

## Jun. 13, 2012 -- Property Transaction Proposal

### Division of Parks and Wildlife

*Elliott State Wildlife Area and Ducks Unlimited: Transfer of Union Mutual Ditch Company Shares*

Morgan County

619.1 Shares

3 miles east of Snyder

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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 transfer of ownership of 619.1 shares of the Union Mutual Ditch Company from Ducks Unlimited to the division, at no cost to the division.

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#### CDC Staff Questions

None.

# Capital Development Committee

## June, 2012—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 accept the transfer of ownership of shares of the Union Mutual Ditch Company from Ducks Unlimited.		
<b>General Information</b>			
Name	Elliott SWA – DU Transfer of Union Ditch Shares		
Number of shares	619.1		
Location	Approximately three miles east of Snyder		
County	Morgan		
<b>Costs / Source of Funding</b>			
Purchase Price	No cost to CPW	Funding Source*	N/A
Spending authority has already been approved for this project in the Long Bill			
Fiscal Year			N/A
Line Item			N/A
Appropriation			N/A
Remaining Unexpended Balance			N/A
Annual Monitoring and Operation Costs	CPW will be responsible for managing water flows and maintaining ditch on SWA (as it has historically) and for its pro rata ditch maintenance off of the SWA, estimated to be \$1,000 annually.		
Development Costs	None.		

### Summary of Proposal

In 1998 CDOW contributed \$169,000 toward a \$2,382,000 statewide, multi-component Ducks Unlimited (DU) wetlands grant. Funding was a combination of wildlife cash, GOCO and DU funds. One component of the project was DU acquiring 619.1 shares of the Union Mutual Ditch. DU now wishes to transfer this real property interest to CPW. CPW would use these shares in conjunction with 205 shares already owned by CPW to maintain wet meadow management goals and obligations on the Elliott State Wildlife Area. These shares were historically used on the SWA property by predecessors in interest to the shares and the property.

Elliott SWA is considered to be a high quality waterfowl hunting area. Without these shares, CPW will risk losing much of the value of this important waterfowl habitat area. These shares are essential to maintaining and improving spring and fall waterfowl migration habitat. Since acquisition and until 2006, DU managed these shares on the SWA. Since 2006, CPW has utilized the shares to manage the habitat.

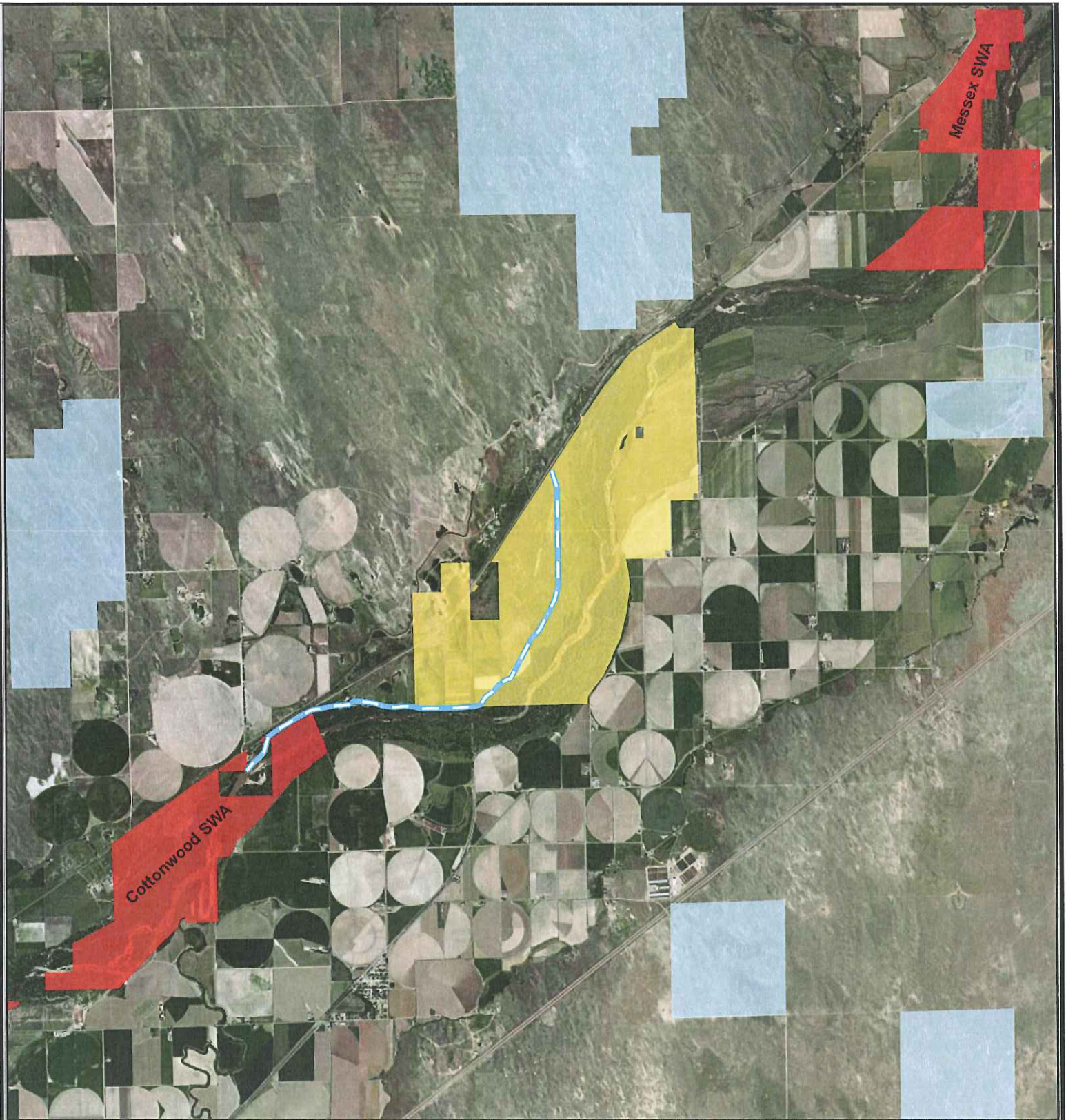
According to a review of the first map referenced below, the SWA property lies outside the scope of regions of known or potential geothermal resources. Also, according to a review of the second map referenced below, all four properties lie outside the Central Solar Power and the Wind Resource Generation 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.

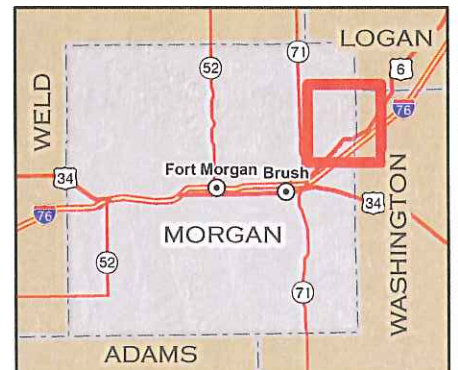
Attachments:

- Concurrence letters
- Maps





## Union Ditch and Elliott SWA Overview Map

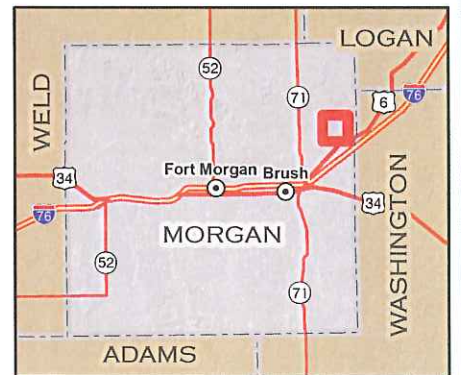
-  Union Ditch
-  Elliott SWA
-  Other Wildlife Areas
-  State Land Board





# Union Ditch at Elliott SWA

-  Union Ditch
-  Elliott SWA





## COLORADO PARKS & WILDLIFE

122 East Edison • Brush, Colorado 80723  
 Phone 970-842-6300 • FAX 970-842-6329  
 wildlife.state.co.us • parks.state.co.us

The Honorable Representative Jon Becker  
 200 E. Colfax  
 Denver, CO 80203

May 25, 2012

RE: Transfer of the Union Mutual Ditch Company Shares

Dear Representative Becker,

Ducks Unlimited has approached Colorado Parks and Wildlife (CPW) about transferring, at no cost to CPW, 619.1 Union Mutual Ditch Company shares in Morgan County. In partnership with Ducks Unlimited, CPW has used these shares on Elliott State Wildlife Area (SWA) for over a decade. The water is used to provide beneficial spring and fall migration habitat for waterfowl and early season public waterfowl hunting opportunities on the SWA.

If CPW accepts the transfer of these shares, ditch management and wetland management on the property will be simplified, the water supply for public waterfowl hunting areas will be maintained, and important waterfowl habitats may be enhanced. Ducks Unlimited and CPW have the same goals and long term management obligations for the shares and for water usage on the SWA; therefore, the transfer of the shares to CPW makes sense and is necessary from a wildlife management standpoint. Further, CPW contributed funding to the Ducks Unlimited project in excess of the original price of the shares.

CPW and Ducks Unlimited are working through the details of the transfer and are requesting a letter of support, or at least no opposition, from you for this proposal. This letter will be included in the real estate package to be sent to the Capital Development Committee (CDC) for its consideration at its June 13, 2012 meeting. The CDC has requested letters by June 1 to include in the preparatory materials for their consideration. Similar requests have been sent to Senator Brophy and the Morgan County Commissioners. If you do not oppose this project please sign and forward a copy of this letter to:

Colorado Parks and Wildlife  
 Attn: Tom Kroening, Area Wildlife Manager  
 122 E. Edison  
 Brush, CO 80723

Thank you for your consideration of this wildlife habitat protection and public hunting access project. If you have any questions, please contact me at (970)842-6311.

### 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: David R. Brougham • Gary Butterworth, Vice-Chair • Chris Castellan  
 Dorothea Farris • Tim Glenn, Chair • Allan Jones • Bill Kane • Gaspar Parricone • Jim Pribyl • John Singletary  
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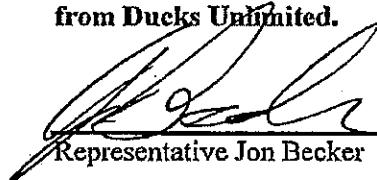
Sincerely,



Tom Kroening  
Area Wildlife Manager—Brush

Cc: S. Yamashita, K. Green, D. Lane

I support or do not oppose the above referenced donation of approximately 619.1 shares of Union Ditch Water in Morgan County to the Colorado Parks and Wildlife from Ducks Unlimited.



Representative Jon Becker

5-30-12  
Date

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Board of Morgan County Commissioners  
 218 W. Kiowa  
 Fort Morgan, CO 80701

May 21, 2012

RE: Transfer of the Union Mutual Ditch Company Shares

Dear Morgan County Commissioners,

Ducks Unlimited has approached Colorado Parks and Wildlife (CPW) about transferring, at no cost to CPW, 619.1 Union Mutual Ditch Company shares in Morgan County. In partnership with Ducks Unlimited, CPW has used these shares on Elliott State Wildlife Area (SWA) for over a decade. The water is used to provide beneficial spring and fall migration habitat for waterfowl and early season public waterfowl hunting opportunities on the SWA.

If CPW accepts the transfer of these shares, ditch management and wetland management on the property will be simplified, the water supply for public waterfowl hunting areas will be maintained, and important waterfowl habitats may be enhanced. Ducks Unlimited and CPW have the same goals and long term management obligations for the shares and for water usage on the SWA; therefore, the transfer of the shares to CPW makes sense and is necessary from a wildlife management standpoint. Further, CPW contributed funding to the Ducks Unlimited project in excess of the original price of the shares.

CPW and Ducks Unlimited are working through the details of the transfer and are requesting a letter of support, or at least no opposition, from you for this proposal. This letter will be included in the real estate package to be sent to the Capital Development Committee (CDC) for its consideration at its June 13, 2012 meeting. The CDC has requested letters by June 1 to include in the preparatory materials for their consideration. Similar requests have been sent to Senator Brophy and Representative Becker. If you do not oppose this project please sign and forward a copy of this letter to:

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 Ex Officio Members: Mike King and John Salazar



Sincerely,



Tom Kroening  
Area Wildlife Manager—Brush

Cc: S. Yamashita, K. Green, D. Lane

**I support or do not oppose the above referenced donation of approximately 619.1 shares of Union Ditch Water in Morgan County to the Colorado Parks and Wildlife from Ducks Unlimited.**

  
Commissioner McCracken

5-30-12  
Date

  
Commissioner Teague

5/30/12  
Date

  
Commissioner Carlson

5-30-12  
Date

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