

May. 20, 2013 -- Property Transaction Proposal
Colorado Parks and Wildlife

Horse Creek Farm Perpetual Public Access Easement and Water Contract

Baca County

1,440 acres

About 5 miles southeast of Two Buttes

Section 33-1-105 (3)(a), C.R.S. states:

In the event that the [Parks and Wildlife] Commission plans to acquire the fee title to any real property or to acquire an easement for a period to exceed 25 years or at a cost to exceed \$100,000 or to enter into any lease agreement for the use of real property for a period to exceed 25 years or at a cost to exceed \$100,000, or to sell or otherwise dispose of the fee title to any real property which has a market value in excess of \$100,000, the Commission shall first submit a report to the Capital Development Committee [CDC] which outlines the anticipated use of the real property, the maintenance costs related to the property, the current value of the property, any conditions or limitations which may restrict the use of the property, and, in the event real property is acquired, the potential liability to the state which will result from such acquisition. The CDC shall review the reports submitted by the Commission and make recommendations to the Commission concerning the proposed land transaction within 30 days from the day on which the report is received. The Commission shall not complete such transactions without considering the recommendations of the CDC, if such recommendations are timely made.

The required report is attached. CDC staff questions about the report are listed below.

Action Required

Recommend support for the acquisition of a perpetual public access easement and water contract for Horse Creek Farms (\$610,000 CF for 1,440 acres).

CDC Staff Questions

None.

Capital Development Committee May 2013—Property Transaction Proposal

Department of Natural Resources
Division of Parks and Wildlife

Action Required	Pursuant to C.R.S. 33-1-105(3)(a), recommend to the Colorado Parks and Wildlife Commission support for the Division of Parks and Wildlife's proposal to acquire a perpetual public access easement on Horse Creek Farms.		
General Information			
Name	Donald and Judith Brown		
Number of acres	Approximately 1,440		
Location	Two miles east and five miles south of Two Buttes, CO		
County	Baca		
Costs / Source of Funding			
Purchase Price	\$610,000.00	Funding Source*	Wildlife Cash – Habitat Stamp Funds
Wildlife Cash – Habitat Stamp	Spending authority has already been approved for this project in the Long Bill		
	Fiscal Year	2012-13	
	Line Item	Land and Water Acquisitions	
	Appropriation	\$6,500,000	
	Remaining Unexpended Balance	\$2,386,844	
Annual Monitoring and Operation Costs	\$5,000.00 for Electricity and Well Maintenance	Funding for the monitoring and operation costs of the property will come from Wildlife Management Line Item under the Division Operations Group in the Long Bill.	
* The Division may alter the source of funds for individual acquisitions based on circumstances that arise in the time period prior to closing.			

Summary of Proposal

This 2010 Request for Proposal (RFP) transaction was initially proposed as a fee title acquisition, but has subsequently been scaled down to the following:

Colorado Division of Parks and Wildlife (CPW) will acquire a perpetual public access easement on the Property. The access easement will provide hunting opportunity for deer, waterfowl, turkey and small game.

In addition to the access easement, CPW will enter into a contract for water that will allow CPW to exercise its existing and/or a future water right in the well and provide water to Turk's Pond State Wildlife Area which hasn't filled up over the past few years.

Q:\0-Real Estate Unit\PROJECT AUTHORITIES\Capital Development Committee documents\2013\05-20-2013\PTPs\Horse Creek Farm FINAL from JG.docx

Consideration for the public access easement will be \$560,000. Consideration for the water contract will be \$50,000.

The Property is currently used for agriculture production and that use will continue in the future.

According to the map referenced below, the Property lies outside the scope of regions of known or potential geothermal resources. Also, according to the map below, the Property lies within the 6.0 – 6.5 kWh/m²/day (lowest end of the scale) Central Solar Power areas and has fair to good potential within Wind Resource Generation Development areas.

Wind and Solar: A map entitled “SB07-91 Renewable Resource Generation Development Areas” from “Renewable Energy Development Structure,” a report of the Colorado Governor’s Energy Office dated December 2009.

Geothermal: November, 2003 US Department of Energy, Office of Energy Efficiency and Renewable Energy, Geothermal Technologies Program.

Attachments:

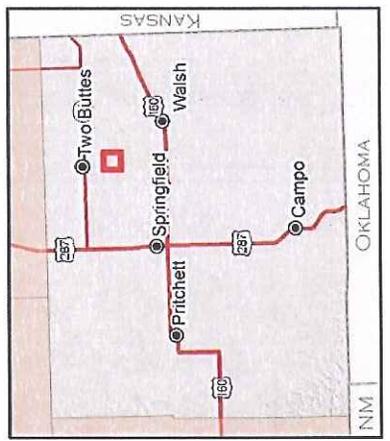
- Map
- Concurrence letters

**Horse Creek Farm
Project #10-050-SE**

 Horse Creek Farm

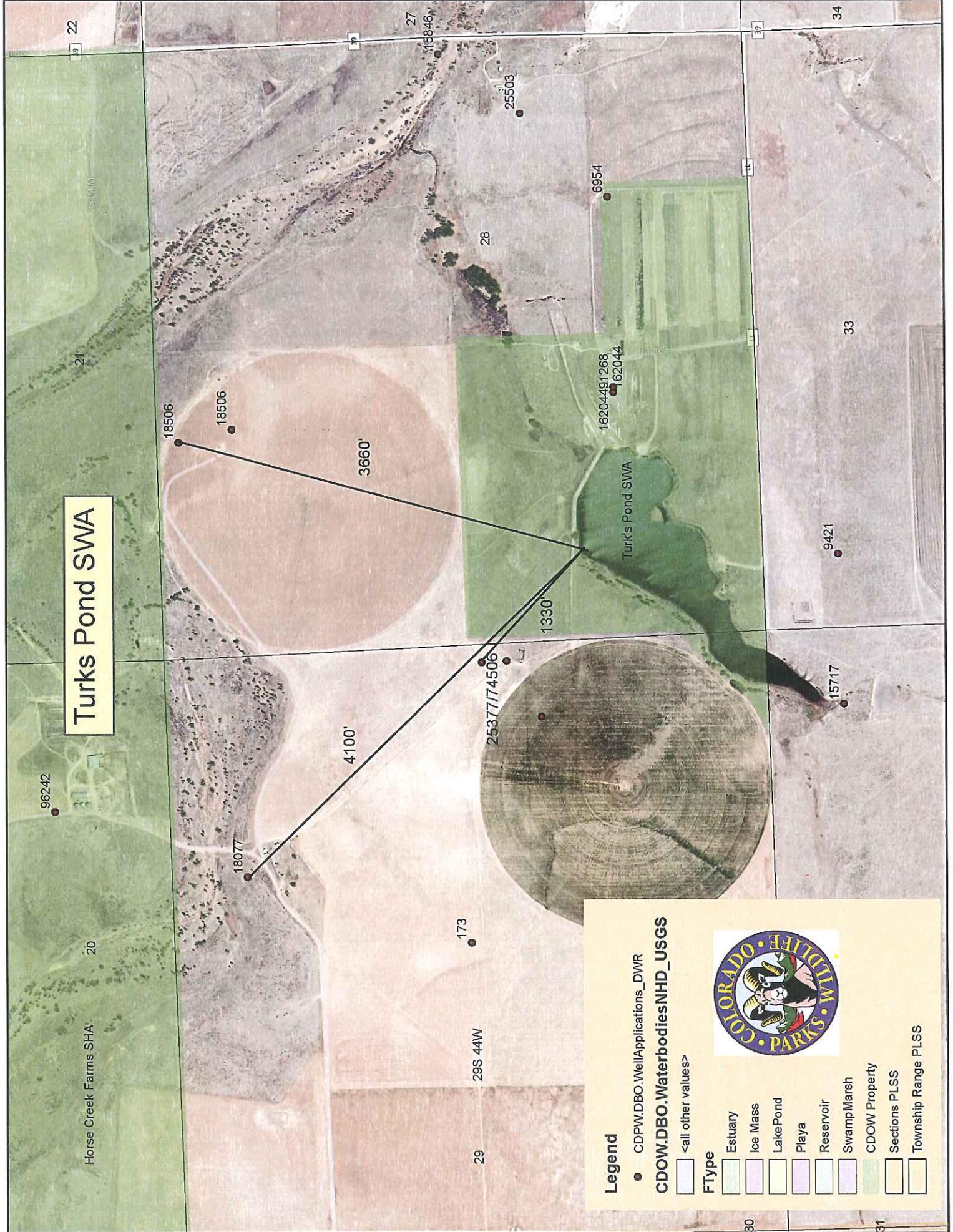


Mapped By: Dawn Browne
CDOW Wildlife GIS Group
Projection: UTM, Zone 13
Datum: NAD 1983
Date: January 2011



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Turks Pond SWA

Legend

- CDPW/DBO, WellApplications_DWR
- CDOW/DBO, WaterbodiesNHD_USGS
- <all other values>

FType

- Estuary
- Ice Mass
- Lake Pond
- Playa
- Reservoir
- Swamp/Marsh
- CDOW Property
- Sections PLSS
- Township Range PLSS



Horse Creek Farms SHA

Turk's Pond SWA

22

27

34

21

28

33

18506

18506

3660'

6954

16204491268
62044

9421

4100'

1330'

2537774506

15717

96242

20

173

29S 44W

29

30

31



COLORADO PARKS & WILDLIFE

2500 South Main Street • Lamar, Colorado 81052
Phone (719) 336-6600 • FAX (719) 336-6623
wildlife.state.co.us • parks.state.co.us

State Senator Larry Crowder
0777 N. Road 102
Alamosa, CO 81144

April 10, 2013

Dear Senator Crowder:

Colorado Parks & Wildlife has embarked on an endeavor to acquire important habitats, through perpetual easements, for public access. The purpose of the program is to prevent further decline in participation in hunting and fishing related activities, as well as increase hunter recruitment, by improving access on private lands to a public resource. In addition, these types of acquisitions provide areas for sportsmen to recreate and wildlife viewing opportunities, thus bringing in needed dollars to local economies. Funding for these projects will be derived from game cash.

We are attempting to purchase a perpetual easement from Judith & Donald Brown/Horse Creek Farms. The property lies south of the town of Two Buttes, in Baca County. Total acreage of the farm is 1,440 acres. The farm contains important native habitat for game and prairie species of wildlife, as well as riparian habitat along Horse Creek. This parcel adjoins the Turk's Pond State Wildlife Area and expands local hunting opportunities. CPW will also be entering into a limited term contract with Horse Creek Farms to provide an additional source of water for Turk's Pond. The Brown's will continue with their farming operations under the terms of the easement.

Colorado Parks & Wildlife respectfully requests your concurrence on the acquisition of this project. This project is scheduled for review by the Capital Development Committee in mid May. Due to the tight timeline I would appreciate a prompt response. If you approve, please sign on the approval line below and return to my address. Please feel free to call me at (719) 336-6603 if you have any questions or concerns.

Sincerely,

Travis Black, Area Wildlife Manager
Colorado Parks & Wildlife
2500 S. Main
Lamar, CO 81052

Concur,
State Senator Larry Crowder

STATE OF COLORADO

John W. Hickenlooper, Governor • Mike King, Executive Director, Department of Natural Resources

Rick D. Cables, Director, Colorado Parks and Wildlife

Parks and Wildlife Commission: Robert W. Bray • Chris Castilian • Jeanne Horne

Bill Kane, Vice-Chair • Gaspar Perricone • James Pribyl • John Singletary, Chair

Mark Smith, Secretary • James Vigil • Dean Wingfield • Michelle Zimmerman

Ex Officio Members: Mike King and John Salazar



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State Representative Tim Dore
41412 N. Pinefield Circle
Parker, CO 80138

April 10, 2013

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Baca County Board of Commissioners

741 Main Street, Suite #1

Springfield, CO 81073

April 10, 2013

Dear Board of Commissioners:

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Colorado Parks & Wildlife
2500 S. Main
Lamar, CO 81052

Concur,
Chairman, Baca County Board of Commissioners

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