Wyoming Water Development Commission

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(307) 777-7626

WATER MANAGEMENT ENTITY APPLICATION
for Subaward from the
U.S. Department of Agriculture Natural Resources Conservation Service
REGIONAL CONSERVATION PARTNERSHIP PROGRAM GRANT #3207

The Wyoming Water Development Commission (Commission) was awarded a Regional Conservation Partnership Program (RCPP) grant from U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) to provide drought resiliency through enhanced water management in the Upper Colorado River Basin in Wyoming, which includes the Green River and Little Snake River watersheds. The Wyoming Water Development Office (Office) has authority to administer the RCPP grant #3207 on behalf of the Commission. The Office, NRCS, and contributing partners will assist producers and Water Management Entities (WMEs) through RCPP with implementation of NRCS Conservation Practices, such as installing sprinklers, converting open canals to pipe, improving diversions, lining conveyances, bank stabilization, etc. WMEs apply directly to the Office for subawards, while producers apply to NRCS for cost-share reimbursement. Additional information about RCPP is available at the link below or by calling the Office at (307) 777-7626.

https://wwdc.state.wy.us/RCPP/RCPP.html

Water Management Entities seeking a subaward from the RCPP grant #3207 must email their application to the Office Grants Administrator at wdc.GrantsAdministrator@wyo.gov. Submission of this form is not a guarantee of eligibility or funding. The Office will accept applications on a rolling basis through May 1, 2028 or until funds are expended. Your application will be reviewed for completeness and eligibility. You may be contacted to clarify details and/or provide additional information. Within forty-five (45) days from the date the Office receives a complete application, the primary point of contact (below) will be notified via email whether the applicant and project are deemed eligible for a subaward. *Your application and all associated documents will be maintained by the Office in accordance with the confidentiality agreement with NRCS.*

Project Name (e.g., <Ditch Name> Improvement or <Canal Name> Lining)

Applicant Legal Name	**EIN or Tax ID**	
Mailing Address	**City**	**Zip Code**
Primary Point of Contact	**Phone Number**	**Email**

Signature of Authorized Official	**Title**	**Printed Name**	**Date**

If the application was not prepared by the primary point of contact above, please provide the following:

Application Preparer, Affiliation	**Title**	**Phone Number**	**Email**

A. ELIGIBILITY CRITERIA

All criteria in this section must be met for further consideration of the application. For assistance, please contact the Office Grants Administrator at (307) 777-7626 or wdc.GrantsAdministrator@wyo.gov.

1. **Does the applicant meet the definition of Water Management Entity (per NRCS *Conservation Programs Manual*, Title 440-530-M, 2nd Ed., Amend. 2, February 2024 – see Attachment A)?**
   ◯ YES ◯ NO

2. **Is there at least one producer that has received or will receive NRCS assistance under the RCPP grant #3207 to implement a project that is associated with the proposed project in this application?**
   ◯ YES ◯ NO

3. **As the authorized official, representing the applicant, do you understand and accept that the Commission is responsible for monitoring activities of any subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved? (see Attachment B)**
   ◯ YES ◯ NO

4. **The proposed project must address one or more of the resource concerns and associated outcomes listed below. Check all that apply**

☐ SOURCE WATER DEPLETION – project will achieve water savings in agricultural operations and maintain historical yields

☐ DEGRADED PLANT CONDITION – project will achieve water savings and optimize agricultural yields

☐ LIVESTOCK PRODUCTION LIMITATION – project will protect water resources, increase efficient use of water, and/or ensure livestock watering availability

☐ AQUATIC HABITAT – project will conserve and/or enhance aquatic ecosystems that may include improved fish passage

5. **The proposed project in this application must implement one or more eligible NRCS conservation practices for RCPP grant #3207 (see Attachment C). Please list the practice(s) below**

B. PROJECT DETAILS

Please include as much detail as possible in each section below and attach additional pages if needed.

1. Description

Please describe the proposed project; include the current status and a map of the project location with reference latitude and longitude coordinates, township/range/section, and estimated project area. Attach any designs, cost estimates, list of permits needed/obtained, list of rights of ways needed/granted, known environmental and/or cultural resources in the project area, structure types (e.g., diversion, check, or siphon), and anything else that will aid the Office in determining the scope of the proposed project.

2. Timeline

Please estimate the project timeline with key milestones (e.g., design complete, permits obtained, construction start, and project complete) that can reasonably be anticipated at this time.

3. Participants

Please list all project participants (Conservation District(s), landowners, water management entity members, Wyoming Game & Fish, Wyoming Wildlife and Natural Resource Trust, Trout Unlimited, The Nature Conservancy, Bureau of Land Management, etc.) and their role (technical, financial, etc.) in the proposed project.

4. Water Rights

Please list all water right permit numbers associated with the proposed project.

5. Water Savings

Please estimate the volumetric water savings that will be realized with the proposed project, if applicable. Briefly describe the methodology that was used for this estimate and how it will be verified upon project completion.

6. Funding

If an engineer has conducted a cost analysis, please submit it with this application and complete the table below. ***Please include documentation to address any funding shortfall.***

FUNDING SOURCES	IN-KIND	CASH	TOTAL
Applicant Funds (Budgeted)			
External Funds (Secured)			
RCPP Grant #3207 Subaward (Requested)			
TOTAL PROJECT COST			

C. NEXT STEPS

Within forty-five (45) days from the date the Office receives a complete application, the primary point of contact (listed on the first page of this application) will be notified via email whether the applicant and project are deemed eligible for a subaward from the RCPP grant #3207.

If the applicant and project are eligible, the Office will coordinate with the applicant on the steps below.

- Complete a subrecipient questionnaire
- Assess technical assistance needs, which may include survey(s), engineering design, permitting, cultural and environmental clearances, and a cost estimate
- Verify associated water rights
- Ensure all necessary permissions and access are granted
- Applicant must obtain a resolution from their board that includes project details, funding sources, and a commitment to project completion
- Negotiate the subaward contract between the WWDC and WME
- Complete technical assistance through WWDC's contractor, if needed
- Project implementation (i.e., construction), oversight, and completion
- Verify contractual requirements are met, including NRCS sign-off, before reimbursement is made to the WME

If the applicant and project are not eligible, but the issues ***can be*** resolved, then the application may be reconsidered. Otherwise, the application and associated documentation will be filed and securely maintained at the Office.

ATTACHMENT A

NRCS Definition of Water Management Entities

NRCS *Conservation Programs Manual*, Title 440-530-M, 2nd Ed., Amend. 2, February 2024 *(excerpt below)*

Water Management Entities[1] – Defined as a state irrigation district, groundwater management district, acequia, land grant-merced, or similar entity that has jurisdiction or responsibilities related to water delivery or management on eligible lands.

- *The water management entity is a public or semi-public agency or organization (i.e., a private or public company that serves a public purpose, such as a public utility).*
- *The water management entity's purpose is to assist private agricultural producers with managing water distribution or conservation systems.*
- *The water conservation or irrigation practices support a water conservation project that will effectively conserve water, provide fish and wildlife habitat, or provide for drought-related environmental mitigation.*

[1] Bylaws, articles of incorporation, and any document(s) that formed your entity will be used to determine whether your entity meets the definition above, in order to be eligible for an RCPP subaward. Irrigation Districts, Watershed Improvement Districts, and Water Conservancy Districts, as defined in Wyoming statute, typically will qualify as water management entities. Ditch companies and canal companies will also be considered. Conservation Districts typically do not directly manage water; therefore, ***do not*** *qualify.*

ATTACHMENT B
EXCERPT FROM THE CODE OF FEDERAL REGULATIONS

2 CFR 200 §332, as of March 6, 2025 found at:

https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR031321e29ac5bbd/section-200.332

§ 200.332 Requirements for pass-through entities.
A pass-through entity must:

(a) Verify that the subrecipient is not excluded or disqualified in accordance with § 180.300. Verification methods are provided in § 180.300, which include confirming in *SAM.gov* that a potential subrecipient is not suspended, debarred, or otherwise excluded from receiving Federal funds.

(b) Ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the information provided below. A pass-through entity must provide the best available information when some of the information below is unavailable. A pass-through entity must provide the unavailable information when it is obtained. Required information includes:
(1) Federal award identification.
(i) Subrecipient's name (must match the name associated with its unique entity identifier);
(ii) Subrecipient's unique entity identifier;
(iii) Federal Award Identification Number (FAIN);
(iv) Federal Award Date;
(v) Subaward Period of Performance Start and End Date;
(vi) Subaward Budget Period Start and End Date;
(vii) Amount of Federal Funds Obligated in the subaward;
(viii) Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity, including the current financial obligation;
(ix) Total Amount of the Federal Award committed to the subrecipient by the pass-through entity;
(x) Federal award project description, as required by the Federal Funding Accountability and Transparency Act (FFATA);
(xi) Name of the Federal agency, pass-through entity, and contact information for awarding official of the pass-through entity;
(xii) Assistance Listings title and number; the pass-through entity must identify the dollar amount made available under each Federal award and the Assistance Listings Number at the time of disbursement;
(xiii) Identification of whether the Federal award is for research and development; and
(xiv) Indirect cost rate for the Federal award (including if the de minimis rate is used in accordance with § 200.414).
(2) All requirements of the subaward, including requirements imposed by Federal statutes, regulations, and the terms and conditions of the Federal award;
(3) Any additional requirements that the pass-through entity imposes on the subrecipient for the pass-through entity to meet its responsibilities under the Federal award. This includes information and certifications (see § 200.415) required for submitting financial and performance reports that the pass-through entity must provide to the Federal agency;
(4) Indirect cost rate:
(i) An approved indirect cost rate negotiated between the subrecipient and the Federal Government. If no approved rate exists, a pass-through entity must determine the appropriate rate in collaboration with the subrecipient. The indirect cost rate may be either:
(A) An indirect cost rate negotiated between the pass-through entity and the subrecipient. These rates may be based on a prior negotiated rate between a different pass-through entity and the subrecipient, in which case the pass-through entity is not required to collect information justifying the rate but may elect to do so; or
(B) The de minimis indirect cost rate.
(ii) The pass-through entity must not require the use of the de minimis indirect cost rate if the subrecipient has an approved indirect cost rate negotiated with the Federal Government. Subrecipients may elect to use the cost allocation method to account for indirect costs in accordance with § 200.405(d).
(5) A requirement that the subrecipient permit the pass-through entity and auditors to access the subrecipient's records and financial statements for the pass-through entity to fulfill its monitoring requirements; and
(6) Appropriate terms and conditions concerning the closeout of the subaward.

(c) Evaluate each subrecipient's fraud risk and risk of noncompliance with a subaward to determine the appropriate subrecipient monitoring described in paragraph (f) of this section. When evaluating a subrecipient's risk, a pass-through entity should consider the following:

(1) The subrecipient's prior experience with the same or similar subawards;
(2) The results of previous audits. This includes considering whether or not the subrecipient receives a Single Audit in accordance with subpart F and the extent to which the same or similar subawards have been audited as a major program;
(3) Whether the subrecipient has new personnel or new or substantially changed systems; and
(4) The extent and results of any Federal agency monitoring (for example, if the subrecipient also receives Federal awards directly from the Federal agency).

(d) If appropriate, consider implementing specific conditions in a subaward as described in § 200.208 and notify the Federal agency of the specific conditions.

(e) Monitor the activities of a subrecipient as necessary to ensure that the subrecipient complies with Federal statutes, regulations, and the terms and conditions of the subaward. The pass-through entity is responsible for monitoring the overall performance of a subrecipient to ensure that the goals and objectives of the subaward are achieved. In monitoring a subrecipient, a pass-through entity must:
(1) Review financial and performance reports.
(2) Ensure that the subrecipient takes corrective action on all significant developments that negatively affect the subaward. Significant developments include Single Audit findings related to the subaward, other audit findings, site visits, and written notifications from a subrecipient of adverse conditions which will impact their ability to meet the milestones or the objectives of a subaward. When significant developments negatively impact the subaward, a subrecipient must provide the pass-through entity with information on their plan for corrective action and any assistance needed to resolve the situation.
(3) Issue a management decision for audit findings pertaining only to the Federal award provided to the subrecipient from the pass-through entity as required by § 200.521.
(4) Resolve audit findings specifically related to the subaward. However, the pass-through entity is not responsible for resolving cross-cutting audit findings that apply to the subaward and other Federal awards or subawards. If a subrecipient has a current Single Audit report and has not been excluded from receiving Federal funding (meaning, has not been debarred or suspended), the pass-through entity may rely on the subrecipient's cognizant agency for audit or oversight agency for audit to perform audit follow-up and make management decisions related to cross-cutting audit findings in accordance with section § 200.513(a)(4)(viii). Such reliance does not eliminate the responsibility of the pass-through entity to issue subawards that conform to agency and award-specific requirements, to manage risk through ongoing subaward monitoring, and to monitor the status of the findings that are specifically related to the subaward.

(f) Depending upon the pass-through entity's assessment of the risk posed by the subrecipient (as described in paragraph (c) of this section), the following monitoring tools may be useful for the pass-through entity to ensure proper accountability and compliance with program requirements and achievement of performance goals:
(1) Providing subrecipients with training and technical assistance on program-related matters;
(2) Performing site visits to review the subrecipient's program operations; and
(3) Arranging for agreed-upon-procedures engagements as described in § 200.425.

(g) Verify that a subrecipient is audited as required by subpart F of this part.

(h) Consider whether the results of a subrecipient's audit, site visits, or other monitoring necessitate adjustments to the pass-through entity's records.

(i) Consider taking enforcement action against noncompliant subrecipients as described in § 200.339 and in program regulations.

ATTACHMENT C

NRCS CONSERVATION PRACTICES ELIGIBLE FOR RCPP GRANT #3207

Primary NRCS Practices

#320 - Irrigation Canal or Lateral
#340 - Cover Crop
#342 - Critical Area Planting
#348 - Dam, Diversion
#356 - Dike or Levee
#362 – Diversion
#374 – Farmstead Energy Improvement (telemetry/SCADA)
#378 - Pond
#388 - Irrigation Field Ditch
#395 - Stream Habitat Improvement and Management
#396 - Aquatic Organism Passage
#402 - Dam
#412 - Grassed Waterway
#428 - Irrigation Ditch Lining
#430 - Irrigation Pipeline
#436 - Irrigation Reservoir
#442 - Sprinkler System
#443 - Irrigation System, Surface and Subsurface
#447 - Irrigation and Drainage Tailwater Recovery
#449 - Irrigation Water Management
#450 - Anionic Polyacrylamide (PAM) Application
#464 - Irrigation Land Leveling
#468 - Lined Waterway or Outlet
#512 - Pasture and Hay Planting
#516 - Livestock Pipeline
#520 - Pond Sealing or Lining, Compacted Soil Treatment
#521 - Pond Sealing or Lining – Geomembrane or Geosynthetic Clay Liner
#522 - Pond Sealing or Lining, Concrete
#533 - Pumping Plant
#554 - Drainage Water Management
#574 - Spring Development
#580 - Streambank and Shoreline Protection
#582 - Open Channel
#584 - Channel Bed Stabilization
#587 - Structure for Surface Water Control
#606 - Subsurface Drain
#607 - Surface Drain, Field Ditch
#608 - Surface Drain Main or Lateral
#610 - Salinity and Sodic Soil Management
#614 - Watering Facility
#636 - Water Harvesting Catchment
#642 - Water Well
#643 - Restoration of Rare or Declining Natural Communities
#645 - Upland Wildlife Habitat Management
#649 - Structures for Wildlife
#658 - Wetland Creation
#659 - Wetland Enhancement

COMMONLY ASSOCIATED PRACTICES LISTED ON THE NEXT PAGE

Commonly Associated NRCS Practices

NOTE: These practices are eligible only if they are necessary to implement one or more of the primary practices listed on the previous page. If you are seeking to fund any of these practices, they must be listed in the application.

#314 - Brush Management
#326 - Clearing and Snagging
#327 - Conservation Cover
#338 - Prescribed Burning
#382 - Fence
#390 - Riparian Herbaceous Cover
#391 - Riparian Forest Buffer
#410 - Grade Stabilization Structure
#420 - Wildlife Habitat Planting
#472 - Access Control
#500 - Obstruction Removal
#528 - Prescribed Grazing
#560 - Access Road
#561 - Heavy Use Area Protection
#575 - Trails and Walkways
#578 - Stream Crossing
#600 - Terrace
#612 - Tree/Shrub Establishment
#644 - Wetland Wildlife Habitat Management
#647 - Early Successional Habitat Development/Management