



## COLORADO

### Colorado Water Conservation Board

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

May 25, 2023

Mr. Ken Fritzler, President  
Spring Dale Ditch Company  
PO Box 109  
Sterling, CO 80751

Re: Diversion Structure Replacement Project  
Loan Contract Number CT2020-3110

#### NOTICE OF PROJECT SUBSTANTIAL COMPLETION

Dear Mr. Fritzler:

This letter is to advise you that the Project referenced above will be substantially completed on June 1, 2023. In accordance with the Loan Contract, the Company owes \$35,886.14 for interest accrued during the construction phase of the Project (see attached Project Expenditure Schedule). Please make this "interest only payment" check payable to the Colorado Water Conservation Board and include the Loan Contract Number on the check.

The final total loan amount under this contract is \$1,216,243.14 (\$1,204,201.13 plus \$12,042.01 for the 1% service fee). An adjustment in the amount of \$5,856.86 will be made to the contract for funds no longer needed. The annual payment will remain as shown on the original Promissory Note. Kaylee Salazar, Contracts Manager, will follow up with an executed 'Option Letter' reflecting the adjusted amount. The first annual loan payment will be due on June 1, 2024, in the amount of \$50,527.30 as presented in the attached Promissory Note and Loan Repayment Schedule.

Please note, in accordance with the Borrower's Liability Insurance Provision of the Loan Contract, a renewed insurance certificate must be submitted to the CWCB annually and a Reserve Account must be maintained during the entire repayment period.

It has been a pleasure working with you on the successful completion of this project. Please don't hesitate to contact us if you have any questions regarding this matter.

Sincerely,

Kirk Russell, P.E. Chief  
CWCB Finance Section

Loan Contract Amount = \$1,222,100.00  
Final Total Loan Amount = \$1,216,243.14

cc: Robert Sakata, CWCB Board Member, South Platte River Basin

Attachments



Colorado Water Conservation Board  
Project Expenditure Schedule

**Diversion Structure Replacement Project**

**The Springdale Ditch Company**  
**P. O. Box 109**  
**Sterling, CO 80751**  
**c/o Katy Barkley**  
  
**Ph. 970-522-5762**  
**Fax**  
**katy@jacpa.net**

	Original	Amended	Final
Loan Contract No.:	<b>CT2020-3110</b>		
Authorization:	\$1,222,100.00		
Contract Amount	\$1,210,000.00		\$ 1,204,201.13
Loan Service Fee %	1.00%		
Loan Service Fee	\$12,100.00		\$ 12,042.01
Total Loan Amount	\$1,222,100.00		\$ 1,216,243.14
Interest:	1.45%		1.45%
Term (Years):	30		30
Conditions:	Up to 100%		Up to 100%
IDC Calculation Date:	6/1/2023		

Substantial Completion Date

6/1/2023

Contract Expires:

2/21/2025

Pay Req. No.	Date	Description	Amount Disbursed	Cumulative Loan Balance	Balance Available to Loan	Interest	Accrued Interest
					\$ 1,222,100.00		
1	6/30/2020	Engineering and Construction	\$ 82,009.33	\$ 82,009.33	\$ 1,140,090.67	\$ 3,472.93	\$ 3,472.93
2	8/18/2020	Engineering	\$ 4,030.00	\$ 86,039.33	\$ 1,136,060.67	\$ 162.82	\$ 3,635.75
3	11/17/2020	Engineering and Construction	\$ 140,614.06	\$ 226,653.39	\$ 995,446.61	\$ 5,172.67	\$ 8,808.42
4	12/15/2020	Engineering and Construction	\$ 51,880.85	\$ 278,534.24	\$ 943,565.76	\$ 1,850.80	\$ 10,659.22
5	1/26/2021	Engineering and Construction	\$ 146,581.12	\$ 425,115.36	\$ 796,984.64	\$ 4,984.56	\$ 15,643.78
6	2/19/2021	Engineering and Construction	\$ 128,624.77	\$ 553,740.13	\$ 668,359.87	\$ 4,251.31	\$ 19,895.09
7	3/24/2021	Engineering and Construction	\$ 151,049.62	\$ 704,789.75	\$ 517,310.25	\$ 4,794.48	\$ 24,689.57
8	4/20/2021	Engineering and Construction	\$ 177,773.96	\$ 882,563.71	\$ 339,536.29	\$ 5,452.06	\$ 30,141.63
9	5/24/2021	Engineering and Construction	\$ 38,177.66	\$ 920,741.37	\$ 301,358.63	\$ 1,119.29	\$ 31,260.92
10	8/2/2021	Engineering and Construction	\$ 84,237.79	\$ 1,004,979.16	\$ 217,120.84	\$ 2,235.42	\$ 33,496.34
11	9/20/2021	Engineering and Construction	\$ 14,661.04	\$ 1,019,640.20	\$ 202,459.80	\$ 360.52	\$ 33,856.86
12	11/19/2021	Engineering and Construction	\$ 58,662.87	\$ 1,078,303.07	\$ 143,796.93	\$ 1,302.72	\$ 35,159.58
13	1/21/2022	Engineering and Construction	\$ 16,936.05	\$ 1,095,239.12	\$ 126,860.88	\$ 333.71	\$ 35,493.29
14	12/6/2022	Obermeyer Gates	\$ 23,886.29	\$ 1,119,125.41	\$ 102,974.59	\$ 167.96	\$ 35,661.25
15	1/26/2023	Engineering	\$ 3,063.96	\$ 1,122,189.37	\$ 99,910.63	\$ 15.34	\$ 35,676.59
16	3/6/2023	Engineering and Construction	\$ 40,637.54	\$ 1,162,826.91	\$ 59,273.09	\$ 140.45	\$ 35,817.04
17	4/6/2023	Engineering and Construction	\$ 23,380.15	\$ 1,186,207.06	\$ 35,892.94	\$ 52.01	\$ 35,869.05
18	5/5/2023	Engineering and Construction	\$ 14,724.82	\$ 1,200,931.88	\$ 21,168.12	\$ 15.79	\$ 35,884.84
19	5/22/2023	Engineering and Construction	\$ 3,269.25	\$ 1,204,201.13	\$ 17,898.87	\$ 1.30	\$ 35,886.14
Final	6/1/2023	Loan Service Fee @ 1%	\$ 12,042.01	\$ 1,216,243.14	\$ 5,856.86	-	\$ 35,886.14
CT	6/1/2023	Adjustment - Funds not needed	(\$ 5,856.86)	\$ 1,216,243.14	(\$ 0.00)	-	\$ 35,886.14

% Disbursed

Days

7%	1066
7%	1017
19%	926
23%	898
35%	856
45%	832
58%	799
72%	772
75%	738
82%	668
83%	619
88%	559
90%	496
92%	177
92%	126
95%	87
97%	56
98%	27
99%	10
100%	0
	0

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**APPENDIX 3, PROMISSORY NOTE**

Date: January 21, 2020  
 Borrower: Springdale Ditch Company  
 Total Loan Amount: \$1,222,100.00  
 Interest Rate: 1.45% per annum  
 Term of Repayment: 30 years  
 Loan Contract Number: CT2020-3110  
 Annual Loan Payment: \$50,527.30  
 Payment Initiation Date\*: 06/01/2023  
 (To be filled in at Substantial Completion of Project)  
 Maturity Date\*: 06/01/2053  
 (To be filled in at Substantial Completion of Project)

\* Payment Initiation Date and Maturity Date fields are filled in *after* the Project has been substantially completed.

1. For Value Received, the Borrower promises to pay the Colorado Water Conservation Board ("CWCB"), the Principal Amount plus Interest for the Term of Repayment, pursuant to the Contract and this Promissory Note.
2. Principal and interest shall be payable in annual equal payments as set forth in "Annual Loan Payment" above, with the first payment due and payable one year from the Payment Initiation Date (the date the CWCB determines that the Project is substantially complete), and annually thereafter. All principal, interest, and late charges, if any, then remaining unpaid shall be due and payable on or before the Maturity Date.
3. Payments shall be made to the Colorado Water Conservation Board at 1313 Sherman Street, Room 718, Denver, Colorado 80203.
4. The CWCB may impose a late charge in the amount of five percent (5%) of the annual payment if the CWCB does not receive the annual payment within sixty (60) calendar days of the due date. At the discretion of the CWCB, and if the Borrower requests in writing with sufficient justification, the late fee may be waived by the CWCB. CWCB will review the request from the Borrower, and may, in its sole discretion, choose to waive the late fee.
5. This Promissory Note may be prepaid in whole or in part at any time without premium or penalty. Any partial prepayment shall not postpone the due date of any subsequent payments or change the amount of such payments.
6. This Promissory Note is issued pursuant to the Contract between the CWCB and the Borrower. The Contract creates security interests in favor of the CWCB to secure the prompt payment of all amounts that may become due hereunder. Said security interests are evidenced by: the Security Agreement and Deed of Trust ("Security Instruments") of even date and amount herewith and cover the Pledged Revenues. The Contract and Security Instruments grant additional rights to the CWCB, including the right to accelerate the maturity of this Promissory Note in certain events.
7. If any annual payment is not paid when due or any default under the Contract or the Security Instruments securing this Promissory Note occurs, the CWCB may declare the entire outstanding principal balance of the

Note, all accrued interest, and any outstanding late charges immediately due and payable, and the indebtedness shall bear interest at the rate of seven percent (7%) per annum from the date of default. The CWCB shall give the Borrower written notice of any alleged default and an opportunity to cure within sixty (60) days of receipt of such notice before the Borrower shall be considered in default for purposes of this Promissory Note.

8. The Borrower hereby agrees that if this Note or interest thereon is not paid when due or if suit is brought, then it shall pay all reasonable costs of collection, including reasonable attorney fees. In the event of any bankruptcy or similar proceedings, costs of collection shall include all costs and attorney fees incurred in connection with such proceedings, including the fees of counsel for attendance at meetings of creditors' committees or other committees.
9. This Promissory Note is authorized pursuant to and in accordance with the Constitution of the State of Colorado and all other laws of the State thereunto enabling. Specifically, but not by way of limitation, the Contract and this Promissory Note are authorized pursuant to and under the authority of Title 31, Article 35; Title 37, Article 45.1; and Title 11, Article 57, Part 2, C.R.S., and in full conformity therewith. Pursuant to Section 11-57-210, C.R.S., and Section 31-35-413, C.R.S., this recital shall be conclusive evidence of the validity and the regularity of the issuance of this Promissory Note and the Promissory Note shall be incontestable for any cause whatsoever after its delivery for value.

Springdale Ditch Company

By: Kenneth Fritzler  
Signature

Attest:

Name: Kenneth Fritzler

Title: President

Date: 1/21/2020

By: Kathryn Barkley  
Signature

Name: Kathryn Barkley

Title: Secretary

Date: 1/21/2020



# COLORADO

## Colorado Water Conservation Board

Department of Natural Resources

1313 Sherman Street, Room 718  
Denver, CO 80203

### Loan Repayment Schedule

Borrower | Springdale Ditch Company

Loan Contract Number | CT2020-3110

FINAL Loan Amount | \$1,204,201.13

1% Service Fee | \$12,042.01

Interest During Construction Added | \$0.00

FINAL Total Loan Amount | \$1,216,243.14

Interest Rate | 1.450000 %

Term | 30

First Payment Due | June 1, 2024

Annual Payment Amount | \$50,527.30

Line status	Pmt Date	Payment	Principal	Interest	Column fees	True Balance
Service Fee / IDC	06/01/2023	\$0.00	\$-12,042.01	\$0.00	\$12,042.01	\$1,216,243.14
Due Pmt	06/01/2024	\$50,527.30	\$32,891.77	\$17,635.53	\$0.00	\$1,183,351.37
Due Pmt	06/01/2025	\$50,527.30	\$33,368.71	\$17,158.59	\$0.00	\$1,149,982.66
Due Pmt	06/01/2026	\$50,527.30	\$33,852.55	\$16,674.75	\$0.00	\$1,116,130.11
Due Pmt	06/01/2027	\$50,527.30	\$34,343.41	\$16,183.89	\$0.00	\$1,081,786.70
Due Pmt	06/01/2028	\$50,527.30	\$34,841.39	\$15,685.91	\$0.00	\$1,046,945.31
Due Pmt	06/01/2029	\$50,527.30	\$35,346.59	\$15,180.71	\$0.00	\$1,011,598.72
Due Pmt	06/01/2030	\$50,527.30	\$35,859.12	\$14,668.18	\$0.00	\$975,739.60
Due Pmt	06/01/2031	\$50,527.30	\$36,379.08	\$14,148.22	\$0.00	\$939,360.52
Due Pmt	06/01/2032	\$50,527.30	\$36,906.57	\$13,620.73	\$0.00	\$902,453.95
Due Pmt	06/01/2033	\$50,527.30	\$37,441.72	\$13,085.58	\$0.00	\$865,012.23
Due Pmt	06/01/2034	\$50,527.30	\$37,984.62	\$12,542.68	\$0.00	\$827,027.61
Due Pmt	06/01/2035	\$50,527.30	\$38,535.40	\$11,991.90	\$0.00	\$788,492.21
Due Pmt	06/01/2036	\$50,527.30	\$39,094.16	\$11,433.14	\$0.00	\$749,398.05
Due Pmt	06/01/2037	\$50,527.30	\$39,661.03	\$10,866.27	\$0.00	\$709,737.02
Due Pmt	06/01/2038	\$50,527.30	\$40,236.11	\$10,291.19	\$0.00	\$669,500.91
Due Pmt	06/01/2039	\$50,527.30	\$40,819.54	\$9,707.76	\$0.00	\$628,681.37
Due Pmt	06/01/2040	\$50,527.30	\$41,411.42	\$9,115.88	\$0.00	\$587,269.95
Due Pmt	06/01/2041	\$50,527.30	\$42,011.89	\$8,515.41	\$0.00	\$545,258.06
Due Pmt	06/01/2042	\$50,527.30	\$42,621.06	\$7,906.24	\$0.00	\$502,637.00
Due Pmt	06/01/2043	\$50,527.30	\$43,239.06	\$7,288.24	\$0.00	\$459,397.94
Due Pmt	06/01/2044	\$50,527.30	\$43,866.03	\$6,661.27	\$0.00	\$415,531.91
Due Pmt	06/01/2045	\$50,527.30	\$44,502.09	\$6,025.21	\$0.00	\$371,029.82
Due Pmt	06/01/2046	\$50,527.30	\$45,147.37	\$5,379.93	\$0.00	\$325,882.45
Due Pmt	06/01/2047	\$50,527.30	\$45,802.00	\$4,725.30	\$0.00	\$280,080.45
Due Pmt	06/01/2048	\$50,527.30	\$46,466.13	\$4,061.17	\$0.00	\$233,614.32
Due Pmt	06/01/2049	\$50,527.30	\$47,139.89	\$3,387.41	\$0.00	\$186,474.43
Due Pmt	06/01/2050	\$50,527.30	\$47,823.42	\$2,703.88	\$0.00	\$138,651.01
Due Pmt	06/01/2051	\$50,527.30	\$48,516.86	\$2,010.44	\$0.00	\$90,134.15
Due Pmt	06/01/2052	\$50,527.30	\$49,220.35	\$1,306.95	\$0.00	\$40,913.80
Due Pmt	06/01/2053	\$41,507.05	\$40,913.80	\$593.25	\$0.00	\$0.00

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## Diversion Structure Replacement

Spring Dale Ditch Company  
Substantially Complete June 1, 2023



### Project Description

The Spring Dale Ditch Company is a mutual ditch company and a non-profit corporation. The Company, located in Logan County, operates the Springdale Ditch for the benefit of 51 shareholders by providing direct flow irrigation water from the South Platte River to approximately 2,500 acres by means of a diversion structure on the South Platte and a headgate, located approximately 350 feet downstream of the diversion. Both structures were well maintained, but showed signs of deterioration in 2019. There were also operation concerns due to system configuration.

The project included complete removal of the existing structures and replacement with a single new structure near the preexisting structure. The new structure includes an inflatable crest gate spillway, intake structure headgate, and control building for automated control of the system. The new structure provides multiple benefits over the current system, including restoration of channel continuity, improved sediment transport along the river, improved fish passage, and a reduction in required dredging. In the course of the work, cost savings allowed the Company to include improvements to the measurement flume in addition to the original project scope.

P R O J E C T   D A T A		
<i>Sponsor:</i> Spring Dale Ditch Company	<i>County:</i> Logan	<i>Water Source:</i> South Platte River
<i>Type of Project:</i> Diversion Replacement		<i>Board Approval Date:</i> November 2019
<i>Loan Terms: (Original)</i> \$1,222,100.00 @ 1.45% <i>(Final)</i> \$1,216,243.14		
<i>Design Engineer:</i> Harris Engineering Consultants, Inc.		
<i>Contractor:</i> BTE Concrete Construction. Inc.		