

SAN JUAN WATER CONSERVANCY DISTRICT

ARCHULETA COUNTY

STATE OF COLORADO

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## NOTICE OF REGULAR MEETING

NOTICE IS HEREBY GIVEN that an in-person meeting of the Board of Directors of the San Juan Water Conservancy District (SJWCD) has been scheduled for Monday, August 16, 2021 at 4:00 p.m. (Mountain Standard Time). The meeting will be at the SJWCD office at 46 Eaton Drive Suite #5, Pagosa Springs, CO. The Board will be discussing and sharing documents related to the agenda below.

This meeting is in-person, but may be attended by Zoom. The public will be notified if the plan to meet in-person changes to an all Zoom format.

Join Zoom Meeting

<https://us02web.zoom.us/j/88690351739?pwd=MDVtYkdTSWFTUzlTY0pORTVjemdUOT09>

Meeting ID: 886 9035 1739

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For questions about how to participate by Zoom, please contact SJWCD President and Chairman, Al Pfister at 970-985-5764 or [apfister.sjwcd@gmail.com](mailto:apfister.sjwcd@gmail.com).

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Proposed Agenda is as follows:

1. Call to Order
2. Revisions to Agenda
3. Disclosures of Conflict of Interest
4. Public Comment
5. Consideration of Attorney's Report
6. Consideration of Approval of June 21, 2021 Regular Meeting and July 19, 2021 Special Meeting (Work Session) Minutes
7. Consideration of Treasurer's Report
8. Consideration of New ColoTrust Investment Fund
9. Update Regarding WEP Phase III by Mandy Eskelson, Mountain Studies Institute

10. Consideration of Resolution to Move Funds from Impact Fees account to Main Account
11. Consideration of Report on Diligence regarding Dry Gulch Water Rights and 2021 Expenditures
12. Consideration of SJWCD becoming a Member of Water Education Colorado - Pulse Partnership
13. Consideration of Hiring Marketing/Outreach contractor
14. Update Regarding Joint Growing Water Smart and Upper San Juan Watershed Enhancement Partnership (WEP) Meeting on August 4, 2021
15. Update Regarding Stream Monitoring Program by Director Hudson
16. Discussion of SJWCD Participation in Pagosa Springs Urban Renewal Authority Listening Session(s)
17. Discussion of Storing Documents on SJWCD.org or Google Drive for Public Access

SAN JUAN WATER CONSERVANCY DISTRICT

By /s/ Sally High

For the Board of Directors

DISTRICT SEAL

DISTRICT COURT, WATER DIVISION 3, STATE OF COLORADO  
TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS FILED IN  
WATER DIVISION 3.

Pursuant to C.R.S. 37-92-302(3), you are notified that the following is a resume in Water Division 3, containing notice of applications and certain amendments filed in the office of the Water Clerk during the month of June, 2021 for each county affected.

**2020CW12** Charles W. Tidd and Barbara T. Tidd, 28988 County Road 65, Moffat, CO 81143 [cwt29@icloud.com](mailto:cwt29@icloud.com) and [slvbarb498@gmail.com](mailto:slvbarb498@gmail.com) 719-221-8433 and 719-221-8434. Application to Make Absolute in Whole or in Part as amended in Saguache County. 2. Name of structure: TIDD HYDRO DIVERSION, piped hydroelectric turbine-NON-consumptive. 3. A. Date of Original Decree: June 16, 2014 Case No. 2010CW31 Court: Water Court-Water Division 3. B. All subsequent decrees awarding findings of diligence: None. C. Legal description: The location of the Point of Diversion is the same as the headgate, which is described as follows in Findings of Fact at paragraph 5. in the April 23, 2014 Findings and Ruling of Referee, which the June 16, 2014 Judgment and Decree confirmed, approved and adopted in Case No. 2010CW31 ("Ruling of Referee"): The headgate is that of the Garner Creek Ditch No. 1, on Garner Creek, at a point whence the Northeast corner of Section 12, Township 45 North, Range 10 East, N.M.P.M., bears South 27 degrees 19' East 552 feet, Saguache County, Colorado. The headgate has been located at UTM coordinates NAD83, Zone 13S, northing 4225379, easting 429093. Point of Water Re-entry UTM coordinates are 428760mE 4224959mN. See attached Exhibit A available in the office of the court clerk. D. Source of water: Garner Creek. E. Appropriation Date: November 14, 2010 Amount: 0.41 cfs. F. Use: Hydropower. 4. Detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures, during the previous diligence period: Construction has been completed in strict adherence to all requirements as set forth in the Construction Details and Operational Details of the Ruling of Referee. All other requirements also have been strictly adhered to as set forth in the Ruling of Referee. See attached Exhibits B (expenses excluding attorney fees and costs) and C (photographs) available in the office of the court clerk. 5. If claim to make absolute in whole or in part: A. Date water applied to beneficial use: May 20, 2021 Amount: 0.41 cfs/184 gpm. B. Use: Hydropower. D. Description of place of use where water is applied to beneficial use: See attached Exhibit A available for inspection in the office of the court clerk- power generating facility- from Point of Diversion/Headgate to Point of Water Re-Entry. Location information in UTM format: Easting 429093 Northing 4225379 Zone 13S; Street Address: 28988 County Road 65, Moffat, CO 81143. Source of UTMs: Colorado Division of Water Resources. Accurate to within 200 feet. Legal Description Using the Public Land Survey System: Saguache County SE1/4 of the SE1/4 Section 1, Township 45N Range 10E NMPM. 6. Name and address of land owners upon which water will be placed to beneficial use.: Charles W. Tidd and Barbara T. Tidd, 28988 County Road 65, Moffat, CO 81143 and Delmer E. Frees, David L. Frees, George A. Frees and Shirley A. Frees, 26814 County Road 61, Moffat, CO 81143.

**21CW3014** Application For Change of Surface Water Right and Appropriative Rights of Exchange in Mineral, Archuleta, Rio Grande, Conejos and Alamosa Counties. **1. Name, Address and Telephone Number of Applicant:** United States of America, Department of the Interior. Bureau of Land Management, San Luis Valley Field Office 1313 Highway 160, Monte Vista, CO 81144. **2. Introduction and Background.** The Bureau of Land Management (BLM) acquired the trans-basin Treasure Pass Diversion Ditch (ditch) and its associated water right in April 2019. BLM is simultaneously filing two water right applications to accomplish its management objectives for this ditch. In Water Division 3, BLM is filing an application to change the historic Treasure Pass Diversion Ditch water right to types of use and places of use that will support BLM's resource management objectives along with claiming appropriative rights of exchange. In Water Division 7, BLM is filing an application for a junior water right to be diverted at the ditch along with appropriative rights of exchange. The BLM is pursuing these dual applications because BLM has demands in excess of the historic Treasure Pass Diversion Ditch water right of 7 cubic feet per second (cfs). These demands are partially satisfied by diversions from the ditch under a junior water right. The historical diversion records for the ditch show frequent diversions in the range between 7 cfs and 13 cfs, demonstrating that there is physical capacity in the ditch above 7 cfs, and that diversions above 7 cfs were part of the historical operating practice. This application, which focuses on the change of the historical water right, addresses diversion diversions of up to 7 cfs that were made under the historical water right. The changed historical water right and the new junior water right will support wetlands habitat and wildlife management at BLM's Blanca Wetlands Area (Blanca Wetlands) and South San Luis Lakes Area (SSLA). To deliver the changed water right and new junior water right in the correct timing and amount to support wetland habitat and wildlife management objectives, the applications request water court confirmation of the storage and subsequent release of the changed historical water right and new junior water right for beneficial use. The reservoirs in which changed historical water right and junior water right will be stored include reservoirs owned and managed by Colorado Parks and Wildlife (CPW) and other reservoirs where BLM has agreements for storage space. In addition, the applications request water court confirmation of exchange operations involving the changed historical water right and junior water right. These operations are required to move diverted water into storage and to deliver direct flow and stored water to the place of use at Blanca Wetlands and SSLA. **3. Water Court Jurisdiction and Venues.** The appropriate venue in which to adjudicate a change application for a trans-basin ditch is Water Division No. 3, the basin of use. See *Department of Natural Resources v. Ogburn*, 560 P.2d 4 at 5 (Colo. 1977). Statements of Opposition should be filed in Water Division No. 3. The appropriate venue in which to adjudicate a junior water right for an existing trans-basin ditch is Water Division No. 7, the basin of diversion. (*See id.*) Statements of Opposition should be filed in Water Division 7. To provide broad inquiry-level notice, the change of water right application and the junior water right application will be noticed in both Water Division 3 and Water Division 7. Both applications also include an attachment showing the application that is filed simultaneously in the other Water Division, so that any inquiring party reviewing the application will be able to see all pending water rights applications concerning Treasure Pass Diversion Ditch. **4. Previous Decree Information for Water Right to be Changed.** **A. Water Rights:** The BLM purchased 100% interest in and to the Treasure Pass Diversion Ditch and its associated water right. **B. Original Decree:** Civil Action 73 and 308,

District Court In and For Archuleta County, Colorado. **C. Adjudication Date:** April 19, 1962. **D. Appropriation Date:** August 1, 1922. **E. Priority:** Priority No. 284 in Water District No. 29. **F. Use:** For the irrigation of the said eight hundred (800) acres of land located in Water District No. 20 of Colorado, and as supplemental to and in addition to the decreed rights for the same land in Water District No. 20. **G. Amount:** 7.0 cfs, absolute **H. Source:** Unnamed tributaries to Wolf Creek, which are tributary of the West Fork of the San Juan River. **I. Decreed Points of Diversion:** The said ditch is located on unsurveyed land, but a monument was erected on the top of what is known as Wolfe Creek Pass, in Mineral County, Colorado, consisting of a post 4" in diameter set in the ground surrounded to a height of 2 1/2 feet by a mound of flat rock. The headgate of the North Feeder Lateral is located at a point on the south bank of a tributary to Wolfe Creek, a tributary of the West Fork of the San Juan River, from which it derives its supply of water, whence the monument bears South 50degrees 26' East 2,226.3 feet. The headgate of the South Feeder Lateral is located at a point on the north bank of a tributary to Wolfe Creek, a tributary of the West Fork of the San Juan River, from which it derives its supply of water, whence the aforesaid monument bears North 41degrees 04' East 3,347.8 feet in Mineral County, Colorado. **J. Place of Delivery:** *Description from the CA308 decree:* Claim is made to convey the water by the two feeder laterals mentioned into the main channel of Treasure Pass Diversion Ditch and thence conveyed across Wolf Creek Pass and deliver the water into the West Fork of Pass Creek, and thence to the Rio Grande River to the San Luis Valley, where its equivalent will be diverted into ditches utilized by Claimants for the irrigation of their land by the Rio Grande River. *BLM Description of Facilities Outlined in the CA308 Decree:* The North Feeder Lateral and the South Feeder Lateral are constructed at a grade that carries the water from the diversion points to Wolf Creek Pass. At Wolf Creek Pass, the two feeders join, and the water is carried across the pass in a common ditch and measured by a flume equipped with satellite telemetry. Because this water is trans-basin water, diverted from the San Juan basin into the Rio Grande basin, one hundred percent (100%) of the water delivered to the Rio Grande basin may be consumptively used to extinction. The GPS coordinates for the measurement device on the ditch are NAD 83 Zone 13 340870mE 4149936mN **K. Place of Use:** Approximately eight hundred (800) acres of land owned by Claimants located in Township 40 North, Range 6 East, N.M.P.M. in the County of Rio Grande and the State of Colorado. **5. Change of use.** **A. Summary.** BLM seeks to change the Treasure Pass Diversion Ditch water right described in Paragraph 4 from the original irrigation use to multiple uses, including irrigation, described below. BLM also seeks to change the place of use to the locations described below. **B. Decreed Points of Diversion:** The points of diversion will remain as set forth above in Paragraph 4I. **C. Place of Delivery.** The initial place of delivery will continue, as it has historically, to be the West Fork of Pass Creek, as described in Paragraph 4J. After diverted water is released to West Fork Pass Creek, it will be delivered to the places of storage and places of use described below. **D. Places of Storage.** BLM requests water court authorization to store the changed water right in any of the following reservoirs, including authorization to carry over stored water in these facilities from one water year to the next. BLM will not store water in any of the reservoirs listed below without the written permission of the reservoir owner. This application does not request an independent water storage right in any of the reservoirs listed below and instead requests authorization to store water pursuant to an agreement between the reservoir owner and BLM.

Table 5D. Reservoir Storage Locations.

<b>Reservoir Name</b>	<b>WDID</b>	<b>Relevant Decree</b>	<b>Absolute Amount (AF)</b>	<b>Adjud. Date</b>	<b>Approp. Date</b>	<b>Legal Description</b>
Alberta Park Reservoir	2003531	CA2673	597.5	1/27/1960	9/27/1930	Located at a point on the northwesterly end of the dam, whence the NW corner of Sec.19, T39N, R2E, NMPM bears North 26degrees27' West 56,628 feet.
Beaver Park Reservoir	2003532	09/13/1916 CA2673	4,434 334.4	9/13/1916 1/27/1960	4/30/1910 5/10/1946	Located at a point whence the East 1/4 corner of Section 28, T39N, R3E, NMPM bears North 79degrees13' East 2,065.45 feet. Reservoir is located in Sec. 27, 28, 33, and 34, T39N, R3E, and Sec.3, T38N, R3E, NMPM.
Big Meadows Reservoir	2003589	CA3982	2,437	4/21/1972	8/27/1959	Located at a point whence Mt. Hope bears North 85degrees50' West, and is a point on the Northwesterly end of the dam at high water line, and whence

<b>Reservoir Name</b>	<b>WDID</b>	<b>Relevant Decree</b>	<b>Absolute Amount (AF)</b>	<b>Adjud. Date</b>	<b>Approp. Date</b>	<b>Legal Description</b>
						Heart Mountain bears South 49degrees00' East and is a point on the Southeasterly end of the dam at high water line. Reservoir is situated in Sections 17 and 18, T38N, R2E, NMPM.
Troutvale Reservoir	2003569	9/13/1916	1,020.6	9/13/1916	9/1/1911	Located at a point whence the North 1/4 corner of Section 16, T41N, R3W, NMPM bears North 70degrees54'30" West 915 feet.
Troutvale Reservoir No. 2	2003585	CA3982	435.37	4/21/1972	6/17/1940	Located at a point whence the North 1/4 corner of Section 10, T41N, R3W, NMPM bears North 27degrees08' West 2,175.5' and is a point on the Northwesternly end of the dam at high water line. Reservoir is situated in Section 10,

<b>Reservoir Name</b>	<b>WDID</b>	<b>Relevant Decree</b>	<b>Absolute Amount (AF)</b>	<b>Adjud. Date</b>	<b>Approp. Date</b>	<b>Legal Description</b>
						T41N, R3W, NMPM.
La Jara Reservoir	2103582	2/07/1918	14,056.5	2/7/1918	12/13/1904	From said inlet works located in the La Jara Creek, said reservoir runs in a southeasterly direction about four miles to a point in the northeast quarter of section 31, T35N, R6E, NMPM, where the dam used for the impounding of water in said reservoir is now located and constructed and where the outlet works of said reservoir are now located, at a point which bears north 10degrees44'10" west 28,607.8 feet. Reservoir is situated on parts of Sections 7, 18, 19, 29, 30, 31 and 32, in T35 N, R6E, NMPM, and Sections 13, 24, 25, in T35N, R5E, NMPM.



<b>Reservoir Name</b>	<b>WDID</b>	<b>Relevant Decree</b>	<b>Absolute Amount (AF)</b>	<b>Adjud. Date</b>	<b>Approp. Date</b>	<b>Legal Description</b>
Rito Hondo Reservoir	2003588	CA3982	561.46	4/21/1972	10/4/1954	Located at a point whence the SE corner of Sec.22, T42N, R3W, NMPM bears South 10degrees41' East 3,546.61 feet and is a point on the westerly end of the dam at high water line. Reservoir is situated in Sec.15 and 22, T42N, R3W, NMPM.
Road Canyon Reservoir	2003555	09/13/1916	1,182.75	9/13/1916	5/17/1908	Situated in Sec.26, 27 and 34, T41N, R3W and Sec.3, T40N, R3W, NMPM
Road Canyon Reservoir No. 2	2003584	CA3982	117.27	4/21/1972	6/26/1922	The initial point of survey of the high water line of said reservoir is located at a point whence the corner common to Sections 26, 27, 34 and 35, T41N, R3W, NMPM, bears North 27degrees48' East 10,273.69 feet, and is a point on the

Reservoir Name	WDID	Relevant Decree	Absolute Amount (AF)	Adjud. Date	Approp. Date	Legal Description
						easterly end of the dam at high water line. Reservoir is situated in the West 1/2 of the SW1/4, Sec.3, and the SE1/4, SE1/4 of Sec.4, T40N, R3W, NMPM.
Trujillo Meadows Reservoir	2203575	W-0047	913.15	12/31/1970	8/31/1954	That the initial point of survey of the high water line is located at a point whence the North quarter corner of Section 5, Township 32 North, Range 5 East NMPM, bears North 67degrees19'35" East 283.21 feet and is a point on the northerly end of the dam at high water line. Said reservoir is situated in Section 5, T32N, R5E, NMPM and Sec.32, T33N, R5E, NMPM
San Luis Lake	3503531	W-3962	8645	12/31/1978	8/5/1969	A natural lake located in portions of sections 25, 26, 35 and 36,
		95CW40	5752.7	12/31/1987	11/25/1986	
		95CW0040	2,410	12/31/1995	11/01/1994	

Reservoir Name	WDID	Relevant Decree	Absolute Amount (AF)	Adjud. Date	Approp. Date	Legal Description
						R11E, T40N of the NMPM. The northwest corner of section 19, R12E, T40N, bears north 44 deg. 56'55" east a distance of 10,261.42 feet from the inlet of said lake and north 30 de. 44'18" east a distance of 15,764.45 feet from the outlet.
Shaw Reservoir	2003559	9/13/1916	510.84	9/13/1916	9/18/1895	A point between Stations 0 and 2 in the Southeast Quarter of the Southeast Quarter of Section 31, T39N R2E, New Mexico P.M.
		9/13/1916	127.71	9/13/1916	9/18/1895	
		CA 2673	42.05	1/27/1960	9/27/1954	
Platoro Reservoir	2203574	W-3253	53,571.0	10/24/1985	6/1/1905	A point whence the Northeast corner of Section 21, T36N R4E, NMPM bears North 14degrees56'08" East a distance of 2,477.8 feet.

**E. Places of Use.**

Within Blanca Wetlands, as described below:

Township 38 North, Range 11 East N.M.P.M:

Section 1, NW 1/4, NE 1/4, SE 1/4 of Section 2, Section 12, NW 1/4, NE 1/4, SE 1/4, N 1/2 of the SW 1/4, of Section 13, and NE 1/4 of Section 24.

Township 38 North, Range 12 East, N.M.P.M:

W 1/2 of Section 4, Sections 5, 6, 7, 8, 17 W 1/2 Section 9, and N 1/2 of Section 18.

Township 39 North, Range 12 East, N.M.P.M:

SE 1/4 of the SW 1/4 and SW 1/4 of the SE 1/4 of Section 30, E 1/2 of the W 1/2 and the E 1/2 of Section 31, and NW 1/4, SW 1/4, and SE 1/4 of Section 32.

Within the SSLA, as described below:

Township 39 North, Range 12 East N.M.P.M: SE 1/4 Section 18; All of Section 19.

Township 39 North, Range 11 East, N.M.P.M: SE 1/4 Section 24

**F. Type of Use.** BLM seeks add the following uses to the historically decreed irrigation use: irrigation of wetlands, marshes, meadows, and playas areas; creation and support of fish and wildlife habitat in ponds, diked areas, and natural basins; wildlife watering; recreation; non-potable domestic use; piscatorial and fish propagation; augmentation use; replacement of evaporative losses necessary to effectuate the aforementioned uses; storage in reservoirs listed in Paragraph 5.D. necessary to effectuate the aforementioned uses; and exchanges necessary to effectuate the aforementioned uses. The augmentation use includes, but is not limited to, the following: Use of the changed water right as an augmentation water source for the Blanca Wetlands augmentation plan decreed in case number 2002 CW 38 B. After this case is decreed, BLM will follow the Notice of Use procedure described in Paragraph 13.C.1 of the 2002 CW 38B decree to add the changed water right to the authorized list of augmentation water sources.

Use of the changed water right through a BLM contract with one or more Subdistricts of the Rio Grande Water Conservation District for the purpose of remedying injurious depletions to the Rio Grande and Conejos River caused by groundwater well operations. This use will occur pursuant to a substitute water supply plan approved by Colorado Division of Water Resources or pursuant to an augmentation plan approved by District Court, Water Division 3. Use of the changed water right as a source of water for the San Luis Valley Water Conservancy District's (District) Augmentation Program for the augmentation of out of priority diversions by Participants located within the District's boundaries, as those boundaries may change from time to time in accordance with the statute. The District operates its Augmentation Program pursuant to the decrees entered in Case Nos. 84CW16, 93CW43, 94CW62, 03CW41, 05CW13, 07CW63, 09CW34 and 14CW3011, all decreed in District Court, Water Division No. 3. Other augmentation uses that are approved pursuant to a substitute water supply plan approved by Colorado Division of Water Resources or pursuant to an augmentation plan approved by District Court, Water Division 3. BLM also seeks water court confirmation that it is authorized to make a fully consumptive first use of the changed water right or to use, reuse, and successively use and dispose of the water to extinction for the purposes described in this application. **6.**

**Appropriative Rights of Exchange.** **A. Source of Water.** The changed Treasure Pass Diversion Ditch water right described in Paragraphs 4 and 5. **B. Place of Use:** Identical to those set forth in

Paragraphs 5E. C. Type of Use: Identical to those set forth in Paragraphs 5F. D. Treasure Pass Diversion Ditch to Beaver Park Reservoir Exchange 1. Exchange From Point: The confluence of the South Fork of the Rio Grande with Beaver Creek, located in the SW 1/4 SE 1/4, Sec. 17, T39N R3E, NMPM. UTM Coordinates: NAD 83, Zone 13, 351413mE 4165149mN 2. Exchange To Point: Located at a point whence the East 1/4 corner of Section 28, T39N, R3E, NMPM bears North 79degrees13' East 2,065.45 feet. Reservoir is located in Sec. 27, 28, 33, and 34, T39N, R3E, and Sec.3, T38N, R3E, NMPM. 3. Amount Claimed: 7.0 cfs, conditional 4. Date of Appropriation: Date this application is filed with the water court. 5. Date Exchange Made Absolute: Not Applicable. E. Closed Basin Project Canal Exchange 1. Exchange From Point: The confluence of the Closed Basin Project Canal with the Rio Grande, located in the SW 1/4 SW 1/4, Sec. 28, T37N R11E, NMPM. UTM Coordinates: NAD 83, Zone 13, 430940mE 4141480mN 2. Exchange To Reach: Any location along the Closed Basin Project Canal that is adjacent to BLM's Blanca Wetlands Area and South San Luis Lakes Area. This reach includes BLM Turnouts CHO3 and CHO4 as follows: Turnout CHO3: NE 1/4 SW 1/4, Section 4, Township 38 North, Range 12 East, N.M.P.M. UTM Coordinates: NAD 83, Zone 13, 440976mE 4157892mN. Turnout CHO4: SW 1/4 SW 1/4, Section 9, Township 38 North, Range 12 East, N.M.P.M. UTM Coordinates: NAD 83, Zone 13, 440447mE 4156005mN. The upper terminus of the Exchange To Reach is as follows: NE 1/4 NW 1/4, Section 6, T39N R12E, N.M.P.M. UTM Coordinates: NAD 83, Zone 13 437990mE 4168640mN. This location is commonly known as the point where the Closed Basin Project Canal crosses under Alamosa County Road 6 North. The lower terminus of the Exchange To Reach is as follows: SW 1/4 SW 1/4, Section 17, T38N R12E, N.M.P.M. UTM Coordinates: NAD 83, Zone 13 438742mE 4154182mN. 3. Amount Claimed: 8 cfs, conditional. 4. Date of Appropriation: Date this application is filed with the water court. 5. Date Exchange to be Made Absolute: Not Applicable 6. Structures Involved In Exchange: To provide a source of water for the exchange, water from the changed water right may be released directly from the Treasure Pass Diversion Ditch or from any of the reservoirs listed in Paragraph 5.D. of this application. Exchange operations may also involve releasing water from the aforementioned facilities to the headgate of the Chicago Ditch, operated by Alamosa National Wildlife Refuge. An equivalent volume of Closed Basin Project mitigation water, otherwise destined for Alamosa National Wildlife Refuge, will be diverted from the Exchange To Reach. The Chicago Ditch (WDID 2000575) is described as follows: Original Decrees: May 1, 1896 and October 15, 1934. Decreed Point of Diversion: A point on the east bank of the Rio Grande-Del Norte from which it derives its supply of water, whence the one-quarter corner between Sections Eleven (11) and Twelve (12) in Township Thirty-seven (37) North, and in Range Ten (East) of the New Mexico Principal Meridian bears North 01degrees 12' East 1400.3 feet. F. Use of Facilities Owned By Other Parties. BLM will not utilize any of the facilities listed in Paragraph 5.D. of this application without the written permission of the facility owner. This application does not request an independent water right in any facilities listed in Paragraph 5.D. and instead requests authorization to exchange water pursuant to an agreement between the facility owner and BLM. **7. Names and Addresses of Owners, Structures and of Land on which Structures Are Located:** Barry Beal, High Valley Ranch, LLC, 104 S. Pecos St., Midland, TX 79701. United States Department of Agriculture, Rio Grande National Forest, 1803 W. Highway 160, Monte Vista, CO 81144. Attention: Andrew Peterson. State Land Board, Southwest District Office, District Manager, 305 Murphy Drive,

Suite A, Alamosa 81101. Attention: Ron Rivale. Rio Grande Water Conservation District, 8805 Independence Way, Alamosa, CO 81101 Attention: Cleave Simpson. United States Department of the Interior, Bureau of Reclamation, Closed Basin Division, San Luis Valley Project, Colorado, 10900 Hwy 160 East, Alamosa, CO 81101. Attention: Russ Plummer. United States Department of Agriculture, Forest Service, Pagosa Ranger District, 180 Pagosa St., Pagosa Springs, CO 81147. Attention: Rebecca Smith.

Colorado Parks and Wildlife, 6060 Broadway, Denver, CO 80216 Attention: Ed Perkins.

The Nature Conservancy, 2424 Spruce St., Boulder, CO 80302 Attention: Heidi Shirk. U.S. Fish and Wildlife Service, 6120 Highway 15, Monte Vista, CO 81144. Attention: Chris Shaffer. Shaw Reservoir Company, 6820 Colorado Highway 17, Alamosa, CO 81101. Attention: Dan Russell. **8. Remarks:** The following report is hereby attached to and made part of this application: *Preliminary Engineering Report to Support a Claim for a Change of Water Right in the Treasure Pass Diversion Ditch, an Appropriation of a Junior Transbasin Water Right, and an Appropriative Right of Exchange* by Martin and Wood Water Consultants, Inc. This report contains maps of the ditch location, historical water use location, BLM's water use location, and locations of exchanges.

**THE WATER RIGHTS CLAIMED BY THE FOREGOING APPLICATION(S) MAY AFFECT IN PRIORITY ANY WATER RIGHTS CLAIMED OR HERETOFORE ADJUDICATED WITHIN THIS DIVISION AND OWNERS OF AFFECTED RIGHTS MUST APPEAR TO OBJECT AND PROTEST WITHIN THE TIME PROVIDED BY STATUTE OR BE FOREVER BARRED.**

You are notified that you have until the last day of August 2021, to file with the Water Clerk a verified statement of opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions or a protest to the requested correction. A copy of such a statement of opposition or protest must also be served upon the Applicant or the Applicant's attorney and an affidavit or certificate of such service must be filed with the Water Clerk. The filing fee for the Statement of Opposition is \$192.00. Forms may be obtained from the Water Clerk's Office or our website at [www.courts.state.co.us](http://www.courts.state.co.us). Jennifer Pacheco, Water Clerk, Water Division 3, 8955 Independence Way, Alamosa, CO 81101.

DISTRICT COURT, WATER DIVISION 7, COLORADO

WATER RESUME

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TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN SAID WATER DIVISION NO. 7

Pursuant to C.R.S. 37-92-302, you are notified that the following is a resume of all water right applications filed in the Office of the Water Clerk during the month of June 2021, for each county affected.

**21CW17** Thomas K. Armstrong, 442 Isleta Rd., Durango, CO 81303: **Animas River TKA Pump**; Animas River; La Plata County; NW1/4NW1/4, Section 17, T34N, R9W, NMPM; Easting 246443, Northing 4120662; 3600 feet from North, 1400 feet from West; Animas River; Date of appropriation, 5/24/21; Appropriation was initiated by starting irrigation; Date water applied to beneficial use, 5/24/21; Absolute 15 gpm; Irrigate 1 acre of landscape surrounding house; See application for more details. Application for Absolute Water Rights (Surface) (7 pages including exhibits)

**21CW18** Peter & Linda Hauber, 4158 W Avenue L2, Lancaster, CA 93536: **Chavez No 2 Ditch**; San Juan River; Archuleta County; Date of original decree, 4/19/62; Case no., CA 0308; Subsequent decrees, 1/31/08, 07CW28, 7/02/15, 14CW5, 99CW63, 92CW44, 85CW111; NW1/4SW1/4, Section 18, T32N, R3W, NMPM; Easting 4098959, Northing 302208; 1929 feet from South, 853 feet from West; Appropriation date, 12/12/50; 3.0 cfs; Irrigation of 40 acres; Work towards completion of project outlined in application. Application for Finding of Reasonable Diligence (7 pages including exhibits)

**21CW19** Family Bardin Partnership LLP, PO Box 464, Durango, CO 81302: Animas River; La Plata County; For all structures: Date of original decree, 6/24/15; Case no., 14CW39; Appropriation date, 12/18/14; **Bardin Pump #1**; NW1/4SW1/4, Section 19, T34N, R9W, NMPM; 2550 feet from South, 297 feet from West; Animas River; 0.30 cfs Conditional; Irrigation of 11.8 acres, filling of Bardin Ponds #1A and #2A for piscatorial, recreation and freshening flows; **Bardin Pump #2**; SW1/4NW1/4, Section 19, T34N, R9W, NMPM; 1809 feet from North, 79 feet from West; Animas River; 0.75 cfs Conditional; Irrigation of 27.9 acres, filling of Bardin Ponds #2A and #2B for piscatorial, recreation and freshening flows; **Bardin Spring #1**; SW1/4NW1/4, Section 19, T34N, R9W, NMPM; 2003 feet from North, 1171 feet from West; Animas River; 0.33 cfs Conditional; Irrigation of 1 acre, filling of Bardin Ponds #2A for piscatorial, recreation and freshening flows; **Bardin Pond #1A**; NW1/4SW1/4, Section 19, T34N, R9W, NMPM; 2423 feet from South, 684 feet from West; Animas River via Bardin Pump #1 (fill rate 0.30 cfs); 0.10 acre feet Conditional; Irrigation of 11.8 acres in conjunction with Bardin Pond #2A and Bardin Pump #1, piscatorial and recreation use; **Bardin Pond #2A**; SW1/4NW1/4, Section 19, T34N, R9W, NMPM; 1894 feet from North, 1038 feet from West; Animas River via Bardin Pump #1 and Bardin Spring #1 (fill rate 0.30 cfs); 0.01 acre feet Conditional; Irrigation of 11.8 acres in conjunction with Bardin Pond #1A and Bardin Pump #1, piscatorial and recreation use; **Bardin Pond #1B**; SW1/4NW1/4, Section 19, T34N, R9W, NMPM; 1526 feet from North, 737 feet from West; Animas River via Bardin Pump #2 (fill rate 0.75 cfs); 0.10 acre feet Conditional; Irrigation of 27.9 acres in conjunction with Bardin Pond #2B and Bardin Pump #2, piscatorial and recreation use; **Bardin Pond #2B**; SW1/4NW1/4, Section 19, T34N, R9W, NMPM; 1312 feet from North, 414 feet from West; Animas River via Bardin Pump #2 (fill rate 0.75 cfs) 0.03 acre feet Conditional; Irrigation of 27.9 acres in conjunction with Bardin Pond #1B and Bardin Pump #2, piscatorial and recreation; Work towards completion of project outlined in application. Application for Finding of Reasonable Diligence (17 pages)

**21CW3029** Application For Junior Surface Water Right and Appropriative Rights of Exchange in Mineral, Archuleta, Rio Grande, Conejos, and Alamosa Counties. **1. Name, Address and Telephone Number of Applicant:** United States of America, Department of the Interior, Bureau of Land Management,

San Luis Valley Field Office, 1313 Highway 160, Monte Vista, CO 81144. **2. Introduction and Background.** The Bureau of Land Management (BLM) acquired the trans-basin Treasure Pass Diversion Ditch (ditch) and its associated water right in April 2019. BLM is simultaneously filing two water right applications to accomplish its management objectives for this ditch. In Water Division 3, BLM is filing an application to change the historic Treasure Pass Diversion Ditch water right to types of use and places of use that will support BLM's resource management objectives along with appropriative rights of exchange. In Water Division 7, BLM is filing an application for a junior water right to be diverted at the ditch along with appropriative rights of exchange. The BLM is pursuing these dual applications because BLM has demands in excess of the historic Treasure Pass Diversion Ditch water right of 7 cubic feet per second (cfs). These demands are partially satisfied by diversions from the ditch under a junior water right. The historical diversion records for the ditch show frequent diversions in the range between 7 cfs and 13 cfs, demonstrating that there is physical capacity in the ditch above 7 cfs, and that diversions above 7 cfs were part of the historical operating practice. This application, which requests a junior water right, addresses any diversions made by the ditch up to 13 cfs that are not made under the historical water right. The changed historical water right and the new junior water right will support wetlands habitat and wildlife management at BLM's Blanca Wetlands Area (Blanca Wetlands) and South San Luis Lakes Area (SSLA). To deliver the changed water right and new junior water right in the correct timing and amount to support wetland habitat and wildlife management objectives, the applications request water court confirmation of the storage and subsequent release of the changed historical water right and new junior water right for beneficial use. The reservoirs in which changed historical water right and junior water right will be stored include reservoirs owned and managed by Colorado Parks and Wildlife (CPW) and other reservoirs where BLM has agreements for storage space. In addition, the applications request water court confirmation of exchange operations involving the changed historical water right and junior water right. These operations are required to move diverted water into storage and to deliver direct flow and stored water to the place of use at Blanca Wetlands and SSLA. **3. Water Court Jurisdiction and Venues.** The appropriate venue in which to adjudicate a change application for a trans-basin ditch is Water Division No. 3, the basin of use. Statements of Opposition should be filed in Water Division No. 3. The appropriate venue in which to adjudicate a junior water right for an existing transbasin ditch is Water Division No. 7, the basin of diversion. See *Department of Natural Resources v. Ogburn*, 560 P.2d 4 at 5 (Colo. 1977). Statements of Opposition should be filed in Water Division 7. To provide broad inquiry-level notice, the change of water right application and the junior water right application will be noticed in both Water Division 3 and Water Division 7. Both applications also include an attachment showing the application that is filed simultaneously in other Water Division, so that any inquiring party reviewing the application will be able to see all pending water rights applications concerning Treasure Pass Diversion Ditch. **4. Treasure Pass Diversion Ditch Junior Water Right.** **A. Name of Structure:** Treasure Pass Diversion Ditch Junior Water Right. **B. Legal description of each point of diversion:** Identical to the points of diversion set forth in the historic water right for Treasure Pass Diversion in Civil Action 73 and 308, District Court In and For Archuleta County, Colorado, as described below: The said ditch is located on unsurveyed land, but a monument was erected on the top of what is known as Wolfe Creek Pass, in Mineral County, Colorado, consisting of a post 4" in diameter set in the ground surrounded to a height of 2 ½ feet by a mound of flat rock. The headgate of the North Feeder Lateral is located at a point on the south bank of a tributary to Wolfe Creek, a tributary of the West Fork of the San Juan River, from which it derives its supply of water, whence the monument bears South 50° 26' East 2,226.3 feet. The headgate of the South Feeder Lateral is located at a point on the north bank of a tributary to Wolfe Creek, a tributary of the West Fork of the San Juan River, from which it derives its supply of water, whence the aforesaid monument bears North 41° 04' East 3,347.8 feet in Mineral County, Colorado. **C. Place of Delivery.** Identical to the historical Place of Delivery set forth in the CA308 decree for Treasure Pass Diversion Ditch. *Description from the CA308 decree:* Claim is made to convey the water by the two feeder laterals mentioned into the main channel of Treasure Pass Diversion Ditch and thence conveyed across Wolf Creek Pass and deliver the water into the West Fork of Pass Creek, and thence to the Rio Grande River to the San Luis Valley, where its equivalent will be diverted into ditches utilized by Claimants for the irrigation of their land by the Rio Grande River. *BLM Description of Facilities Outlined*



*in the CA308 Decree:* The North Feeder Lateral and the South Feeder Lateral are constructed at a grade that carries the water from the diversion points to Wolf Creek Pass. At Wolf Creek Pass, the two feeders join, and the water is carried across the pass in a common ditch and measured by a flume equipped with satellite telemetry. Because this water is trans-basin water, diverted from the San Juan Basin into the Rio Grande Basin, one hundred percent (100%) of the water delivered to the Rio Grande Basin may be consumptively used to extinction. The GPS coordinates for the measurement device on the ditch are NAD 83 Zone 13 340870mE 4149936mN **D. Source:** Unnamed tributaries to Wolf Creek, which are tributary of the West Fork of the San Juan River. **E. Date of Appropriation:** June 29, 2019. **F. Amount claimed:** 13.0 cfs, absolute **G. How appropriation was initiated:** BLM diverted water through the existing Treasure Pass Diversion Ditch and measured the diversion amount at the measurement flume located on the south side of Highway 160 over Wolf Creek Pass. Diverted water was placed into storage at Beaver Park Reservoir. **H. Date water was applied to beneficial use:** Water previously diverted under the junior water right and stored in Beaver Park Reservoir was delivered to Blanca Wetlands Area on March 31, 2021. **I. Places of Storage.** BLM requests water court authorization to store the junior Treasure Pass Diversion Ditch water right after diversion at the decreed points of diversion in any of the following reservoirs, including authorization to carry over stored water in these facilities from one water year to the next. BLM will not store water in any of the reservoirs listed below without the written permission of the reservoir owner. This application does not request an independent water storage right in any of the reservoirs listed below and instead requests authorization to store water pursuant to an agreement between the reservoir owner and BLM. **Reservoir Name:** Alberta Park Reservoir **WDID:** 2003531 **Relevant Decrees:** CA2673 **Absolute Amounts (AF):** 597.5 **Adjudication Dates:** 1/27/1960 **Appropriation Dates:** 9/27/1930 **Legal Description:** Located at a point on the northwesterly end of the dam, whence the NW corner of Sec.19, T39N, R2E, NMPM bears North 26°27' West 56,628 feet. **Reservoir Name:** Beaver Park Reservoir **WDID:** 2003532 **Relevant Decrees:** 09/13/1916 and CA2673 **Absolute Amounts (AF):** 4,434 and 334.4 **Adjudication Dates:** 9/13/1916 and 1/27/1960 **Appropriation Dates:** 4/30/1910 and 5/10/1946 **Legal Description:** Located at a point whence the East ¼ corner of Section 28, T39N, R3E, NMPM bears North 79°13' East 2,065.45 feet. Reservoir is located in Sec. 27, 28, 33, and 34, T39N, R3E, and Sec.3, T38N, R3E, NMPM. **Reservoir Name:** Big Meadows Reservoir **WDID:** 2003589 **Relevant Decrees:** CA3982 **Absolute Amounts (AF):** 2,437 **Adjudication Dates:** 4/21/1972 **Appropriation Dates:** 8/27/1959 **Legal Description:** Located at a point whence Mt. Hope bears North 85°50' West, and is a point on the Northwesterly end of the dam at high water line, and whence Heart Mountain bears South 49°00' East and is a point on the Southeasterly end of the dam at high water line. Reservoir is situated in Sections 17 and 18, T38N, R2E, NMPM. **Reservoir Name:** Troutvale Reservoir **WDID:** 2003569 **Relevant Decrees:** 9/13/1916 **Absolute Amounts (AF):** 1,020.6 **Adjudication Dates:** 9/13/1916 **Appropriation Dates:** 9/1/1911 **Legal Description:** Located at a point whence the North ¼ corner of Section 16, T41N, R3W, NMPM bears North 70°54'30" West 915 feet. **Reservoir Name:** Troutvale Reservoir No. 2 **WDID:** 2003585 **Relevant Decrees:** CA3982 **Absolute Amounts (AF):** 435.37 **Adjudication Dates:** 4/21/1972 **Appropriation Dates:** 6/17/1940 **Legal Description:** Located at a point whence the North ¼ corner of Section 10, T41N, R3W, NMPM bears North 27°08' West 2,175.5' and is a point on the Northwesterly end of the dam at high water line. Reservoir is situated in Section 10, T41N, R3W, NMPM. **Reservoir Name:** La Jara Reservoir **WDID:** 2103582 **Relevant Decrees:** 2/07/1918 **Absolute Amounts (AF):** 14,056.5 **Adjudication Dates:** 2/7/1918 **Appropriation Dates:** 12/13/1904 **Legal Description:** From said inlet works located in the La Jara Creek, said reservoir runs in a southeasterly direction about four miles to a point in the northeast quarter of section 31, T35N, R6E, NMPM, where the dam used for the impounding of water in said reservoir is now located and constructed and where the outlet works of said reservoir are now located, at a point which bears north 10°44'10" west 28,607.8 feet. Reservoir is situated on parts of Sections 7, 18, 19, 29, 30, 31 and 32, in T35 N, R6E, NMPM, and Sections 13, 24, 25, in T35N, R5E, NMPM. **Reservoir Name:** Rito Hondo Reservoir **WDID:** 2003588 **Relevant Decrees:** CA3982 **Absolute Amounts (AF):** 561.46 **Adjudication Dates:** 4/21/1972 **Appropriation Dates:** 10/4/1954 **Legal Description:** Located at a point whence the SE corner of Sec.22, T42N, R3W, NMPM bears South 10°41' East 3,546.61 feet and is a point on the westerly end of the dam at high water line. Reservoir is situated in Sec.15 and 22, T42N, R3W, NMPM. **Reservoir**

**Name:** Road Canyon Reservoir **WDID:** 2003555 **Relevant Decrees:** 09/13/1916 **Absolute Amounts (AF):** 1,182.75 **Adjudication Dates:** 9/13/1916 **Appropriation Dates:** 5/17/1908 **Legal Description:** Situated in Sec.26, 27 and 34, T41N, R3W and Sec.3, T40N, R3W, NMPM. **Reservoir Name:** Road Canyon Reservoir No. 2 **WDID:** 2003584 **Relevant Decrees:** CA3982 **Absolute Amounts (AF):** 117.27 **Adjudication Dates:** 4/21/1972 **Appropriation Dates:** 6/26/1922 **Legal Description:** The initial point of survey of the high water line of said reservoir is located at a point whence the corner common to Sections 26, 27, 34 and 35, T41N, R3W, NMPM, bears North 27°48' East 10,273.69 feet, and is a point on the easterly end of the dam at high water line. Reservoir is situated in the West ½ of the SW1/4, Sec.3, and the SE1/4, SE1/4 of Sec.4, T40N, R3W, NMPM. **Reservoir Name:** Trujillo Meadows Reservoir **WDID:** 2203575 **Relevant Decrees:** W-0047 **Absolute Amounts (AF):** 913.15 **Adjudication Dates:** 12/31/1970 **Appropriation Dates:** 8/31/1954 **Legal Description:** That the initial point of survey of the high water line is located at a point whence the North quarter corner of Section 5, Township 32 North, Range 5 East NMPM, bears North 67°19'35" East 283.21 feet and is a point on the northerly end of the dam at high water line. Said reservoir is situated in Section 5, T32N, R5E, NMPM and Sec.32, T33N, R5E, NMPM. **Reservoir Name:** San Luis Lake **WDID:** 3503531 **Relevant Decrees:** W-3962, 95CW40, 95CW004 **Absolute Amounts (AF):** 8645, 5752.72, 410 **Adjudication Dates:** 12/31/1978, 12/31/1987, 12/31/1995 **Appropriation Dates:** 8/5/1969, 11/25/1986, 11/01/1994 **Legal Description:** A natural lake located in portions of sections 25, 26, 35 and 36, R11E, T40N of the NMPM. The northwest corner of section 19, R12E, T40N, bears north 44 deg. 56'55" east o distance of 10,261.42 feet from the inlet of said lake and north 30 degrees 44'18" east a distance of 15,764.45 feet from the outlet. **Reservoir Name:** Shaw Reservoir **WDID:** 2003559 **Relevant Decrees:** 9/13/1916, 9/13/1916, CA 2673 **Absolute Amounts (AF):** 510.84, 127.71, 42.05 **Adjudication Dates:** 9/13/1916, 9/13/1916, 1/27/1960 **Appropriation Dates:** 9/18/1895, 9/18/1895, 9/27/1954 **Legal Description:** A point between Stations 0 and 2 in the Southeast Quarter of the Southeast Quarter of Section 31, T39N R2E, New Mexico P.M. **Reservoir Name:** Platoro Reservoir **WDID:** 2203574 **Relevant Decrees:** W-3253 **Absolute Amounts (AF):** 53,571.0 **Adjudication Dates:** 10/24/1985 **Appropriation Dates:** 6/1/1905 **Legal Description:** A point whence the Northeast corner of Section 21, T36N R4E, NMPM bears North 14°56'08" East a distance of 2,477.8 feet. **J. Places of Use.** Within Blanca Wetlands, as described below: Township 38 North, Range 11 East N.M.P.M: Section 1, NW ¼, NE ¼, SE ¼ of Section 2, Section 12, NW ¼, NE ¼, SE ¼, N ½ of the SW ¼, of Section 13, and NE ¼ of Section 24. Township 38 North, Range 12 East, N.M.P.M: W ½ of Section 4, Sections 5, 6, 7, 8, 17 W ½ Section 9, and N ½ of Section 18. Township 39 North, Range 12 East, N.M.P.M: SE ¼ of the SW ¼ and SW ¼ of the SE ¼ of Section 30, E ½ of the W ½ and the E ½ of Section 31, and NW ¼, SW ¼, and SE ¼ of Section 32. Within the SSLA, as described below: Township 39 North, Range 12 East N.M.P.M.: SE ¼ Section 18, All of Section 19. Township 39 North, Range 11 East, N.M.P.M: SE ¼ Section 24. **K. Type of Use.** Irrigation of wetlands, marshes, meadows, and playas areas; creation and support of fish and wildlife habitat in ponds, diked areas, and natural basins; wildlife watering; recreation; non-potable domestic use; piscatorial and fish propagation; augmentation use; replacement of evaporative losses necessary to effectuate the aforementioned uses; storage in reservoirs listed in Paragraph 4.I. necessary to effectuate the aforementioned uses; exchanges necessary to effectuate the aforementioned uses. The augmentation use includes, but is not limited to, the following: Use of the junior water right as an augmentation water source for the Blanca Wetlands augmentation plan decreed in case number 2002 CW 38 B. After this case is decreed, BLM will follow the Notice of Use procedure described in Paragraph 13.C.1 of the 2002 CW 38B decree to add the changed water right to the authorized list of augmentation water sources. Use of the junior water right through a BLM contract with one or more Subdistricts of the Rio Grande Water Conservation District for the purpose of remedying injurious depletions to the Rio Grande and Conejos River caused by groundwater well operations. This use will occur pursuant to a substitute water supply plan approved by Colorado Division of Water Resources or pursuant to an augmentation plan approved by District Court, Water Division 3. Use of the junior water right as a source of water for the San Luis Valley Water Conservancy District's (District) Augmentation Program for the augmentation of out of priority diversions by Participants located within the District's boundaries, as those boundaries may change from time to time in accordance with the statute. The District operates its Augmentation Program pursuant to the decrees

entered in Case Nos. 84CW16, 93CW43, 94CW62, 03CW41, 05CW13, 07CW63, 09CW34 and 14CW3011, all decreed in District Court, Water Division No. 3. Other augmentation uses that are approved pursuant to a substitute water supply plan approved by Colorado Division of Water Resources or pursuant to an augmentation plan approved by District Court, Water Division 3. BLM also seeks water court confirmation that it is authorized to make a fully consumptive first use of the junior water right or to use, reuse, and successively use and dispose of the water to extinction for the purposes described in this application. **5. Appropriate Rights of Exchange.** **A. Source of Water.** The Treasure Pass Diversion Ditch Junior Water Right described in Paragraph 4. **B. Place of Use:** Identical to those set forth in Paragraphs 4J. **C. Type of Use:** Identical to those set forth in Paragraphs 4K. **D. Treasure Pass Diversion Ditch to Beaver Park Reservoir Exchange** **1.** Exchange From Point: The confluence of the South Fork of the Rio Grande with Beaver Creek, located in the SW ¼ SE ¼, Sec. 17, T39N R3E, NMPM. UTM Coordinates: NAD 83, Zone 13, 351413mE 4165149mN **2.** Exchange To Point: Located at a point whence the East ¼ corner of Section 28, T39N, R3E, NMPM bears North 79°13' East 2,065.45 feet. Reservoir is located in Sec. 27, 28, 33, and 34, T39N, R3E, and Sec.3, T38N, R3E, NMPM. **3.** Amount Claimed: 13.0 cfs, absolute **4.** Date of Appropriation: June 29, 2019 **5.** Date Exchange Made Absolute: June 29, 2019 **E. Closed Basin Project Canal Exchange** **1.** Exchange From Point: The confluence of the Closed Basin Project Canal with the Rio Grande, located in the SW ¼ SW ¼, Sec. 28, T37N R11E, NMPM. UTM Coordinates: NAD 83, Zone 13, 430940mE 4141480mN **2.** Exchange To Reach: Any location along the Closed Basin Project Canal that is adjacent to BLM's Blanca Wetlands Area and South San Luis Lakes Area. This reach includes BLM Turnouts CHO3 and CHO4 as follows: Turnout CHO3: NE ¼ SW ¼, Section 4, Township 38 North, Range 12 East, N.M.P.M. UTM Coordinates: NAD 83, Zone 13, 440976mE 4157892mN. Turnout CHO4: SW ¼ SW ¼, Section 9, Township 38 North, Range 12 East, N.M.P.M. UTM Coordinates: NAD 83, Zone 13, 440447mE 4156005mN. The upper terminus of the Exchange To Reach is as follows: NE ¼ NW ¼, Section 6, T39N R12E, N.M.P.M. UTM Coordinates: NAD 83, Zone 13 437990mE 4168640mN. This location is commonly known as the point where the Closed Basin Project Canal crosses under Alamosa County Road 6 North. The lower terminus of the Exchange To Reach is as follows: SW ¼ SW ¼, Section 17, T38N R12E, N.M.P.M. UTM Coordinates: NAD 83, Zone 13 438742mE 4154182mN **3.** Amount Claimed: 8 cfs, absolute. **4.** Date of Appropriation: March 31, 2021 **5.** Date Exchange Made Absolute: March 31, 2021 **6.** Structures Involved In Exchange: To provide a source of water for the exchange, water from the junior water right may be released directly from the Treasure Pass Diversion Ditch or from any of the reservoirs listed in Paragraph 5.D. of this application. Exchange operations may also involve releasing water from the aforementioned facilities to the headgate of the Chicago Ditch, operated by Alamosa National Wildlife Refuge. An equivalent volume of Closed Basin Project mitigation water, otherwise destined for Alamosa National Wildlife Refuge, will be diverted from the Exchange To Reach. The Chicago Ditch (WDID 2000575) is described as follows: Original Decrees: May 1, 1896 and October 15, 1934. Decreed Point of Diversion: A point on the east bank of the Rio Grande-Del Norte from which it derives its supply of water, whence the one-quarter corner between Sections Eleven (11) and Twelve (12) in Township Thirty-seven (37) North, and in Range Ten (East) of the New Mexico Principal Meridian bears North 01° 12' East 1400.3 feet. **F. Use of Facilities Owned By Other Parties.** BLM will not utilize any of the facilities listed in Paragraph 4.I. without the written permission of the facility owner. This application does not request an independent water right in any facilities listed in Paragraph 4.I. and instead requests authorization to exchange water pursuant to an agreement between the facility owner and BLM. **6. Names and Addresses of Owners, Structures and of Land on which Structures Are Located:** Barry Beal, High Valley Ranch, LLC, 104 S. Pecos St., Midland, TX 79701. United States Department of Agriculture, Rio Grande National Forest, 1803 W. Highway 160, Monte Vista, CO 81144 Attention: Andrew Peterson. State Land Board, Southwest District Office, District Manager, 305 Murphy Drive, Suite A, Alamosa 81101 Attention: Ron Rivale. Rio Grande Water Conservation District, 8805 Independence Way, Alamosa, CO 81101 Attention: Cleave Simpson. United States Department of the Interior, Bureau of Reclamation, Closed Basin Division, San Luis Valley Project, Colorado, 10900 Hwy 160 East, Alamosa, CO 81101 Attention: Russ Plummer. United States Department of Agriculture, Forest Service, Pagosa Ranger District, 180 Pagosa St., Pagosa Springs, CO 81147. Attention: Rebecca Smith. Colorado Parks and Wildlife, 6060 Broadway, Denver,

CO 80216 Attention: Ed Perkins. The Nature Conservancy, 2424 Spruce St., Boulder, CO 80302  
Attention: Heidi Shirk U.S. Fish and Wildlife Service, 6120 Highway 15, Monte Vista, CO 81144  
Attention: Chris Shaffer. Shaw Reservoir Company, 6820 Colorado Highway 17, Alamosa, CO 81101  
Attention: Dan Russell. **7. Remarks:** The following report is hereby attached to and made part of this application: *Preliminary Engineering Report to Support a Claim for a Change of Water Right in the Treasure Pass Diversion Ditch, an Appropriation of a Junior Transbasin Water Right, and an Appropriative Right of Exchange* by Martin and Wood Water Consultants, Inc. This report contains maps of the ditch location, historical water use location, BLM's water use location, and locations of exchanges. (38 pages including exhibits)

**21CW3014 (filed in Water Div 3)** Application For Change of Surface Water Right and Appropriative Rights of Exchange in Mineral, Archuleta, Rio Grande, Conejos and Alamosa Counties. **1. Name, Address and Telephone Number of Applicant:** United States of America, Department of the Interior. Bureau of Land Management, San Luis Valley Field Office 1313 Highway 160, Monte Vista, CO 81144. **2. Introduction and Background.** The Bureau of Land Management (BLM) acquired the trans-basin Treasure Pass Diversion Ditch (ditch) and its associated water right in April 2019. BLM is simultaneously filing two water right applications to accomplish its management objectives for this ditch. In Water Division 3, BLM is filing an application to change the historic Treasure Pass Diversion Ditch water right to types of use and places of use that will support BLM's resource management objectives along with claiming appropriative rights of exchange. In Water Division 7, BLM is filing an application for a junior water right to be diverted at the ditch along with appropriative rights of exchange. The BLM is pursuing these dual applications because BLM has demands in excess of the historic Treasure Pass Diversion Ditch water right of 7 cubic feet per second (cfs). These demands are partially satisfied by diversions from the ditch under a junior water right. The historical diversion records for the ditch show frequent diversions in the range between 7 cfs and 13 cfs, demonstrating that there is physical capacity in the ditch above 7 cfs, and that diversions above 7 cfs were part of the historical operating practice. This application, which focuses on the change of the historical water right, addresses diversion diversions of up to 7 cfs that were made under the historical water right. The changed historical water right and the new junior water right will support wetlands habitat and wildlife management at BLM's Blanca Wetlands Area (Blanca Wetlands) and South San Luis Lakes Area (SSLA). To deliver the changed water right and new junior water right in the correct timing and amount to support wetland habitat and wildlife management objectives, the applications request water court confirmation of the storage and subsequent release of the changed historical water right and new junior water right for beneficial use. The reservoirs in which changed historical water right and junior water right will be stored include reservoirs owned and managed by Colorado Parks and Wildlife (CPW) and other reservoirs where BLM has agreements for storage space. In addition, the applications request water court confirmation of exchange operations involving the changed historical water right and junior water right. These operations are required to move diverted water into storage and to deliver direct flow and stored water to the place of use at Blanca Wetlands and SSLA. **3. Water Court Jurisdiction and Venues.** The appropriate venue in which to adjudicate a change application for a trans-basin ditch is Water Division No. 3, the basin of use. See *Department of Natural Resources v. Ogburn*, 560 P.2d 4 at 5 (Colo. 1977). Statements of Opposition should be filed in Water Division No. 3. The appropriate venue in which to adjudicate a junior water right for an existing trans-basin ditch is Water Division No. 7, the basin of diversion. (*See id.*) Statements of Opposition should be filed in Water Division 7. To provide broad inquiry-level notice, the change of water right application and the junior water right application will be noticed in both Water Division 3 and Water Division 7. Both applications also include an attachment showing the application that is filed simultaneously in the other Water Division, so that any inquiring party reviewing the application will be able to see all pending water rights applications concerning Treasure Pass Diversion Ditch. **4. Previous Decree Information for Water Right to be Changed.** **A. Water Rights:** The BLM purchased 100% interest in and to the Treasure Pass Diversion Ditch and its associated water right. **B. Original Decree:** Civil Action 73 and 308, District Court In and For Archuleta County, Colorado. **C. Adjudication Date:** April 19, 1962. **D. Appropriation Date:** August 1, 1922. **E. Priority:** Priority No. 284 in

Water District No. 29. **F. Use:** For the irrigation of the said eight hundred (800) acres of land located in Water District No. 20 of Colorado, and as supplemental to and in addition to the decreed rights for the same land in Water District No. 20. **G. Amount:** 7.0 cfs, absolute **H. Source:** Unnamed tributaries to Wolf Creek, which are tributary of the West Fork of the San Juan River. **I. Decreed Points of Diversion:** The said ditch is located on unsurveyed land, but a monument was erected on the top of what is known as Wolfe Creek Pass, in Mineral County, Colorado, consisting of a post 4" in diameter set in the ground surrounded to a height of 2 ½ feet by a mound of flat rock. The headgate of the North Feeder Lateral is located at a point on the south bank of a tributary to Wolfe Creek, a tributary of the West Fork of the San Juan River, from which it derives its supply of water, whence the monument bears South 50° 26' East 2,226.3 feet. The headgate of the South Feeder Lateral is located at a point on the north bank of a tributary to Wolfe Creek, a tributary of the West Fork of the San Juan River, from which it derives its supply of water, whence the aforesaid monument bears North 41° 04' East 3,347.8 feet in Mineral County, Colorado. **J. Place of Delivery:** *Description from the CA308 decree:* Claim is made to convey the water by the two feeder laterals mentioned into the main channel of Treasure Pass Diversion Ditch and thence conveyed across Wolf Creek Pass and deliver the water into the West Fork of Pass Creek, and thence to the Rio Grande River to the San Luis Valley, where its equivalent will be diverted into ditches utilized by Claimants for the irrigation of their land by the Rio Grande River. *BLM Description of Facilities Outlined in the CA308 Decree:* The North Feeder Lateral and the South Feeder Lateral are constructed at a grade that carries the water from the diversion points to Wolf Creek Pass. At Wolf Creek Pass, the two feeders join, and the water is carried across the pass in a common ditch and measured by a flume equipped with satellite telemetry. Because this water is trans-basin water, diverted from the San Juan basin into the Rio Grande basin, one hundred percent (100%) of the water delivered to the Rio Grande basin may be consumptively used to extinction. The GPS coordinates for the measurement device on the ditch are NAD 83 Zone 13 340870mE 4149936mN **K. Place of Use:** Approximately eight hundred (800) acres of land owned by Claimants located in Township 40 North, Range 6 East, N.M.P.M. in the County of Rio Grande and the State of Colorado. **5. Change of use.** **A. Summary.** BLM seeks to change the Treasure Pass Diversion Ditch water right described in Paragraph 4 from the original irrigation use to multiple uses, including irrigation, described below. BLM also seeks to change the place of use to the locations described below. **B. Decreed Points of Diversion:** The points of diversion will remain as set forth above in Paragraph 4I. **C. Place of Delivery.** The initial place of delivery will continue, as it has historically, to be the West Fork of Pass Creek, as described in Paragraph 4J. After diverted water is released to West Fork Pass Creek, it will be delivered to the places of storage and places of use described below. **D. Places of Storage.** BLM requests water court authorization to store the changed water right in any of the following reservoirs, including authorization to carry over stored water in these facilities from one water year to the next. BLM will not store water in any of the reservoirs listed below without the written permission of the reservoir owner. This application does not request an independent water storage right in any of the reservoirs listed below and instead requests authorization to store water pursuant to an agreement between the reservoir owner and BLM. **Reservoir Name:** Alberta Park Reservoir **WDID:** 2003531 **Relevant Decrees:** CA2673 **Absolute Amounts (AF):** 597.5 **Adjudication Dates:** 1/27/1960 **Appropriation Dates:** 9/27/1930 **Legal Description:** Located at a point on the northwesterly end of the dam, whence the NW corner of Sec.19, T39N, R2E, NMPM bears North 26°27' West 56,628 feet. **Reservoir Name:** Beaver Park Reservoir **WDID:** 2003532 **Relevant Decrees:** 09/13/1916 and CA2673 **Absolute Amounts (AF):** 4,434 and 334.4 **Adjudication Dates:** 9/13/1916 and 1/27/1960 **Appropriation Dates:** 4/30/1910 and 5/10/1946 **Legal Description:** Located at a point whence the East ¼ corner of Section 28, T39N, R3E, NMPM bears North 79°13' East 2,065.45 feet. Reservoir is located in Sec. 27, 28, 33, and 34, T39N, R3E, and Sec.3, T38N, R3E, NMPM. **Reservoir Name:** Big Meadows Reservoir **WDID:** 2003589 **Relevant Decrees:** CA3982 **Absolute Amounts (AF):** 2,437 **Adjudication Dates:** 4/21/1972 **Appropriation Dates:** 8/27/1959 **Legal Description:** Located at a point whence Mt. Hope bears North 85°50' West, and is a point on the Northwesterly end of the dam at high water line, and whence Heart Mountain bears South 49°00' East and is a point on the Southeasterly end of the dam at high water line. Reservoir is situated in Sections 17 and 18, T38N, R2E, NMPM. **Reservoir Name:** Troutvale Reservoir **WDID:** 2003569 **Relevant Decrees:** 9/13/1916 **Absolute Amounts (AF):** 1,020.6 **Adjudication**

**Dates:** 9/13/1916 **Appropriation Dates:** 9/1/1911 **Legal Description:** Located at a point whence the North  $\frac{1}{4}$  corner of Section 16, T41N, R3W, NMPM bears North  $70^{\circ}54'30''$  West 915 feet. **Reservoir Name:** Troutvale Reservoir No. 2 **WDID:** 2003585 **Relevant Decrees:** CA3982 **Absolute Amounts (AF):** 435.37 **Adjudication Dates:** 4/21/1972 **Appropriation Dates:** 6/17/1940 **Legal Description:** Located at a point whence the North  $\frac{1}{4}$  corner of Section 10, T41N, R3W, NMPM bears North  $27^{\circ}08'$  West 2,175.5' and is a point on the Northwestern end of the dam at high water line. Reservoir is situated in Section 10, T41N, R3W, NMPM. **Reservoir Name:** La Jara Reservoir **WDID:** 2103582 **Relevant Decrees:** 2/07/1918 **Absolute Amounts (AF):** 14,056.5 **Adjudication Dates:** 2/7/1918 **Appropriation Dates:** 12/13/1904 **Legal Description:** From said inlet works located in the La Jara Creek, said reservoir runs in a southeasterly direction about four miles to a point in the northeast quarter of section 31, T35N, R6E, NMPM, where the dam used for the impounding of water in said reservoir is now located and constructed and where the outlet works of said reservoir are now located, at a point which bears north  $10^{\circ}44'10''$  west 28,607.8 feet. Reservoir is situated on parts of Sections 7, 18, 19, 29, 30, 31 and 32, in T35 N, R6E, NMPM, and Sections 13, 24, 25, in T35N, R5E, NMPM. **Reservoir Name:** Rito Hondo Reservoir **WDID:** 2003588 **Relevant Decrees:** CA3982 **Absolute Amounts (AF):** 561.46 **Adjudication Dates:** 4/21/1972 **Appropriation Dates:** 10/4/1954 **Legal Description:** Located at a point whence the SE corner of Sec.22, T42N, R3W, NMPM bears South  $10^{\circ}41'$  East 3,546.61 feet and is a point on the westerly end of the dam at high water line. Reservoir is situated in Sec.15 and 22, T42N, R3W, NMPM. **Reservoir Name:** Road Canyon Reservoir **WDID:** 2003555 **Relevant Decrees:** 09/13/1916 **Absolute Amounts (AF):** 1,182.75 **Adjudication Dates:** 9/13/1916 **Appropriation Dates:** 5/17/1908 **Legal Description:** Situated in Sec.26, 27 and 34, T41N, R3W and Sec.3, T40N, R3W, NMPM. **Reservoir Name:** Road Canyon Reservoir No. 2 **WDID:** 2003584 **Relevant Decrees:** CA3982 **Absolute Amounts (AF):** 117.27 **Adjudication Dates:** 4/21/1972 **Appropriation Dates:** 6/26/1922 **Legal Description:** The initial point of survey of the high water line of said reservoir is located at a point whence the corner common to Sections 26, 27, 34 and 35, T41N, R3W, NMPM, bears North  $27^{\circ}48'$  East 10,273.69 feet, and is a point on the easterly end of the dam at high water line. Reservoir is situated in the West  $\frac{1}{2}$  of the SW $\frac{1}{4}$ , Sec.3, and the SE $\frac{1}{4}$ , SE $\frac{1}{4}$  of Sec.4, T40N, R3W, NMPM. **Reservoir Name:** Trujillo Meadows Reservoir **WDID:** 2203575 **Relevant Decrees:** W-0047 **Absolute Amounts (AF):** 913.15 **Adjudication Dates:** 12/31/1970 **Appropriation Dates:** 8/31/1954 **Legal Description:** That the initial point of survey of the high water line is located at a point whence the North quarter corner of Section 5, Township 32 North, Range 5 East NMPM, bears North  $67^{\circ}19'35''$  East 283.21 feet and is a point on the northerly end of the dam at high water line. Said reservoir is situated in Section 5, T32N, R5E, NMPM and Sec.32, T33N, R5E, NMPM. **Reservoir Name:** San Luis Lake **WDID:** 3503531 **Relevant Decrees:** W-3962, 95CW40, 95CW004 **Absolute Amounts (AF):** 8645, 5752.72, 410 **Adjudication Dates:** 12/31/1978, 12/31/1987, 12/31/1995 **Appropriation Dates:** 8/5/1969, 11/25/1986, 11/01/1994 **Legal Description:** A natural lake located in portions of sections 25, 26, 35 and 36, R11E, T40N of the NMPM. The northwest corner of section 19, R12E, T40N, bears north 44 deg.  $56'55''$  east o distance of 10,261.42 feet from the inlet of said lake and north 30 degrees  $44'18''$  east a distance of 15,764.45 feet from the outlet. **Reservoir Name:** Shaw Reservoir **WDID:** 2003559 **Relevant Decrees:** 9/13/1916, 9/13/1916, CA 2673 **Absolute Amounts (AF):** 510.84, 127.71, 42.05 **Adjudication Dates:** 9/13/1916, 9/13/1916, 1/27/1960 **Appropriation Dates:** 9/18/1895, 9/18/1895, 9/27/1954 **Legal Description:** A point between Stations 0 and 2 in the Southeast Quarter of the Southeast Quarter of Section 31, T39N R2E, New Mexico P.M. **Reservoir Name:** Platoro Reservoir **WDID:** 2203574 **Relevant Decrees:** W-3253 **Absolute Amounts (AF):** 53,571.0 **Adjudication Dates:** 10/24/1985 **Appropriation Dates:** 6/1/1905 **Legal Description:** A point whence the Northeast corner of Section 21, T36N R4E, NMPM bears North  $14^{\circ}56'08''$  East a distance of 2,477.8 feet. **E. Places of Use.** Within Blanca Wetlands, as described below: Township 38 North, Range 11 East N.M.P.M: Section 1, NW  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$  of Section 2, Section 12, NW  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , N  $\frac{1}{2}$  of the SW  $\frac{1}{4}$ , of Section 13, and NE  $\frac{1}{4}$  of Section 24. Township 38 North, Range 12 East, N.M.P.M: W  $\frac{1}{2}$  of Section 4, Sections 5, 6, 7, 8, 17 W  $\frac{1}{2}$  Section 9, and N  $\frac{1}{2}$  of Section 18. Township 39 North, Range 12 East, N.M.P.M: SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  and SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 30, E  $\frac{1}{2}$  of the W  $\frac{1}{2}$  and the E  $\frac{1}{2}$  of Section 31, and NW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , and SE  $\frac{1}{4}$  of Section 32. Within the SSLA, as described below: Township 39 North, Range 12 East N.M.P.M: SE  $\frac{1}{4}$  Section 18; All of

Section 19. Township 39 North, Range 11 East, N.M.P.M: SE ¼ Section 24 **F. Type of Use.** BLM seeks add the following uses to the historically decreed irrigation use: irrigation of wetlands, marshes, meadows, and playas areas; creation and support of fish and wildlife habitat in ponds, diked areas, and natural basins; wildlife watering; recreation; non-potable domestic use; piscatorial and fish propagation; augmentation use; replacement of evaporative losses necessary to effectuate the aforementioned uses; storage in reservoirs listed in Paragraph 5.D. necessary to effectuate the aforementioned uses; and exchanges necessary to effectuate the aforementioned uses. The augmentation use includes, but is not limited to, the following: Use of the changed water right as an augmentation water source for the Blanca Wetlands augmentation plan decreed in case number 2002 CW 38 B. After this case is decreed, BLM will follow the Notice of Use procedure described in Paragraph 13.C.1 of the 2002 CW 38B decree to add the changed water right to the authorized list of augmentation water sources. Use of the changed water right through a BLM contract with one or more Subdistricts of the Rio Grande Water Conservation District for the purpose of remedying injurious depletions to the Rio Grande and Conejos River caused by groundwater well operations. This use will occur pursuant to a substitute water supply plan approved by Colorado Division of Water Resources or pursuant to an augmentation plan approved by District Court, Water Division 3. Use of the changed water right as a source of water for the San Luis Valley Water Conservancy District's (District) Augmentation Program for the augmentation of out of priority diversions by Participants located within the District's boundaries, as those boundaries may change from time to time in accordance with the statute. The District operates its Augmentation Program pursuant to the decrees entered in Case Nos. 84CW16, 93CW43, 94CW62, 03CW41, 05CW13, 07CW63, 09CW34 and 14CW3011, all decreed in District Court, Water Division No. 3. Other augmentation uses that are approved pursuant to a substitute water supply plan approved by Colorado Division of Water Resources or pursuant to an augmentation plan approved by District Court, Water Division 3. BLM also seeks water court confirmation that it is authorized to make a fully consumptive first use of the changed water right or to use, reuse, and successively use and dispose of the water to extinction for the purposes described in this application.

**6. Appropriative Rights of Exchange.**

**A. Source of Water.** The changed Treasure Pass Diversion Ditch water right described in Paragraphs 4 and 5.

**B. Place of Use:** Identical to those set forth in Paragraphs 5E.

**C. Type of Use:** Identical to those set forth in Paragraphs 5F.

**D. Treasure Pass Diversion Ditch to Beaver Park Reservoir Exchange**

1. Exchange From Point: The confluence of the South Fork of the Rio Grande with Beaver Creek, located in the SW ¼ SE ¼, Sec. 17, T39N R3E, NMPM. UTM Coordinates: NAD 83, Zone 13, 351413mE 4165149mN

2. Exchange To Point: Located at a point whence the East ¼ corner of Section 28, T39N, R3E, NMPM bears North 79°13' East 2,065.45 feet. Reservoir is located in Sec. 27, 28, 33, and 34, T39N, R3E, and Sec.3, T38N, R3E, NMPM.

3. Amount Claimed: 7.0 cfs, conditional

4. Date of Appropriation: Date this application is filed with the water court.

5. Date Exchange Made Absolute: Not Applicable.

**E. Closed Basin Project Canal Exchange**

1. Exchange From Point: The confluence of the Closed Basin Project Canal with the Rio Grande, located in the SW ¼ SW ¼, Sec. 28, T37N R11E, NMPM. UTM Coordinates: NAD 83, Zone 13, 430940mE 4141480mN

2. Exchange To Reach: Any location along the Closed Basin Project Canal that is adjacent to BLM's Blanca Wetlands Area and South San Luis Lakes Area. This reach includes BLM Turnouts CHO3 and CHO4 as follows: Turnout CHO3: NE ¼ SW ¼, Section 4, Township 38 North, Range 12 East, N.M.P.M. UTM Coordinates: NAD 83, Zone 13, 440976mE 4157892mN. Turnout CHO4: SW ¼ SW ¼, Section 9, Township 38 North, Range 12 East, N.M.P.M. UTM Coordinates: NAD 83, Zone 13, 440447mE 4156005mN. The upper terminus of the Exchange To Reach is as follows: NE ¼ NW ¼, Section 6, T39N R12E, N.M.P.M. UTM Coordinates: NAD 83, Zone 13 437990mE 4168640mN. This location is commonly known as the point where the Closed Basin Project Canal crosses under Alamosa County Road 6 North. The lower terminus of the Exchange To Reach is as follows: SW ¼ SW ¼, Section 17, T38N R12E, N.M.P.M. UTM Coordinates: NAD 83, Zone 13 438742mE 4154182mN.

3. Amount Claimed: 8 cfs, conditional.

4. Date of Appropriation: Date this application is filed with the water court.

5. Date Exchange to be Made Absolute: Not Applicable

6. Structures Involved In Exchange: To provide a source of water for the exchange, water from the changed water right may be released directly from the Treasure Pass Diversion Ditch or from any of the reservoirs listed in Paragraph 5.D. of this application. Exchange operations may also involve releasing water from the aforementioned facilities to the headgate



of the Chicago Ditch, operated by Alamosa National Wildlife Refuge. An equivalent volume of Closed Basin Project mitigation water, otherwise destined for Alamosa National Wildlife Refuge, will be diverted from the Exchange To Reach. The Chicago Ditch (WDID 2000575) is described as follows: Original Decrees: May 1, 1896 and October 15, 1934. Decreed Point of Diversion: A point on the east bank of the Rio Grande-Del Norte from which it derives its supply of water, whence the one-quarter corner between Sections Eleven (11) and Twelve (12) in Township Thirty-seven (37) North, and in Range Ten (East) of the New Mexico Principal Meridian bears North 01° 12' East 1400.3 feet. F. Use of Facilities Owned By Other Parties. BLM will not utilize any of the facilities listed in Paragraph 5.D. of this application without the written permission of the facility owner. This application does not request an independent water right in any facilities listed in Paragraph 5.D. and instead requests authorization to exchange water pursuant to an agreement between the facility owner and BLM. **7. Names and Addresses of Owners, Structures and of Land on which Structures Are Located:** Barry Beal, High Valley Ranch, LLC, 104 S. Pecos St., Midland, TX 79701. United States Department of Agriculture, Rio Grande National Forest, 1803 W. Highway 160, Monte Vista, CO 81144. Attention: Andrew Peterson. State Land Board, Southwest District Office, District Manager, 305 Murphy Drive, Suite A, Alamosa 81101. Attention: Ron Rivale. Rio Grande Water Conservation District, 8805 Independence Way, Alamosa, CO 81101 Attention: Cleave Simpson. United States Department of the Interior, Bureau of Reclamation, Closed Basin Division, San Luis Valley Project, Colorado, 10900 Hwy 160 East, Alamosa, CO 81101. Attention: Russ Plummer. United States Department of Agriculture, Forest Service, Pagosa Ranger District, 180 Pagosa St., Pagosa Springs, CO 81147. Attention: Rebecca Smith. Colorado Parks and Wildlife, 6060 Broadway, Denver, CO 80216 Attention: Ed Perkins. The Nature Conservancy, 2424 Spruce St., Boulder, CO 80302 Attention: Heidi Shirk. U.S. Fish and Wildlife Service, 6120 Highway 15, Monte Vista, CO 81144. Attention: Chris Shaffer. Shaw Reservoir Company, 6820 Colorado Highway 17, Alamosa, CO 81101. Attention: Dan Russell. **8. Remarks:** The following report is hereby attached to and made part of this application: *Preliminary Engineering Report to Support a Claim for a Change of Water Right in the Treasure Pass Diversion Ditch, an Appropriation of a Junior Transbasin Water Right, and an Appropriative Right of Exchange* by Martin and Wood Water Consultants, Inc. This report contains maps of the ditch location, historical water use location, BLM's water use location, and locations of exchanges.

THE WATER RIGHTS CLAIMED BY THE FOREGOING APPLICATION(S) MAY AFFECT IN PRIORITY ANY WATER RIGHTS CLAIMED OR HERETOFORE ADJUDICATED WITHIN THIS DIVISION AND OWNERS OF AFFECTED RIGHTS MUST APPEAR TO OBJECT AND PROTEST WITHIN THE TIME PROVIDED BY STATUTE, OR BE FOREVER BARRED.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of August 2021, to file with the Water Clerk, a verified Statement of Opposition, setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing fee: \$192.00; Forms are available through the Office of the Water Clerk or on the Judicial web site at [www.courts.state.co.us](http://www.courts.state.co.us); Danene M. Etz, Water Court Specialist, 1060 E. 2<sup>nd</sup> Ave., Room 106, Durango, CO 81301; 970-385-6181)



Published: before July 31, 2021

Danene M. Etz, Water Court Specialist



# San Juan Water Conservancy District

## Balance Sheet

As of January 1, 2021

Jan 1, 21

### ASSETS

#### Current Assets

##### Checking/Savings

1001103 · TBK Bank - Operating	21,381.48
1001104 · ColoTrust Impact Fees	16,468.72
1001105 · Colotrust	166,832.26
1001109 · TBK Bank - Impact Fees	3,235.73

Total Checking/Savings 207,918.19

##### Other Current Assets

1001300 · Due From County Treasurer	469.38
1001303 · Taxes Receivable	66,913.00

Total Other Current Assets 67,382.38

Total Current Assets 275,300.57

#### Fixed Assets

9101500 · Construction Projects	382,866.30
9101510 · Water Rights-Dry Gulch	16,404.42
9101550 · Land - Dry Gulch	
9101552 · Land-Leverty Property	26,768.13
9101554 · Land-USFS Property	18,420.97
9101550 · Land - Dry Gulch - Other	1,131,289.81
Total 9101550 · Land - Dry Gulch	1,176,478.91

Total Fixed Assets 1,575,749.63

TOTAL ASSETS 1,851,050.20

### LIABILITIES & EQUITY

#### Liabilities

##### Current Liabilities

##### Other Current Liabilities

1002300 · Deferred Property Taxes	66,913.00
1002350 · Accounts Payable	954.94

Total Other Current Liabilities 67,867.94

Total Current Liabilities 67,867.94

Total Liabilities 67,867.94

#### Equity

1002700 · Net Assets - Unreserved	242,351.42
1002722 · Emergency Reserve	2,965.85
1032000 · Unrestricted Net Assets (Undistributed earnings of the corporation)	-33,786.54

**San Juan Water Conservancy District**

**Balance Sheet**

As of January 1, 2021

	Jan 1, 21
9102610 · Investment in Fixed Assets	1,571,651.53
Total Equity	1,783,182.26
 TOTAL LIABILITIES & EQUITY	 <u>1,851,050.20</u>

# San Juan Water Conservancy District

## Profit & Loss YTD Comparison

May through July 2021

	<u>May - Jul 21</u>	<u>Jan - Jul 21</u>
<b>Income</b>		
<b>1003300 · Revenue</b>		
1003371 · Senior / Veteran Exemption Tax	0.00	1,552.47
1003381 · General Property Taxes	17,762.77	76,915.78
1003382 · Specific Ownership	1,575.73	4,712.40
1003383 · Current Tax Interest	36.09	39.13
1003384 · Delinquent Tax Interest	0.05	206.72
1003385 · Delinquent Tax	0.21	151.68
1003386 · PILT	0.00	60.10
1003387 · Other (e.g.CoTrust, abatements)	20.09	67.31
<b>Total 1003300 · Revenue</b>	<u>19,394.94</u>	<u>83,705.59</u>
 <b>Expense</b>		
<b>1031000 · Capital Expenditures</b>		
1031003 · Studies/Eng./Surveys	0.00	15,112.50
1031006 · Water Rights Defense	48.50	2,834.00
1031009 · Water Rights Applications	387.00	1,268.50
<b>Total 1031000 · Capital Expenditures</b>	<u>435.50</u>	<u>19,215.00</u>
 <b>1041200 · Expensed Capital Expenditures</b>		
1041221 · Ditches and Streams	70.40	70.40
1041223 · Cloud Seeding	0.00	1,000.00
<b>Total 1041200 · Expensed Capital Expenditures</b>	<u>70.40</u>	<u>1,070.40</u>
 <b>1090000 · Expenditures</b>		
1090020 · Audit	0.00	750.00
1090080 · Board Expense	0.00	558.00
1090110 · Insurance	0.00	1,413.00
1090160 · Office Supplies	32.04	96.12
1090161 · Office Lease	1,132.50	2,602.50
1090162 · Legal-District Gen	2,494.00	8,784.00
1090190 · Publications/Website	0.00	32.00
1090231 · Support Services (Acct used to be called "Administration")	5,558.00	12,357.00
1090232 · Telephone/Internet	122.30	365.88
1090410 · Dues	0.00	861.87
1090442 · Water Information Program	0.00	2,500.00
1090460 · Treasurer's Fees	533.40	2,343.74
1090461 · Abatements	12.98	32.23
<b>Total 1090000 · Expenditures</b>	<u>9,885.22</u>	<u>32,696.34</u>
 <b>Total Expense</b>	<b>10,391.12</b>	<b>52,981.74</b>

**San Juan Water Conservancy District**  
**Expenses by Vendor Summary**  
January 1 through August 13, 2021

	<u>Jan 1 - Aug 13, 21</u>
Archuleta County	490.14
Bean & Tirico LLC	2,602.50
Century Link	365.88
CO Special Dist Property & Liability Pool	1,413.00
Collins Cockrel & Cole	2,269.50
Colorado Water Congress	324.00
Dolores Water Conservancy District	1,000.00
Google	12.00
MTech Business Development	20.00
Pagosa Springs Chamber of Commerce	150.00
Pagosa Springs Sun	558.00
Park Ditch Company	70.40
rfarmer, llc	750.00
RGL, Consulting LLC	11,187.00
Southwest Water and Property Law LLC	10,617.00
Vida Verde LLC	1,170.00
Water Information Program	2,500.00
Wilson Water Group LLC	15,112.50
Zoom	96.12
<b>TOTAL</b>	<b><u>50,708.04</u></b>

# Give your portfolio an **EDGE**



**NEW!**

## **COLOTRUST EDGE**

EDGE is a new weekly liquidity investment option designed for COLOTRUST Participants that seeks to generate a higher yield while complementing the daily liquidity offered by the PRIME and PLUS+ funds for Colorado governmental entities. EDGE is best suited for medium-term investments and strategic reserves.

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### **DETAILED PORTFOLIO FEATURES:**

#### **ENHANCED YIELD**



Earn an enhanced yield through exposure to longer-duration, strategic investments at fixed points along the yield curve.

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# INVESTING MADE EASY

Which investment option best suits your local government's needs?

Investment Option	COLOTRUST PRIME	COLOTRUST PLUS+	COLOTRUST EDGE
Portfolio Type	Government-style fund	Prime-style fund	Enhanced cash
Purpose	Short-term liquidity	Short-term liquidity	Intermediate liquidity
Rating	'AAAm'	'AAAm'	'AAAf/S1'*
Liquidity Offered	Daily	Daily	Weekly
Minimum Investment	None	None	None
Online Reporting	Transaction confirms, monthly & on-demand statements	Transaction confirms, monthly & on-demand statements	Transaction confirms, monthly & on-demand statements
Withdrawals	Unlimited	Unlimited	Unlimited
Accounts	Unlimited	Unlimited	Unlimited
Dividend Rate	Apply Daily	Apply Daily	Accrue Daily
WAM	≤60 days	≤60 days	6-12 Months

## ELIGIBLE INVESTMENTS

COLOTRUST investments are made in accordance with Colorado State Statute. For a complete description of permitted investments, please [click here](#) to view the EDGE Investment Policy.

Many factors affect performance including changes in market conditions and interest rates and in response to other economic, political, or financial developments. Investment involves risk including the possible loss of principal. No assurance can be given that the performance objectives of a given strategy will be achieved. COLOTRUST PRIME and PLUS+ are rated 'AAAm' by S&P Global Ratings. A 'AAAm' rating by S&P Global Ratings is obtained after S&P evaluates a number of factors including credit quality, market price exposure, and management. For a full description on rating methodology, please visit [www.spglobal.com](http://www.spglobal.com).

\*COLOTRUST intends to manage the EDGE portfolio in a manner consistent with the 'AAAf/S1' rating guidelines by FitchRatings; more information will be available soon. The 'AAAf' rating is Fitch's opinion on the overall credit profile within a fixed-income fund/portfolio and indicates the highest underlying credit quality of the pool's investments. The 'S1' volatility rating is Fitch's opinion on the relative sensitivity of a portfolio's total return and/or net asset value to assumed changes in credit spreads and interest rates. The 'S1' volatility rating indicates that the fund possesses a low sensitivity to market risks. For a full description on rating methodology, please visit [www.fitchratings.com](http://www.fitchratings.com). Ratings are subject to change and do not remove credit risk. **Past performance is no guarantee of future results. Any financial and/or investment decision may incur losses.**



## EDGE Registration Form

### Participant Information

Entity Name (Participant) \_\_\_\_\_

Participant Number CO-01-\_\_\_\_\_

### Participant Acknowledgement

The undersigned Authorized Signer for the Participant hereby acknowledges the following:

- The Participant has received and reviewed the COLOTRUST EDGE Information Statement.
- All EDGE investments are made in accordance with the COLOTRUST EDGE Investment Policy.
- COLOTRUST EDGE is designed to complement the daily liquidity of the COLOTRUST PRIME and PLUS+ funds by gaining exposure to a diversified portfolio of high-quality securities.
- The general objective of EDGE is to generate a higher level of income than provided by a traditional stable NAV LGIP while seeking to protect Participant capital.
- EDGE will be managed to approximate a \$10.00 transactional share price and will calculate and publish a fair value NAV on a daily basis.
- Withdrawals are available five business days after the request is made. With EDGE, investments continue to accrue interest during the five-day redemption period. Due to the design of EDGE, early withdrawals are not permissible.
- Withdrawals can only be initiated in the Participant Portal
- Any Authorized Signer has full power and authority to make investments for the above Participant.

### Authorized Signer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

The investment advisor providing these services is Public Trust Advisors, LLC (Public Trust), an investment adviser registered with the SEC under the Investment Advisers Act of 1940, as amended. Registration with the SEC does not imply a certain level of skill or training. Additionally, this registration provides no guarantee of return or protection against loss. Many factors affect performance including changes in market conditions and interest rates and in response to other economic, political, or financial developments. Investment involves risk including the possible loss of principal. No assurance can be given that the performance objectives of a given strategy will be achieved. **Past performance is no guarantee of future results. Any financial and/or investment decision may incur losses.**





**SAN JUAN WATER CONSERVANCY DISTRICT**

**RESOLUTION NO. 2021 – 04**

**AUTHORIZATION TO TRANSFER IMPACT FEE REVENUE TO MAIN ACCOUNT  
FOR ENGINEERING/STUDIES/SURVEYS EXPENDITURES FOR CAPITAL  
FACILITIES**

**WHEREAS**, San Juan Water Conservancy District (“SJWCD” or “District”) is a quasi-municipal corporation of the State of Colorado organized under §37-45-101 et seq. (“Act”) which provides that it is to be governed by a Board of Directors appointed by the Archuleta County District Court; and

**WHEREAS**, the District has received revenue from the Town of Pagosa Springs impact fee pursuant to Town Ordinance Nos. 662 and 676 (series 2006; repealed by Ordinance No. 911, series 2019) and an Intergovernmental Agreement between the District and Town dated August 1, 2006 (“Impact Fee Revenue”); and

**WHEREAS**, the District holds \$16,474.86 in Impact Fee Revenue in a separate interest bearing account; and

**WHEREAS**, the District is authorized to spend the Impact Fee Revenue on capital facilities needed to serve new development, including for planning and preliminary engineering services associated with new or expanded water conservation and storage facilities;

**WHEREAS**, the District’s budget for 2021 appropriated \$40,000.00 for “Engineering/Studies/Surveys” and does not specify a source of the revenue for that appropriation;

**WHEREAS**, in 2020 and 2021 the District spent \$18,641.25 on the West Fork Water Rights Study by Wilson Water Group to complete planning and preliminary engineering services to determine whether the West Fork Reservoir and Canal water rights owned by the district can be used, in conjunction with its other water rights, to provide storage and diversion of water in new facilities; and

**WHEREAS**, the directors of the District have concluded that, based on the foregoing, the Impact Fee Revenue should be used to pay for the Wilson Water Group Study.

**NOW THEREFORE**, be it resolved by the SJWCD Board of Directors, that the Treasurer of the District shall transfer \$16,474.86 from the District’s Impact Fee Revenue account to its main account to apply to the expenditure on the Wilson Water Group Study.

**ADOPTED** this 16th day of August, 2021.

SAN JUAN WATER CONSERVANCY DISTRICT

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President

ATTEST:

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Secretary

## Board Agenda Item Report

	To	Action	Signature, Date		To	Action	Signature, Date
1	Sally High	Review		6			
2	Board	Approve		7			
3				8			
4				9			
5				10			

Name of Action Official <b>Al Pfister</b>	Priority High Medium Low None <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Phone 9709855764	Presentation Date 8/16/21
Subject Membership in WATER EDUCATION COLORADO			Approval Req Date 8/16/21

Summary:

 <b>ORGANIZATIONAL MEMBER BENEFITS</b>	Tributary \$300-599	River \$600-1199	Aquifer \$1200-2399	Basin \$2400-4999
Annual subscriptions to <i>Headwaters</i> magazine*	3	5	10	15
Receive WEco e-newsletters for timely updates on water issues	✓	✓	✓	✓
10% discount on Citizen's Guides	✓	✓	✓	✓
Employees receive advance notice and special member rate to select WEco events	✓	✓	✓	✓
Invitation to Member Appreciation Event	✓	✓	✓	✓
Recognition of your support in WEco annual report	✓	✓	✓	✓
Annual recognition of your membership in <i>Headwaters</i>	✓	✓	✓	✓
\$50 credit for WEco Online Store	✓	✓	✓	✓
Recognition in one edition of HEADWATERS Pulse e-newsletter, reaching 5000+		✓	✓	✓
Recognition on WEco website			✓	✓
Citizen's Guide set (each \$80 value)			1	2
VIP privileges at select WEco events				✓
Special recognition at Member Appreciation Event				
* Designate employees, board members, or other members of your network to receive <i>Headwaters</i> , or have the e-newsletter sent directly to your office.				

SIGNED

## Board Agenda Item Report

	To	Action	Signature, Date			To	Action	Signature, Date	
1	Sally High	Review			6				
2	Board	Approve			7				
3					8				
4					9				
5					10				
Name of Action Official Joe Tedder			Priority High		Phone (303) 726-5069			Presentation Date 8/16/21	
Subject Marketing RFP for Community Outreach								Approval Req Date 8/16/21	

### Summary:

The SJWCD 2021 Strategic Plan highlights “Education of the community at large regarding critical water issues that face the District, the Southwest Basin of Colorado, and the Colorado River Basin and its tributaries.” (Objective #2) as a key objective. It is proposed that the SJWCD contract with a marketing firm and/or professional to assist in developing the marketing strategy for community education and communication water issues and the required graphic materials. A draft RFP is attached for your review. Note that the marketing project is envisioned (and proposed) with a \$10,000 budget and expected completion by the end of 2021. Both the scope of the project and the completion date may be extended if additional project funding from sources other than the SJWCD is received.

SIGNED



## Request for Proposals

### Marketing Services

San Juan Water Conservancy District  
46 Eaton Drive Suite #5  
Pagosa Springs, CO 81147  
[sanjwcd@gmail.com](mailto:sanjwcd@gmail.com)

August 11, 2021

- Organization: San Juan Water Conservancy District (SJWCD)  
c/o Al Pfister, Board President  
46 Eaton Drive Suite #5  
Pagosa Springs, CO 81147
- Overview: The San Juan Water Conservancy District invites proposals from qualified parties to provide consulting services for:  
(1) marketing expertise to develop a strategy for community education and communication on water issues that impact our region;  
(2) conduct of community feedback panels to develop effective messaging on water issues;  
(3) development of education and communication materials including graphic artwork brochures, presentations, articles for publication, and social media.
- Contract Info: (1) The SJWCD will award a contract to the responsible and eligible vendor whose proposal is responsive to the Request for Proposals (RFP) and is deemed by the SJWCD to be the most highly advantageous and in the best interest of the SJWCD.  
(2) Vendors should apply to all services requested indicating whether they would be partnering with other companies or professionals and/or utilizing subcontractors.  
(3) The lowest bid will be a consideration in the award of the contract but not the determining factor. The evaluation will identify those proposals which offer the best combination of expertise and value.
- Questions: All questions must be submitted by e-mail to [sanjwcd@gmail.com](mailto:sanjwcd@gmail.com) by 5:00 pm Mountain Daylight Time on August XX, 2021.
- Proposal Deadline: Proposals must be submitted to:  
c/o Al Pfister, Board President  
San Juan Water Conservancy District  
46 Eaton Drive Suite #5  
Pagosa Springs, CO 81147  
The proposal submission must include a digital copy that may be emailed to [sanjwcd@gmail.com](mailto:sanjwcd@gmail.com) and a hard copy (a pdf copy on a flash drive is acceptable).  
All proposals must be received by 5:00 pm Mountain Daylight Time on September XX, 2021. The SJWCD reserves the right to reject any or all proposals in part or whole.



Timeline:

- (1) Request for Proposals announced – August XX, 2021
- (2) Last date to submit questions – August XX, 2021 at 5 pm MDT
- (3) Response to questions (anticipated) – August XX, 2021  
Answers given to questions submitted will be posted to the SJWCD website at <https://www.sjwcd.org>
- (4) Final Proposal due date – September XX, 2021 5:00 pm MDT
- (5) Interviews for finalists – Week of September XX, 2021
- (6) Contract award (anticipated) – September XX, 2021

General Notes:

- (1) Competitive proposals for the services specified will be received by the SJWCD at the above specified location until the time and date indicated. At a minimum, vendors must submit all materials requested in accordance with the specifications of this RFP to be considered complete and responsive.
- (2) Proposals received after the time stipulated will not be accepted, and any request for an extension will not be granted on an individual basis. However, the SJWCD may decide to extend the submission deadline for all vendors if it is determined that the timeframe is inadequate.
- (3) The SJWCD prefers that the project be led by one prime contractor providing a single point of contact and coordination with any other vendors.

## **I. Overview of San Juan Water Conservancy District**

The San Juan Water Conservancy District (SJWCD) was formed on October 22, 1987, as a duly organized water conservancy district pursuant to the Water Conservancy Act following approval by Archuleta County voters. The SJWCD is charged with providing water issues and conservation education, water resource planning, stream improvement, water rights protection, and development services within its service area, which is located wholly within Archuleta County along the headwaters of the Upper San Juan River.

In early 2021 the SJWCD published its Strategic Plan outlining the Strategic Objectives and associated actions required to accomplish these objectives. The Strategic Plan may be found on the SJWCD website at <https://www.sjwcd.org>. A key objective for 2021 involves communication and education of the community on water issues that impact the region (see Objective #2: “Education of the community at large regarding critical water issues that face the District, the Southwest Basin of Colorado, and the Colorado River Basin and its tributaries.”)

In May 2021 members of the SJWCD Board participated with leaders of other community organizations in Pagosa Springs and Archuleta County in a workshop offered by the Sonoran Institute to assist communities in incorporating water considerations in their growth plans. Please see the Sonoran Institute website for more information on these Growing Water Smart workshops (<https://resilientwest.org/2020/co-gws-rfa/>). The Pagosa Springs/Archuleta County Growing Water Smart workshop team developed multiple objectives aimed at addressing water issues in the Upper San Juan River Basin. A key objective involves communication and education of the community on water issues that impact the region. As this objective meshes well with the SJWCD Strategic Plan objective on community education and communication, the SJWCD has agreed to consolidate, coordinate, and manage these education and communication efforts.

## **II. Overview of the Marketing Project**

While the SJWCD and the Pagosa Springs/Archuleta County Growing Water Smart team have identified community education and communication on water issues as key objectives for 2021, there are numerous organizations (including town and county planning departments) with a similar focus on community outreach on water issues. The SJWCD and the Growing Water Smart teams wish to consolidate these outreach efforts in a coordinated program with consistent messaging. Development of this messaging will require assembling the various water stakeholder groups in what will likely be a series of interactive focus groups. With a consistent message developed, it is envisioned that citizen focus groups will be held to confirm that the message resonates within the community before launching a broad outreach program.

The community education and communication outreach program on water issues will include multiple avenues of engagement with the community including regular articles published in the local press, presentations at meetings of concerned local organizations, email campaigns, mass mailings of informational brochures, poster campaigns,

information on the websites of various concerned local organizations, etc. The SJWCD and the Growing Water Smart team desire to develop and execute a cost effective comprehensive marketing strategy and action plan that addresses the community outreach objective.

### **III. Details of RFP Parameters**

#### **(1) Marketing Strategy**

The SJWCD seeks a vendor to develop a cost effective yet comprehensive marketing strategy (both digital marketing and traditional) that would utilize social media (e.g. Facebook, Instagram, YouTube, and Twitter) and other media as suggested (e.g., posters, direct mailings, press articles, ads, etc.).

Overall services are to include:

- (a) Development of digital and traditional marketing strategy with suggested budget expenditures;
- (b) Initial cost assessment, set-up, strategy, and support for postings and channel management with suggested resources;
- (c) Create and advise on an e-mail, social media, strategy (e.g. frequency of postings, suggested topics) with newsletter and blogging as appropriate to maximize outreach and connect with widest possible audience;
- (d) On-going support

It is requested that the vendor also include in the proposal response the cost of such on-going support preferably in the form of an hourly rate and estimated monthly cost related to social media posts and regular (i.e., quarterly or as-needed) evaluation of the effectiveness of the strategy, to evaluate execution, and advise the SJWCD on strategy adjustments.

Timeline: The SJWCD envisions a timeframe for completion of strategy outline and framework within four (4) weeks of contract authorization.

#### **(2) Development of Message**

In addition to the SJWCD and the Pagosa Springs/Archuleta County Growing Water Smart team, there are numerous organizations with a focus on community education and communication outreach on water issues impacting the Upper San Juan River Basin. The SJWCD seeks a vendor to assist in the development of a consistent message agreeable to all (or most) such water stakeholders. It is envisioned that multiple meetings as focus groups will be required to develop this consistent message. The marketing consultant will then confirm that the messaging resonates within the community by holding a number (to be determined by the consultant) of community focus group sessions where water issues are discussed.

Timeline: The SJWCD envisions a timeframe for development of the messaging for the project within two (2) months of contract authorization.

### **(3) Education and Communication Material Development**

A significant amount of education and informational materials addressing water issues is available through various organizations in Colorado. The marketing consultant will make use of these materials as possible and adapt for local use. The consultant will develop additional materials as necessary to fulfill the marketing strategy.

All text, graphics, video, source code, and editorial content created by the consultant in connection with the marketing strategy will become the sole property of the SJWCD and may be used for any purpose including but not limited to posting, disclosure, reproduction, broadcast, and transmission. The vendor shall covenant that any material published or technologies used in the project will not violate or infringe on any copyright, trademark, patent, statutory, common law or proprietary rights of others, or contain anything libelous or harmful.

Timeline: The SJWCD realizes that this is an on-going effort and would expect that initial copy and graphics to be reviewed would be available starting within one (1) month of the development of the messaging for the project and not more than three (3) months from contract authorization.

### **IV. RFP Evaluation Criteria**

The minimum general proposal requirements include:

- (a) Qualifications and experience of the project team
- (b) Demonstrated understanding of scope of work and suggested approach to project
- (c) Artistry based on prior portfolio submitted with three (3) samples of prior projects
- (d) Capacity to perform work within schedule and budget
- (e) Billing rates, hourly, to remain in effect for the duration of the project
- (f) Any additional terms or conditions to which the parties may agree
- (g) Please provide three (3) references.

In-person or virtual meetings or conference calls may be requested of proposing vendors during the evaluation period.

Be advised that these are minimum requirements and the SJWCD is receptive to innovative ideas and value-added concepts provided in the proposal that will be considered and evaluated as part of the selection process.

### **V. Proposal Evaluation**

Proposals will be evaluated by the Board of the SJWCD or a subset thereof. The SJWCD reserves the right to request additional information or clarification from a submitting vendor regarding the specifics of the proposal, negotiate modification, reject any and all proposals, and waive informalities or irregularities in a proposal, split or make the award in any manner most advantageous to the SJWCD at its sole and exclusive discretion. The SJWCD prefers that the project be led by one prime contractor providing a single point of contact and coordination with any other vendors.

## **VI. Submission of Proposal Requirements**

### **(1) Summary Letter**

Submission of the “Statement of Work” engagement letter will constitute a representation by your firm that your firm is willing and able to perform the commitments contained in the proposal. The letter must be signed by a person authorized by your firm to obligate your firm to perform the commitments contained in the proposal. The letter must also include a statement that your firm is able to comply with the contract requirements.

### **(2) Organization Identification**

Provide, as applicable, the following information about the vendor's organization, company, partnership, coalition or unincorporated association:

- Vendor's Name
- Ownership structure
- Business Registration and Federal Identification Number (FIN)
- Name and telephone number of vendor and vendor's contact person.
- Brief biographies of team members with main point of contact indicated
- Number of years vendor has operated under this name
- Brief description of the nature of vendor's business
- Type of business organization
- Website address (if any)

### **(3) Qualifications and Experience of Project Team**

- Identify the key personnel to be assigned to the project, including their key responsibilities
- Include a brief summary of each individual's qualifications and relevant experience
- Identify the proposed project manager who will be responsible for the day-to-day execution of the project and his/her relevant experience in leading similar efforts

### **(4) Previous Experience and References**

Provide contact information including name, organization, address, phone number, and email, for at least three references for projects, preferably of a similar scope and size. For each reference, provide a brief summary of the nature of the work and the outcomes of the engagement.

### **(5) Schedule and Budget**

Respondents should provide a hourly rate and an estimate of the total required time for the work to be done. Respondents should address whether the timelines presented in Section III (Details of RFP Parameters) can be met and if not, the expected timeline for each task. The anticipated total budget for this project is expected to be \$10,000 with the possibility of an expansion of the scope if additional funding is received. The project

is expected to be completed by the end of 2021. Again, an extension is possible if additional funding is received.

Be advised that separate reimbursement for travel related expenses is not included.

**(6) Required Signature**

A signed proposal must be included with your submission.