

**Water Supply Reserve Fund  
Water Activity Summary Sheet  
September 16-17, 2020  
Agenda Item 19(e)**

**Applicant & Grantee:** Cimarron Canal and Reservoir Company

**Water Activity Name:** Fish Creek Reservoir #2 Repair & Conservation Project

**Water Activity Purpose:** Agricultural/M&I/E&R-Implementation

**County:** Gunnison

**Drainage Basin:** Arkansas

**Water Source:** Fish Creek

**Amount Requested:** \$50,000 Gunnison Basin Account  
\$88,900 Statewide Account  
\$138,900 Total Request

**Matching Funds:** Basin Account Match = \$50,000

- 56% of statewide request (meets 10% min)

Applicant & 3<sup>rd</sup> Party Match (cash & in-kind) = \$261,845

- 2.9 times the statewide request (meets 10% min)

Total Match (Basin request & Applicant Match) = \$311,845

- 3.5 times the statewide request (meets 50% min)

<b>Staff Recommendation:</b>
Staff recommends approval of up to \$50,000 from the Gunnison Basin Account, and up to \$88,900 from the Statewide Account to help fund the project: Fish Creek Reservoir #2 Repair & Conservation Project.

**Water Activity Summary:** WSRF Funds, if approved will assist the Cimarron Canal and Reservoir Company rehabilitate the Fish Creek #2 Reservoir by slip lining an HDPE pipe through the existing outlet pipe, replacing the intake structure, improving the slope on the downstream dam face, and installing a two-stage filter diaphragm at the downstream end of the improved outlet works. In 2017 the reservoir was placed under a zero-storage restriction by the State Engineer's Office. Construction design and documents have been approved by the State Engineer's Office and the successful completion of these improvements will lift the zero-storage restriction.

**Discussion:** This effort will assist the Gunnison Basin Roundtable achieve several goals as called for in their Basin Implementation Plan, such as: Improve agricultural water supplies to reduce shortages; Quantify and protect environmental and recreational water uses; Describe and encourage the beneficial relationship between agricultural and environmental recreational water uses; Restore, maintain, and modernize critical water infrastructure, including hydropower. This effort also assists Colorado achieve the goal to promote additional storage and infrastructure as called for in Colorado's Water Plan.

**Issues/Additional Needs:** The applicant must secure approve of their Water Plan Grant request prior to entering into a grant agreement with the state, or otherwise demonstrate the ability to provide a substitute funding source if unsuccessful, otherwise on issues or additional needs have been identified.

**Eligibility Requirements:** The application meets requirements of all eligibility components.

**Evaluation Criteria:** Staff has determined this activity satisfies the Evaluation Criteria.

<b>Funding Sources/Match</b>	<b>Cash</b>	<b>In-kind</b>	<b>Total</b>	<b>Status</b>
Cimarron Canal & Reservoir Company	\$4,911	\$78,600	\$83,511	Secured
Trout Unlimited	\$0	\$6,200	\$6,200	Secured
Colorado Water Plan Grant (2021)	\$152,143	\$0	\$152,134	Pending
<u>Bostwick Park Water Conservancy District</u>	<u>\$20,000</u>	<u>\$0</u>	<u>\$20,000</u>	<u>Secured</u>
Sub-total	\$177,045	\$84,800	\$261,845	
WSRF Gunnison Basin Account	\$50,000	\$0	\$50,000	Secured
Sub-total	\$227,045	\$84,800	\$311,845	
WSRF Statewide Account	\$88,900	\$0	\$88,900	
<b>Total Project Costs</b>	<b>\$315,945</b>	<b>\$84,800</b>	<b>\$400,745</b>	

**CWCB Project Manager:** Cole Bedford

May 27, 2020

Mr. Craig Godbout  
Colorado Water Conservation Board  
1313 Sherman Street  
Denver, CO 80203

Re: Fish Creek Reservoir #2 GBRT Grant Application Approval

Dear Mr. Godbout,

I am writing on behalf of the Gunnison Basin Roundtable to let you know that we have approved the WSRF grant application submitted to us for the Fish Creek Reservoir #2 Repair Project. The applicant has requested \$50,000 in basin funds and \$88,900 from state funds for a total project cost of \$403,034 to line the outlet pipe of Fish Creek Reservoir #2 above the Cimarron River.

The reservoir is currently under a zero fill restriction because of seepage around the outlet pipe. By lining the pipe, the 350 acre foot reservoir can be restored to use, benefitting the agricultural water users of the Cimarron Canal and Reservoir Company as well as providing water for a CWCB instream flow on the Cimarron River and benefiting recreational fishing opportunities. Although not listed specifically in the BIP, the need for environmental improvements for the Cimarron River was noted and the reservoir improvement was identified in a Planning Study recognized in the BIP. Matching funds are coming from the Bostwick Park Conservancy District, the Cimarron Canal and Reservoir Company, the CWCB and TU.

We support this project and would appreciate your approval of the grant request. If we can answer any questions or provide you with additional information please let us know.

Best Regards,

*Kathleen Curry*

Kathleen Curry, Chair  
Gunnison Basin Roundtable  
54542 US Highway 50  
Gunnison, CO 81230  
Cell 970-209-5537  
Home 970-641-0699  
kathleencurry@montrose.net



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<b>Colorado Water Conservation Board</b>
<b>Water Supply Reserve Fund Grant Application</b>

<b>Instructions</b>
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All WSRF grant applications shall conform to the current [2016 WSRF Criteria and Guidelines](#).

To receive funding from the WSRF, a proposed water activity must be approved by a Roundtable(s) **AND** the Colorado Water Conservation Board (CWCB). The process for Roundtable consideration and recommendation is outlined in the 2016 WSRF Criteria and Guidelines. The CWCB meets bimonthly according to the schedule on page 2 of this application.

If you have questions, please contact the current CWCB staff Roundtable liaison:

<b>Arkansas</b>  Ben Wade <a href="mailto:ben.wade@state.co.us">ben.wade@state.co.us</a> 303-866-3441 x3238	<b>Gunnison   North Platte   South Platte   Yampa/White</b>  Craig Godbout <a href="mailto:craig.godbout@state.co.us">craig.godbout@state.co.us</a> 303-866-3441 x3210	<b>Colorado   Metro   Rio Grande   Southwest</b>  Megan Holcomb <a href="mailto:megan.holcomb@state.co.us">megan.holcomb@state.co.us</a> 303-866-3441 x3222
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<b>WSRF Submittal Checklist (Required)</b>
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X	I acknowledge this request was recommended for CWCB approval by the sponsoring roundtable.
X	I acknowledge I have read and understand the <a href="#">2016 WSRF Criteria and Guidelines</a> .
X	I acknowledge the Grantee will be able to contract with CWCB using the <a href="#">Standard Contract</a> . <sup>(1)</sup>
Application Documents	
X	Exhibit A: Statement of Work <sup>(2)</sup> ( <i>Word – see Template</i> )
X	Exhibit B: Budget & Schedule <sup>(2)</sup> ( <i>Excel Spreadsheet – see Template</i> )
X	Letters of Matching and/or Pending 3 <sup>rd</sup> Party Commitments <sup>(2)</sup>
X	Map <sup>(2)</sup>
X	Photos/Drawings/Reports
X	Letters of Support
Contracting Documents <sup>(3)</sup>	
X	Detailed/Itemized Budget <sup>(3)</sup> ( <i>Excel Spreadsheet – see Template</i> )
X	Certificate of Insurance <sup>(4)</sup> ( <i>General, Auto, &amp; Workers' Comp.</i> )
X	Certificate of Good Standing <sup>(4)</sup>
X	W-9 Form <sup>(4)</sup>
N/A	Independent Contractor Form <sup>(4)</sup> ( <i>If applicant is individual, not company/organization</i> )
	Electronic Funds Transfer (ETF) Form <sup>(4)</sup>

(1) Click "Grant Agreements". For reference only/do not fill out or submit/required for contracting

(2) Required with application if applicable.

(3) Additional documentation providing a Detailed/Itemized Budget maybe required for contracting. Applicants are encouraged to coordinate with the CWCB Project Manager to determine specifics.

(4) Required for contracting. While optional at the time of this application, submission can expedite contracting upon CWCB Board approval.



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Schedule		
CWCB Meeting	Application Submittal Dates	Type of Request
January	December 1	Basin Account; BIP
March	February 1	Basin/Statewide Account; BIP
May	April 1	Basin Account; BIP
July	June 1	Basin Account; BIP
September	August 1	Basin/Statewide Account; BIP
November	October 1	Basin Account/BIP

Desired Timeline	
Desired CWCB Hearing Month:	March
Desired Notice to Proceed Date:	July

Water Activity Summary		
Name of Applicant	Cimarron Canal and Reservoir Company	
Name of Water Activity	Fish Creek Reservoir #2 Repair and Conservation Project	
Approving Roundtable(s)		Basin Account Request(s) <sup>(1)</sup>
Gunnison Basin		\$ 50,000
Basin Account Request Subtotal		\$ 50,000
Statewide Account Request <sup>(1)</sup>		\$ 88,900
Total WSRF Funds Requested (Basin & Statewide)		\$ 138,900
Total Project Costs		\$ 400,745

(1) Please indicate the amount recommended for approval by the Roundtable(s)



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Grantee and Applicant Information	
Name of Grantee(s)	Cimarron Canal & Reservoir Company
Mailing Address	400 South 3 <sup>rd</sup> Street Montrose, CO 81401
FEIN	84-0566173
Grantee's Organization Contact <sup>(1)</sup>	Allen Distel
Position/Title	President
Email	<a href="mailto:allen@bpwps.com">allen@bpwps.com</a>
Phone	970 249-8707
Grant Management Contact <sup>(2)</sup>	Allen Distel
Position/Title	President
Email	<a href="mailto:allen@bpwps.com">allen@bpwps.com</a>
Phone	970 249-8707
Name of Applicant (if different than grantee)	Cimarron Canal & Reservoir Company
Mailing Address	400 South 3 <sup>rd</sup> Street Montrose, CO 81401
Position/Title	President
Email	<a href="mailto:allen@bpwps.com">allen@bpwps.com</a>
Phone	970 249-8707

**(1)** Person with signatory authority

**(2)** Person responsible for creating reimbursement invoices (Invoice for Services) and corresponding with CWCB staff.

Description of Grantee
Provide a brief description of the grantee's organization (100 words or less).
<p>The Cimarron Canal and Reservoir Company is a C Corporation that distributes water to users in the Cimarron and Uncompahgre Valley. The company has a 185cfs direct flow water right out of the Big Cimarron River as well as rights to storage in reservoirs including Fish Creek #2. The canal company is the result of 3 smaller canal companies merging into one when Silverjack Reservoir was built by the US Bureau of Reclamation which led to the formation of the Bostwick Park Water Conservancy District, the sister district of CCRC. The company also carries and delivers municipal water to the City of Montrose.</p>



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Type of Eligible Entity (check one)	
	<b>Public (Government):</b> municipalities, enterprises, counties, and State of Colorado agencies. Federal agencies are encouraged to work with local entities. Federal agencies are eligible, but only if they can make a compelling case for why a local partner cannot be the grant recipient.
	<b>Public (Districts):</b> authorities, Title 32/special districts (conservancy, conservation, and irrigation districts), and water activity enterprises
X	<b>Private Incorporated:</b> mutual ditch companies, homeowners associations, corporations
	<b>Private Individuals, Partnerships, and Sole Proprietors:</b> are eligible for funding from the Basin Accounts but not for funding from the Statewide Account.
	<b>Non-governmental organizations:</b> broadly, any organization that is not part of the government
	<b>Covered Entity:</b> as defined in <a href="#">Section 37-60-126 Colorado Revised Statutes</a>

Type of Water Activity (check one)	
	Study
X	Implementation

Category of Water Activity (check all that apply)		
X	Nonconsumptive (Environmental)	
X	Nonconsumptive (Recreational)	
X	Agricultural	
X	Municipal/Industrial	
	Needs Assessment	
	Education & Outreach	
	Other	Explain:

Location of Water Activity	
Please provide the general county and coordinates of the proposed activity below in <b>decimal degrees</b> . The Applicant shall also provide, in Exhibit C, a site map if applicable.	
County/Counties	Gunnison
Latitude	38.26579 N
Longitude	107.56834 W

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### Water Activity Overview

Please provide a summary of the proposed water activity (200 words or less). Include a description of the activity and what the WSRF funding will be used for specifically (e.g. studies, permitting, construction). Provide a description of the water supply source to be utilized or the water body affected by the activity. Include details such as acres under irrigation, types of crops irrigated, number of residential and commercial taps, length of ditch improvements, length of pipe installed, area of habitat improvements. If this project addresses multiple purposes or spans multiple basins, please explain. The Applicant shall also provide, in Exhibit A, a detailed Statement of Work, Budget, and Schedule.

Fish Creek #2 reservoir is in the headwaters of the Cimarron watershed on Fish Creek, a tributary to the Cimarron River. In 2017 the reservoir was placed under a zero-storage restriction by the State of Colorado citing seepage along the outlet pipe and slope stability on the downstream face of the dam.

CCRC plans to address the issues by slip lining an HDPE pipe through the existing outlet pipe, replacing the intake structure, improving the slope on the downstream dam face, and installing a two-stage filter diaphragm at the downstream end of the improved outlet works.

By reclaiming the storage pool of 350 acre-feet, CCRC will increase water availability for irrigation water users in the Cimarron basin and in the Uncompahgre Valley. The improvements will also provide flat water recreation and fishing opportunities.

CCRC will also work with Trout Unlimited and the Colorado Water Conservation Board to lease water from the reservoir to the CWCB Instream Flow program. CWCB holds an instream flow right on the Big Cimarron River that begins near the confluence with of the Fish Creek.

This project will complement ongoing efforts by CCRC, TU, and CPW to improve flows and protect fisheries in the Cimarron drainage.

### Measurable Results

To catalog measurable results achieved with WSRF funds please provide any of the following values.

	New Storage Created (acre-feet)	
	New Annual Water Supplies Developed or Conserved (acre-feet), Consumptive or Nonconsumptive	
350	Existing Storage Preserved or Enhanced (acre-feet)	
42,000	Length of Stream Restored or Protected (linear feet)	
	Efficiency Savings (indicate acre-feet/year OR dollars/year)	
40	Area of Restored or Preserved Habitat (acres)	
	Length of Pipe/Canal Built or Improved	
50 acre-feet	Other	Explain: Average amount of water made available for other recreation and environment on annual basis

### Water Activity Justification



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## Water Activity Justification

Provide a description of how this water activity supports the goals of [Colorado's Water Plan](#), the most recent [Statewide Water Supply Initiative](#), and the respective [Roundtable Basin Implementation Plan and Education Action Plan](#) <sup>(1)</sup>. The Applicant is required to reference specific needs, goals, themes, or Identified Projects and Processes (IPPs), including citations (e.g. document, chapters, sections, or page numbers).

For applications that include a request for funds from the Statewide Account, the proposed water activity shall be evaluated based upon how well the proposal conforms to Colorado's Water Plan criteria for state support (CWP, Section 9.4, pp. 9-43 to 9-44;) (Also listed pp. 4-5 in [2016 WSRF Criteria and Guidelines](#)).

Fish Creek Reservoir #2 Repair and Conservation Project supports numerous goals of Colorado's Water Plan. On page 8 of Chapter 4 *Water Supply*, the Water Plan contemplates how warming temperatures and changes in hydrology will impact stream flows, particularly those in late summer. This chapter also discusses how riparian habitats and cold-water fisheries could be impacted by increased water temperatures. This project will protect consumptive and non-consumptive water users from potential impacts of climate change by storing water at a relatively high elevation and having that water available when it is needed for multiple uses.

Chapter 6 of the Water Plan highlights the importance of maintaining stable water supplies and allowing the State to use its legal entitlements to the water. This project will facilitate those goals while also addressing other goals stated in the chapter including; drought mitigation, environmental and recreation enhancements (section 6.5). Additional storage in the basin may also prove critical to implementing alternative transfer methods (section 6.4) which have been considered by CCRC and project partners.

On page 6 of chapter 7, the Water plan suggests that in order to best manage limited water resources, water partnerships are formed to help meet multiple objectives. It is important to point out the CCRC is willing to partner with Trout Unlimited, Colorado Parks and Wildlife and Colorado Water Conservation Board and others to meet multiple objective related to this and other projects in the Cimarron watershed.

Reclaiming storage to project and improve the existing uses of irrigation and the historic uses of flat-water recreation complement the primary goal of the Gunnison Basin Roundtable which is to protect existing uses. The basin goals can be found on page 4 and 28 of the Gunnison BIP. The proposed project also supports the following goals found in the Gunnison BIP:

3. Improve agricultural water supplies to reduce shortages.
5. Quantify and protect environmental and recreational water uses.
7. Describe and encourage the beneficial relationship between agricultural and environmental recreational water uses.
8. Restore, maintain, and modernize critical water infrastructure, including hydropower.

On page 7 of the BIP the Cimarron River is listed as a target reach for environmental protection.

Page 64 of the BIP makes note of the impacts that droughts can have on fisheries. Decreased flow and supplies may reduce license purchases that support the State. Improved flow in the Cimarron basin supports the Cimarron State Wildlife area, a popular recreation area in the Gunnison Basin.

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### Water Activity Justification

While this project is not specifically listed in the BIP IPP list, project number 20 on the project list found on page 96 in the BIP is the Prioritized Conveyance Improvements and System Optimization Planning Study. This effort considered the importance of the storage project and assisted in developing the plans that will be used to finalize the improvements to the reservoir.

(1) Access Basin Implementation Plans or Education Action Plans from Basin drop down menu.

### Matching Requirements: Basin Account Requests

**Basin (only) Account** grant requests require a 25% match (cash and/or in-kind) from the Applicant or 3<sup>rd</sup> party and shall be accompanied by a **letter of commitment** as described in the 2016 WSRF Criteria and Guidelines (submitted on the contributing entity's letterhead). Attach additional sheet if necessary.

Contributing Entity	Amount and Form of Match (note cash or in-kind)
Bostwick Park Water Conservancy District	\$ 20,000 (cash)
Trout Unlimited	\$ 6,200 (in-kind)
Colorado Water Conservation Board – Water Plan Storage	\$ 152,134 (cash)
Cimarron Canal and Reservoir Company	\$ 78,600 (in-kind)
Cimarron Canal and Reservoir Company	\$4,911 (cash)
Total Match	\$ 261,845
If you requested a Waiver to the Basin Account matching requirements, indicate the percentage you wish waived.	

### Matching Requirements: Statewide Account Requests

**Statewide Account** grant requests require a 50% match as described in the 2016 WSRF Criteria and Guidelines. A minimum of 10% match shall be from Basin Account funds (cash only). A minimum of 10% match shall be provided by the applicant or 3<sup>rd</sup> party (cash, in-kind, or combination). The remaining 30% of the required match may be provided from any other source (Basin, applicant, or 3<sup>rd</sup> party) and shall be accompanied by a **letter of commitment**. Attach additional sheet if necessary.

Contributing Entity	Amount and Form of Match (note cash or in-kind):
Bostwick Park Water Conservancy District	\$ 20,000 (cash)
Trout Unlimited	\$ 6,200 (in-kind)
Cimarron Canal and Reservoir Company	\$ 78,600 (in-kind)



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Matching Requirements: Statewide Account Requests	
CWCB Water Plan (pending approval)	\$154,134 (cash)
Cimarron Canal and Reservoir Company	\$4,911 (cash)
Total Match	\$ 261,845
If you requested a Waiver to the Statewide Account matching, indicate % you wish waived. (Max 50% reduction of requirement).	

Related Studies
Please provide a list of any related studies, including if the water activity is complimentary to or assists in the implementation of other CWCB programs.
This water project will complement the Cimarron Canal Diversion Gate Replacement and Water Management Planning Project which was funded by the CWCB through Water Plan grants and WSRF in 2018. CWCB provided \$30,418 to Trout Unlimited to complete modifications to the Cimarron Canal Diversion gate and to complete water supply and demand analysis to improve water management practices and improve streamflow. As a result of these investments, the diversion gate has been modified and will be connected to an existing SCADA system in the Spring of 2020. The modeling is partially completed and has shown the need for late season supplies to bolster the flows in the Big Cimarron River.
BPWCD/CCRC has completed and is involved in a several water conservation projects including; an infrastructure assessment, infrastructure improvements including SCADA, and piping projects to reduce salinity runoff.

Previous CWCB Grants
List all previous or current CWCB grants (including WSRF) awarded to both the Applicant and Grantee. Include: 1) Applicant name; 2) Water activity name; 3) Approving RT(s); 4) CWCB board meeting date; 5) Contract number or purchase order
None

Tax Payer Bill of Rights
The Tax Payer Bill of Rights (TABOR) may limit the amount of grant money an entity can receive. Please describe any relevant TABOR issues that may affect the applicant.
None



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<b>Colorado Water Conservation Board</b>	
<b>Water Supply Reserve Fund</b>	
<b><u>Exhibit A - Statement of Work</u></b>	
<b>Date:</b>	<b>1/31/2020 (amended 2/6)</b>
<b>Water Activity Name:</b>	<b>Fish Creek Reservoir #2 Repair and Conservation Project</b>
<b>Grant Recipient:</b>	<b>Cimarron Canal and Reservoir Company</b>
<b>Funding Source:</b>	<b>CWCB Water Supply Reserve Fund</b>
<b>Water Activity Overview:</b> (Please provide brief description of the proposed water activity (no more than 200 words). Include a description of the overall water activity and specifically what the WSRF funding will be used for.	
<p>Cimarron Canal and Reservoir Company (CCRC) is applying for funding assistance to repair the dam and outlet works on Fish Creek #2 Reservoir. The water rights with which the reservoir stores water under are as follows; 1925 adjudication for a 1904 appropriation of 298 acre-feet and a 1941 adjudication for an appropriation of an additional 225 acre-feet.</p> <p>The dam is considered a significant hazard dam and is on a zero-fill restriction by the State of Colorado.</p> <p>This project will slipline an HDPE pipe through the existing outlet pipe, replace the intake structure, increase the slope angle on the downstream dam face, and install a two-stage filter diaphragm near the downstream end of the improved outlet works.</p> <p>Reclaiming the storage capacity in the reservoir will provide CCRC with additional irrigation water and increase flexibility in delivering irrigation water. By repairing the reservoir, CCRC and partners will be restoring what was once a productive trout fishery at the reservoir thereby enhancing recreational opportunities in the Gunnison Basin.</p> <p>The reclaimed storage will provide also provide late season water which can be leased to the CWCB to improve the fishery and riparian health in the Big Cimarron River.</p>	
<b>Objectives:</b> (List the objectives of the project)	
<ol style="list-style-type: none"><li>1. Repair outlet works and dam at Fish Creek #2 reservoir</li><li>2. Lift the zero-storage restriction on Fish Creek #2</li><li>3. Protect storage water rights</li><li>4. Improve late season water supplies for all water users in the basin</li><li>5. Meet multiple objectives including supporting healthy fishery in the reservoir and provide water to the Cimarron River.</li></ol>	



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Tasks
Provide a detailed description of each task using the following format:
<b>Task 1 - Subcontractor Selection</b>
Description of Task: CCRC staff will serve as the general contractors for the project and will provide equipment and labor for general civil and earthwork construction tasks. Certain tasks, such as on-site material testing, annular grouting of the sliplined HDPE pipe, and a portion of the earthwork will require the use of subcontractors. This task will consist of securing subcontractors to perform the necessary work.
Method/Procedure: Prepare scope of work and project description for required tasks. Release request for proposals from subcontractors. Interview sub-contractors. Select sub-contractor.
Grantee Deliverable: (Describe the deliverable the grantee expects from this task) From this task the grantee will have a contract with a qualified subcontractor to complete specific tasks related to the repair of the dam and outlet works.
CWCB Deliverable: (Describe the deliverable the grantee will provide CWCB documenting the completion of this task) A description of the selection process as well as a scope of work and contract price.

Tasks
Provide a detailed description of each task using the following format:
<b>Task 2 – Construction and Installation</b>
Description of Task:



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Tasks
<p>Construction of the outlet repairs will strictly adhere to the already state-approved plans and specifications. Construction will require, but is not limited to:</p> <ul style="list-style-type: none"><li>- Clearing and Grubbing of the site</li><li>- Excavating embankments and some existing 21" CMP pipe to clear an obstruction within the existing pipe</li><li>- Acquisition of necessary materials</li><li>- Installation of precast outlet structure</li><li>- Installation of outlet headwall</li><li>- Slipline existing 21" CMP pipe with 16" HDPE pipe</li><li>- Installation of concrete encased 16" HDPE through entire embankment</li><li>- Installation of two-stage filter diaphragm</li><li>- Backfill of excavated embankment extents and improvement of downstream embankment slope</li><li>- Installation of all appurtenant outlet structures including gate hoist structure and concrete encasement of vent pipe and valve stem pipe</li><li>- Installation of downstream scour protection</li><li>- Installation of crest and toe piezometers</li><li>- Post-project reclamation</li></ul>
<p>Per State Rules and Regulations, the construction will be overseen by a qualified professional engineer (J-U-B). J-U-B will ensure that all installation and construction meet the required specifications. On-site material testing will be required and will occur throughout construction.</p> <p>Upon completion of dam construction, J-U-B and CCRC will perform a final dam inspection with the State to lift the zero-storage restriction on the dam. J-U-B will provide all necessary documentation, including as-builts to CCRC and the State of Colorado.</p>
Method/Procedure:
<p>Construction will follow industry accepted means and methods provided they adhere to the already approved construction specifications. Pre-construction meetings will convey specifications and requirements of the dam rehabilitation and will serve as an opportunity for collaboration between CCRC, J-U-B, subcontractors, the United States Forest Service, and the State of Colorado.</p>
Grantee Deliverable: (Describe the deliverable the grantee expects from this task)
<p>Completion of the necessary repairs and installations necessary for final inspection from the State Dam Safety Division and consulting engineers. Notice of release of zero-fill restriction from State of Colorado Dam Safety Division.</p>
CWCB Deliverable: (Describe the deliverable the grantee will provide CWCB documenting the completion of this task)
<p>Description of the construction and installation phase along with photos, changes to design (if made), photos and description of setbacks. Notice of release of zero-fill restriction from State of Colorado Dam Safety Division.</p>



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Tasks
Provide a detailed description of each task using the following format:
<b>Task 3 – Multiple benefit planning</b>
Description of Task: In this task CCRC will work with Trout Unlimited, Colorado Parks and Wildlife, Colorado Water Conservation Board and others to maximize the benefits of the stored water. Opportunities to increase and support instream flows and support a sustainable fishery while meeting consumptive needs will be examined. Lease agreements and operations agreements will be constructed.
Method/Procedure: Using the supply and demand modeling that will be completed by J-U-B at the oversight of Trout Unlimited, CCRC will determine the amount of water that can be left in storage to support trout fishery in the reservoir as well as the amount of water that can be released to the stream for lease to the CWCB to improve or meet the instream flow right. CCRC will work with legal counsel and supporting partners to add the use of instream flows to the reservoir right. Agreements to lease, share and operate the reservoir will be drafted and signed by project partners.
Grantee Deliverable: (Describe the deliverable the grantee expects from this task) A path toward multiple benefits informed by past work and modeling that helps maintain use of the reservoir water rights while protecting multiple users in the basin.
CWCB Deliverable: (Describe the deliverable the grantee will provide CWCB documenting the completion of this task) A conservation plan that describes how the storage in the reservoir will best meet the need of the irrigators served by CCRC, municipal water users, recreation and environmental uses. This task will provide ease agreements between CCRC and CWCB.

Budget and Schedule
<b>Exhibit B - Budget and Schedule:</b> This Statement of Work shall be accompanied by a combined <a href="#">Budget and Schedule</a> that reflects the Tasks identified in the Statement of Work and shall be submitted to CWCB in <u>excel format</u> . A separate <u>excel formatted</u> Budget is required for engineering costs to include rate and unit costs. <b>See Attached</b>

Reporting Requirements
<b>Progress Reports:</b> The grantee shall provide the CWCB a progress report every 6 months, beginning from the date of issuance of a purchase order, or the execution of a contract. The progress report shall describe the status of the tasks identified in the statement of work, including a description of any major issues that have occurred and any corrective action taken to address these issues. The CWCB may withhold reimbursement until satisfactory progress reports have been submitted.
<b>Final Report:</b> At completion of the project, the grantee shall provide the CWCB a Final Report on the grantee's letterhead that:

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### Reporting Requirements

- Summarizes the project and how the project was completed.
- Describes any obstacles encountered, and how these obstacles were overcome.
- Confirms that all matching commitments have been fulfilled.
- Includes photographs, summaries of meetings and engineering reports/designs.

### Payments

Payment will be made based on actual expenditures, must include invoices for all work completed and must be on grantee's letterhead. The request for payment must include a description of the work accomplished by task, an estimate of the percent completion for individual tasks and the entire Project in relation to the percentage of budget spent, identification of any major issues, and proposed or implemented corrective actions.

The CWCB will pay the last 10% of the entire water activity budget when the Final Report is completed to the satisfaction of CWCB staff. Once the Final Report has been accepted, and final payment has been issued, the water activity and purchase order or contract will be closed without any further payment. Any entity that fails to complete a satisfactory Final Report and submit to CWCB within 90 days of the expiration of a purchase order or contract may be denied consideration for future funding of any type from CWCB.

### Performance Requirements

Performance measures for this contract shall include the following:

(a) Performance standards and evaluation: Grantee will produce detailed deliverables for each task as specified. Grantee shall maintain receipts for all project expenses and documentation of the minimum in-kind contributions (if applicable) per the budget in Exhibit B. Per Grant Guidelines, the CWCB will pay out the last 10% of the budget when the final deliverable is completed to the satisfaction of CWCB staff.

Once the final deliverable has been accepted, and final payment has been issued, the purchase order or grant will be closed without any further payment.

(b) Accountability: Per the Grant Guidelines full documentation of project progress must be submitted with each invoice for reimbursement. Grantee must confirm that all grant conditions have been complied with on each invoice. In addition, per the Grant Guidelines, Progress Reports must be submitted at least once every 6 months. A Final Report must be submitted and approved before final project payment.

(c) Monitoring Requirements: Grantee is responsible for ongoing monitoring of project progress per Exhibit A. Progress shall be detailed in each invoice and in each Progress Report, as detailed above. Additional inspections or field consultations will be arranged as may be necessary.

(d) Noncompliance Resolution: Payment will be withheld if grantee is not current on all grant conditions. Flagrant disregard for grant conditions will result in a stop work order and cancellation of the Grant Agreement.



<p align="center"><b>Water Supply Reserve Fund</b></p> <p align="center"><b>EXHIBIT B - BUDGET AND SCHEDULE - Direct &amp; Indirect (Administrative) Costs</b></p>	
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Water Activity Name: Fish Creek Reservoir #2 Repair & Conservation Project	
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Task No. <sup>(1)</sup>	Description	Start Date <sup>(2)</sup>	End Date	Matching Funds	WSRF Funds (Basin &	Total
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				(cash & in-kind) <sup>(3)</sup>	Statewide combined <sup>(3)</sup>	
1	Subcontractor Selection	5/1/2020	6/30/2020	\$ 6,000.00		\$ 6,000.00
2	Construction and Installation	7/1/2020	9/1/2020	\$ 247,845.00	\$ 138,900.00	\$ 386,745.00
3	Multiple Benefits Planning	6/1/2020	3/31/2021	\$ 8,000.00	\$ -	\$ 8,000.00
						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
<b>Total</b>				\$261,845	\$138,900	\$400,745

(1) The single task that include costs for Grant Administration must provide a labor breakdown (see Indirect Costs tab below) where the total WSRF Grant contribution towards that task does not exceed 15% of the total WSRF Grant amount.

(2) Round values up to the nearest hundred dollars.

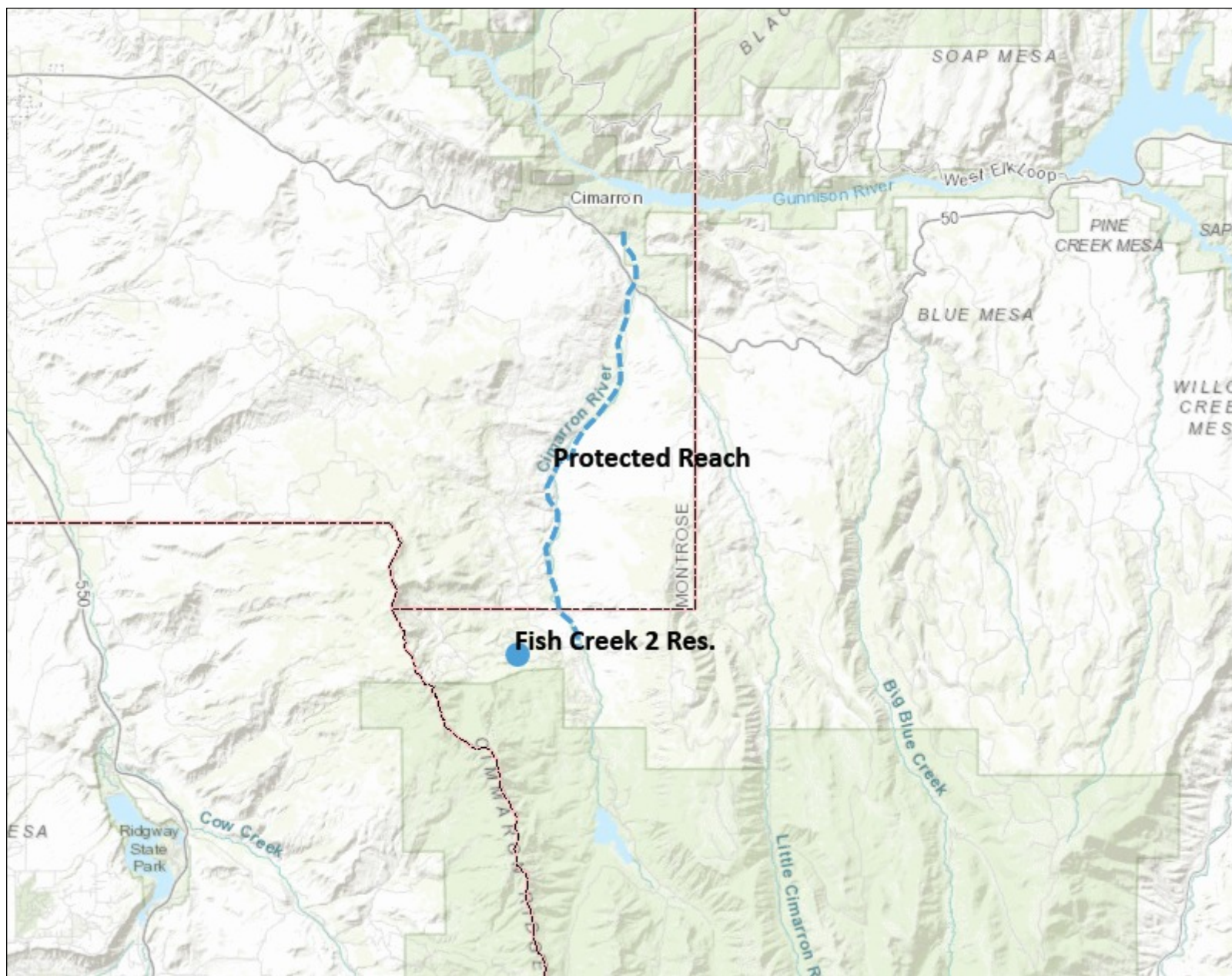
- Additional documentation providing a Detailed/Itemized Budget may be required for contracting. Applicants are encouraged to coordinate with the CWCB Project Manager to determine specifics.

The CWCB will pay the last 10% of the entire water activity budget when the Final Report is completed to the satisfaction of the CWCB staff project manager. Once the Final Report has been accepted, the final payment has been issued, the water activity and purchase order (PO) or contract will be closed without any further payment. Any entity that fails to complete a satisfactory Final Report and submit to the CWCB with 90 days of the expiration of the PO or contract may be denied consideration for future funding of any type from the CWCB.

- Additionally, the applicant shall provide a progress report every 6 months, beginning from the date of contract execution



## Fish Creek and protected reach



### Legend

County

### Location



### Notes

over 42,000 feet of protected stream

7.09 0 3.54 7.09 Miles

1: 224,514



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Date Prepared: 2/6/2020 3:28:23 PM



January 29, 2020

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

Re: Fish Creek #2 Reservoir Repair and Conservation Project

Dear CWCB Board,

On behalf of Trout Unlimited, the nation's largest coldwater conservation organization, I'm providing this letter of support and notification of in-kind match for the Fish Creek # 2 Reservoir Repair and Conservation Project.

If Cimarron Canal and Reservoir company obtains funding to repair the reservoir, TU will dedicate at least \$6,200 of in-kind support in the form of staff time for task 3- Conservation Planning. This assistance will come in the form of supporting meetings, analyzing supply and demand, and negotiating lease agreements with various parties including CWCB.

TU has been working with CCRC and its sister company Bostwick Park Water Conservancy District for several years on a numerous conservation and restoration projects. TU has always found the companies to be great partners who are interested in assisting other water users in the Cimarron and Gunnison watersheds. We hope the application for funding is successful so that we can proceed with this win-win project.

Sincerely,

Cary Denison, Trout Unlimited  
Gunnison Basin Project Manager

## BOSTWICK PARK WATER CONSERVANCY DISTRICT

400 South 3<sup>rd</sup> Street  
Montrose, CO 81401



Phone (970) 249-8707  
Fax (970) 252-7168

[bostwickpark@qwestoffice.net](mailto:bostwickpark@qwestoffice.net)  
[www.bostwickcimarronwater.com](http://www.bostwickcimarronwater.com)

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

Re: Fish Creek #2 Reservoir Repair and Conservation Project

CWCB Board members,

This letter is provided to notify CWCB of Bostwick Park Water Conservancy District's intent up to contribute \$20,000.00 (Twenty Thousand Dollars) to the Cimarron Canal and Reservoir Company for the repair of the Outlet and Inlet Pipe and Structures for Fish Creek Reservoir #2. This grant is to be used in conjunction with other grants received for this project.

BPWCD is willing and enthusiastic to make this contribution for the infrastructure and water conservation project because the reservoir improvement will improve water storage for BPWCD's sister company which will improve water availability for BPWCD share holders and reduce impacts of diverting water from the Cimarron River.

We greatly appreciate any funding assistance from the CWCB.

Kind Regards.

*Allen Distel*

President

Bostwick Park Water Conservancy District



January 31, 2020

CWCB Board of Directors  
Colorado Water Conservation Board  
1313 Sherman St., Room 721  
Denver, CO 80203

Re: Fish Creek #2 Reservoir Repair and Conservation Project

Dear Board of Directors,

On behalf of Audubon Rockies, I am providing this letter to express support for the improvements to Fish Creek #2 reservoir in the headwaters of the Cimarron watershed on Fish Creek, a tributary to the Cimarron River.

By reclaiming the storage pool of 350 acre-feet, the Cimarron Canal and Reservoir Company (CCRC) will increase water availability for irrigation water users and birds that are dependent upon shallow-water lakes and wetlands for stopover, migratory or breeding habitat necessity in the Cimarron basin and in the Uncompahgre Valley. Bird species such as American Avocet, Cinnamon Teal, Green-winged Teal, Semipalmated Sandpiper, Wilson's Phalarope, and Sandhill Crane may benefit from enhanced availability of shallow permanent to semi-permanent lake levels and adjacent wetlands with well-developed stands of emergent vegetation and open water.

Audubon Rockies supports this application, as it brings together the needs of irrigators, rivers and birds. Audubon Rockies strongly supports the partnership of CCRC to work with stakeholders, Trout Unlimited and the Colorado Water Conservation Board to lease water from the improved reservoir to the CWCB Instream Flow program. CWCB holds an instream flow right on the Big Cimarron River that begins near the confluence with Fish Creek.

Riparian habitats supported by sufficient instream flows provide numerous ecological benefits for people and birds alike.

- “Western riparian habitats have suffered significant degradation and loss from human activities. I estimate that 95% of the riparian habitats in the west have been either altered, degraded, or destroyed in the past 100 years. Riparian habitats represent about 1% of the total western landscape, yet support avian values equal to or in excess of the richest avian habitats in the continental United States<sup>1</sup>.”

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<sup>1</sup> Ohmart, Robert D. "The effects of human-induced changes on the avifauna of western riparian habitats." *Studies in avian biology* 15 (1994): 273-285.

- “Vegetation associated with streams has been referred to as the “aorta of an ecosystem” (Wilson 1979:82) because of its significance to the perpetuation of water, fish, wildlife, rangeland, and forest resources.<sup>2</sup>”

This project will help forward the mission of Audubon Rockies to protect birds and the places they need by advancing the restoration of both riparian and wetland areas.

Please feel free to contact me with any questions by email [abby.burk@audubon.org](mailto:abby.burk@audubon.org) or by phone at (303) 656-6496.

Sincerely,



Abby Burk  
Western Rivers Regional Program Manager  
Audubon Rockies

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<sup>2</sup> Knopf, Fritz L., et al. "Conservation of riparian ecosystems in the United States." The Wilson Bulletin 100.2 (1988): 272-284



**COLORADO**

**Parks and Wildlife**

Department of Natural Resources

Montrose Office  
2300 S. Townsend Avenue  
Montrose, CO 81401  
P 970.252.6000 | F 970.252.6053

January 24<sup>th</sup>, 2020

**Re: Cimarron Canal and Reservoir Company proposed improvements to Fish Creek Reservoir #2**

**Colorado Water Conservation Board**

Colorado Parks and Wildlife (CPW) has received and reviewed plans from Bostwick Park Conservancy District (BPCD) and Cimarron Canal and Reservoir Company (CCRC) for proposed improvements to Fish Creek Reservoir #2, located in the headwaters of the Cimarron watershed on Fish Creek in Gunnison County, Colorado. CPW understands that CCRC has applied for a grant through the Colorado Water Conservation Board to help with funding the Fish Creek Reservoir #2 improvements.

CCRC plans to rebuild the dam and pipework on Fish Creek Reservoir #2 to reclaim the storage pool to 350 acre-feet. CCRC will be able to increase water availability for irrigation water users in the Cimarron and Uncompahgre Valley. The reservoir improvements will also provide better fishing opportunities in the Cimarron basin. This project will also help meet instream flow rights on the Big Cimarron River further improving the fishery and the aquatic ecosystem in the river.

Colorado Parks and Wildlife supports the efforts of BPCD, CCRC and Trout Unlimited to make improvements to Fish Creek Reservoir #2 in the Cimarron Basin, Gunnison County, Colorado. If you have further questions please contact me or District Wildlife Manager Matt Ortega at 970-252-6011.

Sincerely

Renzo DelPiccolo

Area Wildlife Manager

970-252-6010

