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# COLORADO

**Colorado Water  
Conservation Board**  
*Department of Natural Resources*

## **DIRECTOR'S REPORT**

**November 2022**

Interstate Compact Compliance • Watershed Protection • Flood Planning & Mitigation • Stream & Lake Protection  
Water Project Loans & Grants • Water Modeling • Conservation & Drought Planning • Water Supply Planning



# COLORADO

## Colorado Water Conservation Board

Department of Natural Resources

TO: Colorado Water Conservation Board Members

FROM: Rebecca Mitchell  
Anna Porter

DATE: November 16-17, 2022

SUBJECT: **Agenda Item 4b, November 2022 CWCB Board Meeting Director's Report**

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## STATEWIDE

### Finance Section Director's Report Items - November 2022

#### CWCB SMALL FEASIBILITY STUDY GRANT FUND UPDATE:

New grant applications approved:

1. Platte Valley Irrigation Company - Equalization Reservoir (\$6,135)

Previously approved grants in FY22/23:

1. None

Total funds approved for feasibility study grants in FY22/23: \$6,135

## COLORADO RIVER BASIN

#### COLORADO RIVER WATER USE—

2022 Colorado River Storage as of October 24, 2022			
	Elevation (feet above mean sea level)	Storage (MAF)	Percent of Capacity
Lake Mead	1,046.36	7.422	28%
Lake Powell	3,529.94	5.834	25%
Total System Active Storage		19.465	33%
2022 Total Active Storage		22.613	38%
		Flow (MAF)	Percent of Average
Forecasted Unregulated Inflow into Powell (Forecasted Water Year 2022)		6.084	63%

Forecasted CY 2022 Lower Basin Consumptive Use		
State	Use (MAF)	Total (MAF)
Arizona	2.035	
California		
California Agricultural	3.268	
Metro. Water District	1.134	4.419
Other	0.016	
Nevada	0.227	6.680

\*Note MAF = million acre-feet

### **Upper Colorado River Wild and Scenic Stakeholder Group—**

The Upper Colorado Wild and Scenic Stakeholder Group (SG) continues to hold regular meetings and all committees continue to work towards implementing the alternative management plan. The full SG met most recently on October 19, 2022. Denver Water provided an update on litigation related to the Gross Reservoir Project. Delays in that project will extend the timeline of when the SG may receive endowment funds and form a legal entity. The SG reviewed documents related to incorporation, but delayed approval of the documents in order to consider additional comments. The SG again discussed how to handle potentially incorrect values in the SG Plan related to protecting recreational floatboating. The SG could not reach consensus and the values will remain unchanged in the SG plan. The Channel Maintenance Flow committee presented RFPs for drone, sediment surveys, and cross-section surveys. In addition, they conducted field work in early October and continue to refine protocols. The SG approved the final Annual Monitoring Report for 2021 and will start working on the 2022 report in the next months. The Finance Committee continues to investigate endowment fund management options. The Cooperative Measures committee continues to look into potential water acquisitions that can assist the SG efforts and discussed a potential lease with the River District.

## WATER CONSERVATION AND DROUGHT PLANNING UPDATES

### Office of Water Conservation & Drought Planning Director's Report Items - November 2022

#### CWCB WATER EFFICIENCY GRANT FUND PROGRAM (WEGF) UPDATE:

Per the Board's decision in May 2021 to merge this program into the Water Plan Grant Conservation & Land Use Planning and the Engagement & Innovation category, applications will no longer be accepted through this grant program.

Staff will continue to spend down the funds that remain in the WEGF and update the Board on in-progress grants.

The following are deliverables sent to the CWCB since the last Director's Report:

- **Deutsch Domestic Water Company** - Drought Management Plan - *Final Plan Submitted*

(Ben Wade)

**WATER EFFICIENCY & DROUGHT PLANS UPDATE:** The Office of Water Conservation & Drought Planning (OWCDP) continues to work with the following providers to approve their Water Efficiency and Drought Management Plans:

#### DROUGHT MANAGEMENT PLANS

##### Approved Plans

No additional Plans have been approved since the last Board meeting.

##### Drought Management Plans in review

- City of Durango
- Deutsche Domestic Water Company

#### WATER EFFICIENCY PLANS

##### Approved Plans

- Town of Hudson

The following plans have been given *conditional approval*. CWCB staff will continue to work with these entities until their respective Water Efficiency Plans achieve approval status.

##### Conditional Approval

- Town of Frederick
- Tri County Water Conservancy District

### Water Efficiency Plans in review

- Colorado Springs Utilities

(Kevin Reidy & Sam Stein)

**GOVERNOR’S WATER AVAILABILITY TASK FORCE:** The next Water Availability Task Force meeting will be held on November 15 from 9:30-11:30a. Please check the website ([Water Availability & Flood Task Forces | DNR CWCB \(colorado.gov\)](#)) for additional information. The September 2022 Drought Update is available here - <https://dnrweblink.state.co.us/CWCB/0/edoc/218832/WATFMeetingSummarySept2022.pdf?searchid=fb75ea98-7d30-4afc-ac1e-78987d500259> (Ben Wade)

**CO WATER LOSS INITIATIVE:** Phase II of the Colorado Water Loss Initiative officially kicked off over a year ago on September 1, 2021 with open registration. Kevin and the project team reassembled the advisory group and added the Colorado Rural Water Association as well as folks from DOLA. At present, we have 75 utilities registered for the program. Many of the new learner teams have signed up for technical one-on-one calls to go over water audit results while the advanced group has been sent recommendations on what they should be focusing on in terms of direct technical assistance. The consultant team has completed a number of site visits and working calls with the advanced utilities to take advantage of the identified water loss recovery opportunities. The next workshops will take place November 8-9, 2022 and December 16-17, 2022. Additionally, Denver has been chosen as the site for the next [North American Water Loss conference on December 5-7, 2023](#). [www.coloradowaterloss.org](http://www.coloradowaterloss.org) (Kevin Reidy)

### **LAND/WATER PLANNING NEXUS:**

- Kevin has been participating on the core planning team for the Denver One Water Plan funded by a water plan grant. The team consists of various Denver city departments, Mile High Flood, Denver Water, Metro Wastewater and the Greenway Foundation. With the plan complete the core group (now called OWLS, One Water Leaders) will begin the implementation phase and will continue to meet regularly. With the increasing interest in turf replacement the group has chosen to focus on sustainable landscaping as it relates to One Water Planning. We will also have a One Water Planning panel at the November 9, 2022 CWCB Landscaping Summit. <https://www.denvergov.org/Government/Agencies-Departments-Offices/Department-of-Transportation-and-Infrastructure/Programs-Services/One-Water>
- The Water and Land Use Planning Alliance’s next meeting will be November 10, 2022. DOLA has hired Scott Williamson (formerly WECO) as their new water and land use planner. Kevin has been working with Scott on the work plan for the Alliance and other

crossover projects between DOLA and CWCB. Scott and Kevin will both continue working with the planning group for the AWRA Specialty Conference for water and land use planning taking place in Denver in July 2023.

**(Kevin Reidy)**



## **WATERSHED AND FLOOD UPDATES**

### **National Flood Insurance Program (NFIP) Community Assistance Program-State Support Services Element (CAP-SSSE) Coordinator**

#### ***NFIP Community Enrollment***

Town of Hugo: The Town of Hugo resides in Lincoln County which is currently undergoing new floodplain mapping as part of Colorado's RiskMAP program. Although the community has had a mapped Special Flood Hazard Area (SFHA) since 1985, the community has now reached out indicating interest in participating in the National Flood Insurance Program to better serve their residents. This office in coordination with FEMA Region 8 has been in regular contact with the community providing guidance on the process to join the NFIP, explaining how the program works, and its benefits and challenges. The community has provided a survey of the structures constructed following the 1985 regulatory Flood Insurance Rate Map (FIRM) which has been reviewed by this office and FEMA Region 8; we are currently coordinating an in-person Community Assistance Visit (CAV) with the community to meet with staff and officials, answer their questions, provide guidance, review their building permitting and administrative processes, and tour the floodplain.

Town of Silver Cliff: The community continues to make progress in their efforts to join the NFIP. Their proposed floodplain development rules have been reviewed and will be presented to the Silver Cliff Planning Commission/Board of Trustees November meetings. Once approved and effective by the community, the rules will be recognized by FEMA and the Town will then join the NFIP.

#### ***Federal FY21 CAP-SASSE Grant Closeout***

Final reports and the required formal request to close the previous year's grant have been submitted to FEMA Region 8. During the past year, this office conducted over 400 interactions/activities with the 256 individual Colorado communities that participate in the NFIP. These activities included Community Assistance Visits and Community Assistance Contacts (CAV/CACs), map adoption assistance, floodplain ordinance reviews, workshops, and General Technical Assistance (GTA) contacts. Additionally, this office responded to the June 2022 Yellowstone flood disaster as a subject matter expert at the request of the State of Montana. In this capacity for two weeks, this office assisted the Montana Department of Natural Resources and Conservation and the Montana CAP-SSSE Coordinator with in-person flood damage assessments for structures throughout the state.

(Doug Mahan)

#### **CWCB Funded Project Wins CASFM Engineering Excellence Award**

At the 33<sup>rd</sup> Annual Conference of the Colorado Association of Stormwater and Floodplain Managers (CASFM), the winner of the Engineering Excellence Award, the most prestigious project award presented by CASFM, was announced to be the Cherry Creek (Quebec to Iliff) Corridor Improvements. This project, located in the City and County of Denver and unincorporated Arapahoe County, represents a comprehensive river restoration of 5.3 miles of

a severely eroded stream reach in the heart of the Denver metro area. Conceived in 2014 as a small improvement project representing a single drop structure, the scope of the project grew significantly over the years as additional partners were added.

Two key contributors to the project were Denver Water, which donated a large parcel that allowed many of the improvements to take place (during the presentation, Denver Water was categorized as the “lynchpin” that really allowed the effort to expand into an award-winning project.

In addition, the partnership was able to leverage a CWCB grant for \$500,000. Although a small portion of the total \$16M project cost, this grant was a key component to attracting funding from other partners.

Former board member Barbara Biggs participated in the project presentation through a pre-recorded video.

A great writeup of the project can be found at <https://www.denverwater.org/tap/creating-new-urban-oasis-along-cherry-creek>

This is the second Engineering Excellence Award in recent years for a CWCB-participating project. CWCB won the award in 2018 for the Colorado Emergency Watershed Protection Program associated with the 2013 Flood Recovery.

(Kevin Houck)

## **Colorado Stream Corridor Construction Guide**

CWCB staff and consultants have been working on a guide for contractors and heavy equipment operators that aims to improve the quality, function, and aesthetic of construction work in Colorado’s stream corridors. The [Colorado Stream Corridor Construction Guide](#) is now in draft form and staff are accepting comments and input. The Construction Guide was born from the 2013 Colorado Floods. In the five years of recovery work that followed the Flood, many lessons were learned as the Colorado rivers community, led by the Colorado Water Conservation Board and many stakeholders and cross-agency and academic partners, sought to raise the standard of practice for construction in Colorado’s stream corridors. This effort was also importantly improved upon by the discussions and input provided by the numerous contractors and equipment operators that poured their energy into the flood recovery work. The ensuing lessons learned from the Flood recovery, the monitoring and observation of past stream restoration projects funded by the CWCB, combined with a desire to seek out the best examples of stream construction led to the creation of the guide.

Rivers and streams are constantly in a state of change, continually adjusting their size and shape in response to the amount of water and sediment in their watershed. Physical channel adjustments are always occurring, and even “stable” rivers shift from year to year. Land use changes that significantly alter or overwhelm the ability of a stream to transport water and

sediment will cause the stream to become unstable and increase the likelihood that catastrophic erosion or sedimentation occurs during a flood event. The purpose of stream restoration is to restore streams to a more naturally stable and functional condition by incorporating specific design features and treatments that encourage a stream system's natural processes.

The guide is not intended to supplant construction design plans or the specific instruction provided by the project engineer(s). It is not intended to be comprehensive but instead focuses on commonly encountered practices in the field of stream corridor rehabilitation. The book is organized according to broad categories. Individual practices (or suites of very similar practices) are presented with information valuable for contractors. It includes:

- Description and Purpose - how the practice typically functions in a stream corridor and why it is often used as part of a restoration project.
- Installation Fundamentals - basics of installation, sometimes importantly describing the sequence of steps found to lead to good outcomes.
- Potential Enhancements - ideas culled from various projects that seem to be opportunities to make the treatment much better.
- Common Failures - Common reasons that practices “fail” to achieve the desired outcome are shared.

The guide is full of photos from various stages of construction of stream restoration practices. Many photos have additional text to explain specific attributes. To simplify even further green check marks and red x's were added to the photos. Green checks indicate that in general the photo depicts good progress of final result, and red x's indicate that the best practice was not achieved. The guide will serve as a living document that will be continually adapted and updated with guidance from CWCB staff, consultants, and practitioners from the field.

(Chris Sturm)

## **Floodplain and Stormwater Criteria Manual: Phase 1 and Phase 2 updates**

The Watershed and Flood Protection section has been undertaking a much needed update to the Floodplain and Stormwater Criteria Manual. This update has been broken into two phases in order to gather subject matter experts for various topics.

Phase 1 has concluded the technical steering committee engagement, draft writing, revisions, and is now going through a Gold Team review prior to going out for a public comment period. The dates for public comment are not set, but will be made available as soon as possible.

The Phase 2 technical steering committee has been identified and has started to meet about individual chapters for the start of the update and reorganization process. Phase 1 was heavily focused on Hydrologic Modeling, Floodplain Mapping and Permitting Requirements. Phase 2 will cover chapters focused on Law, Mitigation, Hydraulic Design, Stormwater Drainage and Water Quality. Our steering committees are made up of local experts across the

state who have graciously volunteered upwards of 40 hours of their time in order to ensure the State and the CWCB are putting out a robust and useful product.

The Attorney General's office has been working with us to provide guidance on the legalities of CWCB's jurisdictional authority and to ensure our Principals and Law chapter is providing the correct amount of legal information for a criteria manual. Phase 2 will also go through a writing phase, editing phase, final comments, Gold Team review and then public comment period prior to the finalization of the entire document.

(Steve Reeves)

### **Stream Management Planning Outcome Tracking Tool**

Born out of the 2015 Colorado Water Plan, Stream Management Plans (SMPs) are data-driven assessments of river health that help communities prioritize how to protect or enhance environmental and recreational assets in their watershed. In general, SMPs are accomplished by stakeholders convening to evaluate the health of their local river through an assessment of biological, hydrological, geomorphological and other data. This site-specific information is used to assess flows, water quality, habitat and other physical conditions that are needed to support collaboratively-identified environmental and/or recreational values. Some SMPs focus on specific reaches of river while others can cover an entire basin. SMPs result in a diversity of projects and next steps. A wide array of goals, projects and outcomes have emerged from stream management plans, ranging from water management objectives to revegetation and riparian restoration work to educational goals and policy changes.

SMP leaders have been engaged since 2018 to track progress and outcomes associated with SMP processes, which have produced a number of notable outcomes from planning innovations and project recommendations to knowledge, capacity and data gains and increased community engagement. In 2021, River Network created an SMP Outcome Tracking Tool to identify the project types and status that have resulted from completed SMPs. Most of the recommended projects have not yet been completed. Some have been initiated and are underway, but for the majority of projects, SMP lead organizations are still in the process of identifying a project champion and acquiring funding.

The Outcome Tracking Tool categorizes projects into 24 distinct project types and each project is categorized into the type that best aligns with the project primary purpose. However, almost all projects tracked to date list additional ancillary project benefits. The Outcome Tracking Tool provides insight into the impact that SMPs have, as well as their potential for future environmental and recreation outcomes. Having a centralized database to track this information is useful to statewide reporting and also fills a gap for SMPs that do not have a centralized organization framework to store project implementation information. In order for this tracking tool to realize its potential, the State is committing to long-term progress tracking where projects are tracked, annually, on their progress towards implementation, and where implementation projects receiving state funding (i.e. Water Plan

Grants, WSRF, etc.) are tracked as being the result of an SMP. This tracking will allow the state to understand the greater impact that SMPs have and to realize the priorities put forth from these planning efforts. Furthermore, the state will begin to understand that the cost of these planning efforts is about 1% of the cost of implementation projects emerging from these efforts, illustrating how far an investment in an SMP can go.

(Andrea Harbin Monahan)

### **The Letter of Map Revision (LOMR) Review Partners Program**

The CWCB LOMR Review Partners Program continues to grow as staff work with applicants, communities and the Federal Emergency Management Agency (FEMA) to answer questions, provide guidance, and work through complex issues for both ongoing and upcoming map revision requests. CWCB processes and makes recommendations for revision requests on behalf of FEMA to modify flood hazard information on Flood Insurance Rate Maps (FIRMs). FEMA determines if the revision request will be approved, or become effective. We have 55 cases in process with ongoing cases in Boulder, Clear Creek, Douglas, El Paso, Elbert, Garfield, Gilpin, Grand, Jefferson, Larimer, Montrose, Prowers, Pueblo, San Miguel, Sedgwick, Summit and Weld Counties.

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### **November 2022 Risk Mapping, Assessment and Planning (MAP) Project Updates by Major Water Basin**

CWCB is FEMA's Cooperating Technical Partner (CTP) for the state while Mile High Flood District (MHFD) is the CTP within their service area (Denver Metropolitan Area). CWCB provides support for and coordination with MHFD on projects and data sharing for communities that extend across common boundaries.

**North Platte Basin** - No flood hazard studies are being conducted in this area.

**South Platte Basin** - Adams, Arapahoe, Boulder, Sedgwick, Larimer, Lincoln, Logan, Morgan, Park, Phillips, and Weld Counties have ongoing Risk MAP studies. Ongoing CWCB studies within the South Platte basin are as follows:

- Park County Phase 2: Phase 2 (Data Development) is underway. Crossing structure and stream cross section survey will take place as soon as possible before snow accumulation occurs.
- Logan County: BLE/Discovery review comments have been addressed and the contractor is preparing the final submittal to FEMA. Information received from the

Communities during the Base Level Engineering (BLE)/Discovery process (Phase 1) are being used to scope the Data Development process (Phase 2). A Phase 2 kickoff meeting is expected to occur in November or December 2022.

- Adams and Arapahoe Counties: CWCB is developing draft countywide BLE data. Portions of these counties are within both the CWCB and MHFD CTP service areas. The draft BLE modeling and mapping are complete and CWCB is actively coordinating with MHFD to schedule meetings with communities to discuss the draft results. Draft BLE data for portions of the counties outside the MHFD will continue through the Risk MAP process being implemented in other counties across the state. Draft BLE data developed within the Denver Metropolitan Area will be provided to MHFD for informational purposes and any future use, but will not be developed further by CWCB. MHFD already has effective detailed data for the majority of their service area. This draft BLE data will help them verify effective older approximate flood hazard data, and identify where flood hazard data might be developed for previously unstudied flooding sources. BLE data does not replace effective model-backed flood hazard information. MHFD will have the base BLE models, and may choose to leverage any of this data in the future.
- Morgan County BLE: We received comments from the communities on the Discovery/Phase 1 products and met with Town of Hillrose on 10/21/22 to address their concerns in detail. We have submitted the final Discovery packet to FEMA and will be scheduling a Phase 2 kickoff meeting in November or December.
- Weld Countywide: A countywide BLE/Discovery effort will be starting soon for flooding sources that weren't recently updated with the CHAMP project summarized below. A kickoff meeting with communities will be held in the next few months.
- Colorado Hazard Mapping Program (CHAMP) Physical Map Revisions (PMRs): The CWCB was able to leverage funds from FEMA to continue several CHAMP studies through the FEMA regulatory process. CHAMP involved analyzing streams across various counties across Colorado and includes over 200 FIRM panel updates. The remaining counties being completed within the South Platte Basin include Boulder, Weld, and Larimer.
  - o Boulder County PMR: This PMR is still on hold. The National Institute of Building Science (NIBS) has created a Scientific Review Panel (SRP) to consider the supporting documentation associated with an outstanding comment (received during due process). A meeting with the SRP was held on September 28, 2022. A recommendation from the SRP regarding further action is anticipated on November 18, 2022. At that point, FEMA will take the SRP recommendation into consideration and will make a determination to resolve the outstanding issue. Once resolved, the PMR will proceed through the FEMA process toward the issuance of the Letter of Final Determination (LFD). The PMR will become effective six months after FEMA issues the LFD.

- Weld County PMR: The final PMR products were submitted in August, but the previously anticipated LFD date of October 19, 2022 has been delayed as CWCB awaits FEMA's direction on outstanding issues. A response is expected in the next few weeks. The revised Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs) will go effective six months after the LFD has been issued.
- Larimer County PMR: Due process for this project has ended and there were several comments/appeals received. CWCB is currently coordinating with FEMA on comment/appeal resolutions.
- Phillips County Phases 2-3: The Community Coordination Officer (CCO) meeting and Public Meeting were held in the City of Holyoke on October 19, 2022. Next steps will work toward initiating the 90-day appeals/comment period.
- Phillips Countywide: The contractor is working on countywide BLE. We are anticipating a Discovery meeting to be held with communities in November or December.
- Sedgwick County: A countywide BLE/Discovery effort will be kicking off for flooding sources that weren't recently updated with the CHAMP project. A kickoff meeting with communities will be scheduled in the near future.

**Colorado Basin** - Eagle, Summit, and Garfield Counties have ongoing Risk MAP studies:

- Eagle County Physical Map Revision Phases 2-3: The revised Roaring Fork River hydraulic analysis and floodplain mapping have been approved by FEMA. A revised preliminary FIRM distribution will be required to provide communities the opportunity to formally review the revisions. The communities are currently reviewing updated datasets internally before the formal revised preliminary review period starts in the next few months.
- Garfield County Phase 2-3: Survey information has been collected for all of the accessible properties. The contractor and community are working to gain access to a few remaining properties. Meanwhile we are coordinating with FEMA to discuss a change in the hydrology methodology to account for the high amount of snowfall runoff data points that appear in the gage data for this watershed.
- Summit County BLE/Phase 2: We are working on acquiring the crossing structure and stream cross section survey data as soon as possible before snow accumulation occurs. Next steps after survey include developing hydrologic models.

**Gunnison Basin** - Delta, Gunnison, and Ouray Counties have ongoing studies:

- Delta County Phase 2-3. The contractor discovered an issue with the hydraulic modeling and has revised the models. Preliminary products will now be issued in January or February of 2023. Snowmelt and post-fire technical analyses have been completed as non-regulatory products, and results will be distributed to communities.

- Ouray County PMR: The project is waiting for FEMA's posting of official notices in the Federal Register. Once that occurs, CWCB will send letters to communities notifying them of the start of the mandatory 90-day appeal and comment period. Appeals and comments are submitted through the community to FEMA. All comment or appeal submittals received will be reviewed by FEMA. Once any valid comments and appeals have been resolved, the project will move toward the issuance of the LFD.
- Ouray Countywide BLE: A countywide BLE/Discovery effort will be starting soon. A kickoff meeting with communities will be scheduled in the coming months.
- Gunnison County PMR: Hydraulic modeling had been approved by FEMA; however the communities requested consideration of a non-certified embankment that will impact the hydraulic results. Floodplain mapping submittals will take place once there is a path forward regarding this existing berm.
- Gunnison Countywide BLE: The Contractor has sent the final Discovery models and products submittal to FEMA for final approval. CWCB will be scheduling a Phase 2 kickoff meeting with communities in the coming months.

**Rio Grande Basin - Alamosa, Costilla, and Mineral Counties have ongoing studies:**

- Alamosa County BLE: Communities have reviewed materials from the project kickoff meeting. CWCB staff and the contractor are scheduling a meeting with City of Alamosa staff to discuss some levee related concerns. Next steps include developing BLE and draft mapping data for the Phase 1 study.
- Costilla County Phase 2-3: Our Consultant is using the new high-resolution LiDAR data from the 2020 San Luis Valley acquisition to develop revised flood hazard information for remaining segments of effective flood hazard areas. A revised preliminary distribution of the updated FIRM panels will take place before the project moves forward. Generating the updated FIRM panels are expected to take several months.
- Mineral County/City of Creede LOMR: The City of Creede Willow Creek LOMR has been fully approved. This LOMR supports certification of the existing Willow Creek Levee, and allows flood hazard mapping to reflect the levee providing flood protection for portions of the community. Technical information from this LOMR will update the effective flood hazard data through the City of Creede. Mineral County preliminary products are now being developed, with an anticipated distribution date of January 13, 2023.

**Arkansas Basin - Lake, Chaffee, Custer, Fremont, Pueblo, El Paso, Huerfano, Las Animas, Otero, Bent, Prowers, Baca, Crowley, and Kiowa Counties have ongoing studies:**

- Lake County Phase 2: Hydraulic modeling along Georgia Gulch is moving forward. The inability to obtain field survey information for the existing buried culvert required estimation of a culvert size for revised hydraulic modeling. Next steps include



submitting the hydraulics to FEMA for approval and progressing with the floodplain mapping.

- Chaffee County Phase 2: Field survey and additional hydrology are underway for several streams of interest to communities. Results will allow these areas to catch up with ongoing hydrology and hydraulic modeling for the countywide study. CWCB held a Flood Risk Survey Workshop in Buena Vista on September 7, 2022 at the request of the county. This workshop can be used in other counties as well to help educate local surveyors, engineers, community staff and others on the specific FEMA requirements for developing elevation certificates and other floodplain modeling and mapping products.
- Custer County BLE: Phase 2 Kickoff materials are being prepared for an anticipated meeting in the coming months, once the task order has been issued.
- Pueblo County BLE: Finalized BLE models have been sent to FEMA for review and approval. We anticipate holding a Phase 2 kickoff meeting in November or December.
- Huerfano County Phase 2: Our Contractor is revising the BLE hydrology and hydraulic analyses based on a modified hydrology approach approved by FEMA. We are now working on detailed hydraulic modeling for the Phase 2 scoped streams.
- Bent County: This project is on hold as CWCB and FEMA allow the levee sponsors to complete the Arkansas River South Levee analysis and certification. The existing levee has previously provided flood protection to the City of Las Animas and portions of unincorporated Bent County. The levee sponsors have retained a contractor to obtain certification and accreditation for the levee. Once accredited, the floodplain mapping will reflect the levee as providing flood protection in the Bent Countywide Risk MAP study. CWCB, FEMA, and USACE will continue to coordinate and support the communities and levee sponsors as progress toward levee certification continues. CWCB has provided state funding to develop an Emergency Action Plan and Interior Drainage Analysis for this levee. Both of these products will be contributed for inclusion in the upcoming levee certification package.
- Otero County: The floodplain mapping along the Arkansas River has been submitted to FEMA and review comments are now being addressed.
- El Paso Phase 2 and Templeton Gap (T-Gap) levee work: Data Development continues for updated hydrologic data and hydraulic modeling for the El Paso countywide Risk MAP study. CWCB is working with the communities to review, leverage, and incorporate (where possible) local hydrology studies for use as updated hydrology on a number of flooding sources. The study will include results from the T-Gap pre-levee analysis. Our contractor expects to work with stakeholders to begin the FEMA Levee Analysis and Mapping Procedure (LAMP) work for the T-Gap levee in the near future.

- Las Animas County Phase 2: CWCB has been working with the communities and the contractor to determine the scope of detailed hydraulic analyses and mapping (Zone AE) required for additional flooding sources. We will be repurposing FEMA FY22 grant funds originally identified for Phase 3/4 work to help cover these additional Phase 2 costs. CWCB will apply for replacement funding to complete Phase 3/4 in our next grant application.
- Fremont County Phase 2: We are currently developing the detailed hydraulic models needed for the Phase 2 analysis and mapping of specific flooding sources.
- Prowers County Phase 2: Contractor working on hydrology and hydraulics for the additional detailed stream miles requested by communities.
- Towns of Granada/Holly/Lamar (Prowers County) Pre-Levee assessments: Our contractor has finished the levee evaluation, and is assisting the communities as they take actions to move toward certification of their existing levee systems. CWCB has provided state funding for the Interior Drainage Analyses, and Emergency Action Plans for all three communities. These products are important for community safety and will contribute to information needed for any future levee certification packages. Our contractor is also developing a FEMA Levee Analysis and Mapping Procedure (LAMP) plan for the City of Lamar levee. We will be meeting with communities to share results of all these efforts in the coming months.
- Kiowa County: A countywide BLE/Discovery effort will be initiated for all flooding sources within the county. A kickoff meeting with communities will be scheduled in the near future.

Crowley County: A countywide BLE/Discovery effort will be initiated for all flooding sources within the county. A kickoff meeting with communities will be scheduled in the near future.

**Yampa/White Basins** -Moffat County has an ongoing Risk Map study:

- Moffat County: Hydraulic models for specific flooding sources have been approved by FEMA. A virtual meeting is being scheduled to discuss floodplain mapping for Fortification Creek through the City of Craig.

**Dolores/San Juan Basins** - La Plata, Dolores, Montezuma, Archuleta, and San Juan Counties, along with the Southern Ute Indian Tribe (SUIT) and Ute Mountain Ute (UMU) Tribe, have ongoing studies.

- Animas Watershed Phases 3-4: The LFD for San Juan County PMR is anticipated to be issued on November 9, 2022. Resolution of comments and appeals in La Plata County are being incorporated into the PMR flood risk products, and we are targeting an LFD date for this county in January 2023. The floodplain mapping within the tribal lands have been removed from the upcoming regulatory FIRM panels for Archuleta and La Plata County PMRs. Associated revised preliminary FIRMs will be issued soon.

Communities will then have 30 days to provide any comments on the revised preliminary products for La Plata and Archuleta Counties.

- Southwest Colorado (Montezuma, Dolores, San Juan, La Plata, Archuleta, Hinsdale, Mineral Counties and the SUIT and UMU Tribes) BLE: Our Contractor is preparing BLE data, mapping and the Discovery deliverables to submittal for FEMA review and approval. Due to the large size of the submittal information, data delivery has been challenging. The scope of work will be finalized for detailed study areas once the Phase 2 kickoff meeting takes place in the next few months.

**Multi-Basin Risk Map Projects:** Elbert, Mesa, Hinsdale, Lincoln, Saguache, San Miguel, and Teller Counties have ongoing studies that span multiple water basins.

- Elbert County: The crossing structure and stream cross section survey is being planned and scheduled to occur in the coming months. The contractor will also be working on detailed hydrology for the scoped Phase 2 flooding sources.
- Mesa County Phase 2: We are moving ahead with the study using best data available where survey access was not permitted to some private properties. The study needs to move ahead due to limited FEMA funding and grant timeline. Updating of hydraulic modeling is underway for flooding sources other than the Colorado River.
- Flood Risk Information System (Mesa County): Based on additional staff input, minor modifications are being performed on the draft website for this Flood Risk Information System (FRIS) pilot project. CWCB and our Contractor will meet with communities in Mesa County to showcase the site and obtain additional input. Once community feedback has been adequately addressed, the site will go live.
- Hinsdale County/Lake City Partial Countywide: We are awaiting publication in the Federal Register. Once that occurs, the 90-day appeal period will begin, allowing the public to provide comments or technical data for appeals to dispute the mapping shown in the preliminary products.
- Hinsdale Countywide BLE: The contractor is preparing a scope and fee for streams to be analyzed in detail during Phase 2. A kickoff meeting for Phase 2 is anticipated in the coming months.
- Teller County Phase 2: CWCB's contractor is re-evaluating a few flooding sources to address hydrology discontinuities at the boundaries of neighboring counties. Hydrology results will be shared with affected communities. The hydrology modifications will require some revisions to the Discovery products (Phase 1). Once hydrology issues are addressed, the hydraulic modeling will be finalized and submitted to FEMA for review and approval.
- San Miguel Countywide BLE: A countywide BLE/Discovery effort will be starting soon. A kickoff meeting with communities will be scheduled in the coming months.

- Lincoln Countywide: A countywide BLE/Discovery effort has begun for flooding sources not included with the ongoing PMR revisions (summarized below). The contractor is working on developing the terrain model and will move on to BLE development. A kickoff meeting with communities will be held in November or December.
- Colorado Hazard Mapping Program (CHAMP) Phase 3: This set of studies originated from the Colorado Senate Bill (15-245) which was put forth as a response to the destructive 2013 floods. This bill released funding to better assess and map various flood related hazards, including debris flows and erosion, throughout Colorado. As such, CWCB funded a paper inventory reduction effort through various counties across the state that were still using old paper floodplain maps and needed updated flood risk information, especially if they were affected by these floods and the local conditions were clearly changed. Several county projects that were scoped as part of this CHAMP effort are still ongoing, including the ones listed below.
  - o San Miguel County: CWCB met with Town of Telluride staff for a field visit and tour of the Telluride Valley Floor Restoration project along the San Miguel River. This restoration project completely re-aligned the San Miguel River to its historic location through open space areas west of the Town. Due to the dramatic changes along the San Miguel River, the PMR study has been on hold awaiting project data from the Town. There is currently a LOMR for this project being processed for FEMA. Construction of the restoration project took place while the San Miguel PMR hydraulic analysis and draft mapping along the river corridor was underway. Therefore, changes were not reflected in the draft mapping products. Once the LOMR has been issued, the restoration project data will be incorporated into the San Miguel River hydraulic analysis and mapping for the PMR. CWCB will coordinate with San Miguel County communities to wrap up the Data Development (Phase 2) before moving forward with development of preliminary products (Phase 3).
  - o Lincoln County Phases 2-3: Preliminary products were distributed on September 29, 2022. The CCO meeting and Public Meeting will be scheduled in the coming months.
  - o Saguache County: Floodplain mapping has been approved by FEMA for all areas submitted outside of the Town of Crestone. The Town has significant alluvial fan considerations that will need to be addressed separately. Once a path forward has been determined, hydraulic analysis and flood hazard mapping for the Town will resume.

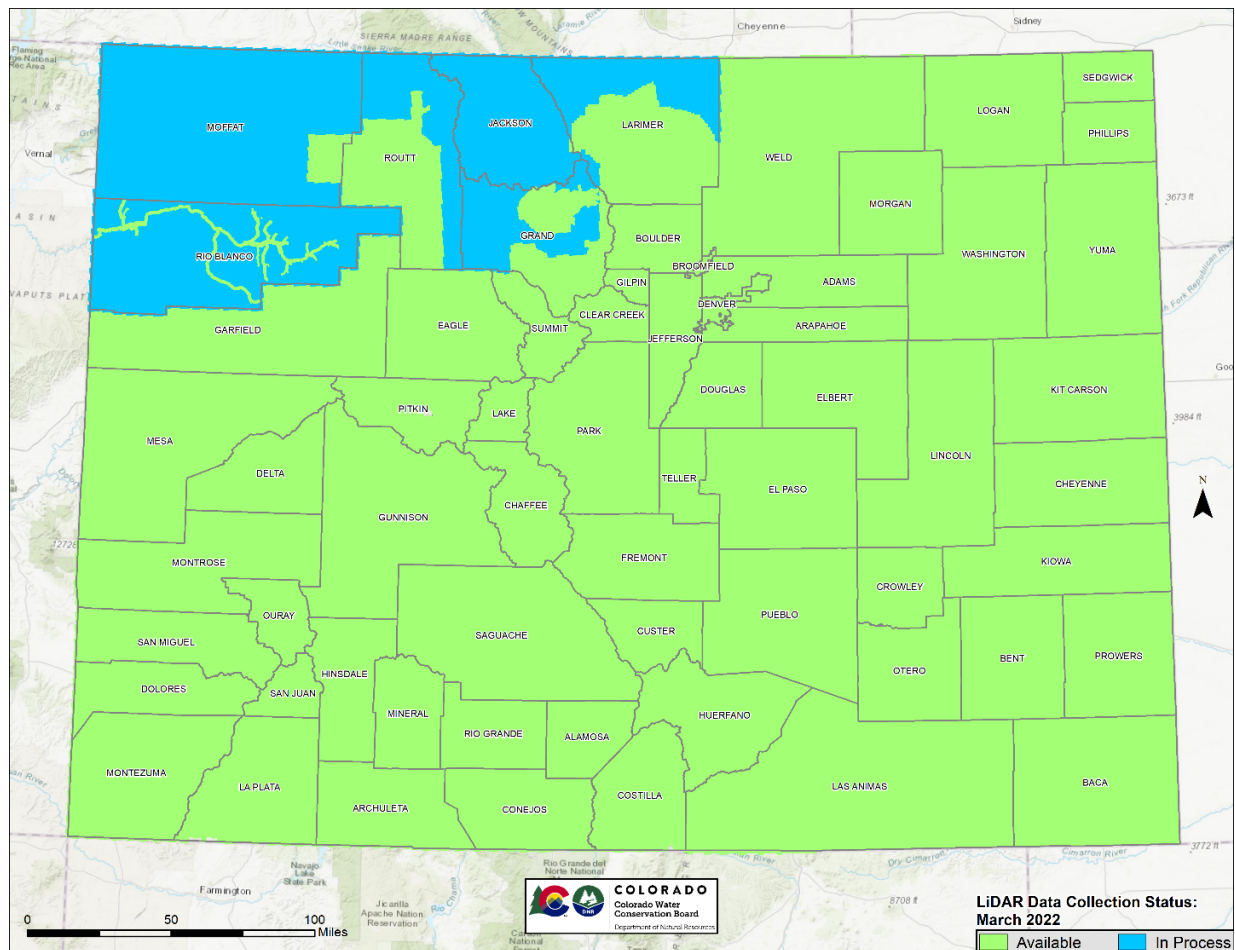
**LiDAR acquisition:** CWCB received \$3.4 million in a FEMA FY16 grant and \$2.2 million in FY18 for LiDAR acquisition in Colorado for future floodplain mapping and hazard assessment projects. The USGS is completing the last few areas in northwest Colorado that were missing updated LiDAR.

- LiDAR collection tasks that were recently completed include the Eastern Colorado Plains data collection, led by the USGS, the DRCOG LiDAR for the Denver Metropolitan

Area, and the San Luis Valley/San Miguel/Pitkin areas. The remaining LiDAR acquisition for the Northwest CO region is currently going through final USGS QA-QC.

- Northwest CO Project: USGS likely won't have the final deliverables for this project area until late 2022 or early 2023.

Below is the most recent status map for LiDAR data acquired in Colorado (No updates since March 2022):



*(Terri Fead and Marta Blanco Castano)*

## WATER SUPPLY PLANNING SECTION UPDATES

The Water Supply Planning Section has been working over the month of October to consolidate and categorize Water Plan comments and develop an approach for responding to the comments. A total of 1,173 submittals were received during the public comment period, resulting in about 1,500 suggested revisions to the draft Water Plan. These comments covered a wide range of topics. The Action Area of Thriving Watersheds received the most public input and the topic of water conservation was the most commented on issue in the plan. Eighty-five percent of the submittals were neutral in tone, 11-percent were positive, and 3-percent were negative. The Water Supply Planning section staff will be working closely with the board to finalize the Water Plan and will be submitting the plan to the Governor for review in December, before bringing the plan to the CWCB Board in January for final adoption and approval.

This October the IBCC held its last meeting for 2022 in Winter Park. The IBCC discussed its work to date bringing projects across each basin through development into the grantmaking process. The PEPO liaisons also held their last meeting for the year in early November. Additionally, 4 regional coordinators have been hired for roles around the state focused on assisting stakeholders throughout the entire Water Plan Grant application process.

Water Supply Planning also celebrates Kevin Reidy's recognition as the Alliance for Water Efficiency (AWE) 2022 [Water Star Award](#) winner. Water Star award winners receive this recognition because their peers recognize the value of their significant contribution and achievements over time and their quiet dedication to the cause.

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### Technical Assistance for Federal Cost-Share (TAFC) Grant Program Update:

The TAFC program provides funding for water project management, grant development and coordination, design and planning services. All TAFC applications must identify a Federal funding program which is being applied for or leveraged through the TAFC proposal.

The following table summarizes the Technical Assistance for Federal Cost-Share Grant Program proposals that are \$50,000 and under that have been approved by CWCB Director, Rebecca Mitchell.

<b>Applicant/Grantee</b>	<b>TAFC Proposal</b>	<b>Funding Recommendation</b>
Colorado Ag Water Alliance	Pre-development work in Delta County with a focus on irrigation infrastructure modernization Federal funding target: NRCS PL-566	\$20,000
White River Conservation District	Pre-development work in Rio Blanco County with a focus on irrigation infrastructure modernization Federal funding target: NRCS PL-566	\$50,000
Western Water Partnerships	Developing Innovative Financial Model for the Conservation Irrigated Lands through Collaborative Water-Sharing Agreements Federal funding target: NRCS CIG Classic program	\$48,625.00
Ducks Unlimited	Northern San Luis Valley Watershed Restoration Project with a focus on wetland and riparian habitat Federal funding target: BOR WaterSmart	\$50,000
Delta Conservation District	District Conservation Technician Program with a focus on seeking federal funding for irrigation infrastructure Federal funding target: NRCS EQIP	\$10,000



## COLORADO

### Colorado Water Conservation Board

Department of Natural Resources  
1313 Sherman Street, Room 718

Denver, CO 80203

October 28, 2022

Mr. Greg Peterson  
Executive Director  
Colorado Ag Water Alliance  
10440 W. Fair Ave. Unit C  
Littleton, CO, 80127

Re: Technical Assistance for Federal Cost Share (TAFC) Grant Approval

Dear Mr. Peterson:

I am pleased to inform you that I have approved your request for a grant from the Technical Assistance for Federal Cost Share (TAFC) Grant Fund. The maximum amount of the grant is \$20,000.00 for up to 100% of the cost of the PL-566 Pre-development work: Delta County. I understand that the project meets the requirements of the TAFC Program.

Nora Flynn of this office will review your deliverables including 1) status reports documenting task activities with each invoice and 2) copies of all feasibility studies, plans, and designs with invoices 3) copies of federal grant application resulting from this work. Nora will contact you concerning this grant and will assist you with the processing of pay requests.

On behalf of the Board, I would like to thank the Colorado Ag Water Alliance for its efforts to support conservation districts in their pursuit of federal funding that will improve water delivery systems and increase drought resilience.

Sincerely,

Rebecca Mitchell, Director  
Colorado Water Conservation Board



**Scope of Work**  
**Colorado Ag Water Alliance**  
**Technical Assistance for Federal Cost Share (TAFC) Program**  
**PI-566 Pre-development work: Delta County**

**Grant Amount:** \$20,000

**Contractor:** Colorado Ag Water Alliance

10440 W. Fair Ave. Unit C, Littleton, CO, 80127

Greg Peterson, Executive Director

720-244-4629

coagwater@gmail.com

Federal Tax Identification Number: 83-2969510

**Project Purpose:**

This project will complete the pre-development work needed to advance on-the-ground infrastructure modernization projects with multiple ditch companies in the North Fork of the Gunnison River. The ditches we are working with are facing a number of issues. Part of the ditches on steep grades are eroding and often collapse. There is a need for automation of the ditch systems. Also, many of the ditches have diversion structures that are need in improvement. These improvements would be a benefit for the water users and address concerns from the rafting community.

This pre-development effort will provide foundation needed to design, fund, and implement these projects at scale. Colorado Ag Water Alliance (CAWA) and its partners will develop a ditch company brief, initial stakeholder engagement, data audit and literature review, preliminary conceptual design, an initial findings report, and funding support. This work will enable the ditch companies to request assistance from NRCS under the agency's Watershed Protection and Flood Prevention (PL-566) program, starting a process that can provide up to \$25 million in federal funding for on-the-ground infrastructure modernization. This pre-development work will provide the foundation for submitting a competitive request to NRCS and provide a framework to accelerate the ditch companies' modernization efforts. We will work with the Delta County Conservation District and the Farmers Conservation Alliance (FCA) to complete this pre-development work.

**Potential funding sources:**

**NRCS**

- a. Watershed and Flood Prevention Operations
- b. This project falls under the category of Agricultural Water Management, which consists of "measures to increase or conserve water supplies and improve water quality. Water conservation practices may include sediment control and land stabilization measures, diversion dams, flumes, canals, water supply

reservoirs, pumping plants, and any other measures that would improve water management for improved agricultural efficiency.” The NRCS determines eligibility of the project if it meets or exceeds a one-to-one cost benefit ration. Under the PL-566 program, a potential project sponsor first submits a letter requesting assistance through the program to NRCS Colorado. NRCS Colorado then completes a Preliminary Investigation Feasibility Report (PIFR) to identify if project and the program align. If they do align, NRCS Colorado and the sponsor complete a Watershed Plan - Environmental Assessment that, when authorized, satisfies NEPA requirements and allows the project sponsor to receive up to \$25 million in federal funding through PL-566. Ideally, we will help the project sponsor submit this letter before the end of 2022. However, they may submit this as late as late as October 1, 2023, to ensure that the associated project will be ready to successfully complete the PL-566 process.

- c. \$500 million available in the program
- d. The Colorado Ag Water Alliance (CAWA) has neither submitted a project for assistance through the PL-566 program nor assisted a ditch company in navigating the PL-566 process with NRCS. To support this effort, WRCD is partnering with Farmers Conservation Alliance (FCA), an Oregon-based 501(c)3 organization focused on irrigation infrastructure modernization to help ensure project is successful. FCA has successfully developed and implemented their Irrigation Modernization Program to support over 40 irrigation districts, ditch companies, and agricultural water providers across five western states in modernizing their infrastructure. FCA has assisted these communities in pre-development and subsequent project strategy, design, funding, permitting and construction. FCA has successfully managed the PL-566 process as a contractor for NRCS and for irrigation communities helping these communities to both navigate the PL-566 process and secure nearly \$200 million of funding for on-the-ground projects. FCA’s experience in working with irrigation communities from pre-development through project construction will help to mitigate for potential project failure.

## Task Descriptions

Under the proposed project, CAWA and its partners will complete the initial pre-development work needed to advance infrastructure modernization efforts in one or more ditch companies. This work leverages partners’ existing relationships and builds on FCA’s successful track record of assisting irrigation districts, ditch companies, and agricultural producers in the Western United States in developing irrigation modernization projects and securing federal funding at scale (over \$180 million to-date).

The tasks identified below are critical first steps to foster successful and durable irrigation modernization efforts that meet long-term community needs. They provide the information needed for each ditch company to request assistance from NRCS under PL-566. These tasks also provide the foundation for further project development that provides the design, permitting, funding, and strategic support needed to accelerate irrigation modernization efforts

- 1) Ditch Company Brief. Meet with Ditch Company staff and board members, as appropriate, to understand the Ditch Company's goals, objectives, infrastructure, operation of that infrastructure, and potential early and long-term projects (e.g., previously identified projects). CAWA and its partners will identify existing information resources (e.g. water delivery data, reports, and maps) to help inform subsequent tasks. Contractor will work with the Ditch Company staff and board members to understand their relationships with local, state, federal, and tribal partners.

Timing: October 1 - February 1

- 2) Initial Stakeholder Engagement. Engage key stakeholders with an interest in the Ditch Company and/or the resources potentially affected by modernization to identify, consider, and develop the full range of opportunities related to irrigation modernization efforts. These stakeholders typically include farmers and ranchers; local, state, and federal agencies, tribes, and non-profit organizations.

Timing: December 1 - February 1

- 3) Data Audit and Literature Review. Review previously identified data and reports related to the Ditch Company and relevant to the development of system designs and modernization strategies in-depth. This review typically includes information such as detailed elevation (LiDAR) data; infrastructure location (GIS) data; water rights data; water conveyance data; water management plans; water quality assessments; and special status species plans. Contractor will outline all information reviewed during this process and identify any data gaps where additional collection is needed.

Timing: December 1 - February 1

- 4) Preliminary Conceptual Design. Develop an initial conceptual design of a modernized irrigation system based on the modernization opportunities identified in previous steps. This design will provide a sketch of a modernized system to help prioritize subsequent data collection and to develop order-of-magnitude estimates of potential costs and benefits, if possible, to inform subsequent modernization funding and strategy development.

Timing: April 1 - July 1

- 5) Initial Findings Report. Develop a report that summarizes findings from Tasks 1-4. This report informs the assessments to be completed through the irrigation modernization process. Depending on the Ditch Company's needs, these assessments may focus on the entire Ditch Company or a subset of the Ditch Company. Contents of this report will be customized for the Ditch Company, and they typically include some or all the following topics: stakeholder summary; data audit and literature review summary; funding opportunities; summary of Ditch Company modernization opportunities; conceptual design of modernization opportunities; and potential projects for accelerated implementation. CAWA and its partners will present the Initial Findings

Report and proposed next steps for continued modernization activities to the Ditch Company boards. Upon approval by the Ditch Company board, additional presentations on the initial findings and Phase II activities will be given to other stakeholders as appropriate.

Timing: August 1 - October 1

- 6) Funding Support. CAWA and its partners will explore funding opportunities to support future modernization activities and projects and will develop and submit funding applications to support these activities and projects (e.g., letter requesting assistance from NRCS through PL-566).

Timing: January 1 - April 1

Early Action Projects. CAWA and its partners will identify potential early action projects that could be designed, permitted, and built on a relatively short timeline. These projects, where appropriate, help to build support for larger scale or longer-term efforts. WRDC and its partners will identify if these projects exist and, when they do, design, funding, and permitting pathways.

#### **Deliverables:**

1. A copy of all federal grant applications prepared or submitted associated with this TAFC application (required).
2. Status reports documenting all task activities with each invoice (required).
3. Ditch Company Brief
4. Data Audit and Literature Review
5. Preliminary Conceptual Design
6. Initial Findings Report
7. Early Action Projects

#### **Task Schedule:**

Ditch Company Brief	October 1, 2022 - February 1, 2023
Initial Stakeholder Engagement	December 1, 2022 - February 1, 2023
Data Audit and Literature Review	December 1, 2022 - February 1, 2023
Preliminary Conceptual Design	April 1, 2023 - July 1, 2023
Initial Findings Report	August 1, 2023 - October 1, 2023
Funding Support	January 1, 2023 - April 1, 2024

Payment Schedule:

Activity and Staff Time	Hours	Rate per Hour	Cost	CWCB	Match
Irrigation Community Brief	29.63	\$135	\$4,000		\$4,000
Stakeholder Engagement	40.74	\$135	\$5,500	\$5,000	\$500
Data Audit & Review	81.48	\$135	\$11,000	\$5,000	\$5,000
Preliminary Conceptual Design	192.59	\$135	\$26,000	\$5,000	\$21,000
Initial Findings Report	37.04	\$135	\$5,000	\$2,500	\$2,500
Project Funding Support	74.07	\$135	\$10,000	\$2,500	\$7,500
“Early Action” Project Plan	37.04	\$135	\$5,000		\$5,000
Project Administration	44.44	\$135	\$6,000		\$6,000
Total Cost			\$72,500	\$20,000	\$52,500



## COLORADO

### Colorado Water Conservation Board

Department of Natural Resources  
1313 Sherman Street, Room 718

Denver, CO 80203

October 28, 2022

Ms. Suzie Bilberry  
District Manager  
Delta Conservation District  
690 Industrial Blvd.  
Delta, CO 81416

Re: Technical Assistance for Federal Cost Share (TAFC) Grant Approval

Dear Ms. Bilberry:

I am pleased to inform you that I have approved your request for a grant from the Technical Assistance for Federal Cost Share (TAFC) Grant Fund. The maximum amount of the grant is \$10,000.00 for up to 100% of the cost of the Cost-Share Match for District Conservation Technician Program. I understand that the project meets the requirements of the TAFC Program.

Nora Flynn of this office will review your deliverables including 1) status reports documenting task activities with each invoice and 2) copies of all feasibility studies, plans, and designs with invoices and 3) copies of federal grant application resulting from this work. Nora will contact you concerning this grant and will assist you with the processing of pay requests.

On behalf of the Board, I would like to thank the Delta Conservation District for its efforts to support agricultural producers and ditch companies in their pursuit of federal funding that will improve water delivery systems and increase drought resilience.

Sincerely,

Rebecca Mitchell, Director  
Colorado Water Conservation Board

**Scope of Work**  
**Delta Conservation District**  
**Technical Assistance for Federal Cost Share (TAFC) Program**  
**Cost-Share Match for District Conservation Technician Program**

**Grant Amount:** \$10,000.00

**Contractor:** Delta Conservation District

Address: 690 Industrial Blvd, Delta, CO 81416

Cost Share Assistance for District Conservation Technician Grant Program

Phone: 970-399-8194

Email: deltaconservationd@gmail.com

Federal Tax Identification Number: 84-6010950

**Project Purpose:** The Delta Conservation District has applied for and received two Federal grants for District Conservation Technicians (DCT) that support the 2018 Farm Bill for NRCS Environmental Quality Incentive Program (EQIP). These positions support the engineering staff at the NRCS Delta Field Office. The requested funding is to assist the Delta Conservation District fund the required 20% match for each of the two grants. The two DCT Engineering Technicians provide engineering support to the NRCS by assisting local agriculture producers prepare plans for water efficient irrigation systems that will be funded through the Federal EQIP cost share program. The DCT Engineering Technicians will provide all work associated with this funding request. The TAFC funding requested would help bring federal dollars into the state of Colorado in the form of NRCS dollars that fund irrigation efficiency projects for Colorado agricultural producers.

One technician (DCT) is funded through the NRCS and the Colorado State Conservation Board's (CSCB) DCT grant program. The other position is funded through the NRCS and the National Association of Conservation District's (NACD) grant program. Each grant is funded 75% by NRCS and 5% by NACD and CSCB respectively. Delta Conservation District is responsible for the remaining 20%. The Delta Conservation District is not funded through a mill levy and therefore must seek funds to cover the required match.

**Potential federal funding sources:**

- a. Funding agencies: NRCS, NACD, CSCB
- b. Name of the program: DCT Matching Grant Cost Share
- c. The local NRCS Field Office employees one Engineering Technicians. Due to the high workload and the backlog of engineering projects, the two DCT positions are essential to the local Field Office. The Technicians work on projects that are Federally funded through the USDA/NRCS programs.
- d. NRCS accepts applications for the EQIP cost share program throughout the year. There are deadlines for processing applications each year. These deadlines weave into the preliminary design schedule and then to the final design phase.
- e. Typically, the Delta NRCS Field Office processes EQIP applications in the \$2M - \$2.8 million range per year. The Delta Field Office obligated @.28M in 2022.

The office has 98 active contracts comprising 8,651 acres and has an obligation total of \$10,621,947.

- f. The Delta Conservation District has received assistance from CWCB for the grant cost share in the past. The last grant received was exhausted in 2021 with final report approval in January of 2022.

**Task Descriptions:**

1. Meet with producers submitting a Request for Assistance to review their project.
2. Once the producer has submitted an application, the DCT will visit the farm/ranch and provide a survey and review of the project.
3. The DCT will prepare preliminary design drawings for the applicant that will be submitted to NRCS for obligation consideration.
4. If the application receives funding, the DCT will then start on the final design drawings.
5. DCTs also inspect the construction work thorough out the project.

**Deliverables:**

1. Project status reports will include the number of projects being worked on, number of acres served, type project (piping, structure, ponds, etc.) and status of the projects (provided with each quarterly invoice).
2. Copies of NRCS or other federal grant applications.

**Task Schedule:** October 1, 2022, to Jan. 1, 2024

**Payment Schedule:**

Activity and Staff Time	Hours	Rate per Hour	Cost
Task 1-5 (DCT 1)	220	\$25.00 (incl employer tax match)	\$5,500.00
Task 1-5 (DCT 2)	220	\$20.50	\$4,500.00
<b>Total Cost</b>			<b>\$10,000.00</b>





## COLORADO

### Colorado Water Conservation Board

Department of Natural Resources  
1313 Sherman Street, Room 718

Denver, CO 80203

October 28, 2022

Mr. Todd Doherty  
President  
Western Water Partnerships, PBC  
1001 Bannock Street  
Denver, Colorado 80204

Re: Technical Assistance for Federal Cost Share (TAFC) Grant Approval

Dear Mr. Doherty:

I am pleased to inform you that I have approved your request for a grant from the Technical Assistance for Federal Cost Share (TAFC) Grant Fund. The maximum amount of the grant is \$48,625.00 for up to 100% of the cost of the Developing Innovative Financial Model for the Conservation of Irrigated Lands through Collaborative Water-Sharing Agreements Project. I understand that the project meets the requirements of the TAFC Program.

Nora Flynn of this office will review your deliverables including 1) status reports documenting task activities with each invoice and 2) copies of all feasibility studies, plans, and designs with invoices and 3) copies of federal grant application resulting from this work. Nora will contact you concerning this grant and will assist you with the processing of pay requests.

On behalf of the Board, I would like to thank Western Water Partnerships for its efforts to seek federal funding to support Collaborative Water Sharing Agreements and find innovative solutions for agricultural and municipal water supply challenges in Colorado.

Sincerely,

Rebecca Mitchell, Director  
Colorado Water Conservation Board

## **Scope of Work**

Western Water Partnerships, PBC  
Technical Assistance for Federal Cost Share (TAFC) Program

Developing Innovative Financial Model for the Conservation of Irrigated Lands through  
Collaborative Water-Sharing Agreements (CWSAs)  
“Buy-Protect-Sell”

Grant Amount: \$48,625

**Contractor:** Western Water Partnerships, PBC  
1001 Bannock Street, Denver, CO 80204  
Todd Doherty, President  
303-518-4741  
todd.doherty@westernwaterpartnerships.com  
Federal Tax Identification Number: 47-5108082

**Co-Applicant:** Colorado Open Lands  
1546 Cole Blvd, Lakewood, CO 80401  
Carmen Farmer, Sr. Conservation Project Manager  
970-829-1014  
cfarmer@coloradoopenlands.org

### **Project Purpose:**

#### **Project Need:**

The Colorado Water Plan 2023 draft has identified Collaborative Water Sharing Agreements (CWSA) as an important component for meeting Colorado’s future water needs. The draft CWP has identified some remaining barriers to their more wide-spread adoption including “the cost of development and implementation, and the ability to address the diverse needs of all parties to a deal are what this project hopes to address.”

Western Water Partnerships (WWP) and Colorado Open Lands (COL) have been developing an innovative approach for conserving irrigated farmland and facilitating CWSAs with municipal water providers. In 2021, Colorado’s conservation easement tax credit program increased the tax credit to 90% of the conservation easement’s value from the previous 50%. With this increase in tax credits, combined with revenue from the city’s purchase of the CWSA water and some grant dollars (e.g., philanthropic, CWCB, BRT), it is possible that irrigated farms can be purchased at fair-market prices, protected through conservation easements, CWSA’s developed with the water rights, and then re-sold to an agricultural producer at a much-reduced price (i.e., young farmer). This process would help curb traditional “buy and dry” practices, while allowing municipalities to acquire needed water and keep the prime farmland in production that supports those municipalities’ surrounding, rural economies. We

are calling this process the “Buy-Protect-Sell” model. Please see the attached flow chart explaining the steps and the different funding mechanisms of the model.

**Funding Need:**

Funding will be used for project planning, partner coordination, project design, and to write and submit a grant application for NRCS’s Conservation Innovation Grants Classic program for submittal in 2023.

**Goals or values addressed by this project:**

1. COL’s Strategic Plan: One of COL’s Guiding Principles is Creativity. “We are focused on creating, championing, and celebrating conservation-minded solutions that turn challenges into opportunities.”
2. CWCB’s Colorado Plan 2023 Update: Identifies CWSAs as “an essential tool to meeting future water needs. They are flexible, adaptable, and innovative alternatives that allow all water sectors to benefit and meet future demands.”
3. WWP Articles of Incorporation’s Mission Statement: “To protect agricultural lands and to develop and manage water sharing agreements with, but not limited to, agricultural, municipal, environmental, recreational, industrial, and commercial users.”

**Work performed by:**

Western Water Partnerships (Contractor) and Colorado Open Lands (in-kind contributions).

**Project beneficiaries:**

Beneficiaries include participating farmers and municipal water providers, open space, wildlife, local food advocates, and agricultural interests.

**Other relevant information:**

- The proposed project is scalable and has the potential to have significant positive impacts for at-risk farms throughout Colorado.
- This concept and the economics have been vetted through a reputable and growing Front Range city in the South Platte basin. They indicated this model would be a good fit for them.
- If successful, this model could provide significant amounts of water through CWSAs, while preserving irrigated farmland that supports rural economies.
- Additional on-farm irrigation system improvements can be made.
- There are opportunities to save water and support environmental benefits.
- Risk can be mitigated in areas at high risk of future water conflict.

**Potential funding sources:**

- a. Funding agency: Natural Resources Conservation Service (NRCS)
- b. Conservation Innovation Grants Classic program (CIG Classic program)
- c. NRCS states “through CIG Classic, grantees develop new tools, technologies and strategies to support next-generation conservation efforts on working lands and develop market-based solutions to resource challenges.”
- d. This is an annual grant program. In 2022, the Notice of Funding Opportunity (NOFO) was issued in August 2022 and the application deadline was October 11, 2022. It is expected that the same general timeframe will hold for 2023.
- e. In 2022, the CIG Classic had \$15 million available for grants.
- f. Western Water Partnerships has used the TAFC program in 2020-21 FY to help scope and develop a WaterSMART application to help fund the development of a water-marketing program in the Rio Grande basin. The Rio Grande Water Conservation District was successful in its funding request and the project is currently underway.

**Task Descriptions:**

1. Project Planning and Management: WWP and COL will work to develop a pilot project(s) suitable for submittal for the next round (Fall 2023) of CIG Classic grants.
2. Partner Coordination: WWP and COL will work to coordinate with the multiple partners that would participate in a “Buy-Sell-Protect” pilot project(s) including ditch companies, municipal water providers, conservation organizations and funders.
3. Project Design: WWP and COL will select a pilot project(s) to serve as proof of concept for the “Buy-Protect-Sell” model.
4. Grant Writing: WWP and COL will write and submit a CIG Classic grant in Fall 2023.

**Deliverables:**

1. A copy of COL’s grant application to Conservation Innovation Grants Classic program.
2. A copy of any other federal grant applications associated with this effort.
3. Status reports documenting all task activities with each invoice.

**Task Schedule: November 1, 2022 - December 31, 2023**

**Payment Schedule:**

Activity and Staff Time	Hours	Rate per Hour	Cost
Project Planning	55	175	\$9,625.00
Partner Coordination	100	175	\$17,500.00
Project Design	55	175	\$9,625.00
Grant Writing	55	175	\$9,625.00
Administrative Costs	25	90	\$2,250.00
<b>Total Cost</b>			<b>\$48,625.00</b>



## COLORADO

### Colorado Water Conservation Board

Department of Natural Resources  
1313 Sherman Street, Room 718

Denver, CO 80203

October 28, 2022

Ms. Callie Hendrickson  
Executive Director  
White River Conservation District  
351 7th St.  
Meeker, Colorado 81641

Re: Technical Assistance for Federal Cost Share (TAFC) Grant Approval

Dear Ms. Hendrickson:

I am pleased to inform you that I have approved your request for a grant from the Technical Assistance for Federal Cost Share (TAFC) Grant Fund. The maximum amount of the grant is \$50,000.00 for up to 100% of the cost of the PI-566 Pre-development work in Rio Blanco County Project. I understand that the project meets the requirements of the TAFC Program.

Nora Flynn of this office will review your deliverables including 1) status reports documenting task activities with each invoice and 2) copies of all feasibility studies, plans, and designs with invoices and 3) copies of federal grant application resulting from this work. Nora will contact you concerning this grant and will assist you with the processing of pay requests.

On behalf of the Board, I would like to thank the White River Conservation District for its efforts to support agricultural producers and ditch companies in their pursuit of federal funding that will improve water delivery systems and increase drought resilience.

Sincerely,

Rebecca Mitchell, Director  
Colorado Water Conservation Board

**Scope of Work**  
**White River Conservation District**  
**Technical Assistance for Federal Cost Share (TAFC) Program**  
**PL-566 Pre-development work: Rio Blanco County**

**Grant Amount:** \$50,000

**Contractor:** White River Conservation District  
351 7<sup>th</sup> St, Meeker, CO 81641  
Callie Hendrickson, Executive Director  
970-878-9838  
callie.districts@gmail.com  
Federal Tax Identification Number: 84-0757034

**Project Purpose:**

This project will complete the pre-development work needed to advance on-the-ground infrastructure modernization projects with three ditch companies on the White River. This pre-development effort will provide the foundation needed to design, fund, and implement these projects at scale. The White River Conservation District (WRCD) and its partners will develop a ditch company brief, initial stakeholder engagement, data audit and literature review, preliminary conceptual design, an initial findings report, and funding support. This work will enable the ditch companies to request assistance from NRCS under the agency's Watershed Protection and Flood Prevention (PL-566) program, starting a process that can provide up to \$25 million in federal funding for on-the-ground infrastructure modernization. This pre-development work will provide the foundation for submitting a competitive request to NRCS and provide a framework to accelerate the ditch companies' modernization efforts.

**Potential funding sources:**

**NRCS**

- a. Watershed and Flood Prevention Operations
- b. The three ditches project falls under the category of Agricultural Water Management, which consists of "measures to increase or conserve water supplies and improve water quality. Water conservation practices may include sediment control and land stabilization measures, diversion dams, flumes, canals, water supply reservoirs, pumping plants, and any other measures that would improve water management for improved agricultural efficiency." The NRCS determines eligibility of the project if it meets or exceeds a one-to-one cost benefit ration.
- c. Under the PL-566 program, a potential project sponsor first submits a letter requesting assistance to NRCS Colorado. NRCS Colorado then completes a Preliminary Investigation Feasibility Report (PIFR) to identify if project and the program align and, if they do align, an Environmental Assessment that, when authorized, allows the project sponsor to receive up to \$25 million in federal

funding through PL-566. Ideally, we will help the project sponsor submit this letter before the end of 2022. However, they may submit this as late as late as October 1, 2023 to ensure that the associated project will be ready to successfully complete the PL-566 process.

- d. \$500 million available in the program
- e. WRCD has neither submitted a project for assistance through the PL-566 program nor assisted a ditch company in navigating the PL-566 process with NRCS. To support this effort, WRCD is partnering with FCA, an Oregon-based 501(c)3 organization focused on irrigation infrastructure modernization and CAWA, to help ensure project is successful. FCA has successfully developed and implemented their Irrigation Modernization Program to support over 30 irrigation districts, ditch companies, and agricultural water providers across five western states in modernizing their infrastructure. FCA has assisted these communities in pre-development and subsequent project strategy, design, funding, permitting and construction. FCA has successfully managed the PL-566 process as a contractor for NRCS and for irrigation communities helping these communities to both navigate the PL-566 process and secure nearly \$200 million of funding for on-the-ground projects. FCA's experience in working with irrigation communities from pre-development through project construction will help to mitigate for potential project failure.

## Task Descriptions

Under the proposed project, the WRCD and its partners will complete the initial pre-development work needed to advance infrastructure modernization efforts in one or more ditch companies. This work leverages partners' existing relationships and builds on FCA's successful track record of assisting irrigation districts, ditch companies, and agricultural producers in the Western United States in developing irrigation modernization projects and securing federal funding at scale (over \$180 million to-date).

The tasks identified below are critical first steps to foster successful and durable irrigation modernization efforts that meet long-term community needs. They provide the information needed to the Ditch Company to request assistance from NRCS under PL-566. These tasks also provide the foundation for further project development that provides the design, permitting, funding, and strategic support needed to accelerate irrigation modernization efforts

- 1) Ditch Company Brief. Meet with Ditch Company staff and board members, as appropriate, to understand the Ditch Company's infrastructure, operation of that infrastructure, and any projects that were previously identified as priorities. Contractor will identify existing information resources (e.g. water delivery data, Ditch Company reports, and maps) to help inform subsequent tasks. Contractor will work with the Ditch Company staff and board members to understand their relationships with local, state, federal, and tribal partners.

Timing: October 1 - February 1

- 2) Initial Stakeholder Engagement. Engage key stakeholders with an interest in the Ditch Company and/or the resources potentially affected by modernization to identify, consider, and develop the full range of opportunities related to irrigation modernization efforts. These stakeholders typically include farmers and ranchers; local, state, and federal agencies, tribes, and non-profit organizations.

Timing: December 1 - February 1

- 3) Data Audit and Literature Review. Review previously identified data and reports related to the Ditch Company and relevant to the development of system designs and modernization strategies in-depth. This review typically includes information such as detailed elevation (LiDAR) data; infrastructure location (GIS) data; water rights data; water conveyance data; water management plans; water quality assessments; and special status species plans. Contractor will outline all information reviewed during this process and identify any data gaps where additional collection is needed.

Timing: December 1 - February 1

- 4) Preliminary Conceptual Design. Develop an initial conceptual design of a modernized irrigation system based on the modernization opportunities identified in previous steps. This design will provide a sketch of a modernized system to help prioritize subsequent data collection and to develop order-of-magnitude estimates of potential costs and benefits, if possible, to inform subsequent modernization funding and strategy development.

Timing: April 1 - July 1

- 5) Initial Findings Report. Develop a report that summarizes findings from Tasks 1-4. This report informs the assessments to be completed through the irrigation modernization process. Depending on the Ditch Company's needs, these assessments may focus on the entire Ditch Company or a subset of the Ditch Company. Contents of this report will be customized for the Ditch Company, and they typically include some or all the following topics: stakeholder summary; data audit and literature review summary; funding opportunities; summary of Ditch Company modernization opportunities; conceptual design of modernization opportunities; and potential projects for accelerated implementation. A presentation of the Initial Findings Report and proposed next steps for continued modernization Phase II activities will be provided. Upon approval by the Ditch Company board, additional presentations on the initial findings and Phase II activities will be given to other stakeholders as appropriate.

Timing: August 1 - October 1

- 6) Funding Support. Explore funding opportunities to support future modernization activities, and will complete and submit funding applications to support these activities and projects (e.g., letter requesting assistance from NRCS through PL-566).



Timing: January 1 - April 1

**Deliverables:**

1. A copy of all federal grant applications prepared or submitted associated with this TAFC application (required).
2. Status reports documenting all task activities with each invoice (required).
3. Ditch Company Brief
4. Data Audit and Literature Review
5. Preliminary Conceptual Design
6. Initial Findings Report

**Task Schedule:**

Ditch Company Brief	October 1 - February 1
Initial Stakeholder Engagement	December 1 - February 1
Data Audit and Literature Review	December 1 - February 1
Preliminary Conceptual Design	April 1 - July 1
Initial Findings Report	August 1 - October 1
Funding Support	January 1 - April 1

**Payment Schedule:**

<b>Task No.*</b>	<b>Task Name</b>	<b># of Units</b>	<b>Cost Per Unit</b>	<b>Total</b>	<b>CWCB</b>	<b>Match</b>
1	Irrigation Community Brief	59	\$ 135	\$ 8,000	\$ -	\$ 8,000
2	Stakeholder Engagement	93	\$ 135	\$ 12,500	\$ 10,000	\$ 2,500
3	Data Audit & Review	167	\$ 135	\$22,500	\$ 10,000	\$12,500
4	Preliminary Conceptual Design	389	\$ 135	\$ 52,500	\$ 10,000	\$42,500
5	Initial Findings Report	74	\$ 135	\$ 10,000	\$ 5,000	\$ 5,000
6	Project Funding Support	74	\$ 135	\$10,000	\$ 5,000	\$ 5,000
7	"Early Action" Project Plan	74	\$ 135	\$ 10,000	\$ 5,000	\$ 5,000
8	Project Administration	89	\$ 135	\$ 12,000	\$ 5,000	\$ 7,000
<b>Total Project Cost</b>				<b>\$ 137,500</b>	<b>\$ 50,000</b>	<b>\$ 87,500</b>



## COLORADO

### Colorado Water Conservation Board

Department of Natural Resources  
1313 Sherman Street, Room 718

Denver, CO 80203

October 28, 2022

Mr. Matthew A. Reddy  
Regional Biologist  
Ducks Unlimited, Inc.  
2114 Midpoint Drive, Suite #1  
Fort Collins, Colorado 80525

Re: Technical Assistance for Federal Cost Share (TAFC) Grant Approval

Dear Mr. Reddy:

I am pleased to inform you that I have approved your request for a grant from the Technical Assistance for Federal Cost Share (TAFC) Grant Fund. The maximum amount of the grant is \$50,000.00 for up to 100% of the cost of the Northern San Luis Valley Watershed Restoration Project. I understand that the project meets the requirements of the TAFC Program.

Nora Flynn of this office will review your deliverables including 1) status reports documenting task activities with each invoice and 2) copies of all feasibility studies, plans, and designs with invoices and 3) copies of federal grant application resulting from this work. Nora will contact you concerning this grant and will assist you with the processing of pay requests.

On behalf of the Board, I would like to thank the Ducks Unlimited for its efforts to pursue federal funding that will improve wetland and riparian habitat and benefit agricultural drought resilience in the San Luis Valley.

Sincerely,

Rebecca Mitchell, Director  
Colorado Water Conservation Board

## INSTREAM FLOW ATTACHMENTS

### Requests for Administration of Instream Flow Water Rights

In the 2022 water year, staff investigated low flow alerts from the satellite monitoring system and placed seven formal requests for administration, identified in the table below. The Division Engineer worked to enforce the calls through curtailment of junior water rights or undecreed uses, limiting water rights to decreed rates, through implementation of augmentation plans, and denying junior exchanges. The call letters and detailed information on the Board's rights that were administered can be found on the CWCB's web page at: <https://cwc.colorado.gov/instream-flow-administrative-calls>

Stream Name	Water Division	Case Number(s)	Date(s) of Formal Call	Amount (cfs)/ (dates)	Termini
Colorado River	5	8CW0447	10/25/2022	90 (1/1 - 12/31)	UT: Windy Gap diversion LT: confl Williams Fork River
Beaver Creek	5	75W2719	9/9/2022	4 (10/1 - 4/30) 12 (5/1 - 9/30)	UT: outlet Beaver Lake LT: confl Eagle River
Eagle River	5	80CW0126	9/9/2022	45 (10/1 - 4/30) 110 (5/1 - 9/30)	UT: confl Lake Creek LT: confl Brush Creek
Eagle River	5	80CW0134	9/9/2022	35 (10/1 - 4/30) 85 (5/1 - 9/30)	UT: conlf Gore Creek LT: conlf Lake Creek
Slate River	4	80CW0092	9/2/2022	12 (12/1 - 3/31) 23 (4/1 - 11/30)	UT: confl Coal Creek LT: confl East River
Elk River	6	77W1279	8/26/2022	65 (1/1 - 12/31)	UT: conlf NF Elk River LT: conlf Rock Creek
Roaring Fork River	5	76W2948	8/22/2022	32 (1/1 - 12/31)	UT: confl Difficult Creek LT: confl Maroon Creek

**November 16-17, 2022 Board Meeting  
Instream Flow and Natural Lake Level Program  
Summary of Resolved Legal Protection Cases**

The Board's Instream Flow ("ISF") Rule 8i(1) states:

In the event the pretrial resolution includes terms and conditions preventing injury or interference and does not involve a modification, or acceptance of injury or interference with mitigation, the Board is not required to review and ratify the pretrial resolution. Staff may authorize its counsel to sign any court documents necessary to finalize this type of pretrial resolution without Board ratification.

Since the last Board Meeting, staff has resolved issues of potential injury to CWCB's instream flow ("ISF") water rights in the following water court cases. Staff, along with the Attorney General's Office, has resolved 7 cases in which CWCB had filed a Statement of Opposition. Six cases were resolved via stipulations and one case was withdrawn by the Applicant. Staff obtained an agreement via a letter-in-lieu of filing a Statement of Opposition in 2 cases.

**A. STATEMENTS OF OPPOSITION**

**(1) Case No. 19CW3089 (Water Division 2) - Application of Upper Arkansas Water Conservancy District**

The Board ratified this Statement of Opposition at its March 2020 meeting. Applicant requested a "Change of Water Rights". Staff, in cooperation with the Attorney General's Office, has negotiated a settlement to ensure that the CWCB's instream flow water rights will not be injured. CWCB's stipulation was approved by the court on 9/7/2022. Not all parties have stipulated. The case remains before the water court Referee.

The CWCB holds instream flow water rights, including the following, in Water Division 2 in the Arkansas Headwaters watershed that could have been injured by this application:

Appropriated ISF Water Right:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
79CW0115	Cottonwood Creek	confl M&S Cottonwood Creeks	confl Arkansas River	20 (1/1 - 12/31)	03/14/1979

In addition to standard terms regarding measuring devices, accounting and retained jurisdiction, the Applicant has agreed to the following additional protective terms and conditions:

- "In order for UAWCD to receive credit for deliveries of the Changed Rights to a location at or below the confluence of Cottonwood Creek and the Arkansas River, the water commissioner shall administer any portion of the Changed Rights (whether fully consumable or for replacement of return flows) that are being delivered to ensure that such portion of

the Changed Rights is physically delivered past intervening diversion structures on Cottonwood Creek to the confluence, and such portion shall be in addition to any other amounts of water that may be required to be delivered via Cottonwood Creek to the Arkansas River (including but not limited to deliveries pursuant to the Case No. W- 4411 Decree), provided however, that this paragraph shall not be construed to prohibit any water user from completing a lawful exchange exercised in priority against such deliveries, and if UAWCD's deliveries are exchanged against, UAWCD shall receive credit as if such Changed Rights were delivered to the confluence of Cottonwood Creek and the Arkansas River. The determination of what portion of the Change Rights have been successfully delivered under this paragraph shall be determined by the Division Engineer's Office."

- UAWCD's use of the Changed Rights shall be subject to maximum monthly and annual Bypass Diversion limits and maximum 10-year limits on net Arkansas River Depletions as shown in the decree.
- The CWCB owns decreed instream flow water rights on stream reaches located below a number of the storage structures listed in paragraph 8.b, of the decree. UAWCD shall not exchange, pursuant to decree or administrative approval, the Changed Rights to an upstream location within or upstream of an instream flow reach to the detriment of the instream flow water right.

## **(2) Case No. 20CW3102 (Water Division 4) - Application of Beaver Pines LLC**

The Board ratified this Statement of Opposition at its March 2021 meeting. Applicant requested "Underground Water Right, Storage Water Rights and for Approval of Augmentation Plan". Staff, in cooperation with the Attorney General's Office, has negotiated a settlement to ensure that the CWCB's instream flow water rights will not be injured. All parties have stipulated. The Referee's Ruling was entered on 10/27/2022. The Judge's Decree is expected to be entered after the 21 day required protest period, so long as no protest is filed.

The CWCB holds instream flow ("ISF") water rights, including the following, in Water Division 4 in the Lower Dolores and San Miguel watersheds that could have been injured by this application:

Appropriated ISF Water Rights:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
93CW0268	Beaver Creek	confl Goat Creek	confl San Miguel River	5 (5/1 - 6/30) 2.5 (7/1 - 4/30)	11/09/1993
02CW0277	San Miguel River	confl Fall Creek	pt immed u/s of confl Horsefly Cr	93 (5/1 - 10/14) 61 (10/15 - 4/30)	01/23/2002
11CW0129	San Miguel River	confl Calamity Draw	confl Dolores River	325 (4/15 - 6/14) 170 (6/15 - 7/31) 115 (8/1 - 8/31) 80 (9/1 - 2/29) 115 (3/1 - 4/14)	01/25/2011
15CW3111	Dolores River	confl San Miguel River	Private Road Bridge	900 (4/15 - 6/14) 400 (6/15 - 7/15) 200 (7/16 - 8/14) 100 (8/15 - 3/15) 200 (3/16 - 4/14)	01/28/2014

In addition to standard terms regarding measuring devices, accounting and retained jurisdiction, the Applicant has agreed to the following additional protective terms and conditions:

- “Description of Augmentation Plan. The water rights in this application may be used as the sole source of irrigation water year round. Applicant will augment all out-of-priority depletions, including lagged out-of-priority depletions resulting from Beaver Pines Well Field well pumping, through releases from storage from the Ponds. Water decreed herein will be stored in the Ponds when in priority and released as needed.”
- “Replacement Supplies. To ensure that adequate augmentation supplies are stored in the Ponds to replace potential out-of-priority lagged pumping depletions resulting from well field pumping, applicant shall advise the Division Engineer of the amount of water stored in the Ponds on June 1st of each year in order to determine the amount of augmentation water available to cover projected out-of-priority depletions, taking into account the Ponds’ evaporative losses. The Beaver Pines Well Field may be pumped only when there is adequate augmentation water available to replace out-of-priority lagged depletions from such pumping.”
- “Prior to the construction and/or operation of Beaver Pines Well Field, applicant must obtain well permit(s) issued pursuant to C.R.S. § 37-90-137(2) and the Beaver Pines Augmentation Plan, subject to and conditioned upon the rulings and findings made herein.
- “Within 60 days of the construction of each well in the Beaver Pines Well Field, the applicant must notify the Water Court and the Division Engineer of the precise location of that well.”
- “Applicant will line the Ponds as requested by the Division Engineer to prevent any seepage or interception of groundwater and to ensure sufficient augmentation supplies exist in the

Ponds to replace out-of-priority lagged depletions resulting from Beaver Pines Well Field well pumping.”

### (3) Case No. 19CW3061 (Water Division 5) - Application of StarView Holdings, LLC

The Board ratified this Statement of Opposition at its July 2019 meeting. Applicant requested “Storage Water Rights and Approval of a Plan for Augmentation.” Staff, in cooperation with the Attorney General’s Office, has negotiated a settlement to ensure that the CWCB’s instream flow water rights will not be injured. CWCB’s stipulation was approved by the court on 9/27/2022. Not all parties have stipulated. This case remains pending before the water court Referee.

The CWCB holds instream flow water rights, including the following, in Water Division 5 in the Roaring Fork watershed that could have been injured by this application:

#### Appropriated ISF Water Rights:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
W-2948 (1976)	Roaring Fork River	Confluence Difficult Creek	Confluence Maroon Creek	32 (1/1-12/31)	01/14/1976
85CW0646	Roaring Fork River	Confluence Maroon Creek	Confluence Fryingpan River	30 (10/1-3/31) 55 (4/1-9/30)	11/08/1985
85CW0639	Roaring Fork River	Confluence Fryingpan River	Confluence Crystal River	75 (10/1-3/31) 145 (4/1-9/30)	11/08/1985
W-2656 (1975)	Hunter Creek	Confluence No Name Creek	Confluence Roaring Fork River	14 (1/1-12/31)	02/26/1975
79CW0190 (increase)	Hunter Creek	Confluence No Name Creek	Confluence Roaring Fork River	16 (1/1-12/31)	01/31/1979
W-2938 (1976)	Woody Creek	Headwaters	Confluence Roaring Fork River	6 (1/1-12-31)	01/14/1976

#### Donated/Acquired ISF Water Rights

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
10CW0184	Roaring Fork River	Confluence Maroon Creek	Confluence Owl Creek	3.54 (5/1-10/31)	6/30/1904



10CW0184	Roaring Fork River	Confluence Owl Creek	Confluence Fryingpan River	0.15-0.89 (dates vary)	6/30/1904
80CW0018	Hunter Creek	Various ditches & Historical return flow points	Confluence Roaring Fork River & Historical return flow points	0.005-15.3 (1/1-12/31)	Varies: 1946-1967
80CW0061	Hunter Creek	Hunter Creek Flume and Pipeline	Confluence Roaring Fork River	15 (1/1-12/31)	06/10/1886
80CW0062	Hunter Creek	Red Mountain Ditch headgate	Confluence Roaring Fork River	0.5 (1/1-12/31)	05/15/1884

In addition to standard terms regarding measuring devices, accounting and retained jurisdiction, the Applicant has agreed to the following additional protective terms and conditions:

- “StarView also acknowledges that the CWCB has acquired water rights that were decreed for instream flow use in Case Nos. 80CW18, 80CW61, and 80CW62. StarView’s exchange shall not operate against the CWCB’s acquired interests in the Stapleton Brothers’ Ditch water right located on Maroon Creek that was decreed for instream flow purposes on Maroon Creek and the Roaring Fork River in Case No. 10CW184.”

.....

#### **(4) Case No. 19CW3068 (Water Division 5) - Application of Piney Valley Ranches Trust**

The Board ratified this Statement of Opposition at its July 2020 meeting. Applicant requested “Change of Water Rights to Add Alternate Points of Diversion and Correct Legal Descriptions of Decreed Points of Diversion”. Staff, in cooperation with the Attorney General’s Office, has negotiated a settlement to ensure that the CWCB’s instream flow water rights will not be injured. CWCB’s stipulation was approved by the court on 10/8/2022. This case remains pending before the water court Referee.

The CWCB holds instream flow ("ISF") water rights, including the following, in Water Division 5 in the Colorado Headwaters watershed that could have been injured by this application:

Appropriated ISF Water Rights:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
86CW0229	Piney River	confl NF Piney River	confl Colorado River	9 (1/1 - 12/31)	01/16/1986
17CW3236 (increase)	Piney River	confl Grape Creek	confl Colorado River	4 (12/01 - 03/31) 16 (04/01 - 04/30) 55 (05/01 - 07/15) 16 (07/16 - 08/15) 8 (08/16 - 11/30)	01/24/2017

In addition to standard terms regarding measuring devices, accounting and retained jurisdiction, the Applicant has agreed to the following additional protective terms and conditions:

- “This change of water right decree allows only for alternate points of diversion at the South Rickstrew Intake and North Rickstrew Intake and does not authorize any other change in place of use, type of use, or season of use of any of the subject water rights. The subject water rights will continue to be used for irrigation at the place of use shown on Exhibit B attached.”
- “Pursuant to the requirements of Civil Action 1038, Applicant is limited to a diversion rate of 2.95 cfs under the Enlargement right at times there is not flow in Edwards Draw. If Applicant wishes to divert that portion of the Enlargement Right exceeding 2.95 cfs (to be limited to 4.05 cfs), approved measurement and recording devices must be installed in Edwards Draw to verify the flow amount.”

**(5) Case No. 21CW3125 (Water Division 5) - Application of Mystery Ranch LLC**

The Board ratified this Statement of Opposition at its January 2022 meeting. Application for underground water rights, water storage right, application for surface water right, and plan for augmentation. In this case, Applicant filed to withdraw its case. The Court granted Applicant’s Motion to Withdraw on October 25, 2022. This case is closed.

The CWCB holds instream flow ("ISF") water rights, including the following, in Water Division 5 in the Roaring Fork watershed that could have been injured by this application:

Appropriated ISF Water Rights:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
W-2720 (1975)	Crystal River	confl Avalanche Creek	confl Roaring Fork River	60 (10/1 - 4/30) 100 (5/1 - 9/30)	05/01/1975

**(6) Case No. 21CW3171 (Water Division 5) - Application of Eric A. Rudd**

The Board ratified this Statement of Opposition at its March 2022 meeting. Applicant requested “Change of Water Right”. Staff, in cooperation with the Attorney General’s Office, has negotiated a settlement to ensure that the CWCB’s instream flow water rights will not be injured. CWCB’s stipulation was filed with the court on 10/26/2022. This case remains pending before the water court Referee.

The CWCB holds instream flow (“ISF”) water rights, including the following, in Water Division 5 in the Roaring Fork watershed that could have been injured by this application:

Appropriated ISF Water Rights:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
85CW0639	Roaring Fork River	confl Fryingpan River	confl Crystal River	75 (10/1 - 3/31) 145 (4/1 - 9/30)	11/08/1985

In addition to standard terms regarding measuring devices, accounting and retained jurisdiction, the Applicant has agreed to the following additional protective terms and conditions:

- “The Applicant agrees to place and install culverts across the Basin ditch on his property to catch the return flows from the irrigation of lands located above the ditch and divert those return flows to the portion of his property that is below the ditch. A ditch will be dug alongside the ditch on the northern side to collect said return flows and direct them into the culverts to be siphoned across the ditch.”
- 

**(7) Case No. 21CW3182 (Water Division 5) - Application of The Crystal River Ranch Co., LLC**

The Board ratified this Statement of Opposition at its March 2022 meeting. Applicant requested “Water Rights and Approval of Plan for Augmentation and Exchange”. Staff, in cooperation with the Attorney General’s Office, has negotiated a settlement to ensure that the CWCB’s instream flow water rights will not be injured. CWCB’s stipulation was filed with the court on 9/28/2022. This case remains pending before the water court Referee.

The CWCB holds instream flow (“ISF”) water rights, including the following, in Water Division 5 in the Roaring Fork watershed that could have been injured by this application:

Appropriated ISF Water Rights:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
W-2720 (1975)	Crystal River	confl Avalanche Creek	confl Roaring Fork River	60 (10/1 - 4/30) 100 (5/1 - 9/30)	05/01/1975

In addition to standard terms regarding measuring devices, accounting and retained jurisdiction, the Applicant has agreed to the following additional protective terms and conditions:

- “The Applicant shall have the right to divert the Sweet Jessup Canal Stockwater Right described in paragraph 5 whenever it is in priority. The sources of augmentation water described in paragraph 6 shall be utilized when the Sweet Jessup Canal Stockwater Right described in paragraph 5 is out of priority during the months of October through December and when a validly administered call is placed for a senior water right located downstream of the location where Applicant’s augmentation water is delivered and the location where the unused stockwater returns to the Roaring Fork River. The Sweet Jessup Canal Stockwater Right shall be curtailed during periods when a validly administered call is placed for a senior water right located upstream of the location where Applicant’s augmentation water is delivered and the location where the unused stockwater returns to the Roaring Fork River. This includes a validly administered call of the instream flow water right on the Crystal River decreed in Case No. W-2720, (decreed in the amount of 60 cfs from October 1-April 30, and 100 cfs from May 1-September 30 cfs).”

## **B. LETTERS IN LIEU**

The following cases were resolved by Staff through negotiated letters in lieu of filing water court Statements of Opposition. This method of settlement is preferred when facts and time allow such negotiation before the Statement of Opposition period ends. In each case, CWCB staff will continue to monitor the proposed rulings and decrees. In each case, Applicant has agreed to not oppose a motion to intervene if the agreed upon terms are not included. The following were negotiated to resolution:

### **(1) Case No. 22CW3098 (Water Division 1) - Application of Timothy J. Ekstrom, Courtney A. Ekstrom, Robert L. Ekstrom, Taylor Hudson, Michael Raihan, Mountain Mutual Reservoir Company, and North Fork Associates, LLC**

During the July 2022 Water Court Resume Review, CWCB staff identified concerns regarding potential injury to CWCB’s instream flow water rights decreed in Case Nos. 84CW0646 on Elk Creek and 86CW0298 on Kennedy Gulch. This case was resolved with CWCB by a letter agreement, dated September 23, 2022, by which CWCB agreed not to file a Statement of Opposition, provided Applicant incorporates the following terms and conditions into any draft and final decrees and Applicant agrees to not oppose a Motion to Intervene by CWCB if such terms and conditions are not included.

“In the event there is a senior call within the exchange project reach, including a CWCB instream flow call, that precludes the exchange, the Applicants can have replacement water delivered via trucking to make replacements above the calling water right or release water from an onsite container. The exchange project right will operate to replace depletions to the flow of water in the stream system as the depletions occur.”

**(2) Case No. 22CW3086 (Water Division 5) - Application of Blue Valley Metropolitan District**

During the August 2022 Water Court Resume Review, CWCB staff identified concerns regarding potential injury to CWCB's instream flow water rights decreed in Case No. 87CW0299 on the Blue River. This case was resolved with CWCB by a letter agreement, dated October 31, 2022, by which CWCB agreed not to file a Statement of Opposition, provided Applicant incorporates the following terms and conditions into any draft and final decrees and Applicant agrees to not oppose a Motion to Intervene by CWCB if such terms and conditions are not included.

“Applicant recognizes that the Colorado Water Conservation Board’s existing instream flow water right decreed in Case No. 87CW299 on the Blue River was decreed prior to the filing of this case. To prevent injury to the instream flow water right, Applicant agrees to operate the subject water right and plan for augmentation as agreed to in the previous augmentation plan decreed in Case No. 96CW286 as amended in Case No. 98CW27, under the following terms and conditions:

At times when the Blue River instream flow water right decreed in Case No. 87CW299 is not satisfied immediately below the Applicant’s diversion structure, Applicant agrees to:

- 1) curtail its out-of-priority depletions under this plan for augmentation, or
- 2) replace said out-of-priority depletions with a release of augmentation water from Green Mountain Reservoir.”



**COLORADO**

**Colorado Water  
Conservation Board**

Department of Natural Resources

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Jared Polis, Governor

Dan Gibbs, DNR Executive Director

Rebecca Mitchell, CWCB Director

**TO:** Colorado Water Conservation Board Members

**FROM:** Kirk Russell, P.E., Finance Section Chief

**Board Meeting:** November 16-17, 2022 Board Meeting

**Directors Report:** Water Project Loans  
Interest Rates

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### Introduction

The CWCB establishes interest rates bi-monthly for the Water Project Loan Program (per Financial Policy #7).

The current rates for a 30-year term are as follows:

- 1.80% - Agricultural
- 2.55% - Low-income Municipal
- 3.00% - Middle-income Municipal
- 3.40% - High-income Municipal
- 6.00% - Commercial
- 2.00% - Hydroelectric

The standard loan term is 30 years. Rates are reduced by 0.25% for 20-year loans, and by 0.60% for 10-year loans. Rates are increased by 0.25% for 40-year loans.

The rates can also be found on the CWCB web site under the “Loans and Grants” tab. These rates will be applicable for loans presented at this Board meeting.





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Dan Gibbs, DNR Executive Director

Rebecca Mitchell, Director

**To:** Colorado Water Conservation Board Members  
**From:** Kirk Russell, P.E., Finance Section Chief  
Jessica Halvorsen, Program Assistant  
**Board Meeting:** November 16-17, 2022 Board Meeting  
**Directors Report:** Water Project Loan Program, Design & Construction Status Report

The CWCB Loan Program has Substantially Completed (10) projects in Calendar Year 2022 as shown in the Table. There are currently (50) projects authorized to receive loan funding totaling \$340. There are (44) projects currently under contract and in the Design/Construction phase totaling \$241 M. The attached spreadsheet summarizes the status of all loans. A detailed description about each project is provided on the CWCB website under Water Project Loan Program. [cwcb.colorado.gov/loans-grants/water-project-loan-program](https://cwcb.colorado.gov/loans-grants/water-project-loan-program)

	Borrower	Project	County	Loan Amount	Complete
1	Central Colorado WSD	Walker Recharge	Weld	\$2,272,500	1/1/22
2	GMS of CCWCD	Walker Recharge	Weld	\$9,847,500	1/1/22
3	WAS of CCWCD	Walker Recharge	Weld	\$3,030,000	1/1/22
4	Huerfano County WCD	Regional Augmentation Project	Huerfano	\$2,666,400	2/1/22 (a)
5	Upper Platte & Beaver Canal Co.	Diversion Structure Replacement	Morgan	\$4,078,215	2/1/22
6	Cedar Mesa Ditch Company	Lower Cedar Mesa Ditch Piping	Delta	\$468,717	6/1/22
7	Grand Mesa Water Conservancy District	Peak Res. & Blanche Park Res. Rehabilitation	Delta	\$466,620	6/1/22 (b)
8	Left Hand Ditch Company	Allen's Lake Filler Canal Improvements	Boulder	\$947,709	6/1/22
9	The Tunnel Water Company	Rawah Ditch Tunnel Rehabilitatio	Larimer	\$1,198,066	6/1/22
10	Parker Water and Sanitation District	WISE - Phase 2 Infrastructure	South Platte	\$3,418,658	8/1/22
			Total	\$28,394,385	

Calendar Year 2022 has added and preserved 180 acre-feet of reservoir storage; (a) 25; (b) 155





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Jared Polis, Governor

Dan Gibbs, DNR Executive Director

Rebecca Mitchell, CWCB Director

**TO:** Colorado Water Conservation Board Members

**FROM:** Matthew Stearns, P.E., Project Development

**DATE:** November 16-17, 2022 Board Meeting

**DIRECTORS REPORT: Water Project Loan Program**  
Prequalified Project List and Loan Prospect Summary

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The Finance Section compiles a list of prequalified projects for the Water Project Loan Program. In order to be included on this list, potential borrowers must submit a Loan Application and three years of financial statements to the CWCB staff. In addition, Borrowers requesting to be placed on the Prequalification Project List have a defined project, have performed preliminary engineering, and have a reasonable estimate of the project costs.

Projects on this list fit the initial criteria of the Water Project Loan Program; however, the list does not constitute loan approval. In order to receive a loan, borrowers must additionally submit a completed Loan Feasibility Study for review by CWCB staff. Staff will then prepare a recommendation to the Board for approval at a future CWCB meeting. Projects will remain on this list for one year from the date of the application or until Board approval of a loan.





## Prequalified Project List

BORROWER	PROJECT NAME	APPLICATION DATE	BASIN	PROJECT DESCRIPTION	PROJECT COST/LOAN AMOUNT
Previously Approved Applications					
Sustainable Water Augmentation Group, Inc.	Water Rights Purchase	July 1, 2022	Rio Grande	The Corporation is purchasing two irrigated farm/ranch properties where 39 center pivot irrigation circles will be retired, and surface water rights will be used to replace stream depletions to the Rio Grande caused by groundwater withdrawals of member wells.	\$39,200,000
Total					\$39,200,000



The Finance Section also compiles a list of potential borrowers/projects for the Water Project Loan Program. This list represents borrowers that have contacted the CWCB about a potential need for funding but have not submitted a loan application and loan feasibility study. Projects are also identified if they have a Health/Safety (\*), Economic Impact (†), or Federal Match (‡) component.

BORROWER	PROJECT NAME	POTENTIAL LOAN AMOUNT
<b>South Platte</b>		
NISP Participants	NISP	\$750,000,000
Woods Lake Mutual Ditch Company	Culvert Replacement	\$150,000
Town of Kersey	Water Line Project	TBD
Riverside Reservoir and Land Company	Ditch Rehabilitation	\$250,000
Town of Bennett	Raw Water Tank	\$500,000
Evergreen Metro District	Evergreen Dam Enlargement	TBD
Left Hand Water District	Dry Creek Reservoir	TBD
Shawnee Water Consumers Association	Reservoir Rehabilitation	\$200,000
Boulder and White Rock Ditch & Res. Co.	Reservoir Dredging	TBD
Western Mutual Ditch Company	Reservoir Dredging	TBD
Bergen Ditch and Reservoir Company (*)	Reservoir Rehabilitation	TBD
Louviers Water and Sanitation District	Regional Connection	TBD
City of Fort Collins	Irrigation Ditch Piping	\$20,000,000
City of Fort Collins	Halligan Reservoir Enlargement	\$120,000,000
Northern Colorado WCD	Windy Gap Firing (increase)	\$40,000,000
SPROWG Participants	SPROWG	\$1,800,000,000
City of Milliken (*)	Hillsboro Dam Rehabilitation	\$15,000,000
Colorado Parks and Wildlife (*)	Tarryall Dam Rehabilitation	\$5,000,000
Standley Lake Operating Committee	Reservoir Expansion	TBD
Switzerland Park HOA	Reservoir Rehabilitation	\$300,000
Danna Ortiz	Knouth Reservoir Rehabilitation	\$3,000,000
Loup Reservoir Company	Loup Reservoir Rehabilitation	TBD
Arthur Irrigation Company	Ditch Rehabilitation	TBD
Handy Ditch Company	Welch Reservoir Rehabilitation	\$1,000,000
Castle Pines Metropolitan District	Chatfield Water Purchase	\$500,000
Glacier Lake Property Owners	Glacier Lake Outlet Rehabilitation	TBD
Central, City of	Raw Water Pipeline	TBD
Denver, City of	Floodplain Improvement	TBD
Consolidated Mutual Water Company (*)	Reservoir Rehabilitation	TBD
Ogilvy Irrigating and Land Company	Loloff Reservoir Improvements	\$5,200,000
Wadley Farms 3 HOA	Reservoir Rehabilitation	TBD
Loveland Lake and Ditch Company	Reservoir Rehabilitation	TBD
Platte Valley Irrigation Company	New Reservoir	\$3,000,000
Fort Morgan Reservoir and Irrigation Co.	Pumpline Rehabilitation	\$1,700,000
Inverness	Reservoir Improvements	TBD
Cottonwood	Reservoir Improvements	TBD
Arapahoe County W/WW Authority	Reservoir Improvements	TBD
<b>Subtotal</b>		<b>\$2,765,800,000</b>



BORROWER	PROJECT NAME	POTENTIAL LOAN AMOUNT
<b>Arkansas</b>		
Town of Manitou Springs	Raw Water Pipeline	\$3,000,000
City of Woodland Park	Storage Project	\$1,000,000
Fort Lyon Canal Company	Adobe Creek Enlargement	\$8,000,000
Deweese Ditch and Reservoir Co. (+)	Reservoir Enlargement	TBD
Holbrook Ditch Company	Reservoir Enlargement	TBD
Lake County	New Reservoir	TBD
Catlin Canal Company	Canal System Improvement	\$1,500,000
Lower Arkansas WCD	New Storage Account	TBD
Donala Water and Sanitation District	Ditch Construction	TBD
Mesa McKenna Mutual Ditch Company	Ditch Piping Project	TBD
Town of Avondale (*)	New Well	TBD
Round Mountain Water & Sanitation	New Reservoir	TBD
Ordway, Town of	Reservoir Rehabilitation	TBD
Cross Creek Metropolitan District	Hale Reservoir Rehabilitation	\$3,000,000
Twin Lakes Reservoir and Canal Company	Dam and Tunnel Rehabilitation	\$9,000,000
Colorado City (*)	Beckwith Dam Rehabilitation	\$8,000,000
Oxford Ditch Company	Flume Rehabilitation	\$1,800,000
Fort Lyons Canal Company (+)	Diversion Structure Repair	\$500,000
Aguilar, Town of (‡)	New Augmentation Reservoir	TBD
Huerfano County	Water Rights Purchase	\$1,200,000
<b>Subtotal</b>		<b>\$37,000,000</b>
<b>San Miguel/Juan</b>		
Town of Bayfield	Ditch Piping Project	\$500,000
Redmesa Reservoir and Ditch Co. (*)	Redmesa Reservoir Enlargement	\$11,500,000
City of Cortez	Distribution System (Loss Prevention)	\$10,000,000
Webber Ditch Company (‡)	Ditch Piping Project	TBD
Pagosa Area Water and Sanitation Dist. (*)	Raw Water Pipeline Rehabilitation	TBD
Town of Naturita	Water Meters	TBD
Farmers Water Development Company	Reservoir Rehabilitation	TBD
Lone Cone Ditch and Reservoir Company	Reservoir Rehabilitation	TBD
Sellers McClane Reservoir and Ditch Co.	Reservoir Rehabilitation	TBD
<b>Subtotal</b>		<b>\$22,000,000</b>
<b>Colorado</b>		
Orchard Mesa Irrigation District	Lateral Piping	\$300,000
Silt Water Conservancy District	Harvey Gap Reservoir	\$300,000
Middle Ditch	Ditch Piping Project	TBD
New Multa Trina Ditch Company (‡)	Ditch Piping Project	TBD
Gunther Covers	Christenson Dam	TBD
Town of Minturn	New Well Field	\$5,220,000
Flannery Water Company, LLC	Reservoir Rehabilitation	TBD
Fruita, City of	Reservoir Rehabilitation	TBD
Dave Phelps	King Dam Rehabilitation	TBD
Royal Elk Ranch	Ditch Rehabilitation	\$2,000,000
<b>Subtotal</b>		<b>\$7,820,000</b>



BORROWER	PROJECT NAME	POTENTIAL LOAN AMOUNT
<b>Gunnison</b>		
Gunnison County Electric	Taylor Park Hydro	\$1,000,000
Duke Ditch Company	Ditch Piping Project	\$400,000
Bostwick Park Water Conservancy District	Dam Construction	TBD
Kendall Reservoir Company	Reservoir Rehabilitation	\$140,000
Orchard City Irrigation District (#)	Fruit Growers Reservoir Rehab	\$240,000
Ouray, City of	Water Supply Pipeline	\$750,000
Grand Mesa Water Users Association	Reservoir Rehabilitation	\$600,000
Crested Butte, Town of	Dam Outlet Rehabilitation	TBD
Olathe, Town of	Water Meter Replacement	TBD
Lone Cabin Ditch Company	Ditch Rehabilitation	TBD
Otter Pond HOA	Dam Rehabilitation	\$650,000
<b>Subtotal</b>		<b>\$3,780,000</b>
<b>North Platte</b>		
Colorado Parks and Wildlife (*)	North Michigan Creek Reservoir	\$6,000,000
Spicer Ranches, LTD	Reservoir Rehabilitation	TBD
Walden, Town	New Well	TBD
<b>Subtotal</b>		<b>\$6,000,000</b>
<b>Rio Grande</b>		
Manassa Land & Irrigation Co.	Ditch Rehabilitation	\$6,000,000
Baca Grande WSD	Water Rights Purchase	\$1,000,000
Sanchez Ditch and Reservoir Co.	Dam Rehabilitation	\$4,000,000
Rio Grande WCD - Subdistrict #1	Water Rights Purchase	\$5,000,000
Colorado Parks and Wildlife	Alberta Park Dam Rehabilitation	\$4,000,000
La Jara, Town of	System Rehabilitation	TBD
Crestone, Town of	Water Rights Purchase	\$200,000
Rio Grande WCD - Subdistrict #4	Water Rights Purchase	\$1,000,000
Rio Grande WCD - Subdistrict #3	Water Rights Purchase	\$2,300,000
San Luis Valley WCD	Water Rights Purchase	\$500,000
Rio Grande WCD	Water Rights Purchase	\$3,000,000
<b>Subtotal</b>		<b>\$27,000,000</b>
<b>Yampa</b>		
Town of Oak Creek (*)	Reservoir Rehabilitation	\$5,600,000
Rio Blanco WCD	Wolf Creek Reservoir	\$100,000,000
Bear River Reservoir Company	Stillwater #1 Dam Rehabilitation	TBD
Marc Etchart	Procter Reservoir Rehabilitation	TBD
<b>Subtotal</b>		<b>\$105,600,000</b>



**WATER PROJECT COSTRUCTION LOAN PROGRAM  
LOAN REPAYMENT DELINQUENCY REPORT  
LOAN FINANCIAL ACTIVITY REPORT  
November 2022**

## **LOAN REPAYMENT DELINQUENCY**

Loan Repayments received relative to the Water Project Construction Loan Program have been reviewed for the period covering July 2022 through September 2022. The effective due date of the payment is inclusive of the Board's current 60 day late policy. Hence, the date the payment was received was compared to the last day allowable prior to the payment being considered late.

Repayments due for Fiscal Year 2023 totaled 79. All borrowers' payments are current.

## **LOAN FINANCIAL ACTIVITY**

Loan Financial Activity relative to the Water Project Construction Loan Program for Fiscal Year 2023 is summarized as follows: Funds received relative to loans in repayment totaled \$9.7M for this year. Funds disbursed relative to new project loans totaled \$685K for this year. Net activity resulted in \$9M received by the CWCB Construction Fund and the Severance Tax Perpetual Base Fund (STPBF) over the total disbursed.

Further breakdown is summarized as follows: The Construction Fund portion consists of \$3.3M in receivables and \$115K in disbursements for a total net activity of \$3.2M received over disbursed. The STPBF consists of \$6.4M in receivables and \$569K in disbursements for a total net activity of \$5.8M received over disbursed.

### **CONSTRUCTION FUND**

<b>Period</b>	<b>Principal</b>	<b>Interest</b>	<b>Total Received</b>	<b>Disbursements</b>	<b>Net Activity</b>
July 2022	\$ 371,761	\$ 209,062	\$ 580,823	\$ 10,320	\$ 570,503
August 2022	\$ 322,747	\$ 234,519	\$ 557,266	\$ 55,449	\$ 501,817
September 2022	\$ 1,102,786	\$ 1,103,789	\$ 2,206,575	\$ 50,148	\$ 2,156,427
<b>FY 2022 Totals</b>	<b>\$ 1,797,294</b>	<b>\$ 1,547,370</b>	<b>\$ 3,344,664</b>	<b>\$ 115,917</b>	<b>\$ 3,228,747</b>

### **SEVERANCE TAX TRUST FUND PERPETUAL BASE ACCOUNT**

<b>Period</b>	<b>Principal</b>	<b>Interest</b>	<b>Total Received</b>	<b>Disbursements</b>	<b>Net Activity</b>
July 2022	\$ 90,797	\$ 34,336	\$ 125,133	\$ 78,878	\$ 46,255
August 2022	\$ 3,870,987	\$ 1,026,365	\$ 4,897,352	\$ 333,891	\$ 4,563,461
September 2022	\$ 619,776	\$ 771,068	\$ 1,390,844	\$ 157,189	\$ 1,233,655
<b>FY 2022 Totals</b>	<b>\$ 4,581,560</b>	<b>\$ 1,831,769</b>	<b>\$ 6,413,329</b>	<b>\$ 569,958</b>	<b>\$ 5,843,373</b>

<b>GRAND TOTALS</b>	<b>\$ 6,378,855</b>	<b>\$ 3,379,139</b>	<b>\$ 9,757,993</b>	<b>\$ 685,875</b>	<b>\$ 9,072,120</b>
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