximately \$250,000 in cash match. The Upper San Luis Valley NAWCA funded tremendous conservation on the Baca NWR, including a 130 acre publicly accessible expansion of the Refuge, restoration of 7 miles of stream with genetically pure Rio Grande Sucker and Chub (native fish petitioned for listing under the Endangered Species Act), and enhancement of 3,000 acres of playa wetlands. If RiGHT is unable to meet match requirements, this type of public-private NAWCA partnership will become much more difficult in the future.

Because of a strong partnership between local, state, and national conservation organizations,



Last Updated: May 2021

the SLCCP will conserve almost 7,000 acres of land, 13 miles of stream, and over 5,000 acre feet annually of water rights along San Luis Creek. With this proposal and future planned work in the area, the partners can help prevent water export to sustain the regional agricultural economy and protect the largely undeveloped San Luis Creek watershed for future generations to enjoy.

Project Objectives:

1. In partnership with CCALT and TPL, conserve four identified ranches and associated high-importance water rights totaling approximately 7,000 acres and 13 miles of stream along San Luis Creek and tributaries.
2. Support creation of habitat management plans for GSG on the Lone Tree and Slash LD ranches.
3. Implement at least two on-the-ground habitat restoration projects for GSG on the Lone Tree and/or Slash LD ranches.

Tasks

Task 1 – Chokurei Conservation Easement

Description of Task:



Last Updated: May 2021

RiGHT will protect approximately 2,000 acres of the Chokurei Ranch. The property neighbors the Baca NWR and is approximately 50% wetlands as delineated by the National Wetland Inventory. The Chokurei Ranch is a productive ranch, raising grass hay and yak for specialty meats and other animal products. Both the wetland habitat and agricultural production is sustained by its excellent water rights from two major artesian wells, which typically run over 1,000/gpm, along with substantial but junior surface water rights. The property is adjacent to the RWR headquarters property, and the threat of export along with significant new groundwater withdrawals nearby is a primary motivating reason for the landowner to conserve his ranch.

Method/Procedure:

If the SLCCP is funded, all necessary funding will be secured and RiGHT will move to the due diligence phase of the acquisition process. CWCB funds will contribute to the 'bargain sale' purchase of the conservation easement. RiGHT will follow all necessary procedures for its CE program, which has received accreditation by the national Land Trust Alliance, as well as all requirements of NAWCA, NFWF, and CWCB. The due diligence process on a fundraised CE typically takes between 12 and 18 months. RiGHT would expect to close in early 2023.

Deliverable:

The deliverable will be a recorded conservation easement on the identified property. RiGHT will also deliver all due diligence items required by CWCB.

Tasks

Task 2 – Lone Tree Conservation Easement



Last Updated: May 2021

Description of Task:
<p>RiGHT will permanently conserve the entire 653 acre Lone Tree Ranch. CWCB funds will be used to pay for transaction costs associated with completion of the CE. The Lone Tree Ranch was formerly owned by Gary Boyce and American Water Development, Inc., predecessors to the current RWR, likely to be used as a base of operations and compressor station for a water export pipeline. The property is the last easily accessible, large private land parcel prior to a geographic feature and sensitive wetlands that would complicate pipeline construction. The current landowners both own neighboring small homesite parcels (<35 acres) and were able to purchase the property soon after Boyce's death and prior to RWR forming. They have been approached by RWR to acquire the ranch in the past 6 months and are choosing to conserve it instead.</p> <p>Beyond its importance to RWR, the Lone Tree Ranch is an high priority conservation project for RiGHT because of its habitat and connectivity to public lands on Poncha Pass. The property is habitat used by the Poncha Pass population of Gunnison Sage-grouse (likely < 50 individuals), which is a federally threatened wetland and riparian-dependent species. If the population were able to expand, the Lone Tree Ranch would likely see an increase in GSG use because it is ideal habitat. The landowners are enthusiastic about protecting and enhancing GSG habitat. The property does not have water rights but does have a temporary storage pond and stretches of three perennial creeks that are tributary to San Luis Creek.</p>
Method/Procedure:
<p>If the SLCCP is funded, all necessary funding will be secured and RiGHT will move to the due diligence phase of the acquisition process. RiGHT will follow all necessary procedures for its CE program, which has received accreditation by the national Land Trust Alliance, as well as all requirements of the NRCS and CWCB. NRCS conservation easement due diligence can be cumbersome; however, Lone Tree is a high priority project for RiGHT. In addition, a draft appraisal has already been completed. Because of these factors, RiGHT would expect to close in late 2022 with a 2023 closing a possibility as well.</p>
Deliverable:

Last Updated: May 2021

The deliverable will be a recorded conservation easement on the identified property. RiGT will also deliver all due diligence items required by CWCB.

Tasks
Task 3 – Slash LD Conservation Easement
Description of Task:
<p>The Trust for Public Land (TPL) will bargain sale purchase a perpetual CE to be held by the Colorado Cattlemen’s Agricultural Land Trust (CCALT) on the entire 1,580-acre Slash LD Ranch in Saugache County, Colorado. CWCB funds will contribute to the ‘bargain sale’ purchase of the conservation easement. TPL will lead on the project and the transaction overall, with CCALT as a partner and the long-term holder and steward of the CE. The ranch includes significant stretches of San Luis Creek, Neiland Creek, and Rock Creek. More than half of the ranch (approximately 884-acres) is classified as wetland habitat based on National Wetlands Inventory (NWI) data.</p> <p>Water speculators have long tried to acquire the extensive water rights on the Slash LD Ranch, particularly the water storage rights, which are rare in the area. The ranch can divert approximately 25 cfs from San Luis Creek and tributaries, with approximately half of this water being senior, and has an adjudicated off-channel irrigation pond. Working together with a local, conservation-minded ranch family, TPL was able to acquire the Slash LD Ranch despite RWR also attempting to purchase the property. Acquiring storage rights on San Luis Creek is likely critical to RWR’s ability to augment new groundwater pumping within the watershed because depletions will need to be replaced predictably.</p> <p>Slash LD is also an extremely important property for the Poncha Pass GSG. The ranch is within a half-mile of the only established lek for the population. Lek sites are extremely sensitive. If the site is disturbed by human development, the entire Poncha Pass population is at risk of extirpation. Recently biologists were able to confirm a sighting of a GSG with a successful brood of chicks on the ranch and nearby, which was the first sighting of a mother and chicks in several years.</p>



Last Updated: May 2021

Method/Procedure:

TPL will be the project lead on this conservation project with CCALT receiving and stewarding the conservation easement long-term. If the SLCCP is funded, all necessary funding will be secured and TPL will move to the due diligence phase of the CE acquisition process. The water rights due diligence portion of this acquisition is expected to be particularly intensive because of the value of the storage rights associated with the property. Appraisal costs especially will be significantly higher than typical CE transactions, as the surface water and water storage rights are complex and will require TPL to engage both CE and Water Appraisers in order to establish an accurate picture of the fair market value of the project. TPL will follow all acquisition procedures required by NAWCA, CWCB, and CCALT.

Deliverable:

The deliverable will be a recorded conservation easement on the identified property. RiGHT will also deliver all due diligence items required by CWCB after completion by TPL.

Tasks

Task 4 – Albert Conservation Easement

Description of Task:

CCALT will conserve all 2,700 acres of the Albert Ranch with a fully donated conservation easement. CWCB funds will be used to pay for transaction costs associated with completion of the CE. The large ranch property has approximately 1,000 acres of flood irrigation supported by extensive water rights from both Rito Alto and San Luis Creek. During typical runoff seasons, the ranch diverts between 15-20 cfs and more than double that amount during peak runoff. There is also a smaller, more consistent supply of relatively senior surface water. The ranch is a family-owned beef cattle operation with the family tracing its history in the area back to 1870's.

The ranch shares many characteristics with the neighboring Chokurei Ranch, which will also be conserved as part of this overall partnership. Specifically, the ranch has wet meadow and playa-type wetlands of significant importance to water-dependent migratory birds. Playa-type wetlands are at extreme risk both in the SLV and regionally because they tend to occur at the hydrologic bottom of closed basin stream systems. As water resources are stressed in the SLV and across the West, playas are among the first habitat types to suffer from dewatering.



Last Updated: May 2021

Method/Procedure:

If the SLCCP is funded, CCALT will start the due diligence phase of the acquisition process. CWCB funds will contribute to offsetting transaction costs associated with donations of the conservation easement. CCALT will follow all necessary procedures for its CE program, which has received accreditation by the national Land Trust Alliance, as well as all requirements of CWCB. The due diligence process on a donated CE typically takes between 9 and 12 months. CCALT would expect to close in late 2022 if the project is funded.

Deliverable:

The deliverable will be a recorded conservation easement on the identified property. RiGHT will also deliver all due diligence items required by CWCB after completion by CCALT.

Tasks

Task 5 – GSG Habitat Restoration

Description of Task:

Experienced RiGHT staff and independent contractors will work with landowners on the Lone Tree and Slash LD ranches to map and understand the Gunnison Sage-grouse habitat on the two conserved ranches. After fieldwork, habitat management plans will be developed with the landowners. Finally, based on the results of the planning, at least two restoration projects will be developed, fundraised for, and completed on the properties. CWCB funds will support both the planning and restoration project phases.

The independent contractors to be used are expected to be Wetland Dynamics, LLC, who have worked on past CWCB-funded projects in the SLV. In addition the owners of Wetland Dynamics have been involved in planning efforts to protect and increase the Poncha Pass GSG population for over a decade. They are among a small handful of people who have researched the Poncha Pass GSG and we highly-involved in developing the local Poncha Pass GSG Conservation Plan.



Last Updated: May 2021

RiGHT staff will primarily manage this project because it will require a significant amount of time on-the-ground and neither TPL nor CCALT have dedicated conservation staff in the area. The three organizations have collaborated for years and are excited to expand the partnership into RiGHT assisting with land stewardship projects on CCALT-conserved properties.

Method/Procedure:

Habitat management plans will be developed according to best practices, which are commonly available since GSG's proposed listing, and will seek to maintain or improve habitat while sustaining the existing agricultural productivity of the ranches. RiGHT staff and contractors will collaborate on the development of the plans, assigning tasks according to organizational strengths. This phase of the project is expected to take 9 to 12 months.

Restoration projects will be developed during the habitat management planning process. Projects will focus on improving wet meadow and riparian areas adjacent to sage uplands, which are the most critical habitat types for GSG. Examples of possible projects include: small-scale stream restoration, road realignment, fencing realignment and/or construction of wildlife-friendly fence, and flood irrigation structure improvements. RiGHT will hire local contractors to complete most of the work. Volunteers and/or youth crews may be used for aspects of the projects if appropriate to save cost and engage the public. Completion of restoration projects will take an additional 9 to 15 months, largely depending on the appropriate season for the project.



Last Updated: May 2021

Deliverable:

First, RiGHT will deliver complete, signed habitat management plans for both the Lone Tree and Slash LD ranches along with supporting documentation like photos, maps, etc.

Second, RiGHT will complete and regularly report on restoration project progress. A final report will be submitted with documentation of the process, before/after photos, lessons learned, etc.

Budget and Schedule

This Statement of Work shall be accompanied by a combined Budget and Schedule that reflects the Tasks identified in the Statement of Work and shall be submitted to CWCB in excel format.

Reporting Requirements

Progress Reports: The applicant 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.

Final Report: At completion of the project, the applicant shall provide the CWCB a Final Report on the applicant'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.

The CWCB will pay out the last 10% of the 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 purchase order or grant will be closed without any further payment.

Payment

Payment will be made based on actual expenditures and must include invoices for all work completed. 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.

Costs incurred prior to the effective date of this contract are not reimbursable. The last 10% of the entire grant will be paid out when the final deliverable has been received. All products, data and information developed as a result of this contract must be provided to as part of the project documentation.



Last Updated: May 2021

Performance Measures

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 C. Per Grant Guidelines, the CWCB will pay out the last 10% of the 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 purchase order or grant will be closed without any further payment.

(b) Accountability: Per 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 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.



COLORADO

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Water Plan Grant - Exhibit C Budget and Schedule

Prepared Date: 11/29/21

Name of Applicant: Rio Grande Headwaters Land Trust

Name of Water Project: San Luis Creek Conservation Partnership

Project Start Date: 4/1/22

Project End Date: 12/31/24

Task No.	Task Description	Task Start Date	Task End Date	Grant Funding Request	Match Funding	Total
1	Chokurei Conservation Easement Acquisition	4/1/2022	Q2 2023	\$ 150,000	\$ 1,265,000	\$1,415,000
2	Lone Tree Conservation Easement Acquisition	4/1/22	Q1 2023	\$ 25,000	\$ 1,227,500	\$1,252,500
3	Slash LD Conservation Easement Acquisition	4/1/22	Q4 2023	\$ 200,000	\$ 975,000	\$1,175,000
4	Albert Ranch Conservation Easement Acquisition	4/1/22	Q4 2023	\$ 25,000	\$ 1,237,050	\$1,262,050
5	Habitat Restoration	7/1/22	Q4 2024	\$ 50,000	\$ 125,000	\$175,000
Total				\$450,000	\$4,829,550	\$5,279,550



November 29, 2021

Colorado Water Conservation Board
1313 Sherman Street, Room 718
Denver, CO 80203

Re: Support for the San Luis Creek Conservation Partnership

Colorado Water Conservation Board:

The Trust for Public Land (TPL) is excited to be a part of the San Luis Creek Conservation Partnership project in partnership with the Rio Grande Headwaters Land Trust (RiGHT) and the Colorado Cattleman's Agricultural Land Trust (CCALT). This collaborative project, which aims to protect nearly 7,000 acres of land, and 13 miles of stream along San Luis Creek and its tributaries, is of critical importance to maintain agricultural productivity in the area, conserve essential Sage-grouse habitat, and protect vital water resources from export out of the San Luis Valley.

TPL's involvement in the partnership is with managing the conservation easement acquisition on the /LD Ranch. Preserving the ranch and its extremely valuable irrigation and storage water rights is critical to the sustainability of agricultural operations and wildlife populations throughout the area, as the ranch has already been targeted by water speculators. Fortunately the landowners are committed to working with TPL and CCALT to preserve the /LD ranch and its water rights, ensuring that the ranch stays in productive agriculture while providing important natural habitat in perpetuity.

The partnership also continues over two decades of work by TPL and CCALT in the San Luis Valley. Together we have preserved 25 working ranches totaling over 20,000-acres along the Saguache Creek Corridor. Nearly the entire working landscape along the corridor stretching more than 20 miles west from the Town of Saguache has been protected, allowing TPL and CCALT to begin working to protect working lands to the east like the /LD Ranch.

We hope the Colorado Water Conservation Board will support this project to help ensure healthy, livable communities in Colorado's San Luis Valley.

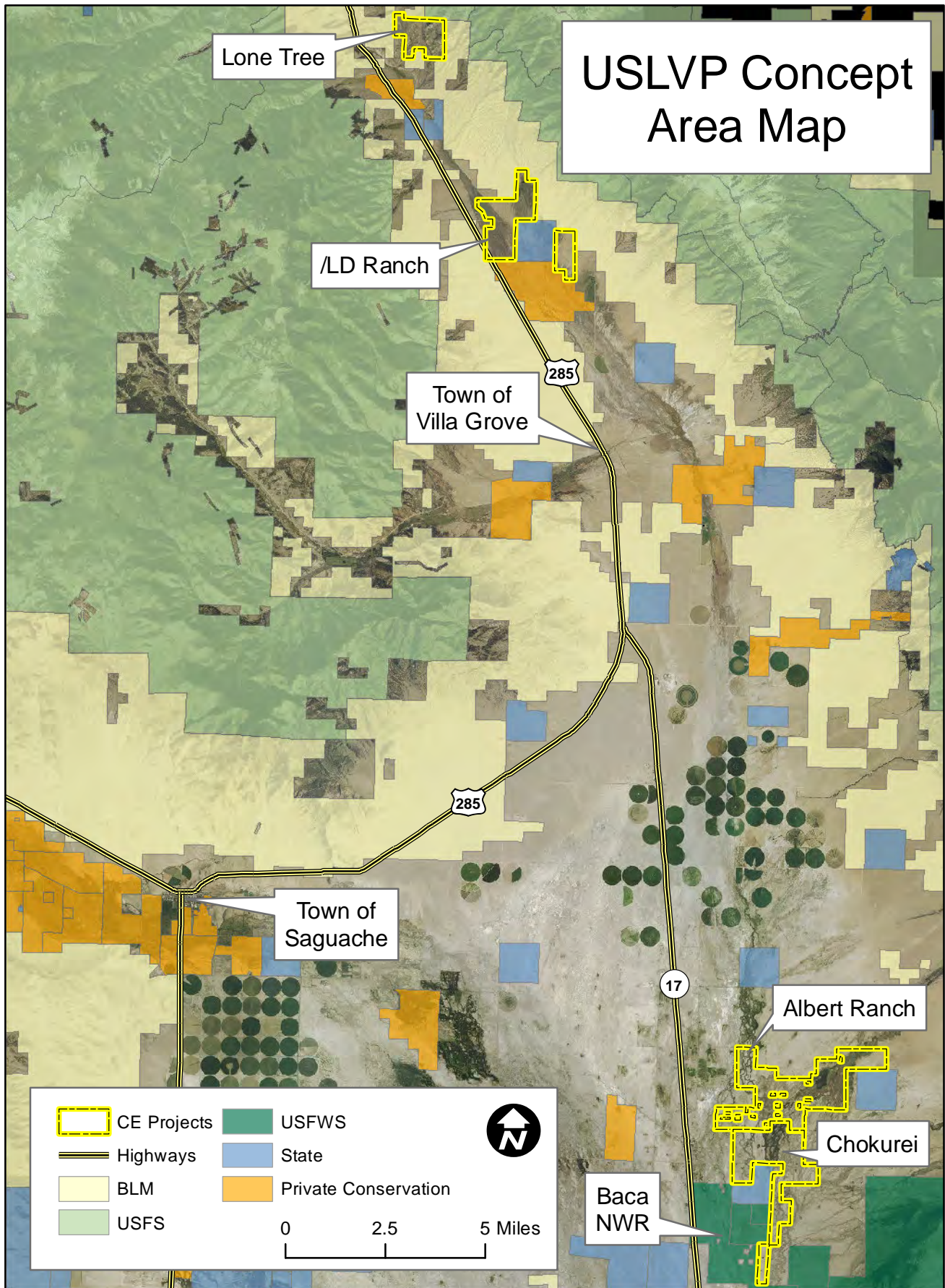
Sincerely,

A handwritten signature in blue ink, appearing to read "Wade Shelton".

Wade Shelton
Senior Project Manager
The Trust for Public Land

**Southwest &
Colorado Program**
1410 Grant Street
Suite D210
Denver, CO
80203
T: 303.837.1414
F: 303.837.1131
tpl.org

USLVP Concept Area Map





November 29, 2021

Colorado Water Conservation Board
1313 Sherman Street, Room 718
Denver, CO 80203

Re: Support for the San Luis Creek Conservation Partnership

To Whom It May Concern:

Colorado Cattleman's Agricultural Land Trust (CCALT) is thrilled to be a part of the San Luis Creek Conservation Partnership project in partnership with The Trust for Public Land and the Rio Grande Headwaters Land Trust (RiGHT). This collaborative project, which aims to protect nearly 7,000 acres of land, and 13 miles of stream along San Luis Creek and its tributaries, is of critical importance to maintain agricultural productivity in the area, conserve essential Sage-grouse habitat, and protect vital water resources from export out of the San Luis Valley. CCALT's involvement in the partnership with managing the conservation easement acquisition on the Albert Ranch, partnering with TPL on the conservation of the Slash LD Ranch, as well as collaborating with RiGHT on Sage-grouse habitat restoration projects is at the heart of the work we do to conserve Colorado's western heritage and working landscapes for the benefit of future generations. CCALT has partnered with multiple landowners to conserve 29,500 acres in Saguache County, including ranches along San Luis Creek.

We hope the Colorado Water Conservation Board will support this project to positively impact an increasingly important landscape in Colorado's San Luis Valley.

Thank you.
Sincerely,

Molly Fales

Director of Transactions
Colorado Cattleman's Agricultural Land Trust



December 13, 2019

Mr. Allen Law
Executive Director
Rio Grande Headwaters Land Trust
P.O. Box 444
Del Norte, CO 81132

Dear Mr. Law:

I am pleased to inform you that the trustees of the Gates Family Foundation adopted a resolution during their December 2019 meeting that provides for the following commitment:

To Rio Grande Headwaters Land Trust:

Be it resolved that the Gates Family Foundation make a commitment of up to \$2 million over five years to support the Rio Grande Headwaters Focus Landscape.

The accompanying grant agreement will serve as the agreement for all transactions completed under the Rio Grande Headwaters Focus Landscape. We have implemented the use of DocuSign to secure grant agreement signatures. Please contact Lisa Rucker at 303-316-3018 should you have any questions completing the grant agreement. Additionally, please review the attached document that provides the reporting requirements for this grant.

Sincerely,

A handwritten signature in black ink, appearing to read 'Russell T. Schnitzer', written over a light blue horizontal line.

Russell T. Schnitzer
Senior Program Officer

Enclosures
4625-1911



REPORTING REQUIREMENTS

Interim reports

Gates Family Foundation grantees are responsible for reporting to the Foundation on an interim basis through narrative and financial reports.

Please submit interim reports by/on: End of each calendar year beginning in 2020 and extending through 2024

The narrative and financial reports are the Foundation's means of staying informed about your project. Financial reports should include a copy of the most recent audited financial statements. The interim narrative report should include the following:

1. NOTABLE ACCOMPLISHMENTS *(Write a brief summary of the most significant accomplishments of the project to date.)*

2. UNANTICIPATED DEVELOPMENTS or CHALLENGES *(Describe any factors that have contributed to or impeded the success of the project to date and explain the effect on the proposed goals and timeline.)*

3. OTHER SOURCES OF FUNDING SINCE GFF AWARD *(Describe additional funding you have received during the current reporting period from other private and public sources for the project GFF is supporting. Please include each funder's name, the amount provided and date of the award.)*

4. OTHER COMMENTS:

Email your report forms and other documents to:

rschnitzer@gatesfamilyfoundation.org

If you are unable to submit by email, send your report and documents to:

Gates Family Foundation
1390 Lawrence Street, Suite 400
Denver, CO 80204



Final reports

In the narrative, please include the activities and accomplishments for the entire grant period. In the financial report, grantees must provide the total final project cost and indicate total funding raised for the project. Please notify the Foundation of changes to the project timeline, as timeline changes will affect reporting requirement dates.

Please submit a final report by: 5/31/2025

1. COMPLETION OF PROJECT DELIVERABLES:

Goals of Grant:

Metrics of Success:

Other project components of interest:

2. LESSONS LEARNED: *(Summarize what the key personnel have learned in implementing the project. In hindsight, would the project's team have changed the design of the grant, goals, timeline, personnel, and if so, how?)*

3. NEXT STEPS: *(Describe the future plans for this project/program.)*

4. OTHER COMMENTS:

Email your report forms and other documents to:

rschnitzer@gatesfamilyfoundation.org

If you are unable to submit by email, send your report and documents to:

Gates Family Foundation
1390 Lawrence Street, Suite 400
Denver, CO 80204

August 16, 2021

Hello RiGHT Team!

Congratulations! The Lone Tree Ranch LLC parcel (#548B05211NH) has passed the required internal controls reviews and the parcel contract has been prepared for your review and signature. The parcel contract will be covered under your existing ACEP-ALE Program Agreement #548B05211MS. Your program agreement is still being routed through the NRCS approval process at the State level. Final approval of this parcel contract is contingent upon approval and full execution of the program agreement, a copy of which will be sent to you once completed.

Please carefully review all the documents before signing. Please do not make any changes to contents of the documents. If you feel modifications are needed or if you have any questions, please contact me before you sign. When all has been resolved, please sign/date/initial as instructed below. Please remember that all must be “wet signatures;” we cannot accept electronic signatures of any kind at this time. **Please return the documents by Friday, 08/27/2021 so that the funds can be accepted and obligated.**

1. **NRCS-CPA 1265**: Sign and date at the bottom of Page 1 as the “Authorized Representative”
2. **NRCS-CPA-1265 Appendix**: Sign and date on the first line under the “ELIGIBLE ENTITY” heading on Page 8
3. **NRCS-CPA-1266**: Sign and date as the “Lead Eligible Entity” under the “Certification of Participants” heading on Page 2

******Please note that this parcel contract is not finalized and official until obligated. After I receive the signed documents, I will send them to the State Conservationist for approval. If approved, the parcel contract will be obligated. Please be aware that you should not perform any activities related to the acquisition of this parcel until you receive notification from me that the Federal funds have been obligated.******

IMPORTANT PARCEL CONTRACT CONSIDERATIONS:

Additional Parcel Contract Resources

Additional resources are available to you to ensure understanding of and compliance with the contractual obligations and ACEP policy throughout the transaction. Please [visit this public Box.com link](#) for required documentation, checklists, and other resources for eligible entities. This Box folder may be updated periodically to include more resources for your benefit, so please save the link and check back regularly. If there are any other resources you would like to see developed, please contact Heather Foley at heather.foley@usda.gov or Laura Trimboli at laura.trimboli@usda.gov.

Subdivisions and Building Envelopes

Due to changes in our internal processes last year, we did not evaluate proposed subdivision rights as we have traditionally in Colorado. We required submission of additional information at application on subdivisions, which allowed us to preliminarily evaluate the proposed subdivisions for their individual eligibility for ALE. The same was done for building envelopes and building rights. Any

subdivisions and building envelopes proposed at the time of application or any changes thereafter will be officially reviewed and approved/disapproved at the time the draft conservation easement deed is submitted to NRCS. All subdivisions must individually meet the original land eligibility requirements and ACEP regulation and policy. Approval is not guaranteed.

Environmental and Title Concerns

NRCS is required to obtain an environmental records database search report as a part of the limited phase-I evaluation. These reports can be gathered before or after obligation. In this case, the report will be ordered after obligation. NRCS will review the report for any additional environmental hazards. As a part of the title review, NRCS will also conduct a follow-up site visit to confirm existence of environmental and title concerns in the field with the landowner. Any If any are identified, they must be addressed to the satisfaction of NRCS before closing or payment will be authorized. Depending on the identified concerns and at their own cost, the eligible entity and landowner may also be required to obtain a full phase-I environmental site assessment to fully determine continued eligibility for the program and the landowner may be required to clean up or resolve any outstanding issues. Additional NRCS site visits or other documentation may be required to ensure requirements have been met.

Changes to the Funded Parcel

It is expected that the enrollment will remain as it was submitted (also considering subsequent application revisions) unless there are changes beyond anyone's control, such as from a findings as a result of a legal boundary survey. Any changes from the time of application are not guaranteed to be approved. If any changes are anticipated, we recommend that you reach out to us as soon as you become aware. Changes not only include requested reserved rights, but also include changes to land use or cover, title matters (recorded and unrecorded), landownership, hazardous materials issues, and any other matters affecting the parcel. Changes may require a modification to the parcel contract documented on a fully executed form NRCS-CPA-1267 before closing or payment. Please see your Program Agreement exhibits for an example copy of this form.

Thanks,

Heather Foley

Easements Program Manager – Acquisition
Hispanic Emphasis Program Manager
Colorado State Office
USDA Natural Resources Conservation Service
Phone: (720) 544-2805
Email: heather.foley@usda.gov
[Colorado NRCS Easements Website](#)

1. DATE ISSUED MM/DD/YYYY 03/23/2020		1a. SUPERSEDES AWARD NOTICE dated except that any additions or restrictions previously imposed remain in effect unless specifically rescinded	
2. CFDA NO. 15.623 - North American Wetlands Conservation Fund			
3. ASSISTANCE TYPE Project Grant			
4. GRANT NO. F20AP00314-0000 Originating MCA #		5. TYPE OF AWARD Other	
4a. FAIN F20AP00314		5a. ACTION TYPE New	
6. PROJECT PERIOD MM/DD/YYYY From 03/23/2020		Through MM/DD/YYYY 03/23/2023	
7. BUDGET PERIOD MM/DD/YYYY From 03/23/2020		Through MM/DD/YYYY 03/23/2023	

NOTICE OF AWARD



AUTHORIZATION (Legislation/Regulations)

North American Wetlands Conservation Act, Public Law 101-233, as amended, 16 U.S.C. 4401.

8. TITLE OF PROJECT (OR PROGRAM)
Funds under this award are to be used to protect through fee and easement acquisition 5,067 acres, restore 3,471.2 acres and enhance 199 acres of wetlands and surrounding uplands. The purposes of this award is to protect, restore and enhance 8,737.2 acres of wetlands and associated uplands for the

9a. GRANTEE NAME AND ADDRESS RIO GRANDE HEADWATERS LAND TRUST 840 GRAND AVE DEL NORTE, CO 81132-2208	9b. GRANTEE PROJECT DIRECTOR UNKNOWN UNKNOWN [NOT KNOWN], 26
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10a. GRANTEE AUTHORIZING OFFICIAL UNKNOWN UNKNOWN [NOT KNOWN], 26	10b. FEDERAL PROJECT OFFICER Kari Duncan
--	---

ALL AMOUNTS ARE SHOWN IN USD

11. APPROVED BUDGET (Excludes Direct Assistance)		12. AWARD COMPUTATION	
I Financial Assistance from the Federal Awarding Agency Only		a. Amount of Federal Financial Assistance (from item 11m) \$ 1,000,000.00	
II Total project costs including grant funds and all other financial participation		b. Less Unobligated Balance From Prior Budget Periods \$ 0.00	
		c. Less Cumulative Prior Award(s) This Budget Period \$ 0.00	
		d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION \$ 1,000,000.00	
		13. Total Federal Funds Awarded to Date for Project Period \$ 1,000,000.00	
		14. RECOMMENDED FUTURE SUPPORT (Subject to the availability of funds and satisfactory progress of the project):	
		YEAR TOTAL DIRECT COSTS YEAR TOTAL DIRECT COSTS	
		a. \$ b. \$ c. \$ d. \$ e. \$ f. \$	
		15. PROGRAM INCOME SHALL BE USED IN ACCORD WITH ONE OF THE FOLLOWING ALTERNATIVES:	
		a. DEDUCTION b. ADDITIONAL COSTS c. MATCHING d. OTHER RESEARCH (Add / Deduct Option) e. OTHER (See REMARKS)	
		16. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY, THE FEDERAL AWARDOING AGENCY ON THE ABOVE TITLED PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:	
		a. The grant program legislation b. The grant program regulations. c. This award notice including terms and conditions, if any, noted below under REMARKS. d. Federal administrative requirements, cost principles and audit requirements applicable to the grant.	
		In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall prevail. Acceptance of the grant terms and conditions is acknowledged by the grantee when funds are drawn or otherwise obtained from the grant payment system.	

REMARKS (Other Terms and Conditions Attached - ☒ Yes ☐ No)
ADMINISTRATIVE LOAD COPY, NOT THE OFFICIAL AWARD DOCUMENT. ANY NON_FEDERAL AMOUNT IN THE BUDGET MAY BE FUNDED BY FUTURE FEDERAL FUNDS.

GRANTS MANAGEMENT OFFICIAL:

Kari Duncan

Phone: 7033582464

17. VENDOR CODE			18. DUNS			19. CONG. DIST.
0070253590			022894955			CO-03
LINE#	FINANCIAL ACCT	AMT OF FIN ASST	START DATE	END DATE	TAS ACCT	PO LINE DESCRIPTION
10	20201033-10	\$1,000,000.00	03/23/2020	03/23/2023	5241	Upper San Luis Valley Wetland Protection

9a. GRANTEE NAME AND ADDRESS

RIO GRANDE HEADWATERS LAND TRUST
840 GRAND AVE
DEL NORTE, CO 81132-2208

10a. GRANTEE AUTHORIZING OFFICIAL

ALLEN LAW
P.O. Box 444
Del Norte, CO 81132-2208
Phone: 7196570800

11. APPROVED BUDGET (Excludes Direct Assistance)		II
I Financial Assistance from the Federal Awarding Agency Only		
II Total project costs including grant funds and all other financial participation		
a. Salaries and Wages	\$	0.00
b. Fringe Benefits	\$	0.00
c. Total Personnel Costs	\$	0.00
d. Equipment	\$	0.00
e. Supplies	\$	0.00
f. Travel	\$	0.00
g. Construction	\$	0.00
h. Other	\$	5,252,185.00
i. Contractual	\$	0.00
j. TOTAL DIRECT COSTS	\$	5,252,185.00
k. INDIRECT COSTS	\$	0.00
l. TOTAL APPROVED BUDGET	\$	5,252,185.00
m. Federal Share	\$	1,650,000.00
n. Non-Federal Share	\$	3,602,185.00

REMARKS	(Other Terms and Conditions Attached -	<input checked="" type="radio"/> Yes	<input type="radio"/> No
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GRANTS MANAGEMENT OFFICIAL:
Kari Duncan, FISH AND WILDLIFE ADMINISTRATOR
5275 Leesburg Pike
Falls Church, VA 22041-3803
Phone: 703-358-2464

17. VENDOR CODE 0070253590			18. DUNS 022894955			19. CONG. DIST. 03
LINE#	FINANCIAL ACCT	AMT OF FIN ASST	START DATE	END DATE	TAS ACCT	PO LINE DESCRIPTION
2	0051008446-00010	\$1,650,000.00	04/01/2021	04/01/2024	5029	WATER 4 COLORADO'S SAN LUIS VALLEY I

Dear Sally Wier:

We are pleased to advise you that the Board of Directors of the National Fish and Wildlife Foundation has approved \$100,000.00 for the Chokurei Ranch Conservation Easement project, pending successful completion of our programmatic and fiscal review process. This award is provided on the condition that these funds will be matched by \$320,000.00 in matching contributions raised by Rio Grande Headwaters Land Trust. Project activities initiated or costs incurred prior to the execution of a Grant Agreement are done at the applicant's own risk.

Your award includes U.S. Fish and Wildlife Service (FWS) pass-through funding. All project activities must be reviewed and comply with National Environmental Policy Act (NEPA), Endangered Species Act (ESA), and Section 106 of the National Historic Preservation Act (NHPA). **FWS must review and approve project work prior to its implementation. No on the ground work or activities that have the potential to affect resources protected by these Acts may begin until the Service has reviewed the project, finalized the compliance documents, and notified the NFWF Subrecipient in writing that such work can begin.**

If you haven't started the compliance review process with FWS yet, Stephanie Rickabaugh (fws-nfwf@fws.gov) will be your main point of contact. Please fill out the attached compliance evaluation templates and send them, as well as any questions on the environmental compliance process, to Stephanie Rickabaugh (fws-nfwf@fws.gov) and Margette Bourne (margette.bourne@nfwf.org). These templates assist in FWS's review of your project and help clarify that the financial assistance award between NFWF and FWS was conditioned to include federal NEPA, ESA, and NHPA compliance. If the project activities have already been reviewed for federal compliance by FWS or another federal agency, please inform your FWS contact in writing.

In addition, we ask that you complete the attached Environmental Compliance acknowledgement form stating that you understand your project has this requirement. Please complete and send this form directly to Margette Bourne (margette.bourne@nfwf.org). Your award agreement will not be issued until we have received this form.

NOTE: This information is confidential and should not be shared externally until after our press announcement scheduled for **November 29, 2021**. Limited communications with key project partners are acceptable for work planning purposes, but please refrain from engaging in any web or print communications and outreach efforts until this announcement has been posted to the NFWF website.

Carley Carter will be your point of contact for the programmatic and fiscal review process. The Board and staff of the National Fish and Wildlife Foundation wish you the best of luck with your project.

Sincerely,

The National Fish and Wildlife Foundation