

December 17, 2014 -- Property Transaction Proposal

Colorado Parks and Wildlife

Woodard Ranch Perpetual Public Access Easement

Elbert County

2,934 acres

30 miles northwest of Limon

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 at the Woodard Ranch (\$45,000 CF for 2,934 acres).

CDC Staff Questions

1. Is there any mineral exploration or development currently underway on the property?

No. There was an oil and gas lease that was being negotiated by the owners and an oil and gas company this past summer, but the company recently dropped their offer/interest.

2. Does the division anticipate any future mineral exploration or development? If so, how might this impact the division's interest in the property?

Yes, that is possible because the Mineral Assessment Report concluded that the probability of oil and gas development on the property was NOT so remote as to be negligible. The probability for development of all other mineral, fuel (coal), and geothermal resources is so remote as to be negligible.

If the property owners should decide to accept another offer to lease their oil and gas rights, the conservation easement to be held by Colorado Open Lands only allows for one five-acre drill site on the 740 acres of the ranch on which the owners retain mineral rights. Thus, the impact to CPW's public access easement will be negligible on that acreage. The mineral rights have been severed on ~2,200 acres, and thus there is a risk that more intensive drilling could occur at some point in the future on that acreage and at this point it is difficult to assess if there would be any impacts to the hunting and fishing allowed by the access easement. However, it is important to keep in mind that the access easement is perpetual and the life of an oil well is typically 30 years.

3. One of the maps provided calls out a proposed subdivision boundary. Please provide more information about this map detail.

The conservation easement to be held by Colorado Open Lands allows the property owner to subdivide and sell the northern parcel (490 acres) from the south parcel (2,444 acres) in the future if the property owner chooses. If the subdivision occurs, both parcels would remain subject to the conservation easement and the public access easement.

4. Why is the type of easement the division is pursuing different from that pursued by Colorado Open Lands? Are there different goals associated with the two acquisitions or was this approach dictated by the property owner?

The property owners are granting a conservation easement (CE) to COL, which is basically a real estate interest

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that prohibits any further development or subdivision of the property other than what is agreed to in the easement terms (e.g. the easement allows for the north parcel to be divided off and it allows for one more house to be constructed in addition to the two that currently exist). Thus, the COL CE basically protects the property for agriculture, open space, and wildlife habitat. The public access easement (AE) being granted to CPW is to obtain hunting and fishing rights for the public. This is something COL does not want to manage as it is CPW's area of expertise. Thus, the RFP proposal that was prepared by the property owners and COL proposed the CE would be held by COL and the AE would be held by CPW.

Capital Development Committee

December 2014—Property Transaction Proposal

Department of Natural Resources
Division of Parks and Wildlife

Action Required	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 a perpetual public access easement.		
General Information			
Name	Woodard Ranch		
Number of acres	2,934		
Location	Approximately 30 miles NW of Limon: 27600 County Road 154, Agate		
County	Elbert		
Costs / Source of Funding			
Purchase Price	\$45,000	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	2013-14	
	Line Item	Land and Water Acquisitions	
	Appropriation	\$6,500,000	
	Remaining Unexpended Balance	\$3,144,442	
Annual Monitoring and Operation Costs	\$340.00	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.	
Development Costs	\$500.00 (signage)	The development costs will come from the 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:

CPW will acquire a perpetual public access easement on the Property for limited deer, pronghorn, small game, and waterfowl hunting. In addition, CPW will contribute \$490,000 towards the purchase of a perpetual conservation easement on the property to be acquired by Colorado Open Lands. The Woodard Ranch is located near the headwaters of the Middle Bijou Creek drainage and contains nearly four miles of the Middle Bijou Creek corridor. The property supports a number of Tier I and Tier II species. The Property is adjacent to the 24,000 acre Jumping Cow Ranch SWA.

Current uses of the Property are livestock grazing, wildlife habitat and big game hunting. Future uses will be the same.

Mineral rights have been severed from the majority of the Property (the Woodards retain mineral rights to ~880 acres).

Frank Woodard's parents deeded him the ranch in 1973. Frank's father had homesteaded the Property in 1916.

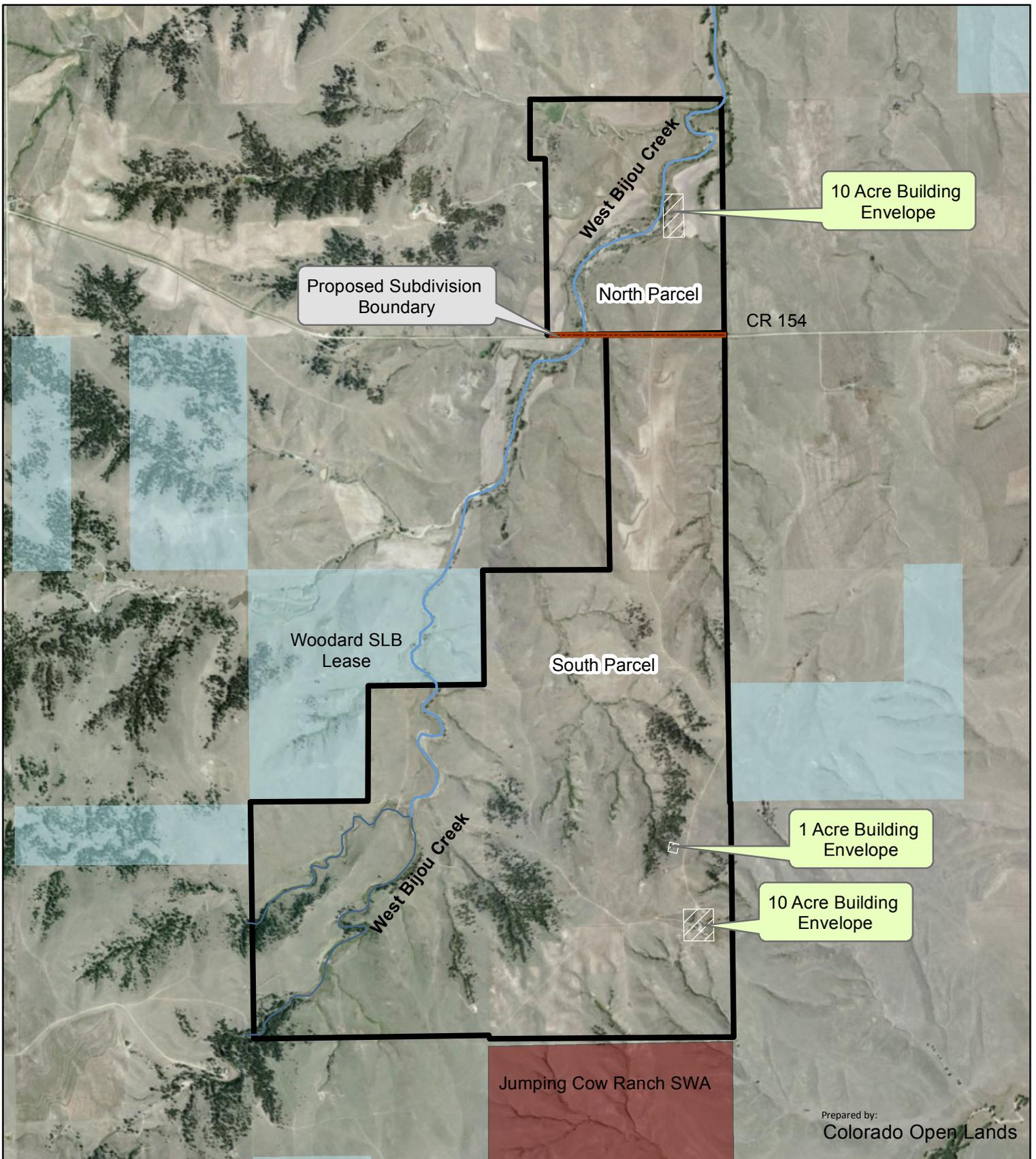
According to a review of the first map referenced below, the Property is outside the scope of regions of known or potential geothermal resources. Also, according to a review of the second map referenced below, the Property is outside the Central Solar Power and the Wind Resource Generation Development 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.

Attachments:

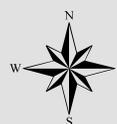
- Map
- Concurrence letters
- Three (3) comparables from appraisal



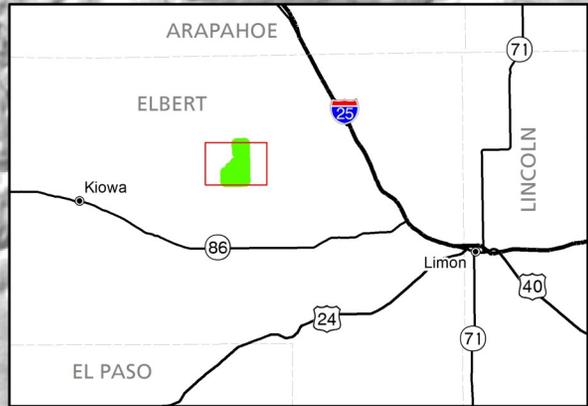
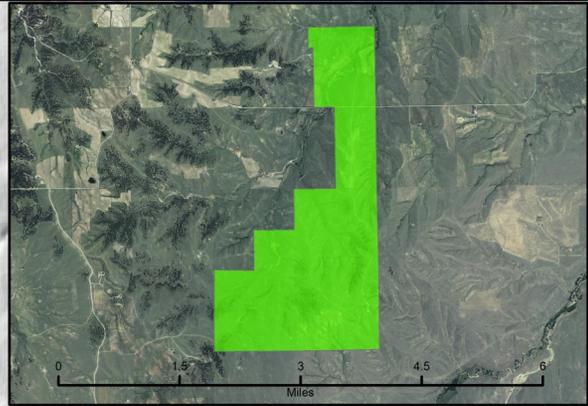
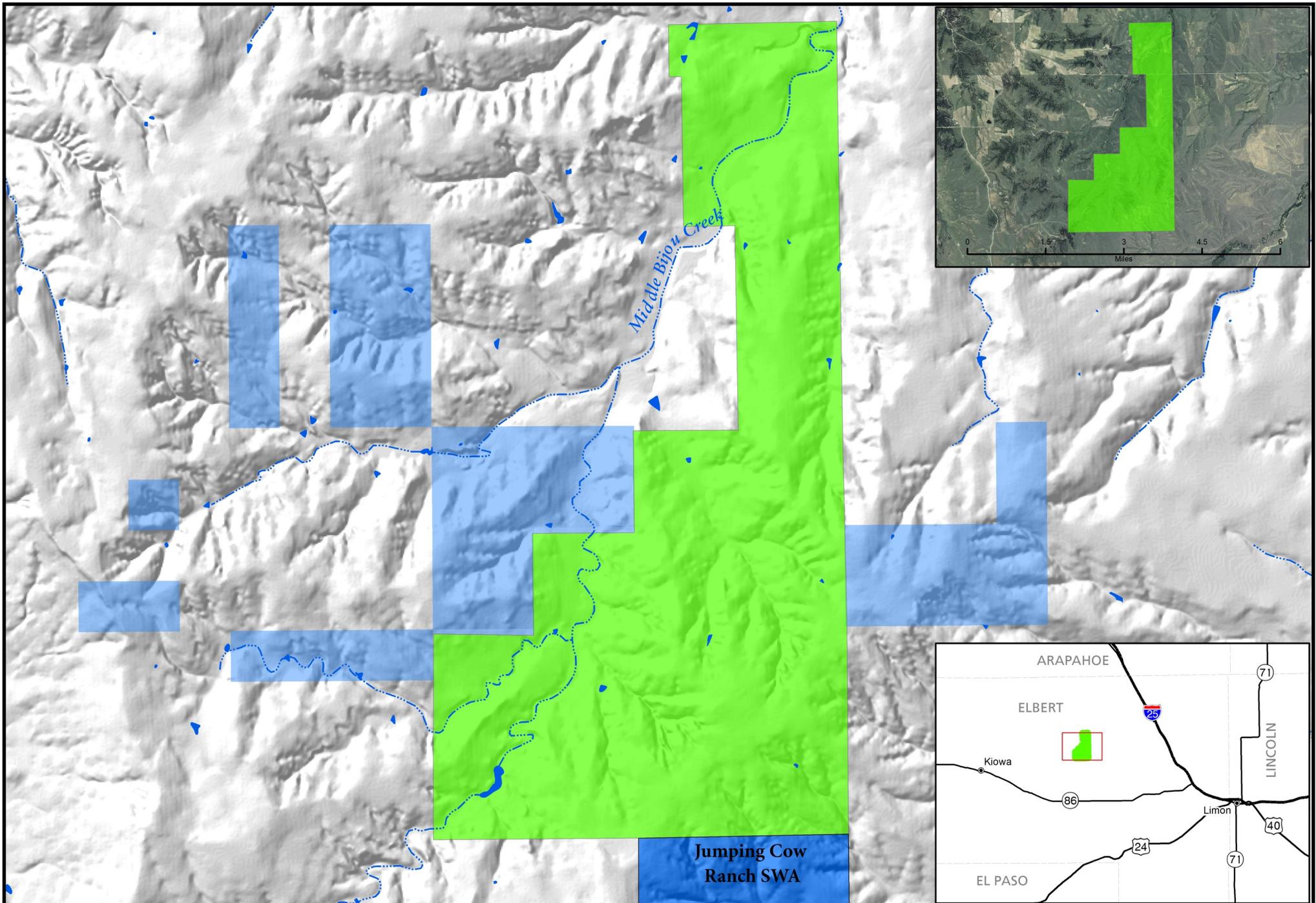
**Woodard Ranch Conservation Easement
& Fishing/Hunting Access Project**
Elbert County, CO



This map is not a survey and must not be construed as one.



-  Property Boundary
-  Building Envelope
-  State Land Board
-  Conservation Easement



**WOODARD RANCH
RE Project# 13-064-NE**



- Ownership (COMaP v9)
- | | | |
|-----|-------|------------------------------------|
| BLM | CPW | GOCO Funded Conservation Easements |
| FWS | STATE | Other Conservation Easements |
| NPS | USFS | Woodard Ranch |





COLORADO

Parks and Wildlife

Department of Natural Resources

Northeast Region
6060 Broadway
Denver, CO 80216

November 6, 2014

Representative Timothy Dore
Colorado Representative District #64
200 East Colfax Ave.
Denver, CO 80203

RE: Colorado Parks and Wildlife Real Property Acquisition - Public Access Easement

Dear Representative Dore,

The purpose of this letter is to notify you of a proposed real estate transaction between Colorado Parks and Wildlife (CPW) and James and Maxine Woodard involving property owned by the Woodards in Elbert County. The property is located about 12 miles west of Agate (see attached map).

CPW wishes to purchase a public access easement from the Woodards and thereafter allow public hunting and fishing access as allowed by the terms of the easement. The property is approximately 2,900 acres of mostly grasslands with some Ponderosa woodlands and includes over three miles of the Middle Bijou Creek corridor, which will provide quality hunting and fishing opportunities for the public.

You are receiving this letter because CPW is required by state statute to present this project to the Capital Development Committee of the Colorado General Assembly for their review, and as part of that process, CPW must obtain a concurrence letter from the State Representative for the district in which the property is located.

As such, we respectfully request your support of this project. If you approve, please sign and return to me at your earliest convenience. If you have questions or need additional information, please do not hesitate to contact me at (303) 947-1796 or via email at elizahunholz@state.co.us. Thank you for your time and consideration.

Sincerely,

Supported by or Unopposed by:

Eliza Hunholz
Area Wildlife Manager

Representative Timothy Dore

Date: 11/25/14



ELBERT COUNTY COLORADO
BOARD OF COUNTY COMMISSIONERS

November 12, 2014

Capital Development Committee
Colorado General Assembly
Colorado State Capitol
1313 Sherman Street
Denver, CO 80203

RE: Letter of Support for Colorado Parks and Wildlife Real Property Acquisition (Woodard Public Access Easement)

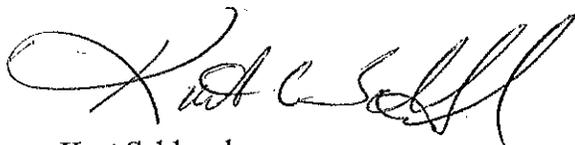
Dear Committee Members:

The Board of County Commissioners of Elbert County has been informed of a proposed real estate transaction between Colorado Parks and Wildlife (CPW) and James and Maxine Woodard involving property owned by the Woodards in Elbert County. The property is located about 12 miles west of Agate.

CPW wishes to purchase a public access easement from the Woodards and thereafter allow limited public hunting and fishing access as allowed by the terms of the easement. The property is approximately 2,900 acres of mostly grasslands with some Ponderosa woodlands and includes over three miles of the Middle Bijou Creek corridor, which will provide quality hunting and fishing opportunities for the public.

Please be advised that the Board of County Commissioners of Elbert County concurs with and strongly supports this project. We believe that this proposed limited public hunting and fishing opportunity would provide both economic and recreational benefits to the citizens of Elbert County.

Sincerely,



Kurt Schlegel
Chairman, Board of County Commissioners

Woodard Ranch, 13-064-NE

Real Estate Comparables from Appraisal dated November 11, 2014

Sale No. 1

Date: 5/7/12

Size: 760 acres

Location: Elbert County

Sale Price: \$1,136,000

Price Per Acre: \$1,495

Sale No. 2

Date: 12/28/13

Size: 1038 acres

Location: Elbert County

Sale Price: \$1,456,000

Price Per Acre: \$1,403

Sale No.3

Date: 1/18/14

Size: 1,412 acres

Location: Elbert County

Sale Price: \$2,118,000

Price Per Acre: \$1,500