

# March 19, 2015 -- Property Transaction Proposal

## Colorado Parks and Wildlife

### *Beaver Lake State Wildlife Area Newbarger Fee Title Acquisition*

Gunnison County

23 acres

Three parcels are within or adjacent to the Town of Marble and one parcel is 2.4 miles west of Marble.

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.**

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#### **Action Required**

Recommend support for the fee title acquisition of the Beaver Lake State Wildlife Area Newbarger properties (\$0 for 23 acres).

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#### **CDC Staff Questions**

1. Does the general store that is to be razed have historical significance? If so, has CPW considered working with a historical group to document or preserve it? In the proposal, development costs are estimated to be \$1,000. Does this include the demolition of the general store? If not, how much will it cost to demolish the general store? How will the demolition be funded?

According to the Colorado State Register of Historic Properties, the store is not included on the list of seven buildings in Marble that are protected, which is not surprising since the store was only built in 1971. The landowner also confirmed that it is not historically significant. Demolition costs were not included in the development costs but our AWM estimates the amount to be \$800 which would be paid for out of the area office budget. There is a chance that the store might not be razed as the Town of Marble has recently indicated an interest in leasing the store and the campground in order to generate some revenue for the Town.

2. Since the mineral rights have been severed from the surface estate, is there potential for mineral or oil and gas development? If so, how might this affect wildlife habitat or recreation in the area?

Per our standard real estate protocol, we have hired a professional geologist to prepare a mineral assessment report that will reveal the potential for development, if any, but that report won't be completed for another month or so. However, even if the report concludes that there is potential for development, and a mineral owner approaches CPW with plans to develop, all development would have to comply with all local regulations, and CPW as surface owner will have the right to negotiate a surface use agreement that will contain specific language minimizing the impacts on the habitat (e.g. permissible locations of drill pads and access roads; revegetation requirements, etc.)

3. Were easement(s) considered as an alternative to the fee-title acquisition? Please explain why CPW opted to pursue a fee-title acquisition.

The landowner was not interested in granting a lease or a conservation easement as she does not want to retain ownership of the parcels and really wants CPW to have them at no cost to CPW.

# Capital Development Committee

## March 19, 2015—Property Transaction Proposal

### Department of Natural Resources Division of Parks and Wildlife

<b>Action Required</b>	Pursuant to C.R.S. 33-1-105(3)(a) and C.R.S. 33-10-107(2) recommend to the Colorado Parks and Wildlife Commission support for the Division of Parks and Wildlife’s proposal to acquire, at no cost to CPW, fee title of four parcels near the Town of Marble in Gunnison County as additions to the Beaver Lake State Wildlife Area.
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<b>General Information</b>	
Name	Beaver Lake SWA – Newbarger Fee Title Acquisition
Number of acres	~23
Location	Three parcels are within or adjacent to the Town of Marble, and a fourth is approximately 2.4 miles west. The Town of Marble is located approximately 40 miles south of Glenwood Springs and 28 miles south of Carbondale.
County	Gunnison

<b>Costs / Source of Funding</b>		
Purchase Price	\$0.00	Funding Source
	<i>Spending authority has already been approved for this project in the Long Bill.</i>	
	Fiscal Year	
	Line Item	
	Appropriation	
	Remaining Unexpended Balance	
	<i>Spending authority has already been approved for this project in the Long Bill.</i>	
	Fiscal Year	
	Line Item	
	Appropriation	
	Remaining Unexpended Balance	
Annual Monitoring and Operation Costs	\$500	This cost includes an annual estimated Impact Assistance Grant payment of \$18.63 for this property.
Development Costs	\$1,000	

**Summary of Proposal:**

Fee title acquisition. The Landowner has expressed the desire to grant all four parcels to CPW together as a group. Acquisition of these parcels by CPW will be at no cost to CPW and will provide public fishing and hunting access. River and upland parcels will also be protected from development.

**Current Use of Property:** The landowner does not actively use the parcels as she lives out-of-state. Three parcels are vacant and one parcel has an old general store that will be razed.

**Proposed Future Use of Property:** Outdoor recreation.

**Date Landowner Purchased the Property:** Two of the parcels were acquired in 2007 for \$520,000 and two parcels were acquired in 2010 via quitclaim deeds which do not list any purchase price.

**Renewable Energy:**

According to a review of the maps referenced below, the Property lies outside the scope of regions of known or potential geothermal resources, the Central Solar Power, and the Wind Resource Generation Development areas.

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

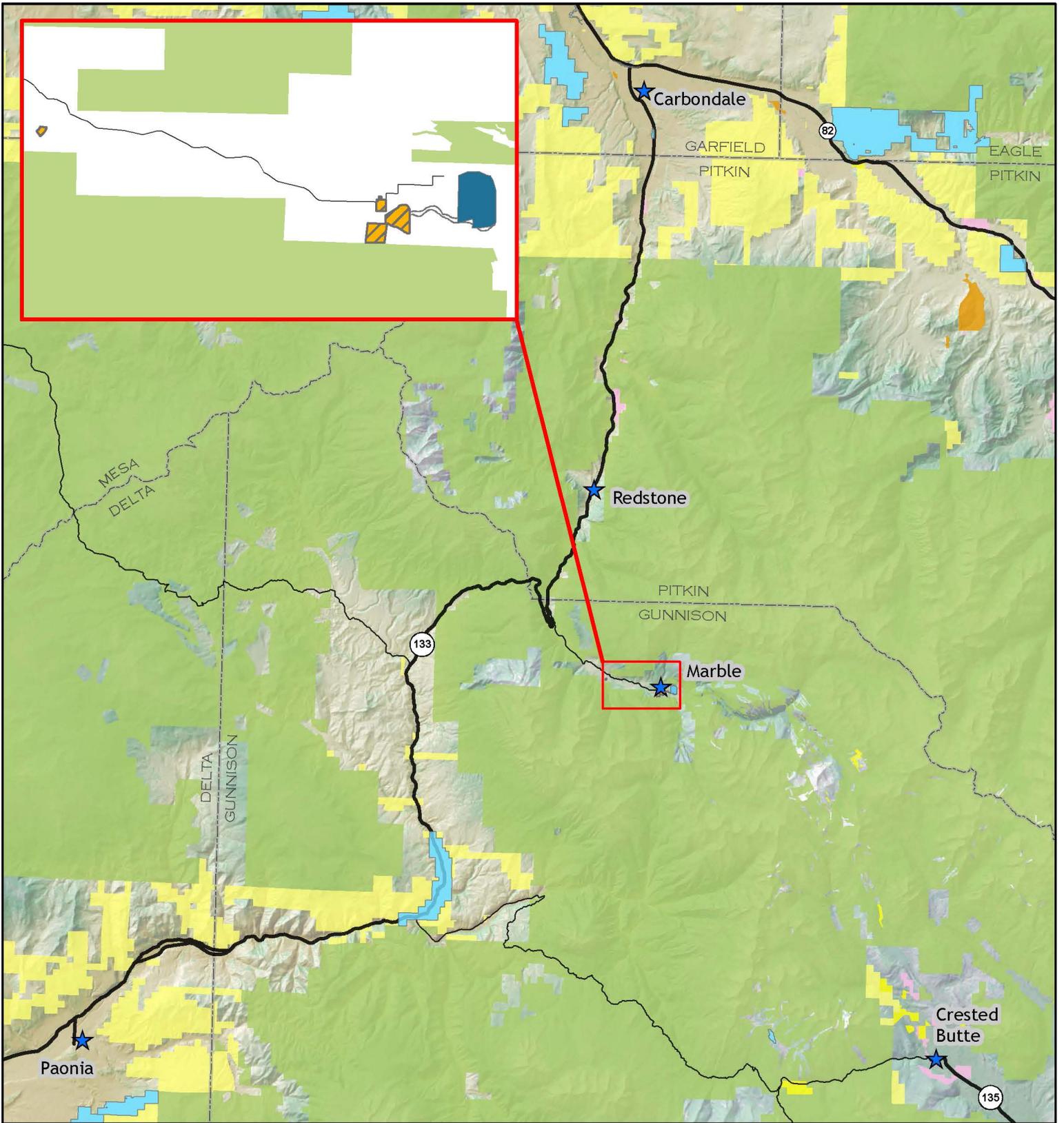
Wind and Solar: A map entitled “SB07-91 Renewable Resource Generation Development Areas” from “Renewable Energy Development Structure,” a report of the Colorado Governor’s Energy Office dated December 2009.

**Mineral Interest Ownership:**

The title commitment indicates that the mineral rights have been partially severed from the surface estate.

**Attachments:**

- Maps
- Concurrence letters

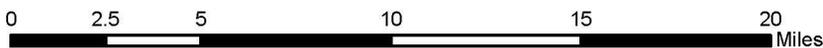


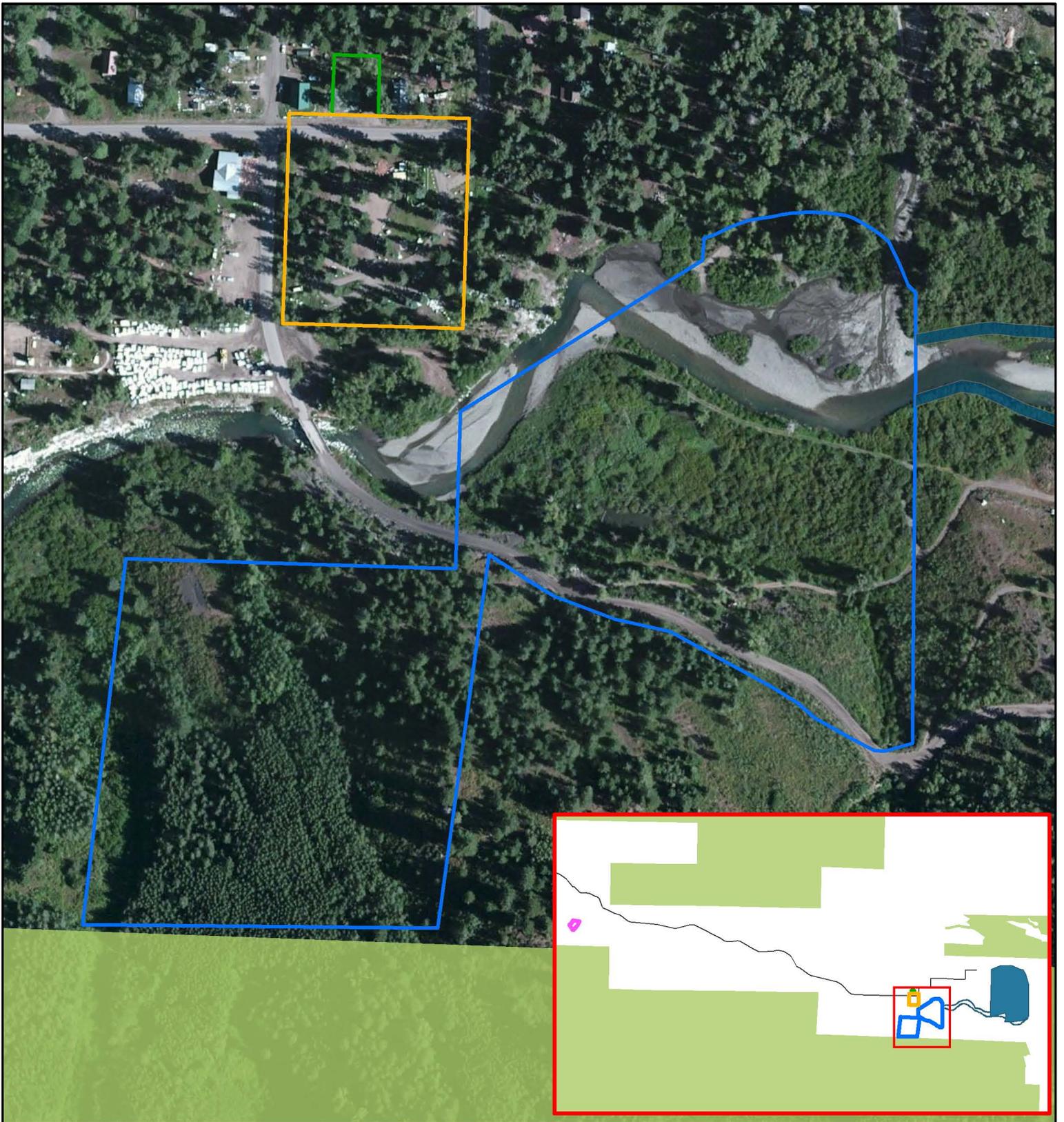
# Beaver Lake SWA - Newbarger parcels Newbarger - Fee Title Acquisition

Project No. 14-046 - Vicinity Map



- |  |   |  |
|--|---|--|
|  Newbarger Parcels to CPW   |  State |  Local      |
|  Beaver Lake SWA            |  BLM   |  Land Trust |
|  CPW Properties & Easements |  USFS  |  NGO        |





GIS Unit

# Beaver Lake SWA - Newbarger parcels

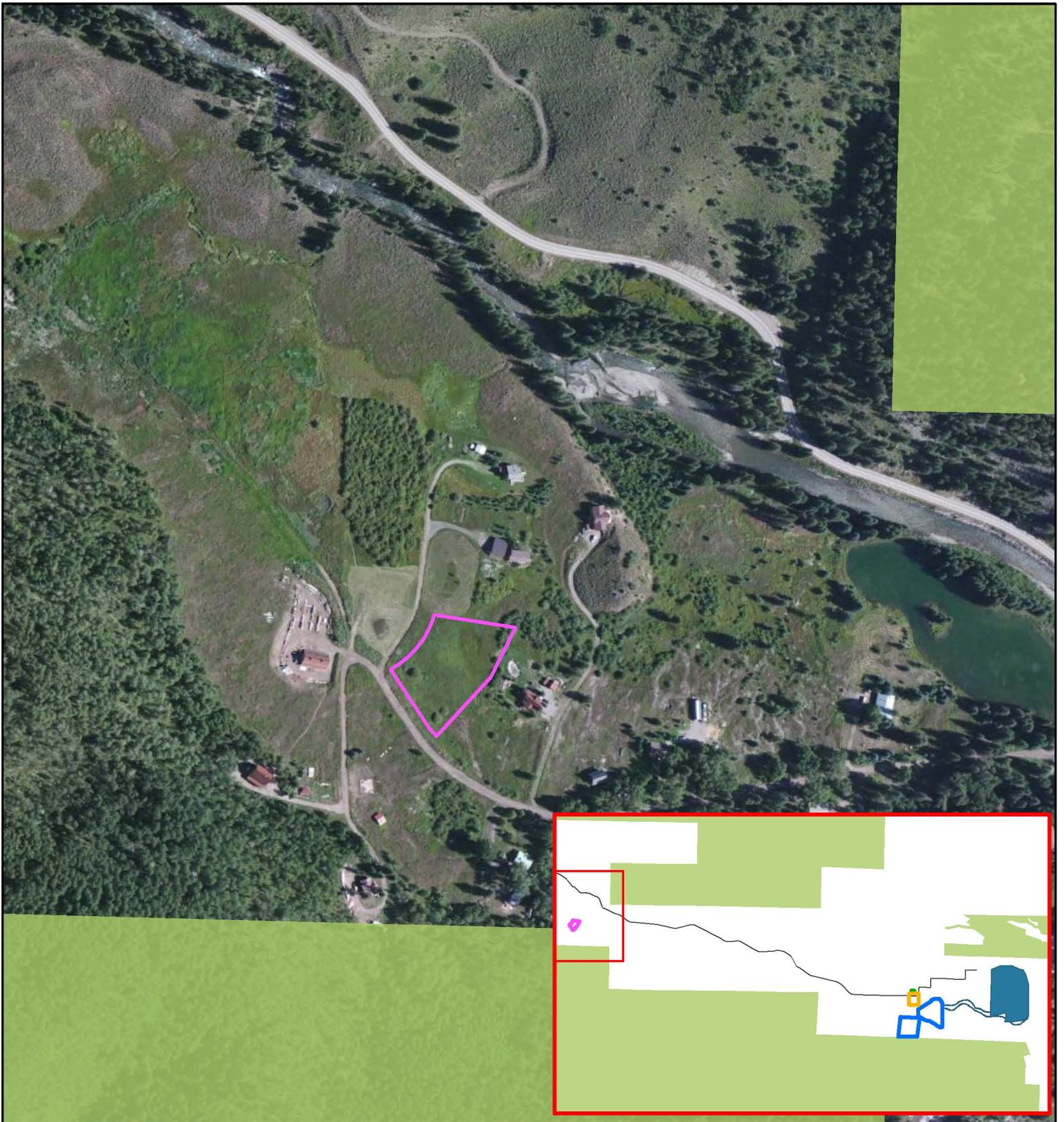
## Newbarger - Fee Title Acquisition

Project No. 14-046 - Site Map for Parcels 1, 3, 4



- |   |  |   |
|---|--|---|
|  Parcel 1 - 19.0 acres |  Parcel 3 - 0.2 acres |  Beaver Lake SWA |
|  Parcel 2 - 1.2 acres  |  Parcel 4 - 2.4 acres |  USFS            |





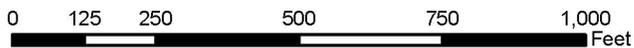
# Beaver Lake SWA - Newbarger parcels

## Newbarger - Fee Title Acquisition

Project No. 14-046 - Site Map for Parcel 2



- Parcel 1 - 19.0 acres
- Parcel 3 - 0.2 acres
- Beaver Lake SWA
- Parcel 2 - 1.2 acres
- Parcel 4 - 2.4 acres
- USFS



February 4, 2015

Ron Velarde  
Northwest Regional Manager  
Colorado Parks and Wildlife  
711 Independent Ave.  
Grand Junction, CO 81505

Dear Mr. Velarde,

Representative Hamner-District 61, supports the acquisition of five donated parcels from Newbarger LLC, 1400 McKinney St. Unit 3705, Houston, Texas to Colorado Parks and Wildlife (CPW) in and adjacent to the Town of Marble for fisherman and hunting access. The parcels will provide fishing access to the Crystal River through the town of Marble and access to National Forest lands to the south of town. In addition to the public access component of the land action these properties will be protected from development into the future as well.

The willingness of Newbarger LLC to donate these valuable land tracts to CPW will greatly benefit sportsmen, visitors to the State, local residents and future generations. Access in perpetuity to these pristine areas and the wildlife resource is invaluable.

Because hunting, fishing and other wildlife related activities contribute millions of dollars each year to the Gunnison County's economy it is important to protect the type habitat involved in the land action, and public access to it.

The Newbarger property donation is an excellent acquisition for CPW. I appreciate the opportunity to provide my support for this project.

Sincerely,



Millie Hamner  
State Representative-District 61



**Gunnison County Board of County Commissioners**

Phone: (970) 641-0248 • Fax: (970) 641-3061

Email: [bocc@gunnisoncounty.org](mailto:bocc@gunnisoncounty.org) • [www.GunnisonCounty.org](http://www.GunnisonCounty.org)

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February 24, 2015

Ron Velarde  
Northwest Regional Manager  
Colorado Parks and Wildlife  
711 Independent Ave.  
Grand Junction, CO 81505

Dear Mr. Velarde,

The Gunnison County Board of County Commissioners supports the acquisition of five donated parcels from Newbarger, LLC, 1400 McKinney St. Unit 3705, Houston, Texas to Colorado Parks and Wildlife (CPW) in and adjacent to the Town of Marble for fishing and hunting access. The parcels will provide fishing access to the Crystal River through the Town of Marble and access to National Forest lands to the south of town. In addition to the public access component of the land action, these properties will be protected from development into the future as well.

The willingness of Newbarger, LLC to donate these valuable land tracts to CPW will greatly benefit sportsmen, visitors to the State, local residents and future generations. Access in perpetuity to these pristine areas and the wildlife resource is invaluable.

Because hunting, fishing and other wildlife related activities contribute millions of dollars each year to Gunnison County's economy it is important to protect the type of habitat involved in the land action, and public access to it.

The Newbarger, LLC property donation is an excellent acquisition for CPW, and we appreciate the opportunity to provide support for this project.

Sincerely,

Handwritten signature of Paula Swenson in blue ink.

Paula Swenson, Chairperson

Handwritten signature of Phil Chamberland in blue ink.

Phil Chamberland, Commissioner

Handwritten signature of Jonathan Houck in blue ink.

Jonathan Houck, Commissioner