

It Collins

Save
for Graves Section
Outline

COLORADO STATE FOREST SERVICE
MEMORANDUM

DATE: May 25, 1988

TO: District Foresters, Area Foresters

FROM: Tom Owens *Tom Owens*

SUBJECT: State Land Management Plans

As you may or may not know, I am back working on forest management and utilization projects. It is good to be back.

One of my first assignments is to develop an outline for forest management plans on state lands. We have recently come under increased scrutiny on state lands and must be sure that our management plans are adequate to guide proper forest management activities.

Attached is a suggested outline for state land forest management plans. The intended audience is: 1) the State Land Board, 2) the forester himself/herself, and 3) the forester's successors who manage the parcel. This outline is sensitive, but not subservient to other resource considerations, such as grazing, wildlife, aesthetics, etc. The main objectives are: 1) long-term productivity and protection of the forest resource, and 2) revenue generation for the Land Board. This outline could be used for individual parcels, or for county-wide state land plans (where there are a large number of individual parcels with low value, similar forest stands).

The outline is intended to be fairly exhaustive, covering all important topics; some items may not be applicable to a particular parcel and may be omitted.

Please review the outline, make any changes you see fit, such as format, additions, deletions. If you have any changes or comments, please return to me by June 15.

Thanks

MAY 26 1988
FT. COLLINS DISTRICT
DF _____
ADF _____
FOR _____
SEC _____
DED _____
TSI _____

COUNTY STATE FORESTED MANAGEMENT PLANS
SUGGESTED FORMAT

- I. SUMMARY (one page or less): objectives, brief description of parcel and forest resources, management recommendations.
- II. MANAGEMENT OBJECTIVES
 - A. Legal requirements
 - B. General objectives of forest management on state lands and this county.
 - C. Possible resource conflicts (e.g., surface lessee).
- III. PHYSICAL DESCRIPTION
 - A. Location: legal descriptions and county map.
 - B. Physiography
 1. Climate
 2. Topography
 3. Soils
 4. Water
 - C. Access and physical improvements
 - D. Local economy and forest product markets
- IV. FOREST DESCRIPTION
 - A. Explanation of forest divisions
 - B. Stand descriptions (tabular format): stand number, type, acres, volume, av. dbh, ba/acre, site index, access, topography, structure, standard error, mgt rec., etc.
- V. MANAGEMENT RECOMMENDATIONS
 - A. Specific forest objectives
 - B. Silvicultural basis
 - C. Specific means to obtain objectives
 1. Forest Stands
 2. Roads, culverts, other structures
 - D. Timetable (i.e., Yr 1 - stands 6, 22, and 38 will be thinned and stands 3 and 12 will be regenerated).
- VI. OTHER RESOURCES
 - A. Grazing lessees (specifics on how to work with them)
 - B. Wildlife
 - C. Water
 - D. Recreation
 - E. Aesthetics
 - F. Endangered species

VII. FOREST PROTECTION

- A. Fire: fuel reduction, closest RFD, hazards, access.
- B. Insect and Disease: present and potential pests.
- C. Trespass
- D. Sales Policy

VIII. APPENDIX

- A. Maps: topographic and transportation, type, stand, slope, etc.
- B. Cruise records, methods, date.
- C. References

Jt Collins

DATE: APRIL 11, 1988

TO: ALAMOSA, BOULDER, CANON CITY, CASTLE ROCK, DURANGO, FT. COLLINS, GOLDEN, GRAND JUNCTION, HIGH COUNTRY, LA VETA, SALIDA, STEAMBOAT SPRINGS, WOODLAND PARK DISTRICTS, AREA FORESTERS

FROM: TOM OSTERMANN *Tom*

SUBJECT: STATE LAND FOREST MANAGEMENT PLAN APPROVAL

REMARKS:

One of the shortcomings that was turned up during the recent investigation of CSFS' state land program was that the State Land Board had never given us written approval to implement the forest management plans prepared over the years. Each of the leases we have requires CSFS to have written approval of the management plan before it is implemented.

At the February 29th board meeting they officially approved the forest management plans on the attached list. If you have additional management plans that are not covered on this list please let me know.

You should keep a copy of this on file so that any future challenges can be answered on the spot. If you have questions let me know.

- ① Important to do in 1988.
Grave Section
- ② Also need for Crystal Mountain
Hediger, etc.
In terms?

APR 13 1988

FT. COLLINS DISTRICT

DF

Rx return

ADF

FOD

[initials]

SEC

DE

TSI

STATE OF COLORADO
Board of Land Commissioners

Date: February 29, 1988

Board Order No. 88-54

Re: Forest Management Lease Plans

cc's: Board Order File (original)

Sabatini

Remarks:

At the regular meeting of February 29, 1988, the Board approved the list of Forest Management Lease plans submitted by the State Division of Forestry.

Minutes 2-29-88
mlp

MAR 16 1988 *W*

STATE BOARD OF LAND COMMISSIONERS

Rowena Rogers
President

Ray C. Carpenter
Register

John Skidmore
Engineer

February 22, 1988

STATE LAND FOREST MANAGEMENT PLANS

<u>Title</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>County</u>
Mill Creek	16	35N	1W	Archuleta
La Plata	16	35N	7W	La Plata
Los Pinos River	36	35N	7W	La Plata
Grassy Mountain	36	36N	7W	La Plata
CSU San Juan Basin	1, 12	34N	11W	La Plata
Ag. Exp. Station				
Mancos River	36	37N	13W	Montezuma
Nipple Mountain	16	40N	13W	Dolores
Groundhog Reservoir	36	41N	13W	Dolores
Millwood	36	37N	14W	Montezuma
Las Animas	16	33S	64W	Las Animas
Black Forest	36	11S	66W	El Paso
Santa Clara Creek	25, 26, 34, 36	29S	66W	Huerfano
	1-3	30S	66W	Huerfano
Bear Creek	36	28S	67W	Huerfano
Herlick Canyon	16	31S	67W	Las Animas
Trujillo Creek	16	31S	67W	Las Animas
Wet Canyon	16	32S	67W	Las Animas
Sheep Canyon	16	32S	68W	Las Animas
Parras Canyon	36	32S	68W	Las Animas
Thunder Butte	16	10S	70W	Douglas
Rhyolite Mountain	36	14S	70W	Teller
Veta Pass	36	29S	70W	Huerfano
Fremont	16	20S	71W	Fremont
Fremont	36	20S	71W	Fremont
Custer	16	22S	70W	Custer

4-34-88
S-77401-1-12

<u>Title</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>County</u>	
Custer	36	21S	71W	Custer	
Custer	16	23S	71W	Custer	
Fremont	16	20S	72W	Fremont	
Antero Junction	Various	12S	76W	Park	
		12S	77W	Park	
		13S	77W	Park	
Manhattan	16	9N	73W	Larimer	320 A.
Fremont	13	17S	68W	Fremont	
	30	18S	68W	Fremont	
	36	20S	70W	Fremont	
	36	16S	73W	Fremont	
	36	19S	73W	Fremont	
	16	20S	73W	Fremont	
Green Mountain	36	12N	74W	Larimer	Lee Barnes / Hersh
Sand Creek	16	11N	75W	Larimer	Hersh / Cummings
Indian Mountain	36	9S	75W	Park	
Grand	36	2N	76W	Grand	
La Garde Creek	36	11N	77W	Larimer	Laramie River
Chubb Park	17, 22-24	13S	77W	Chaffee	
	27-29, 33				
Indian Creek	16	6N	78W	Jackson	
North Middle Mtn.	16	10N	78W	Larimer	Laramie River
Brinker Gulch	16	1S	78W	Grand	
Chaffee	6, 7, 18	15S	78W	Chaffee	
	36	14S	79W	Chaffee	
Grand	33, 34, 35	2N	81W	Grand	
Waldron Ranch	36	12N	81W	Jackson	
Grand	11	3N	82W	Grand	
Morrison Creek	36	3N	84W	Routt	
Cow Creek	Various	6N	85W	Routt	
Gothic	36	12S	86W	Gunnison	
Crested Butte	36	13S	86W	Gunnison	

<u>Title</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>County</u>
Squaw Creek	36	14S	86W	Gunnison
Cabin Creek	16	50N	2E	Gunnison
Willow Creek	16	50N	3E	Gunnison
Whiskey Gulch	36	50N	3E	Gunnison
La Jara Reservoir	Various	34N	5E	Conejos
		35N	5E	
		35N	6E	
		36N	5E	
Little Cochetopa Crk.	36	49N	7E	Chaffee
Everett Cow Camp	13,14, 23,24	51N	10E	Fremont
Steer Gulch	16	51N	10E	Fremont

4/

Revised 2-29-38

Wilkes: The request is for a five-year special use permit to be approved by the Board at the rate of \$100 per year. Do I hear a motion.

Killip: That is still subject to cancellation upon notice.

Board Action: It was moved by Rogers and seconded by Carpenter that the Board approve the five-year extension of Special Use Permit No. 30-S at a rental of \$100 per annum. Motion carried.

Agenda Item V-2: Improvement Appl. 86/165 - David Wagers
(approved 5-12-86)

Sabatini: We have been negotiating with Wagers for quite some time. He submitted his application away back in 1986. He balked at the idea that we would charge a monthly fee for putting that house trailer on there, even though he spent about \$4,000 and he wanted some consideration of the \$4,000 for the improvements. So, Danny finally negotiated an agreement with him at \$25 a month, and Wagers agreed to that rental figure. Based upon the trailer's location and everything, I would recommend that you go ahead and approve it at the \$25 per month figure since that is equitable in that country.

Board Action: It was moved by Rogers and seconded by Carpenter that the Board approve the \$25 per month rental for the mobile home site. Motion carried.

Kary: Is this money to be collected as an annual rental?

Sabatini: Annual rental.

Wilkes: So, that is retroactive back to '86?

Sabatini: Yes.

Rogers: Will there be penalties applied?

Sabatini: No.

Agenda Item V-3: Approval of Forest Management Leases

Wilkes: That subject came up last week, and we have prepared a list of the Forest Management Lease Plans for approval, which we will attach to the record.

Sabatini: We have prepared an Exhibit A for you, dated February 22, and we have listed 55 Forest Management Leases. These should be made a part of whatever motion you think is proper.

Board Action: It was moved by Rogers and seconded by Carpenter that the Board approve the list of Forest Management Lease plans submitted by the State Division of Forestry.

Rogers: These are a list of Forest Management Plans rather than the leases, aren't they? (Mr. Sabatini agreed "plans.") These plans were the result of an inventory and management program which was underway at the point in time in which I became a Land Board commissioner. They have been read by Board members and verbally approved, but we have never taken formal action to accept these plans as presented to us as the result of the various contracts with the Forest Service.

Board Action: It was moved by Rogers and seconded by Carpenter that the Board approve the Forest Management Plans. Motion carried.

Agenda Item V-4: Lease S-38249 - Jerry Robbe
Request for Cancellation

Sabatini: Lease S-38249 was held by Jerry Robbe for some feed lots in Pueblo. There has been a problem in trying to collect the rental from him. In checking with him we find that he no longer

6/7/89

Pile slash — Pull back 25' from Road for piles
Cut trees in "Red" area as you enter Sel Area (SL)
Camp flag skid road to access more marked area west of
main road (Red)

200 Christmas trees — loose CT Contract

Blue flag on cutting boundary — several small CC.

Fred Bailey

Vern's Trailer lot #19

4220 Hwy 14

LaPorte 80535

COLORADO STATE FOREST SERVICE
MEMORANDUM

DATE: March 21, 1989
TO: Area Foresters
FROM: Jim Hubbard /s/ *JA*
SUBJECT: State Land Work Plan

It Collins
MAR 27 1989
FT. COLLINS DISTRICT
DF *R return*
ADF
FOR *R*
SEC
DED *KK*
TSI

Tom sent a message on the Bulletin Board concerning the Land Board's adoption of the final rules and regulations which govern the management and sale of forest products from state lands (copy send in the mail). The moratorium will be lifted by the SLB at its' regular meeting on May 1.

Part of the requirement is to produce a work plan that covers planned practices for the year. Normally this will be done in the fall in conjunction with our MBO planning for a following year; however, this go around will be for the remainder of 1989.

This plan will be submitted to the SLB and approved by them on May 1st. In order to comply with the posting requirement for public input, CSFS must submit the final version to them by April 14th. Therefore, Tom will need your input no later than APRIL 7TH. *yes 4/13*

The information on the plan should be a combination of the activities listed on the district sales plan along with any State Land Improvement projects. These practices should cover entire prescriptions that are planned not individual sales. For example you plan to sell 1500 transplants from the one parcel of ground, but it may be carried out in three separate sales of 500 transplants each.

Remember, CSFS must have a forest management plan approved by the SLB before we can proceed with any sales or other management work.

Please have the district complete "practice" forms and send via the Bulletin Board to Tom.

I realize that this is relative short notice and in the middle of a busy period, however this is a necessary step required to complete our MBO's and fulfill our commitment to the management of state lands.

Call Tom if you have any questions.

Complete one form for each prescription to be implemented during the remainder of 1989. You do not need to complete the form to set up a practice to be implemented in 1990.

State Land Work Plan Form:

District:	Property
Legal description:	Common Name:
Practice :	
Size of practice (acres):	
Species:	
Product to be harvested:	
Volume of product:	
Estimated direct cost:	
Estimated value (gross):	
Other benefits derived from practice:	

Estimated duration of practice:
Why practice is recommended:

Other Information:

P.S. The Area Foresters have asked that a copy of this be sent directly to each district on the bulletin board and via the mail. You will be hearing from them concerning the work plan

Tom Ostermann

1.1.0 SALE AND OTHER DISPOSITION OF FOREST PRODUCTS FROM STATE LANDS

These rules and regulations are promulgated pursuant to the authority conferred upon the State Board of Land Commissioners in sections 36-7-104 and 36-7-201, C.R.S. (1973), and in accordance with section 24-4-103, C.R.S. (1988).

1.1.1 Definitions

(a) "Board" means the Colorado State Board of Land Commissioners.

(b) "State lands" means all lands under the jurisdiction of the Board.

(c) "Applicant" means any person or persons, firm, association, corporation or governmental entity who files an "Application for Forest Products Sale" from state lands.

(d) "Forest products" includes, but is not limited to, logs, house logs, posts, poles, rails, Christmas trees, fuel wood, transplants, boughs, nuts and cones.

(e) "Permit sale" means a forest product sale having a total value of less than five thousand dollars. (\$5,000).

(f) "Bid sale" means a forest product sale having a total value equal to or greater than five thousand dollars (\$5,000).

(g) "Qualified Bidder" means any person or persons, firm, association, corporation or governmental entity who is able to fulfill the terms and conditions contained in the bid advertisement.

(h) "Forest Products Permit of Authority" means a license or contract of sale issued by the State Board of Land Commissioners, or its agent, to a successful bidder or applicant for the harvesting of forest products on state lands.

(i) "Agent" means the person or persons, firm, association, corporation or governmental entity who is authorized by the State Board of Land Commissioners to manage the forest resources on state lands and to initiate, conduct, transact or otherwise manage forest product sales on behalf of the State Board of Land Commissioners in accordance with these regulations.

(j) "Surface lessee" means the person or persons, firm, association, corporation or governmental entity whose name appears of record in the office of the State Board of Land Commissioners as having an interest in or right to use the surface of the state land.

(k) "Forest Management Plan" means a multi-year master planning document prepared for state land which establishes the planning context within which annual Forest Work Plans are developed and approved.

(l) "Forest Work Plan" is an annual set of specific projects by which the Board implements its Forest Management Plan.

(m) "Parcel" generally means each undivided area of contiguous state land. Parcels may vary greatly in size. Two or more otherwise distinct parcels may be treated as one parcel under these regulations if the parcels are close in proximity and physical characteristics.

1.1.2 Forest Management Plans

The Board or, at the direction of the Board, its agent, shall prepare Forest Management Plans which shall establish the management of the forest resources on state lands. Forest Management Plans shall be prepared for each parcel of state land prior to the implementation of the initial management practice or sale of forest products effecting that parcel. The Board may, at its discretion, direct that revisions be made to any Forest Management Plan. The Forest Management Plan shall utilize forest management practices approved by the Board ~~_____~~ consistent with long-term protection of forest resources. All Forest Management Plans prepared by the Board's agent must be approved by the Board prior to their implementation.

(a) Forest Management Planning and Recommendations: Each Forest Management Plan shall;

(i) recommend the management practices of the state forest resources;

(ii) establish goals with respect to managing state forested lands for the production of timber, and the control of insects, disease, fire, and noxious weeds;

(iii) complete and display inventory data for each region;

(iv) provide an estimated cost breakdown of and anticipated returns from the implementation of management goals for each region; and

(v) include ^{A STATEMENT} ~~_____~~ of the impact of any previous timber harvests on revegetation efforts, maintenance of the species diversity, preservation of old growth where revegetation will not occur, and protection of unique or special biological and ecological features;

(b) All recommendations in the Forest Management Plan for forest products sales shall include:

(i) the basis for the recommendation for the forest products sale;

(ii) a legal description of the state land proposed for harvesting;

(iii) the type and an estimate of the amount of the forest product to be harvested;

(iv) the proposed silvicultural methods required for harvesting the timber;

(v) the proposed silvicultural methods required to be imposed on the forest products harvest as appropriate, including road construction and maintenance, slash disposal, and reclamation of the state land;

(vi) a ~~REFERENCE~~ ^{REFERENCE} treatment and mitigation options, the impact of timbering on soil and water conditions and areas for selective cutting and sensitive areas; and

(vii) ~~A STATEMENT~~ ^{A STATEMENT} of the impact of the sale of forest products on the other multiple uses of the forest including recreation, wildlife and fisheries, livestock grazing and mineral development.

1.1.3 Forest Work Plan

The Board, or at the direction of the Board, its agent shall annually prepare a statewide Forest Work Plan which shall establish the implementation of the appropriate management goals as set forth in the Forest Management Plans for the following year.

The Board may revise the Forest Work Plans at any time as it deems necessary. All Forest Work Plans prepared by the Board's agent must be approved by the Board prior to their implementation.

Each Forest Work Plan shall list for each proposed practice:

- (a) a legal description of the state land subject to the practice;
- (b) the practice to be implemented;
- (c) the size of the land area on which the implementation will occur;
- (d) the type and volume of forest product to be harvested;

- (e) the estimated cost, return, or other benefit of implementation; and
- (f) the estimated duration of the practice.

1.1.4 Sale of Forest Products

The Board may sell forest products from state lands, at any time, to secure the maximum possible amount therefrom or to ensure the protection of the forest resources in accordance with these regulations, approved forest management practices and the Forest Management Plan.

1.1.5 Application for Forest Products Sale

(a) The Board, or at the Board's direction, its agent, may initiate a forest product sale either with or without an Application for Forest Product Sale.

(b) All Applications for Forest Product Sales from state land must be made on forms furnished by the Board or its agent, and completed in full. Any false or willfully incomplete statement will be considered as fraud, deceit, or misrepresentation and will be cause for the rejection of such application or revocation of any subsequent Permit of Authority.

(c) All applications for a forest product sale shall include, at a minimum:

- (i) the name, address and telephone number of the applicant;
- (ii) the type and amount of the forest product desired;
- (iii) the legal description of the state land on which harvesting is proposed;
- (iv) the offered purchase price for the forest product;
- (v) a statement that the applicant will comply with all applicable state, local and federal laws and regulations.

(d) The completed Application for a Forest Product Sale is to be submitted to the Board or its agent together with the required filing fees. Application filing fees are not refundable.

(e) In the event that the forest product is located on sections or parcels of noncontiguous state land, separate applications must be submitted.

1.1.6 Preparation for Sale

(a) The Board or its agent shall notify the surface lessee, if any, of the lands subject to the proposed forest product sale 30 days prior to such sale.

(b) Prior to any sale, the Board or its agent shall:

i) inspect, cruise, and appraise the forest product proposed for sale;

ii) designate or mark the forest products to be harvested; and

iii) determine the access for the harvesting of the forest products which is in compliance with the standards and procedures established by the Board, or, at the Board's direction, by its agent. To the extent possible, access for harvesting will be done in such a manner as to minimize damage to the terrain and the visual quality of the area in order to protect and enhance other uses of the forest in accordance with accepted forestry practices.

(c) When a forest product is advertised for sale as provided in section 1.1.8, the forest product will be offered in accordance with legal survey descriptions of the land on which it is located. The forest product may be sold according to the subdivisions of sections of the land it is on as established by the United States Public Survey thereof, or by a metes and bounds description.

1.1.7 Purchase Price and Sales

(a) The purchase price of forest products are independent of the application fees required by section 36-1-112, C.R.S. (1988 Supp.).

(b) The Board or its agent shall not sell or dispose of forest products located or growing on state lands at less than the market value of the forest product unless essential to the management of state lands. The Board reserves the right to reject any and all bids.

(c) The purchase price of forest products shall be as follows:

(i) Permit sales shall be based on negotiated market value of the forest product.

(ii) If there is more than one applicant for a permit sale, the sale shall be conducted as a bid sale.

(iii) Bid sales shall be based on the highest qualified bid received through competitive bidding. The board or its agent shall determine whether the sale will be conducted by oral auction ~~or~~ sealed bidding, **OR BOTH**

1.1.8 Advertising

(a) All bid sales of a forest product shall be advertised in a newspaper of general circulation in each county in which the forest product is located. The advertisement shall state the time, place, description of the forest product, and terms of the sale. The advertisement shall be published a minimum of three times over a 30-day period prior to the auction day or final bidding date.

(b) The cost of newspaper advertising must be paid by the purchaser of the forest product.

(c) Subject to the requirements of subsections (a) and (b), the Board or its agent may give further notice of a forest products sale by any means deemed appropriate.

1.1.9 Bid Guarantee

(a) The Board may require a bid guarantee from any successful bidder on any bid sale. If so required the bid guarantee shall be up to 10% of the bid amount. The bid guarantee must be by a certified check, cashier's check, bid bond, or bank money order. The bid guarantee shall be credited to the final purchase price.

(b) If a purchaser does not furnish the required payments as set forth in sections 1.1.10, 1.1.12 and 1.1.13 within 30 days of the date of sale, the sale shall be considered null and void and the bid guarantee forfeited. At this time the sale may be awarded to the second high bid of record. An extension of time to make the required payments may be granted to the applicant if a written request outlining the circumstances is submitted and approved by the Board, or at the Board's direction, its agent.

1.1.10 Performance Bonds

Performance Bonds for all sales shall be required from the purchaser to ensure the performance of any duties or obligations the purchaser has under the terms of the Forest Products Permit of Authority. The bond amount shall be no less than 10 percent of the total sale value. Cash bonds or performance bonds shall be accepted. Performance bonds shall be refunded to the purchaser within 30 days after successful completion of all terms and conditions of the forest product sale, inspection of the affected state land and release of the Forest Product Permit of Authority. The Board may

approve partial refunds of performance bonds after the successful completion of less than all terms and conditions of the Forest Products Permit of Authority so long as sufficient bond amounts remain to ensure performance of all remaining duties or obligations of the purchaser.

1.1.11 Forest Products Permits of Authority

(a) Upon acceptance of an offered price for a permit sale, or the high bid for bid sale, the Board or, at the direction of the Board, its agent, shall issue a Forest Products Permit of Authority to the purchaser.

(b) Forest Products Permits of Authority shall set forth the terms and conditions to be complied with by the purchaser. Such terms and conditions shall include requirements to be followed by the purchaser in harvesting the forest product from state lands including the following;

(i) the name, address and telephone number of the purchaser;

(ii) the type and amount of forest product to be harvested;

(iii) the legal description of the state land on which harvesting is to occur;

(iv) how the forest product to be harvested is designated.

(v) the appropriate performance requirements, which may include requirements for avoiding or mitigating adverse impacts on wildlife, soil, other vegetation, water resources and other surface lessees; and

(vi) the appropriate requirements for reclamation of the state land, **AND**

(vii) a statement that the purchaser **MUST** comply with all applicable state, local and federal laws and regulations.

(c) a Forest Product Permit of Authority must be issued before harvesting operations commence

1.1.12 Stumpage Payments

Payment in full or a down payment for the forest products purchased, as determined by the Board or at the Board's direction, its agent, shall be paid before harvesting operations can begin. The amount of

the down payment shall be based on the sale volume of the forest product and as determined by the Board, or, at the Board's direction, by its agent.

1.1.13 Slash Disposal Deposits

The Board or its agent shall require slash deposits in advance of harvesting operations for all forest product sales where heavy slash accumulations are anticipated. The slash disposal deposit will be expended by the Board or its agent for slash disposal work or refunded to the purchaser if the purchaser satisfactorily completes the required slash disposal work. A portion of the slash disposal deposit may be expended by the Board or its agent and the remainder refunded to the purchaser based upon the amount of work completed by the purchaser. The Board shall provide the purchaser with an itemized statement of the expenditure of said funds.

1.1.14 Sales Under \$250

The Board, or at the Board's direction, its agent, may waive the requirements set forth in sections 1.1.5, 1.1.6, 1.1.10 and 1.1.11 for forest product sales of under \$250.

1.1.15 Accounting

The Board, or at its direction, its agent, shall prepare every six months an accounting of all costs and benefits, including revenue earned, associated with the management and sales of state forest products pursuant to approved Forest Management Work Plans.

1.1.16 Statement of Basis, Specific Statutory Authority, and Purpose

The provisions of sections 36-7-104 and 36-7-201(5), C.R.S. (1973) provide the specific statutory authority for the adoption of the attached regulations. The State Board of Land Commissioners also adopted, in compliance with section 24-4-103(4)(c), C.R.S. (1988), the following statement of basis and purpose.

Section 36-7-201(5), C.R.S. requires the Board to promulgate rules and regulations for purposes other than the preservation, conservation, cutting and sale of timber on Colorado State Forest lands. Those purposes are not covered by these regulations, but are the subject of regulations to be promulgated by the Board.

The statutes pursuant to which these regulations are promulgated were first adopted in 1937; however, these regulations are the first regulations promulgated in accordance with section 24-4-103, C.R.S.

These regulations are promulgated not only in compliance with sections 36-7-104 and 36-7-201(5), but also consistent with the

Constitutional and general statutory mandates of the Board to maximize revenue from the state lands and to protect and preserve these state lands.

These regulations provide that the Board will be directly responsible for protecting and managing state forest lands, including forest products sales, in accordance with approved forestry practices. Because neither the Board nor its staff has the expertise needed to make determinations on the best management practices for state forested lands, the Board anticipates entering into agency agreements with forestry experts who will provide assistance and recommendations to the Board. The Board anticipates entering into such an agreement with the State Forest Service for the majority of state forested lands because of the State Forest Service's expertise and statutory mandate to provide such assistance. This agency agreement is anticipated to cover those state lands the Board determines are likely to need forest management for protection of the forest products and for potential forest product sales.

The regulations provide at section 1.1.2 for the preparation of Forest Management Plans. These plans will be prepared for each parcel of state forested lands prior to any implementation of a management plan for that parcel. In other words, with few exceptions, before the Board or its agent undertakes any activity that would affect the protection, preservation, productivity, or disposal of any forest product on a particular parcel of state land, a Forest Management Plan for that parcel must be prepared by the Board or its agent, and approved by the Board. The exceptions would include minor clearing of forest products in conjunction with other uses of state land, for example, to construct a building or road.

Forest Management Plans are to be prepared as needed or as directed by the Board. It is anticipated that Forest Management Plans will be prepared by the Board's agent to be approved by the Board.

The Board received testimony that the Forest Management Plans should include a detailed analysis of the environmental impacts of proposed management practices, particularly involving sales of forest products, and management of aspen stands, and a detailed cost-benefit analysis of all proposed forest product sales. The Board believes that some analysis of the impacts of forest management practices is warranted to ensure that the forest products are protected and preserved, and any adverse affects on other uses of the state land are mitigated or eliminated, therefore, language to this effect was included in the regulations. However, the Board rejected the inclusion of a large-scale environmental analysis and a cost-benefit analysis as too costly, not required by law, [REDACTED]
[REDACTED]
[REDACTED]

A suggestion was made to establish an advisory committee to be made up of representatives from industry, state agencies, environmental groups and the public to review Forest Management Plans to provide recommendations to the Board. The Board believes the establishment of such a committee may be helpful in some situations, and it may elect to create an advisory committee to review individual Forest Management Plans on an ad hoc basis.

- The regulations provide at section 1.1.3 for the preparation of Forest Work Plans. These Forest Work Plans are to be prepared on an annual basis to provide for the management practices to be implemented for a particular parcel for the following year. Forest Work Plans are based on approved Forest Management Plans, and are themselves to be approved by the Board.

Several sections of the regulations provide the methods by which forest products are sold. Many of these provisions are based on statutory requirements. Interested persons may submit applications for the purchase of forest products to the Board, or the Board may elect on its own to offer specific forest products for sale. By statute, any sale valued at over \$5,000 must be by public bid.

The Board or its agent is to notify all surface lessees of a proposed sale of over \$250 at least 30 days prior to the approval of the sale or the selection of the bid.

Pursuant to section 1.1.7(b), the Board or its agent cannot sell or dispose of forest products at less than market value unless essential to the management of state lands. The Board considers essential management to include clearing forest products for other uses of state land, such as building or road construction.

The Board received testimony urging it to provide for formal public participation in the forest management process. The Board is sensitive to the need and benefits of public participation, but has determined the inclusion of a formal public participation process in the regulations is unnecessary and not required. The Board holds weekly meetings at which formal decisions are made, including approvals of Forest Management Plans and Forest Work Plans. These meetings are open to the public for public input. The Board encourages the public to attend these meetings.

St. Collins

STATE OF COLORADO

BOARD OF LAND COMMISSIONERS

620 Centennial Building
1313 Sherman St., Denver, Colorado 80203
(303) 866-3454

Department of Natural Resources

OCT 27 1987
FT. COLLINS DISTRICT

DF _____
ADF _____
FC _____
SE _____
DI _____
TS _____



Commissioners

ROWENA ROGERS
JOY C. CARPENTER
JOHN S. WILKES III

October 20, 1987

NOTICE TO ALL GRAZING/AGRICULTURAL LESSEES OF STATE PROPERTY

It has been and will remain the policy of the State Land Board to authorize its grazing and agricultural lessees to control all hunting, trapping and fishing activities on leased state land so long as the lessee receives no compensation for such activities. Permission must be obtained from the State Land Board prior to subleasing state land for hunting, trapping or fishing which involves compensation.

The purpose of this notice is to inform state lessees that the Division of Wildlife will no longer issue citations to those persons using state land for hunting, trapping, or fishing without permission unless one of the following conditions is met:

1. That the land is clearly posted prohibiting hunting, trapping, or fishing, or stating that permission is required to hunt, trap, or fish thereon; or
2. That the land is fenced; or
3. That the land is under cultivation; or
4. That prior personal notice of the violation has been given the violator at least once by the lessees or an enforcement officer.

Where feasible, all postings of state lands should include a telephone number through which an interested party may obtain permission to hunt, trap or fish.

The State Land Board does not believe that these conditions will substantially change the previous procedure for issuing citations. Please remember that Wildlife officers generally will not issue citations unless the lessees or other interested person has signed a complaint.

If you have any questions please contact your local Division of Wildlife field officer or this office.

St. Collins

COLORADO STATE FOREST SERVICE
MEMORANDUM

DATE: October 6, 1988
TO: All District & Area Foresters
FROM: Tom Ostermann *AO*
SUBJECT: 1989 State Land Improvement Projects

Attached is a copy of the STATE LAND IMPROVEMENT section of the State Land Handbook which gives the background, purpose of SLI and outlines the procedures for requesting SLI funds. A copy of a 817-C is also attached for completing the budget request.

As a reminder, you need to have all 1988 SLI work completed, completion report submitted, and fiscal closure by December 31, 1988. Any 1988 SLI funds remaining will be used to fund additional projects in 1989.

Please have completed requests back to me no later than October 28th.

Plan for work in 1990 when there are a few more & collected a Graves Plan is done.

Plan

OCT 12 1988
FT. COLLINS DISTRICT
DF
ADF
FOR
SEC
DED
TSI
R
[Signature]

STATE LAND IMPROVEMENT

State Land Improvement (SLI) is funded by an allocation of 20 percent of the net revenue from leased land sales. The level of funding is directly tied to the level of sales activity the proceeding year.

The Land Board and CSFS negotiated this funding arrangement at the beginning of the silvicultural lease program. It is intended to provide funds to do on the ground, non-commercial improvement work on leased school lands. The SLI work must be directly tied to improvements that will increase future timber product quality, quantity, and/or availability.

SLI PROCEDURES

SLI funds will be allocated on an annual basis. Requests for proposals, using CSFS' non-appropriated project proposal process, will be distributed during the third quarter of the MBO year. There will be only one project per proposal, however the district may submit more than one proposal. Project approval will be completed and the districts notified prior to setting of MBO's for the following year.

Project proposals must contain the following items:

1. Legal description of school land on which the project is to be completed.
2. Silvicultural prescription from written management plan that will be partially or completely fulfilled by requested project.
3. CSFS MBO reference
4. Specific SLI accomplishment goals.
5. District SLI priority, if more than one request is submitted.
6. Narrative on how the district proposes to complete the project, identify major expenditures, and anticipated completion date.
7. Complete budget portion.

Projects will be submitted to the FM&U Staff Forester. They will be reviewed and prioritized by the Area Foresters and FM&U Staff forester. Recommendations will be made to the Land Board on project funding. The Land Board will have final approval of SLI projects.

Upon Land Board approval the districts will be notified of the funding status. Money for funded projects will be transferred into district non-appropriated SLI accounts in January of the MBO year. Districts are responsible for the completion of the Approved SLI projects during the MBO year.

All expenditures for SLI work should be charged to the SLI account. Money remaining in the district SLI account at the end of the MBO year will be transferred into the state SLI account and used for funding additional SLI projects.

Districts will write a project completion report and submit to the FM&U Staff Forester when the project is completed, but no later than December 31 of the MBO Year.

NON-APPROPRIATED PROJECT BUDGET REQUEST

Title _____ Account Number _____
 Period From _____ To _____ Date Submitted _____
 Beginning Year Balance \$ _____

BUDGET: Request Approved

EXPENSE

Personal Services

Salaried (Current)

Name _____ % FTE _____

Name _____ % FTE _____

Name _____ % FTE _____

Name _____ % FTE _____

Name _____ % FTE _____

Salaried (New)

Hourly _____

Travel _____

Operating _____

Capital _____

Total Direct Expense _____

Indirect at _____%

TOTAL EXPENSE

TOTAL REVENUE

REVENUE SOURCE:

Anticipated Receipt Date:

What additional resources not included in budget will be required to complete this project?

Is capital an authorized expenditure under the terms of the agreement: _____
 Who retains title: _____

Submitted by:

Approved:

Proposal Author/Project Supervisor

State Forester

Supervisor

FT. COLLINS

OFFICE MEMO

TO: DFs

Date July 10, 1980

FROM: Dale

SUBJECT: The enclosed

REMARKS:

Enclosed are state lands timber sale standards and other related information. Standards will eventually appear in the CSFS Manual.

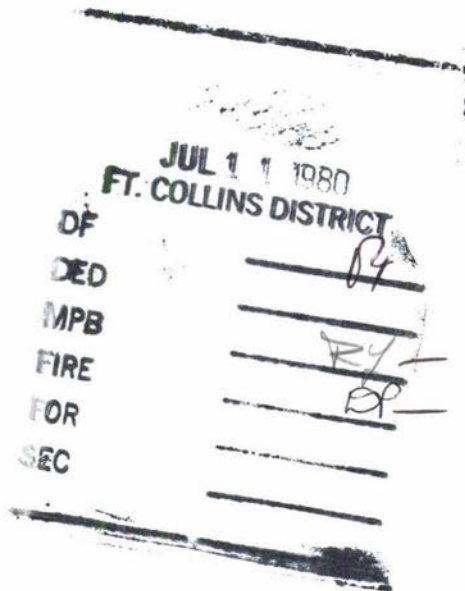
You should have copies of permit blanks and blank bid sale contracts -- the latter for sales over \$1000 and for less than \$1000. If you don't have copies and need them, let me know.

Let me know if you have questions.

Dale

Enclosures: Standards, Timber Sale- Advertising, Bid Sale Procedures, Bid Forms, Bid Record Sheet, Report of Costs And Returns on State Land Timber Sales.

cc: Oscar



TIMBER SALE ADVERTISING

PURPOSE

- a. Gives operators equal opportunity to examine and bid.
- b. When followed by sealed and/or oral bids, removes possibility of favoritism.
- c. Informs all citizens that a sale is planned.
- d. Helps obtain full value for timber.

STATE LAND REQUIREMENT

The Land Board is required by law to advertise proposed timber sales where appraised value exceeds \$1000. Sales must be advertised over a 30-day period in at least three issues of a newspaper of general circulation in the county where timber is located.

Advertisements may include:

1. Sale name or designation.
2. Sale location by legal description and/or geographic location.
3. Estimated quantities offered; species, sizes, etc.
4. Minimum acceptable price.
5. Payments required at day of bid. Required bond.
6. Where sale information is available; where to send bids.
7. Date, time, location of show-me trips.
8. Date, time, place, method of oral bidding.
9. Deposits -- when, where, how much.
10. Any or all bids may be rejected.

FOLLOW-UP

After ad is published, be sure all information is presented correctly. If not, call paper immediately and correct.

STATE LAND TIMBER SALE STANDARDS

INTRODUCTION

Timber may be sold from state lands via (1) permit, or (2) bid. Permit sales may be for no more than \$1000. Bid sales are usually more than \$1000 but may be for less and are encouraged where DF believes a higher amount can be obtained via bid.

If bids are solicited on sales of less than \$1000, all procedures outlined under bid sales need not be followed. For example, advertising procedures for such sales are at DF's option.

Following bidding on sales of less than \$1000, permit is written to high bidder and Steps 2-9 below are followed.

IMPORTANT NOTE: Sale procedures listed below apply to sections NOT leased by CSFS. Sale procedures on leased sections are formulated by the DF.

STEPS FOR PERMIT SALES

1. DF negotiates sale. No sale under \$150 unless accompanied by written justification. No sales of less than \$5 per cord.
2. DF completes permit form and EIS. DF and permittee sign permit. Be sure permit is dated.
3. DF obtains check for full amount of sale plus \$15 permit fee. This all in one check.
4. Original of permit, EIS, and check go to Land Board.
5. DF retains copy of permit and EIS.
6. Copy of permit and EIS goes to state lands staff forester.
7. The Land Board is required by law to display permit for public view for two weeks. Such posting begins on Monday; if a permit is received on Tuesday, posting takes three weeks. DF will explain posting process to operator so the latter will know why permit approval is delayed.
8. Land Board approves or disapproves permit. If approved, harvest may proceed.
9. DF is responsible for sale administration. Notify Board when permit is completed.

PERMIT RESTRICTIONS

1. Permit term should be no longer than required to cut and remove timber, wildlings, Xmas trees, etc. Permit may be extended if necessary.
2. State auditors object to (1) a series of permits that are written for near \$1000 and (2) a series of permits on the same tract of timber. Therefore:
 - a. Any permit from \$950 - \$1000 must be accompanied by a letter of explanation.
 - b. If consecutive permits are issued on a tract, enclose a letter of explanation with second permit.

STEPS FOR BID SALES

Any sale of \$1000 or more must be placed at bid. Oral and/or written bids may be solicited. Written (sealed) bids may be followed by oral bidding if DF wishes.

1. Before sale preparation, be sure at least one operator is willing to deposit \$100 to get sale put up. This \$100 must accompany sale application letter to Land Board. An additional \$25 sale application fee is required of operator.

If person making deposit isn't successful bidder, his \$100 will be returned. If he is successful bidder, the \$100 is applied toward first timber payment. If no sale is made, all sale expenses will be deducted from the \$100 deposit and the balance, if any, returned.

If a DF initiates the sale, the \$25 application fee should be paid on day of sale by successful bidder.
2. Take all steps necessary to prepare sale. Notify surface lessee of proposed sale.
3. Prepare sale contract using standard state lands bid sale contract as is or modified if necessary. Give operator adequate time to cut and remove timber but no more. Contract must contain clause stating when cutting will start and that contract is subject to cancellation if cutting doesn't start by that date. If standard contract modified, consult staff forester.
4. Submit completed and signed contract, EIS, first payment, plus \$25 application fee; such monies in one check. Send cover letter with data Board may use to consider sale. Copy of contract and cover letter go to state lands staff forester.
5. Plan on a minimum of six weeks to get a bid sale contract processed by Land Board. This includes advertising over a 30-day period.

In unusual circumstances, the DF, with Board permission, may write ad, get Board approval via phone, and place ad. Ads must appear in at least three issues of a newspaper of general circulation in county where timber is located. The Board, in consultation with DF, will set date and place for bidding.

6. Following the two-week posting period and if Board approves sale, show timber to operators. Be sure operators understand sale conditions as stated in contract.

Conduct auction according to procedures outlined in State Lands Handbook.

7. Successful bidder is required to deposit down payment equal to at least total sale price divided by number of months contract runs. Example: Contract is for 12 months and sale brings \$12000. Down payment minimum is \$1000.

Be sure operator understands that timber is paid for before cutting. Example: Deposit at time of sale is \$100. Operator may cut \$100 worth of timber but must make another deposit before cutting more. DF and operator must work out a payment schedule.

8. DF must maintain line of communication between himself and operator and between himself and Land Board. DF must know whether operator is conforming to contract terms before it's too late to take corrective action. DF must keep Land Board totally informed to avoid potential misunderstandings among DF, Board, and operator.

Performance bonds should be sufficient to cover all contract specifications on slash disposal, water bars, etc. For large sales estimate the number of times you will be checking the sale and the cost of potential damage that might occur between sale visits.

9. DF administers sale. This includes contract compliance and seeing that payment stays ahead of cutting.

DF will keep record of all administrative costs on correct form (see Handbook). Costs are submitted to state lands staff forester.

10. If any problems arise with operator, DF will call Land Board immediately, state problem, and offer suggested solution. DF will also notify state lands staff forester of problems so that person will be aware in case he's contacted by Board.
11. Notify Board when sale is completed so final payments, bond release, etc. can be taken care of.

BID ON TIMBER SALE

I hereby submit my bid on the

<u>Item</u>	<u>Estimated Quantity & Unit</u>	<u>Product & Species</u>	<u>Rate Bid</u>	<u>Value</u>
1				\$ _____
2				\$ _____
3				\$ _____
4				\$ _____
5				\$ _____
6				\$ _____
TOTAL VALUE				\$ _____

Signed _____

Date _____

Bids to be opened _____ at the Colorado State Forest Service
office on West LaPorte Avenue in Fort Collins on _____.

If more than one qualifying bid is received, the sale will be awarded
based upon the greatest advantage to the seller. All bids may be re-
jected at the option of the seller.

Minimum acceptable bid is

Mail to: District Forester
Colorado State Forest Service

BID SALE PROCEDURES

Three options:

- a. Oral bids at public auction
- b. Sealed written bids
- c. Sealed bids followed by public oral auction

The objective is to employ a procedure which results in a fair market price for the product and equitable competitive conditions among all bidders. Requests to favor any individual should be denied. Sale procedure should be clearly indicated in sale advertisements.

PUBLIC AUCTION

Preliminary Activities

Immediately before bidding, the forester in charge should review all contract stipulations. Give bidders the opportunity to ask questions about the contract.

Review basic sale data such as volume, species, cutting methods, etc. Repeat important points and again solicit questions.

Bidding

Describe auction procedures. Each bidder should be given ample time to bid. Short recesses (3-5 minutes) may be permitted during bidding at bidder's request; he/she may need time to do calculations.

The auction should be held open as long as needed to establish product value and give bidders ample time to make up their minds.

IMPORTANT: Conduct auction in decreasing increments; that is, start with possibly \$5 increments, then drop to \$1, then to 50¢, then to a quarter, then to 10¢, then to 5¢. Often, an additional two to three dollars per unit can be obtained after increments drop to 25¢ or less.

Should a bidder err in making an oral bid, give him/her the opportunity to correct the bid.

IMPORTANT: Have an assistant keep a written record of each oral bid (See bid record sheet in Handbook). Bidders may inspect this record at any time.

At auction's close, the high (accepted) bid may sign sale contract and make necessary payments. If not a lump sum sale, successful bidder may post a contract bond, usually half of the performand bond, with contract signing within one week of sale date.

SEALED BIDS

Receiving Bids

With written, sealed bids, one person shall be designated as responsible for custody of all bids. Under no conditions will custodian divulge to anyone information as to number of bids received, whether any bids were received, etc. The one exception is any bidder may be told that his bid was received. Should anyone state that he/she intends to bid, this is kept confidential.

Opening Bids

At the proper place and time, sealed bids will be opened in the presence of at least one witness. Date and time of opening should be recorded on each bid. Highest bidder will be announced to those present.

If high bidder is present, sale contract should be signed and necessary payments made. Otherwise, high bidder is notified and arrangements made to finalize the sale.

Sealed Bid Plus Public Auction

Previously-described procedures apply. In addition, at time for auction bidding, the presiding forester announces that opportunity to submit sealed bids has expired. At this point, sealed bids are opened. Then, oral bidding starts at no lower than highest sealed bid.

BID RECORD SHEET

[illegible]

REPORT OF COSTS AND RETURNS
STATE LANDS TIMBER SALES

Date of Report _____

CSFS District Involved _____

Sale Location: Section _____ T _____ R _____

County _____

Species _____

Product(s) _____

Estimated Volume(s) _____

Price Received Per Unit \$ _____

Total Received From Sale \$ _____

Sale Administration Costs:

Travel (mileage only) \$ _____

Supplies (paint, etc.) \$ _____

Timber marking (hours only) \$ _____

Showing timber to operators (hours only) \$ _____

EIS, advertising, contract, conducting
sale, etc. (hours only) \$ _____

Checking contract compliance (hours only) \$ _____

Other: Includes initial reconnaissance, sale

layout, show-me tours, appraisal,
sale data compilation, road layout,

etc. \$ _____

Total \$ _____

414/ Scott

VI
3

RIGHTS OF WAY



**LAWS
RULES
REGULATIONS
POLICIES**

REVISED
JULY 1, 1968

ON AND ACROSS

**COLORADO
SCHOOL
LANDS**

THE STATE BOARD OF LAND COMMISSIONERS

- 104) When a pipe line, power line, etc. larger than that specified in the right-of-way contract is placed on the same right-of-way by the same grantee, full information on the change must be furnished to the Board and an amendment to the contract will be issued. An additional consideration, based on current rates, may, at the option of the Board, be charged.

GENERAL RESERVATION

The Board reserves the right to modify or make exception to any part of these Rules and Regulations if and when an unusual situation or manifest hardship is presented by an application.

FOREWORD

Any facility, utility, road, railroad, ditch or reservoir to be constructed on state lands, must have a RIGHT-OF-WAY. No right-of-way can be established by adverse possession. Any use of the state lands without formal permission of the State Land Board is in trespass and subject to prosecution. State lands may be sold at any time and the purchaser has the right to require the removal of any installation that does not have a formal right-of-way.

The laws, rules, regulations and policies of the Board are set forth herein as an aid to those who desire to establish any facility on the state lands.

Rights-of-way across state lands are never granted casually, quickly or cheaply. They are not granted verbally nor by letter, and not without investigation by the Board, field check and appraisal, and the payment of all fees and considerations required. No one should assume that a right-of-way can be obtained in any place at any time for any purpose at little cost. Rights-of-way have much effect upon the land, particularly as to limiting future development; therefore the Board is increasingly restrictive in the regulations and requirements it imposes, and insistent on obtaining adequate compensation to the funds deriving income from the lands.

The specific instructions and the intent of the Colorado statutes have been the determining factors in establishing these regulations.

Rights-of-way problems, procedures and effects are under constant study by the Board and all regulations and considerations are subject to change whenever it becomes necessary. Official notice of changes will be made by the Board to those concerned. Suggestions and criticisms are always considered.

This issue of the Rules and Regulations contains important revisions, especially as to considerations. It supersedes and cancels all previous issues.

STATE BOARD OF LAND COMMISSIONERS

STATE OF COLORADO

Wesley E. Woodward
Engineer

First issue: January, 1964
Revised: January, 1966
This issue in effect: July 1, 1968

101)

MINIMUM RIGHT-OF-WAY CONSIDERATIONS

	On road highway or railroad rights-of- way on state land	On or near section lines, road fences, bound- ary lines or fences	Other
	PER LINEAL FOOT	PER LINEAL FOOT	PER LINEAL FOOT
Ditches.....	2½¢	5¢	10¢
Pipe Lines (over 10" di- ameter).....	2¢	4¢	8¢
Underground installations, such as communication cable, electric power distribution, and pipe lines (10" diameter or under).....	1¢	2¢	4¢
Electric Power Transmission Line (33 kv or over).....	2¢	4¢	8¢
Communication Pole Line or Electric Power Distribu- tion Line (Under 33 kv)..	1¢	2¢	4¢

These considerations are not in addition to appraised value and damages, but are used only as minimum charges.

- 102) The Board may, at its discretion, set consideration on a yearly basis, or for any term of years; and may modify or adjust any consideration as it sees fit.
- 103) Minor changes in location of any facility, for which an amendment to the original right-of-way agreement is issued, will be subject to a consideration of \$10 for handling. Major changes will be treated as new rights-of-way.

a. Highways, Railroads, Reservoirs; also improvements, etc. having exclusive, or near-exclusive use and occupation of right-of-way	100%
b. Secondary Roads (fenced)	95%
c. Minor Roads (not fenced)	80%
d. Ditches, canals	80%
e. Underground installations, such as pipe lines, communication cables, electric power distribution lines, etc.....	30%
f. Electric power transmission line (33 kv or over)	40%
g. Communications pole line or electric power distribution line, single pole line (under 33 kv)	30%

VARIATIONS:

When any right-of-way is fenced (other than roads) add 40% to the percentage stated, up to, but not over 100%.

When any right-of-way is located on an existing right-of-way issued by the state, an appropriate reduction of the area, or of the stated percentage, will be made.

Any unusual situation will be considered and may result in a raising or lowering of the stated percentage.

RIGHTS-OF-WAY

On and Across State School Lands

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of the auction prescribed by the Act, and most consistently re-
flects the essential purposes of the Grant."

- 97) When a new highway right-of-way covers an old road, county or other, which existed without a right-of-way, consideration to be in two parts:
- a. The land outside the old road at the full appraised value of the land.
 - b. The old road area at a negotiated value, generally a minimum value. (It must be realized that adverse possession does not run against the state, the old road has not established a right-of-way, and the school fund has never been compensated for the loss of this land. However, the Board recognizes that the failures and omissions of the past cannot always be corrected at today's valuations.)
- 98) When a new highway right-of-way includes and covers an old road right-of-way, previously granted, consideration to be the full appraised value of the land outside the old road right-of-way. No charge will be made for the old right-of-way included within the new right-of-way lines.
- 99) When granting of right-of-way and construction of a new road does damage to the adjoining or surrounding state school land, or detracts from its full use or value, the consideration will include an amount determined by the Board, to pay for such loss.

(It should be understood that the situation of the state lands is different from that of privately-owned lands. The private owner is primarily concerned with immediate or short-term income and values; the State Board is trustee for state lands and is primarily concerned with the future or long-term income and value. The Board cannot permit any use of the land which will, in the long run, diminish that income or value, unless compensation is obtained.)

No firm formula or rules can be established for determining damages, and, this section of the method of determining consideration must remain a matter of judgment.

The amount of damage to be charged may be reduced by the Board to allow for any advantages or values that may accrue to the land by virtue of the establishment of the facility.

- 93) Special Case, Ranch Improvements: Where state land forms an integral part of a ranch or farm, and is surrounded or nearly surrounded by privately owned land used in conjunction with the state land, certain improvements such as water lines, local power and gas lines for ranch and farm installations, etc. are necessary to the operation of the ranch or farm and are beneficial to the state in making state land more desirable and valuable. Some of these facilities must have a right-of-way according to these Rules and Regulations. The Board may, at its option, modify the consideration charged if it finds that the state land is compensated to some extent by the improvement.

ROADS, STREETS, HIGHWAYS

- 94) For roads, streets, highways established by law in the past, according to Paragraph 36, 37 and 38, page 11, and recognized by the Board on "Road Record Form"; no consideration other than the \$10.50 filing fee, and the \$5.00 document fee.
- 95) For roads, streets, highways established after 1921 and before 1960 (except those included in Paragraph 38), minimum consideration of \$25.00 for each mile or fraction thereof.
- 96) For roads, streets, highways established after 1960, including new and proposed roads, streets, highways, the consideration shall be the present value of the land as appraised by the Board.

The United States Supreme Court, in a decision concerning amount to be paid by the Arizona Highway Department for rights-of-way across state lands, has said: "We hold therefore, that Arizona must actually compensate the trust in money for the full appraised value of any material sites or rights-of-way which it obtains on or over trust lands. This standard most nearly reproduces the results

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91) Value of the Land: The value of the land is determined by the Board's appraisers according to accepted appraisal practices. Value generally corresponds to the "going" price in the area at the time. It has been found that these prices are almost always lower, sometimes far lower, than the prices obtained by open competitive bidding when there is a demand for the land, which is the way all state land is sold. Therefore, appraised value is seldom maximum value. If the applicant provides an appraisal, made by an accredited professional appraiser, it will be recognized and usually accepted if it appears to be reasonable and just. The Board reserves the right to accept or reject any appraisal.

Appraised value, as described, is, for practical purposes, the value of the full fee estate. Since the Board grants only a right-of-way or easement with limited use and no title to the land, it is obvious that appraised values should be diminished in proportion to the interest granted.

Where permanent facilities, such as railroads, highways and reservoirs, are established on the right-of-way and will have exclusive or near exclusive use of the land, perhaps in perpetuity, the practical effect of a right-of-way grant is the same as if the fee title had been conveyed. Full appraised value is applicable in these cases.

Where facilities of a semi-permanent nature, which do not prevent some use by the state, are established on the right-of-way, the grant being a very limited one, a percentage of the appraised value is used, according to the facility and use, as set forth in Paragraph 100.

The width and location of the right-of-way upon the property materially affects its appraised value.

The estimated or appraised value of such minerals as are known to exist and cannot be recovered because of the existence of the right-of-way will be made part of the appraisal and consideration. See also Paragraph 20.

92) Damages: The placing of a right-of-way on state school land results in two classes of damage:

- a. Immediate and evident damage to the land in the right-of-way and to adjacent state land, such as restrictions on present use, destruction of grazing or farming values, separation of the remaining land into two or more tracts with resulting loss of use and value, elimination of access, etc.
- b. Damage to future values of the land caused by the right-of-way, principally limitations on future development and use, such as interference with and destruction of residential and commercial sites, prevention of sprinkler irrigation development, etc.

- 87) A right-of-way grant may include facilities across one section of land or any number of sections. Generally, it is preferred that a right-of-way cover facilities in one township, sometimes one county. The Board will cooperate with applicants in grouping a number of crossings of state school land into one right-of-way, wherever feasible.

FEES

- 88) The following fees are required with applications for right-of-way:

Right-of-way filing fee (to be submitted with application)..... \$10.50

(To School Districts - \$.50)

Right-of-way document fee (to be paid with consideration)..... \$ 5.00

Service fee for assignment or transfer of right-of-way.. \$10.00

CONSIDERATION

- 89) No right-of-way is granted to anyone for any purpose for less than the minimum consideration of \$25.00.

- 90) Considerations for all rights-of-way granted by the Board are determined in three parts:

- a. Value of Land: Whenever an area of land is granted, for any facility, the land is appraised (Paragraph 91) and consideration is computed on a percentage of the appraised value, as indicated in Paragraph 100.
- b. Damages: Also, an amount for apparent and intangible damage may be added to the consideration. (See also Paragraph 92)
- c. Value of the Right-of-Way: Any right-of-way has an obvious value as such. The Board has established a scale of rates, based on the length of the line across state lands. This value is never added to parts "a" and "b" of the consideration but is applied as a minimum charge. It is never used for highways, railroads, or other large areas, but is most often applied to narrow rights-of-way for pole lines, pipe lines, etc. This minimum value of the right-of-way is stated in Paragraph 101.

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Roads, Streets, Highways

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RIGHTS - OF - WAY

On and Across State School Lands

DEFINITIONS:

- 1) RIGHTS-OF-WAY, as used in these rules and regulations, mean the rights granted by the Board of Land Commissioners to any individual, corporation, or governmental agency, for the limited use of certain described portions of the state school lands. Such rights-of-way are in the nature of easements, permits, licenses, or agreements, and are not conveyances of title to the land.
- 2) STATE SCHOOL LANDS, as used here, include all lands administered by the Board of Land Commissioners, including School and Indemnity lands, Agricultural College lands, Internal Improvement lands, Public Building lands, Penitentiary lands, University lands, Saline lands, and any other lands granted by the Federal Government to the State of Colorado. Also, any lands acquired by the state by foreclosure or gift, or in any other manner, which come under the administration of this Board.

STATE LAW:

- 3) SELECTION AND CONTROL OF PUBLIC LANDS (Constitution of Colorado, Article IX, Section 10) It shall be the duty of the State Board of Land Commissioners to provide for the location, protection, sale or other disposition of all the lands heretofore, or which may hereafter be granted to the state by the general government, under such regulations as may be prescribed by law; and in such manner as will secure the maximum possible amount therefor.
- 4) RIGHTS-OF-WAY (CRS '63, 112-3-37) The State Board of Land Commissioners may grant the right-of-way across or upon any portion of state land for any ditch, reservoir, railroad, public highway, telegraph or telephone or pipe line, and may grant land for the purpose of building district school houses and may grant right-of-way or land to any public agency or instrumentality of the United States of America, or to the state, or any of its institutions, agencies, counties, municipalities, districts, or any other political subdivisions of the state, for any public use or purpose. Any right-of-way or land so granted shall be upon such terms as the Board shall determine. Said Board may execute and sign as provided by this article, on behalf of the state, a proper deed or other instrument of writing for such right-of-way or grant. This section shall not be construed to grant authority to convey any such land, except for the purposes above set forth. Whenever lands granted for any of the purposes mentioned in this section shall cease to be used for such purposes, the land shall revert to the state, upon notice to that effect being served at their last known post office address upon the person to whom such grant was made.

83) Continued

EXAMPLE: (Style to be used in descriptions)

In the West One-half ($W\frac{1}{2}$) of Section Sixteen (Sec. 16), Township Eight South (T. 8 S.), Range Fifty-seven West (R. 57 W.) of the Sixth Principal Meridian (6th P.M.) in Elbert County, State of Colorado;

Being a right-of-way fifty feet (50') in width, twenty-five feet (25') on each side of the following described center line:

Beginning at a point on the south boundary of said Section 16, which point bears East a distance of 447.00 feet from the southwest corner of said Section 16;

Thence North $22^{\circ} 23'$ East a distance of 2,635.00 feet to a point;

Thence North $08^{\circ} 01'$ East a distance of 3,060.00 feet to a point on the north boundary of said Section 16, which point bears West a distance 763.00 feet from the north one-quarter corner of said Section 16.

Containing 6.54 acres, more or less.

Bearings are based on the assumption that the north line of said section bears due East and West. Government brass cap monument in place at southwest corner of section; north one-quarter corner and section lines established by land surveyor according to approved practices.

- 84) When the survey and description is the boundary of an area, it must close within the following limits:

In urban and suburban areas: Second order control with a maximum error in horizontal location of 1/10,000.

In rural areas and undeveloped land: Fourth order control with a maximum error in horizontal location of 1/2000.

Areas must be calculated and shown in acres for tracts of three acres or more; in square feet for tracts under three acres.

- 85) The Board assumes no responsibility for the accuracy of plats or descriptions furnished by the applicant, nor does it admit any liability for loss or damage due to inaccuracy on the applicant's part in platting or describing the right-of-way.
- 86) Minor changes in location of any facility for which a right-of-way has been granted, may be applied for, by letter to the Board, indicating the circumstances and necessity for such changes. A small plat (letter size) showing clearly the relocation should accompany the letter. If approved, the Board will issue an amendment to the original right-of-way, which will be subject to all the terms of the original agreement. Major changes in location will be considered as new rights-of-way applications.

avoid hardship, the registered land surveyor requirement has, in certain instances, been waived by the Board. Exceptions will continue to be made, at the Board's option. However, there will be no exceptions after January 1, 1970, and all surveys and plats for rights-of-way must be made by a registered land surveyor after that date. All surveys and plats submitted for rights-of-way must be signed by the person who made them, and unacceptable work will be cause for refusal of the application.

- 75) The Board recognizes that the boundaries of school lands may not be adequately monumented. A reasonable and careful location of the corners in such cases will be accepted. In certain cases, including minor facilities such as small pipelines and local service power and communication lines which are near and approximately parallel to land lines or recognized fence lines, the Board will consider plats, without formal surveys, which show fairly accurately the location of the facility in relation to land lines, as determined by careful inspection and measurement. The Board reserves the right to require a formal survey when it considers a survey necessary.
- 76) No specific dimensions are required for the plats but they must be large enough to show clearly all tangents, angles, curves, ties, distances, and essential data.
- 77) Each plat must show clearly the section or sections, subdivisions of sections where necessary, township and range, meridian, county, north arrow, scale, name of applicant, date, title of facility, and certification statement, signature and seal of a registered land surveyor, professional engineer, or qualified person who made the survey and prepared the plat. (See paragraph 73).
- 78) Profiles of road or railroad construction must be submitted when required by the Board.
- 79) High water line of reservoirs must be plainly shown.
- 80) State School lands should be clearly designated on the plats.
- 81) All facilities or utilities applied for, including guys, substations, poles, headgates, siphons, towers, and all structures and appurtenances to be erected on the right-of-way, should be located on the plats and their relation to other facilities or structures clearly shown.
- 82) Two copies of every plat must be submitted, or an original drawing which may readily be reproduced.
- 83) Each application for a right-of-way must be accompanied by a legal description which conforms to the information on the plats. The description must include courses (either bearings or angles) and distances, ties to section corners, and section, township, range, meridian, and county.

- 5) RIGHTS-OF-WAY ACROSS STATE LAND (CRS '63 50-5-2) Any domestic or foreign telegraph, telephone, electric light power, gas, or pipeline company authorized to do business under the laws of this state, or any city or town owning electric power producing or distribution facilities, shall have the right to construct, maintain and operate lines of telegraph, telephone, electric light wire or power or pipeline and obtain permanent right-of-way therefor, over, under and across all public lands owned by or under the control of the state, upon the payment of such compensation and upon compliance with such reasonable conditions as may be required by the State Board of Land Commissioners.
- 6) TRESPASS (CRS '63, 112-3-21) All corporations, companies or persons using or occupying any state or school lands without lease and all corporations, companies or persons who shall use or occupy state or school lands for more than thirty days after the cancellation or expiration of a lease, and any corporation, company or person who shall construct a reservoir, ditch, railroad, public highway, telegraph or telephone line, or in any manner occupy or enter upon lands belonging to the state, without first having secured the authority and permission of the State Board of Land Commissioners to so occupy the land for such purpose, shall be regarded as trespassers, and upon conviction thereof, shall be fined in the sum of not less than twenty-five dollars and not more than one hundred dollars and each day shall be considered a separate offense.
- 7) Other laws pertaining to rights-of-way on state school land are: County Highway Laws (CRS '63, 120-1); "The Highway Law", concerning state highways (CRS '63, 120-3); the laws on Eminent Domain (CRS '63, 50-2-1), (CRS '63, 50-3-1), and (CRS '63, 50-5-5); and the "Mineral Reservation Law" -- see paragraph 19.

GENERAL RULES AND POLICIES

- 8) In order for the State Board of Land Commissioners to properly discharge its duty of obtaining the maximum revenue from the state school lands, the Board has established certain regulations and limitations on the granting of rights-of-way. These regulations and limitations are designed to prevent any use of the land which will diminish, directly or indirectly, the amount of revenue which may, now or in the future, be obtained from the land, or to provide for compensation to the state for such diminuation.
- 9) Each right-of-way application to the Board is examined carefully to determine its effect upon the value and best use of the state school lands.
- 10) It is the firm policy of the State Board of Land Commissioners, as well as the law, that no use of state school lands can be made by any persons, corporations, or governmental agencies, without formal permission from the Board, and just compensation to the state for such use.

- 11) Entry upon state school lands is prohibited without express consent of the Board.
- 12) It is firmly established in the law that "adverse possession" does not run against the state; that is, no prescriptive rights can be acquired by public or private interests over state-owned land by the mere use or occupation of the land. Any use of the lands without formal recognition from the Board is considered a trespass on the land and may be prosecuted by the state.
- 13) No right-of-way, easement, license, or use, granted on or across state school lands by any agency or person other than the Board of Land Commissioners, will be recognized.
- 14) The Board has, by law, the authority to grant rights-of-way upon such terms as it may determine, consistent with the laws and these Rules and Regulations.
- 15) Rights-of-way granted by the Board may be either temporary or permanent, as the Board shall determine.
- 16) All rights-of-way granted by the Board are for certain designated uses only, and no other. The Board may, at its discretion, issue any number of rights-of-way for different uses, upon the same land, not in conflict with the rights and privileges granted in prior rights-of-way. These rights-of-way are not deeds or "dedications"; no conveyance of title to the land is made; the grant is a limited one for the use designated, and title to the land remains in the state.
- 17) The Board reserves the right to lease the premises designated in a right-of-way, or any part thereof, at any time, for any purpose not in conflict with the rights and privileges granted in the prior right-of-way.
- 18) The Board reserves the right to sell, at any time, the land, or any part thereof, included in a right-of-way. All such sales are made subject to rights-of-way of record in good standing.
- 19) Mineral Reservation in Rights-of-Way and Sales: "All rights to any and all minerals, ores and metals of any kind and character, and all coal, asphaltum, oil, gas or other like substances in or under said land, the right of ingress and egress for the purpose of mining, together with enough of the surface of the same as may be necessary for the proper and convenient working of such minerals and substances"..... are reserved to the state. (CRS '63, 112-3-26)
- 20) To provide a practical way of recovering minerals under right-of-way grants, the Board may require the relocation, raising, lowering, disconnection, or other adjustment of any facilities placed upon the right-of-way if and when it becomes economically practicable to do so. In such cases the grantee will receive not less than 90 days prior written notice; a satisfactory right-of-way for the relocation will be furnished free

Also, in some cases, due to the uncertainties of construction problems, final accurate location of facilities cannot be made until construction is completed. In order to accommodate genuine emergency situations and this problem of actual construction location, the Board will, at its option, issue RIGHT-OF-WAY PERMITS for 6-month periods, under the condition that all surveys, plats and other requirements, such as fees and considerations, will be submitted to the Board as soon as possible and the formal right-of-way completed within the 6-month period. Such PERMIT shall be subject to the OPERATIONAL INSTRUCTIONS incorporated in the permit and to the applicable portions of these RULES AND REGULATIONS. No permit will be issued before the office records and field situation have been checked by the Board. A permit is not a right-of-way and any facility installed under the permit will be in trespass and subject to prosecution upon expiration of the 6-month period unless a right-of-way has been granted. Nothing in this section shall be construed to grant permission for entry on state lands without a permit or right-of-way.

SURVEYS AND PLATS

- 71) Each application for a right-of-way must be accompanied by a plat or plats showing an accurately surveyed center line or boundary with proper ties to section corners or quarter section corners. It is essential on any survey or plat submitted that the points where the facility enters and leaves state school land be tied to the school land boundary and to the best available corners in the vicinity. The nature of the corners used (marked stone, iron pipe, fence post, etc.) should be indicated.
- 72) The plat must show courses (either bearings or angles) and distances. When bearings are used, the method of establishing directions should be shown. Whenever possible, points of beginning should be tied to corners with one direct tie, not with several courses leading to the point of beginning. Survey plats should include all information necessary to permit accurate location of the lines on the ground and the preparation of correct and complete descriptions.
- 73) The Board requires that surveys and plats for rights-of-way be made by a registered land surveyor, as stated in the law: (CRS '63 51-2-1) -- "it shall be unlawful for any person to practice or to offer to practice in this state, land surveying..... unless such person has been duly registered....."
- 74) The Board is aware that surveys for rights-of-way have often been made by engineers and other persons with knowledge of this work who are not registered land surveyors. As a temporary measure, to

- 66) The rules, regulations, terms and conditions set forth for other types of rights-of-way apply to these miscellaneous grants where applicable.
- 67) Special conditions may be provided for by special provisions in the contract at the discretion of the Board. However, the intent of the laws, policies, rules and regulations, herein contained, is followed in all cases.

APPLYING FOR A RIGHT-OF-WAY

- 68) All applications for a right-of-way on state school lands must be made upon application forms furnished by the Board. Each application must be accompanied by the proper fees as set forth in Paragraph 88, and by the necessary descriptions and plats as described below.
- The consideration set forth in the right-of-way agreement must be paid before the right-of-way will be issued.
- The Board reserves the right to reject any and all applications.
- The Board will gladly furnish any information concerning the application at any time.
- 69) The Board requires a minimum of 30 days from the time an application is received until the completed right-of-way can be issued. This is necessary in order to make a field check of the land and an office check of our records. Several weeks are often required to obtain corrections on plats and descriptions. No facility may be constructed on state school land before a formal right-of-way is obtained, unless an emergency permit, described in Paragraph No. 70 has been issued. ANY FACILITY ON STATE SCHOOL LAND WITHOUT A RIGHT-OF-WAY IS IN TRESPASS AND IS SUBJECT TO PENALTIES PROVIDED BY LAW. Applicants should make every effort to advise the Board of the proposed location of the facility long before construction is to begin. Entry upon state school land for the purpose of surveys for proposed facilities is allowed and expected without formal permit, unless objected to by the lessee, in which case the Board will provide for such entry.
- 70) It is recognized that, under certain emergency conditions, entry onto state lands for surveys or construction must be obtained on short notice prior to the issuance of a formal right-of-way. (Having a contractor or workmen on the ground waiting to begin construction, is not considered an emergency since it is obviously possible to request entry before such a stage is reached. Immediate construction for public service or safety in times of flood or other disaster is, of course, an emergency.)

across state lands when possible; and the grantee will pay not more than one-half the expense of relocation. This clause is used for pipelines, power and telephone lines, ditches, and reservoirs, and all facilities that may reasonably be moved. The Board may, at its discretion, eliminate this clause in rights-of-way for railroads, public roads, highways, streets and other permanent facilities. If this relocation clause is not included in a right-of-way contract and any minerals reserved to the state are known to exist upon the property described, the estimated or appraised value of such minerals as cannot be recovered because of the existence of the right-of-way shall be paid to the state as part of the consideration for said right-of-way.

- 21) The title to the surface of state school lands on which a "Contract of Purchase" has been issued, but no Patent, is still in the State of Colorado. Rights-of-way across such lands must be obtained from the Board of Land Commissioners. The Board will require written evidence that the holder of Contract of Purchase has agreed to the proposed right-of-way. Minerals are reserved and protected as shown in Paragraphs 19 and 20. Considerations collected for such rights-of-way are credited to the balance owed to the state by the holder of Contract of Purchase.
- 22) Any rights-of-way upon lands purchased from the State of Colorado and conveyed by Patent from the Land Board, are under the jurisdiction of the owner of the surface and are not granted by this Board. However, such rights-of-way on lands on which the state reserved the minerals are subject to the mineral reservation and the right of the state to use so much of the surface as is necessary to remove said minerals.
- 23) The removal of sand, gravel, clay, shale, and similar materials from the land by the grantee, is not provided for in rights-of-way granted by the Board, except in certain limited circumstances specifically described in Paragraphs 46 and 59.
- 24) In the event the proposed right-of-way involves forest land, no trees may be cut by the applicant or grantee until express permission has been obtained from the Board. Cut and down timber, slash and trimmings must be disposed of as directed by the Board's representative. No unsightly wastes of timber, stumps or slash may be left on state lands. All timber of commercial value remains the property of the state, and any funds or goods derived from the sale of such timber, cut by the applicant or grantee or his agent, must be paid to the state.
- 25) Grants of rights-of-way provide that the facility described must be constructed within a certain limited period of time or the right-of-way will be canceled after due notice.
- 26) The Board may require the construction of fences, gates, cattle guards, culverts, erosion blocks, or any other facilities necessary to protect the state school lands from damage due to the installation of the facility on the right-of-way.
- 27) When an application for a right-of-way is received by the Board the lessee of the land affected and any other persons involved by contract are immediately advised of the application. Any protests or

objections to such right-of-way are investigated before issuance of the right-of-way. If the lessee's rights, as stated in his lease, would be materially affected by the right-of-way, the Board may require evidence of the consent of the lessee to the right-of-way. It may, at its option, require evidence of consent of the lessee in any case. However, the Board has full authority to issue a right-of-way regardless of objections, if it so desires.

- 28) Any damage done to the state's property, including the land, native grass or timber, or state-owned improvements must be paid for to the state. Damage to the lessee's property, including fences, crops, irrigation structures, wells, stock and privately-owned improvements must be paid for to the lessee.
- 29) The Board does not encourage nor condone the payment of any consideration to the lessee for the "right" to cross or occupy leased land, except as to damages described above.
- 30) The regulations herein set forth may be modified in the case of right-of-way grants to state and federal government agencies to meet the restrictions and limitations placed on such agencies by law, and by the policies of such agencies. The Board reserves the right to decide when such modifications may be made.
- 31) Rights-of-way may not be sublet or assigned without consent of the Board.
- 32) If the Grantee uses the land for any purpose other than that stated in the agreement, or if the facility upon the right-of-way is removed or abandoned, the right-of-way terminates and reverts automatically, with or without notice, to the state, or, when provided for in Patents from the state, to the then owner of the lands. Temporary removal of facilities during repair or reconstruction will not be considered abandonment. The Board will determine by inspection when a right-of-way has been abandoned and will issue a notice of such abandonment to the lessee at the address recorded in its files. No other notification will be attempted.
- 33) In order to clear the Board's records of abandoned rights-of-way and to keep the grantee's records up to date, some rights-of-way, for temporary use of the land, will be for a definite limited term of years (determined after consultation and negotiation with the applicant), with the option to the grantee to renew for additional terms by a formal request to the Board. No additional fees or consideration will be required for the renewal. Rights-of-way for permanent use and occupation will be issued whenever it is shown that they are necessary and advisable.

Ninety days before the end of the term specified in the limited term right-of-way contract, the Board will send a notice by first class mail addressed to the holder of the right-of-way at its last-known address as shown by the records of the Board, advising of the imminent termination. But such notification or failure to notify shall not prevent termination as provided.

said utility or facility -- on, over, under and across the state land -- and includes rights of ingress and egress (usually limited as to location) to and from the installations for certain described purposes. The right-of-way is a limited grant, for certain specified purposes only, and no others.

When any major change is made in the facility placed upon a right-of-way, such as increasing voltage of power line, replacing small pipe with pipe of a larger size, etc., so as to render the description of the facility obsolete, full information on the change must be furnished to the Board so that an amendment to the right-of-way document can be made. See Paragraph 103 for charges in connection with such changes.

- 62) When a utility or facility extends onto a tract of state school land for the only purpose of serving that tract, or the tenants or improvements on that tract, a right-of-way may not be required. If, however, the utility or facility crosses a tract of state school land to serve any lands, persons, or improvements beyond said tract, a right-of-way will be required.

At the option of the applicant, a right-of-way may be granted for a "service" line, although not required by the Board. In such cases only a minimum consideration is charged. However, if this facility is later extended beyond state land to serve others, a consideration, based on current rates at that time, will be charged for the whole right-of-way, including the original right-of-way granted for service to state land.

If no right-of-way is requested or granted for a line serving state land, and such a line is later extended to serve others, a right-of-way for the entire length of line on state land will be required and charged for at the time of the extension.

- 63) Any utility or facility placed upon or crossing an existing right-of-way -- road, highway, railroad or other -- must have a separate right-of-way for the new use. Before such a secondary right-of-way is issued the Board may require evidence of agreement between the holder of the original right-of-way and the applicant as to location and use. All such secondary rights-of-way are subject to the rights granted in the original right-of-way.
- 64) The rules, regulations, terms and conditions set forth for other types of rights-of-way apply to rights-of-way for utilities and facilities where applicable.

RIGHTS-OF-WAY FOR MISCELLANEOUS USES

- 65) Rights-of-way are often granted for schools and other institutions, for military installations, for radio and television installations, and many other types of uses not suitable to the Board's lease contract.

56) Rights-of-way for reservoirs will designate an area of land sufficient to include the extreme high water line of said reservoir but not to include any large areas of land not occupied by the reservoir or its appurtenances. The reservoir may be described by legal subdivisions of townships and sections or by metes and bounds, whichever is most suitable in the opinion of the Board.

57) Rights-of-way for ditches are described and granted as strips or tracts of land having definite width and area. Minimum width - 20 feet. The right-of-way is granted for the purpose of constructing, reconstructing, changing, operating and maintaining said ditch -- on, over, under and across the state land -- and includes rights of ingress and egress (usually limited as to location) to and from the ditch.

58) Rights-of-way for ditches or reservoirs remain in effect for as long as the ditch or reservoir is used for the purpose specified in the grant. Such rights-of-way will terminate automatically, without notice, upon abandonment of the ditch or reservoir or as stated in the formal right-of-way agreement issued by the Board.

59) A right-of-way granted for ditch or reservoir purposes carries with it the implied privilege of moving so much of the surface materials within the right-of-way as is necessary for the construction of the ditch or reservoir. Any material on or off the right-of-way, located on state school lands, and used for any purpose other than the construction of said ditch or reservoir, will be considered as extra material and will be sold by the Board according to the terms of its standard sand and gravel permits.

RIGHTS-OF-WAY FOR UTILITIES OR FACILITIES

60) Definition: Utilities or facilities, as used here, include telegraph, telephone and power lines, above or below ground, pipelines of all kinds (water, petroleum products, sewer, cables, drainage), guy wires and anchors, electrical equipment of all descriptions, and any other uses not specified elsewhere.

61) Rights-of-way for utilities are described and granted as strips or tracts of land having definite width and area. (The former practice of describing and granting some rights-of-way as a center line only, with no width or area, has been discontinued.) Minimum widths for each type of facility are: Small electric power distribution lines, pipe lines, and underground lines of all kinds -- 20 feet; power transmission lines (single pole) -- 30 feet; power transmission lines (H-frame) -- 50 feet. Maximum widths are not set but are controlled by safety and other requirements. The right-of-way is granted for the purpose of constructing, reconstructing, changing, operating, maintaining and removing

On all rights-of-way granted in the future, regardless of length of term, the Board will request a statement of abandonment or continuation from the grantee at the end of each ten year period.

When state land is sold it is sold subject to any rights-of-way in effect at the time. The purchaser of the land, therefore, when patent is issued, assumes the position of the state in relation to the right-of-way grant. The state will notify the holder of the right-of-way, at its last-known address as shown by the records of the Board, at least thirty days before the state land goes to sale at public auction.

RIGHTS-OF-WAY FOR ROADS, STREETS, HIGHWAYS

34) (I) Recognition of Roads Long Established. Under some conditions specified in the law of the State of Colorado and Supreme Court decisions, certain roads established in the past are recognized by the Board as public roads.

35) In order to complete the records of the Board of Land Commissioners and to protect the public, a statement by the County Commissioners on the Land Board's "Road Record Form" -- filed with the Board and accepted by the Board -- will establish the roads described below in Paragraphs (A), (B) and (C). The Road Record Form will serve the purpose of a formal right-of-way. Unless otherwise definitely and clearly established, such roads will be considered to have a right-of-way width of 60 feet, 30 feet on each side of the center line.

36) (A) Roads established and open to public traffic on or across federal lands prior to the granting of the federal lands to the State of Colorado. These roads will be recognized provided they are now, and have been continuously, in use by the public.

37) (B) Roads established and open to public traffic on or across state school lands prior to, or during, 1921. (C.R.S. '63, 120-3-2, adopted 1921). These roads will be recognized provided they are now, and have been continuously, in use by the public.

38) (C) Roads established on section lines, bordering or within state school lands, between 1885 and 1953, provided the 1885 law (repealed in 1953) is complied with. The law requires that to establish a road "the commissioners of the county may, at any regular meeting, by an order of the Board, declare any section or township line on the public domain a public highway; and on and after the date of such order, which shall be attested by the clerk, under the seal of the county, and recorded in the office of the recorder of deeds, the road so laid out shall be a public highway."

39) (II) Roads Not Recognized: No roads established on or across the state school lands after 1921, except section line roads as described in Paragraph 38, will be recognized as public roads having a

right-of-way. No roads or streets which have ceased to be used by the public, or have been vacated legally, or by non-use, will be recognized as public roads. The Board does not recognize any right-of-way, no matter how obtained or established, upon which no road was constructed or used within two years of the date of such establishment, unless specifically provided by law.

- 40) (III) Granting of Rights-of-Way for Roads: Rights-of-way for roads, streets and highways will be granted by the Board of Land Commissioners to municipal, county, state, or federal agencies, when proper application has been made to, and approved by the Board.
- 41) By Law, the Board may grant rights-of-way for public roads. No rights-of-way will be granted for private roads, or to individuals.
- 42) The Board will not grant road rights-of-way across state school land where such road divides the school land into two or more parts, except in certain cases where for topographic or engineering or other reasons, a road dividing the land is deemed to be necessary for the public good. The Board reserves the right to make all decisions as to whether a right-of-way is to be granted.
- 43) The Board reserves the right to specify, in any right-of-way granted by it, as to fences, gates, stock crossing structures, and any under or over-passes to be constructed in connection with the road.
- 44) Standard width for total road rights-of-way is set at sixty feet, but wider or narrower rights-of-way may be granted where it is deemed necessary by the Board.
- 45) All rights-of-way granted by the Board are for certain designated uses only, such as "for highway purposes only". A highway right-of-way does not permit the location of other facilities upon it, unless said facilities are specifically described in the grant, or are covered by another right-of-way grant.
- 46) A right-of-way granted for road or street purposes carries with it the implied privilege of using so much of the surface materials (including sand, gravel, clay, stone, shale, etc.) within the right-of-way as are necessary for the immediate construction of the proposed road or street, as shown by plans and profiles submitted to the Board. Any material on the right-of-way, located on state school lands, and used for road material, surfacing, sand and gravel or other construction or maintenance uses, other than for the immediate construction of the road for which the right-of-way is granted, will be considered to be extra material and will be sold by the Board according to the terms of its standard sand and gravel permits. Any such material off the right-of-way is never included in the grant, and may only be obtained by formal lease or permit.
- 47) When a new highway right-of-way includes all or part of an old road, county or other, which existed with or without a right-of-way, the new right-of-way must cover and describe all of the area required for the new highway, including all of the old road and/or right-of-way within the new right-of-way limits.

- 48) When a new highway right-of-way is to be established near, but not on, an old road right-of-way, information must be furnished to the Board showing whether the old road is to be abandoned or retained, and if retained, who is to be responsible for it.

RIGHTS-OF-WAY FOR RAILROAD PURPOSES

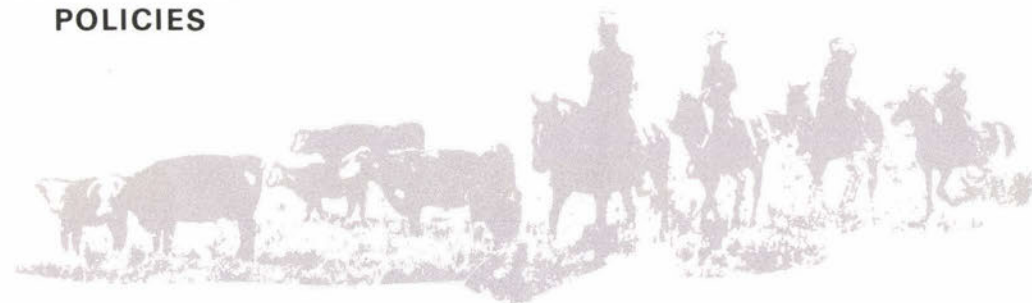
- 49) Rights-of-way for railroad purposes will be granted by the Board of Land Commissioners to railroad and other companies and corporations, or to city, county, state or federal agencies.
- 50) All general rules and regulations pertaining to the granting of rights-of-way, and all special rules pertaining to roads, streets and highways will apply to railroads, wherever applicable. Railroad rights-of-way may be for exclusive use, in the interest of public safety, except for the provision that other utilities may be located upon, and may obtain a right-of-way upon said railroad right-of-way, under certain conditions. The Board will require the consent and approval of the railroad company for any secondary use and occupation of its right-of-way, and will allow the railroad company control over specifications for the installation and maintenance of facilities crossing the roadbed or in any way endangering or interfering with the operation of the railroad. However, the final decision as to whether a secondary right-of-way is to be granted is reserved to the Board.

RIGHTS-OF-WAY FOR DITCHES AND RESERVOIRS

- 51) The term "ditches" as used here, includes canals, flumes, boxes, and other channels or devices for the flow of irrigation water across the land.
- 52) Individuals, ditch companies, water districts and other public agencies, owning and operating ditches or reservoirs upon state school lands, must obtain formal rights-of-way from the State Board of Land Commissioners for said ditches or reservoirs.
- 53) Rights-of-way will be granted for long established or new ditches and reservoirs, when proper application has been made to, and approved by, the Board.
- 54) All ditches, crossing any part of the state school lands, and designed to carry water across said lands to other lands below and beyond the state school lands, or ditches carrying water for the benefit of others besides the lessee or user of the state land, must have rights-of-way.
- 55) Local and lateral ditches located upon and serving the state school lands only, are not required to have rights-of-way.

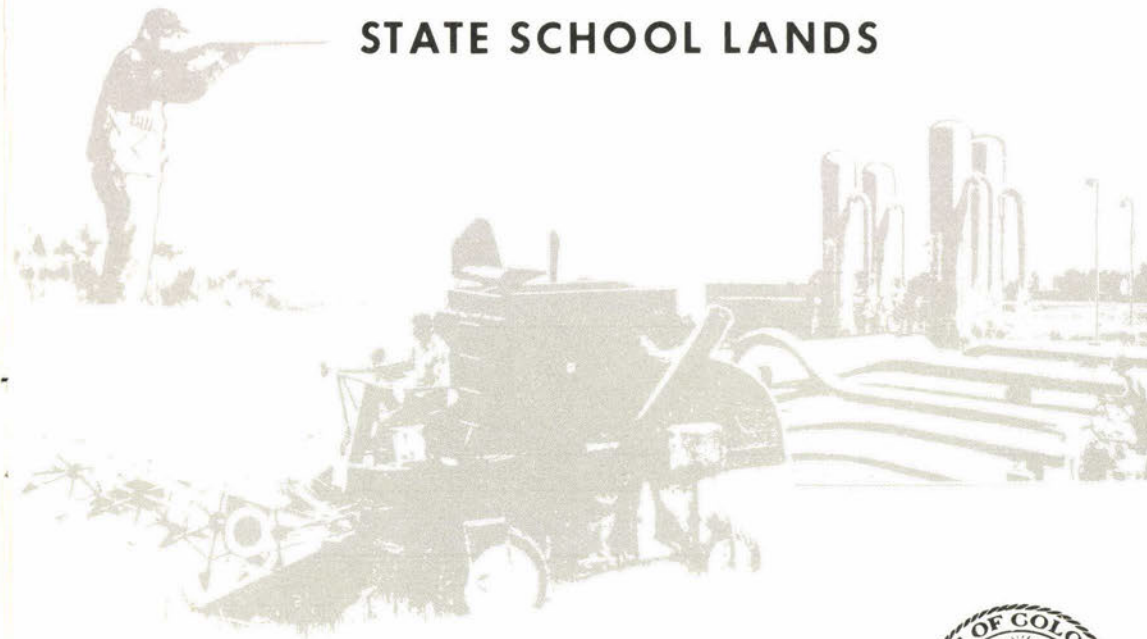
LAWS
RULES
REGULATIONS
POLICIES

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SURFACE LEASES

STATE SCHOOL LANDS



STATE BOARD OF LAND COMMISSIONERS
201 COLUMBINE BUILDING
1845 SHERMAN STREET
DENVER, COLORADO 80203



In recent years the use of the collateral assignment has been expanded to cover another situation. When the private land in a ranch is sold and it is desired that the state lease go along with it, the lease is assigned to the purchaser and a collateral assignment is recorded in favor of the former lessee. Then, if there is a default in the contract or agreement between the former lessee and the purchaser (new lessee), the collateral assignment automatically allows the former lessee to take back the lease without the payment of another lease transfer fee to the Board.

A collateral assignment is activated upon the request of the lender or the holder of the assignment, if the Board is satisfied that it is necessary. Proof is required that the new lessee is in default and that the former lessee, holding the collateral assignment, is legitimately entitled to regain the lease.

On some occasions when the lessee has not made his rental payment, the collateral holder has paid rentals due in order to protect his interest in his loan and in the lease.

The collateral assignment procedure is not in the laws, it is a matter of Board policy only.

18. GENERAL RESERVATION

The laws, regulations, policies and procedures hereinabove set forth are subject to change and amendment at any time without notice.

The Board reserves the right to modify or make exception to any part of these Rules and Regulations if and when an unusual situation or manifest hardship is presented by an application.

BOARD OF LAND COMMISSIONERS
STATE OF COLORADO
201 Columbine Building
1845 Sherman Street
Denver, Colorado 80203

SURFACE LEASES - STATE SCHOOL LANDS

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school lands. These rights were all obtained by lessees or adjoining land owners.

Now, with the rapid development of ground (underground) water, the Board is faced with the problem of retaining ownership of rights to water that exists under the state land. It is attempting to retain these rights in the name of the State. The following clause has been added to all leases prepared in recent years:

If the lessee shall initiate or establish any water right for the leased premises, for which the point of surface diversion or ground water withdrawal is on the leased premises, such right shall, upon termination of the lease, become the property of the lessor without cost.

The Board encourages the development of water for irrigation on state lands.

If there is any indication that underground water exists in sufficient quantity on state land, and the land can be irrigated, the Board requests the lessee to develop irrigation wells. The lessee should discuss the project and obtain approval of the Board before proceeding. The wells are considered improvements and it is necessary to obtain approval of an improvement application. When the application is approved, the well permit obtained, and the well drilled, the well becomes an improvement and is attached to the land.

When a well is developed and sufficient water is obtained for irrigation, the Board will issue an agricultural lease and the land in the lease may be withdrawn from sale for the term of the lease.

Persons other than the lessee may, with the approval of the Board, develop any state land now under grazing lease to agricultural use. If an application for such development is received the Board advises the lessee and gives him the opportunity to make the development. If he is unwilling to do so, the Board may approve the application from a person who is not a lessee and allow him to proceed as outlined above. In that case the developer, if sufficient water for irrigation is obtained, may be granted an agricultural lease, as described above, and the land to be irrigated will be withdrawn from the grazing lease, upon thirty days notice to the lessee, as provided for in the lease.

17. COLLATERAL ASSIGNMENTS

When the collateral assignment was originally adopted for use by the Land Board it was designed to collaterally assign state leases to individuals, corporations, insurance companies, etc., as security for the payment of indebtedness owing by the lessee to the collateral holder of record. It protected the lender by preventing the lessee from assigning his lease to any other party until the collateral holder was paid or satisfied.

c. Leasing agriculture land to anyone for cash or on a share basis.

d. Any agreement whereby the lessee or his employee is not in direct control of the land.

All uses by anyone other than the lessee must be fully reported to the Board. Exchange of use is permitted, but must be recorded with the Board. The only exception to the subleasing prohibition is in certain hardship cases where temporary use may be allowed if approved by the Board.

Paragraph 4, page 2, of all surface leases will be enforced. It states: "Subleasing during any part of this lease term will automatically cause loss of priority or preference right to renewal."

All leases issued since 1965 have the added provision: "and may be cause for cancellation at any time."

14. SIGNS AND BILLBOARDS

The lessee has only the rights specified in the lease, such as grazing or agricultural rights, and has no control over any other uses. The lessee may not permit or allow any signs or billboards upon the leased lands, nor may he collect any compensation for the use of the lands for signs or billboards or any other installation not covered by his lease. The Board may, at its option, permit such a use, upon payment of required compensation. It is the obligation of the lessee to report to the Board any installation on, or use of, the leased lands by others, unless he has evidence of formal permission in writing from the Board for such use.

15. SAND AND GRAVEL

Sand and gravel and other similar materials, including dirt and rock, may not be used or disposed of by the lessee, except as part of the lessee's grading or land-leveling operations approved by the Board. All such materials remain the property of the State and may be sold by the State at the option of the Board.

16. WATER RIGHTS AND DEVELOPMENT

In the past the Board did not attempt to obtain rights on surface water - streams, springs, etc., - originating on or available to state

BOARD OF LAND COMMISSIONERS STATE OF COLORADO

WHAT ARE STATE SCHOOL LANDS?

The lands called State School Lands (and other "fund" lands) were granted by the federal government to each of the western states at the time they were admitted to the Union. These grants were made to promote the settlement and the development of new states by providing a source of income for public institutions and services.

When Ohio became a state in 1802 it received one section in each township for the benefit of common, or public, schools. In 1876 when Colorado became a state, it received two sections in each township for the schools and lesser amounts for other public purposes. States admitted to the Union in later years received four sections in each township, although Alaska, the 49th state, received, or will receive, 103 million acres, or approximately 1/3 the total area of the state.

Colorado State School Lands in the original grant totaled nearly 3,800,000 acres; other fund lands amounted to about 700,000 acres. At the present time, after nearly a hundred years of land sales, Colorado State School Lands total approximately 3,000,000 acres, plus another million acres of mineral rights only.

The lands were not granted for the use of the schools or other institutions. They were placed under a board of land commissioners which was instructed to preserve and manage the lands for the purpose of obtaining the maximum possible revenue from them. This the Board does by leasing the lands for grazing and farming and many other surface uses, by leasing the mineral rights for mining and oil and gas production, by selling timber, or by granting rights-of-way for a consideration.

State School Lands are not public lands, in the sense that National Forests are - for the use of all the people. They are lands held in trust by the Land Board to produce revenue for schools and other purposes. No one can use these lands for any purpose without paying for the privilege.

If the grant had been made, as originally intended, for two sections in each township, the lands would have been located equally, in checkerboard pattern, all over the State. But in 1876 a large part of the western portion of the State was in Ute Indian Reservation, and much of the mountainous part of the State was mining region (the federal government reserved lands "mineral" in character). Consequently, the State was allowed to select "lieu" or "indemnity" lands in other locations in place of those sections it could not obtain. There are, in some areas, large concentrations of State School Lands and, in other areas, little or no School Lands.

The income derived from the leasing of School Lands goes to the current "Income Fund" and is used each year for state aid to schools. The funds derived from the sale of School Lands, or the disposal of other resources on them, such as minerals, goes to the "Permanent Fund" and can never be spent nor diminished. Monies in the "Permanent Fund" are invested according to law, and the interest received from the investments goes to the "Income Fund."

BOARD OF LAND COMMISSIONERS
STATE OF COLORADO
Surface Leases
Laws, Regulations and Policies

IMPORTANT NOTICE: In any negotiations for a new lease, or a renewal of a present lease, or whenever there are any doubts about terms, rental, fees or procedure, it is always best to consult in person with the Board or its staff for exact information. The Board is available at almost all times for this purpose.

STATE SCHOOL LANDS, as referred to herein, include all lands administered by the Board of Land Commissioners; these include School and Indemnity lands, Agricultural College lands, Internal Improvement lands, Public Building lands, Penitentiary lands, University lands, Saline lands, and any other lands granted by the "General" (Federal) Government to the State of Colorado. Also, any lands acquired by the State by foreclosure or gift, or in any other manner, which come under the administration of this Board. (The above-described lands are sometimes called "public lands" in the statutes.)

1. STATE LAW

SELECTION AND CONTROL OF PUBLIC LANDS (Constitution of Colorado, Article IX, Section 10) It shall be the duty of the State Board of Land Commissioners to provide for the location, protection, sale or other disposition of all the lands heretofore, or which may hereafter be granted to the State by the general government, under such regulation as may be prescribed by law; and in such manner as will secure the maximum possible amount therefor.

The statutes pertaining to surface leases are: Colorado Revised Statutes 1963 - 112-3-12 (Fees), 112-3-13 (Leases - rental), 112-3-14 (Adjustment of rentals), 112-3-16 (Disposition of rentals), 112-3-17 (Leases, rentals payable in advance), 112-3-18 (Terms of leasing - renewals - sale of leased land), 112-3-19 (Lessee to purchase improvements), 112-3-20 (Leases - lands in city limits), and 112-3-21 (Trespass).

2. LAND AVAILABLE FOR LEASING

All of the state land administered by the Board of Land Commissioners may be leased. (In 1968 the Board administered 3,055,984 acres of land (surface), over 93% of which was leased for grazing, some 6% for agriculture (farming), and almost all the balance for other uses). There are,

the request of the lessee and confirmation by the Board's field appraiser, result in adjustment of the rent on the portion of land lost to the lessee's use, for the period of the loss only.

12. IMPROVEMENTS ON THE LAND

Almost all improvements on the state land were placed there by the lessee or former lessees. Only rarely do any improvements belong to the State. The State exercises no control over any of the lessee's improvements except as set forth below.

Fences and livestock watering facilities, including wells and stock ponds, may be placed on state lands without formal approval of the Board. However, it is best to advise the Board in writing of the placing of fences and livestock watering facilities on the land in order to insure the consideration of such improvements in case of sale of the land or transfer of the lease.

Before any other improvements, such as dwellings, barns, corrals, roads, pipelines, irrigation wells and appurtenances, land leveling, etc., are placed on the land the lessee must file an Improvement Permit Application, in duplicate, with the Board, and such improvements will only be allowed when such application is approved by the Board. A higher rental rate may be charged for the area on which such improvements are located.

The transfer of improvements when a lessee loses his lease and a new lessee takes over the land is made between the old and new lessees with the Board acting as intermediary. The Board appraises the improvements and requires that the new lessee compensate the former lessee for them.

The transfer of improvements when the land is sold is made in much the same way. The purchaser must pay the appraised value of the improvements at the time of the sale.

13. SUBLEASING

The policy of the Board as established in 1969:

All leases must be in the name of the actual user. Subleasing is not permitted. Any of the following practices are defined as subleasing:

- a. Leasing a farm or ranch and permitting the tenant to use the state land either free or for compensation.
- b. Pasturing livestock belonging to another party by the month or on a gain or share basis.

The mineral lessee is responsible for payment of damage to the lessee's crops, stock or improvements. When an oil or gas well is plugged or abandoned, the mineral lessee is required to clean up the area and make restoration satisfactory to the Board. In these cases, and in all cases of disputed damages, the Board's appraiser will inspect the site and determine what must be done for restoration, and what damages are due to the lessee and to the Board. The Board particularly is opposed to the payment of any unreasonable and unjustified amount to the surface lessee for such damages or inconveniences.

In regard to damage appraisals at oil and gas drilling sites, and other mining operation sites, the Board instructs its appraisers as follows: "The Board expects an appraisal that will be fair to both lessees and will not approve any excessive or unsubstantiated damage claims. Nuisance is not to be compensated for; it was provided for in the surface lease. Appraisals are not to be figured backward from the surface lessee's demand for damages. However, the surface lessee's estimate of damages is to be carefully considered; and his actual losses should be shown.

Damage appraisals are not to be based on damages paid to someone else on some other piece of land.

"Any permanent damage to the land is suffered by the State, not by the lessee, and may be collected for by the Board if it so desires. Any area removed from grazing or agricultural use by the drilling or mining operation is to be measured, and the surface lessee is entitled to damages to the extent of the rental he pays for such area during the period he cannot use it. The mineral lessee is to restore the ground, as near as is practicable, to its original condition.

"The surface lessee is to be compensated for destruction of or damage to livestock, growing crops, water wells, reservoirs, fences or other improvements. Damage to crops is to include actual cost of operations performed by the surface lessee, such as summer fallowing, planting, etc. Full value of a crop may be allowed where a growing crop was destroyed prior to harvest. Damages may include the cost of moving livestock out of and back into the area of mining or drilling."

11. RIGHTS-OF-WAY

All leases are subject to any and all easements or rights-of-way legally obtained and in full force at the time the lease is made, and the Board reserves the right to issue additional easements and rights-of-way upon the land at any time. The lessee may not grant any right-of-way or permit for any use of the land and may not collect any fee or compensation for a right-of-way or other permitted use except for actual damages to the lessee's property, including fences, crops, irrigation structures, wells, stock, and privately-owned improvements. The State will collect for the right to use the land and for any damage to the State's property, including land, native grass or timber. Loss of the use of land in a right-of-way granted by the State may, at

at times, a few tracts not under lease. It is possible to obtain a lease on any of this state land in the ways described below.

3. QUALIFICATIONS OF APPLICANT

Any applicant for a lease is required to give evidence of his responsibility to carry out the terms of the lease.

4. LEASES - HOW OBTAINED

(This section applies, particularly, to grazing and agricultural leases. It applies, generally, to all other leases. See also Paragraph 7 for conditions of leasing for purposes other than grazing and agriculture.)

Since almost all of the state school land is now under lease, the applicant is concerned, primarily, with obtaining leases from the present lessee. Most grazing and agricultural leases are for ten years (the legal limit - Statutes 112-3-18, 1a), although there are a few leases for shorter terms. As long as the lessee complies with the terms and conditions of the lease, the Board cannot, and will not, take land away from one lessee and lease it to another party for the same use. (See provisions of the lease itself.) A lease may be obtained in the following ways:

A. By Assignment: The present lessee may assign his lease, or part of his lease, to another party, provided the assignment is made on official Board forms (there is one attached to the lease), and is formally approved by the Board. The Board requires the payment of an amount equal to one year's rental on each assignment. Partial assignments require payment of a proportional amount. This payment is a "transfer fee" and not a rental payment. It is in addition to the regular rental payment. The assignment fee may be paid by either party to the transfer - the old or the new lessee - or shared by them. The Board does not determine who pays, and it takes no part in the negotiations, as long as the assignment conforms to the requirements of the lease, the law, and Board policy. Assignment fees are required in all voluntary transfers of leases. Involuntary transfers (death or court order) do not require payment of the fee.

There is no change in the term or rental rate of a lease upon assignment; it runs to its original expiration date. The assignee assumes responsibility for all terms and conditions of the lease, and is subject to all rules and regulations set forth here. Whenever the lessee of record allows another party to use the leased land, the lease must be assigned. See Paragraph 13 for "Subleasing." See Paragraph 12 for "Transfer of Improvements."

B. By Conflicting Application at the termination of a lease: At the beginning of each quarter (three month period) of the year, a list of all leases which will expire in the second succeeding quarter (from 3 months to 6 months later) is prepared. Separate lists of expiring leases are made for each county and are sent to each County Clerk and Recorder for posting in the Court House. The complete list of all expiring leases in all counties is posted and available for public inspection in the offices of the Land Board. These lists remain posted until all leases listed have expired. The lists describe the land and give its classification, rental rate, name of the lessee and date of expiration.

(Lists of all leases expiring between January 1 and March 31 will be posted by the first of the preceding October; those expiring April 1 to June 30 will be on the January list; those expiring July 1 to September 30 will be on the April list; and those expiring October 1 to December 31 will be on the July list.)

Anyone may submit a "conflicting application" to the Board on any expiring lease. All applications to lease state land shall be made in writing on application forms which may be obtained from the Board office in Denver or from the Board's "appraiser" for the district in which the land is located. Applications, in order to be considered, must be in the Board office 60-days prior to the expiration of the lease. The application must stipulate the rental the applicant is willing to pay, the total acreage of agricultural or grazing land, if any, owned and to be operated by him in connection with the land to be leased, and the intended use, during the term of the lease, of both such private land and the state land.

The applicant must submit, with his application, the fees established by law: 50¢ for each 160 acres or fraction thereof, and a lease service fee of \$5. The Board also requires from the applicant a deposit of an amount equal to one year's rental as offered, or fixed by the Board.

If the lessee of record owns the improvements on the land (as he usually does), the Board appraises the improvements and requires the conflicting applicant to deposit the full appraised value of them with the Board before his application is considered. (The awkward system provided by law has been found unworkable and is not used.) See also Paragraph 12 on Improvements.

The present lessee must also make application for a renewal of his lease. If both "conflicting" and "renewal" applications are received, the Board is instructed, by law, to lease the land "in such manner and to such persons as will produce an optimum long-term revenue."

"In determining the maximum benefit to the State in the renewal of any expiring lease, the Board shall consider, among other things the care and use given the land and the development work done by the lessee in conserving and promoting the productivity thereof and in promoting optimum long-term revenue for school purposes, and the classification, location and contribution to the unit controlled by the lessee." (Colo. 1963 Rev. Statutes 112-3-18, 1b.)

Signs and Billboards: See Paragraph 14.

Sand and Gravel: See Paragraph 15.

Water Development: See Paragraph 16.

9. SALE OF THE LAND

The Board reserves the right to sell the land or any portion thereof, at any time. All sales are made at public auction (See Land Board Book of Rules and Regulations on Sale of Land), and neither the lessee nor anyone else has any preferential right to meet a bid or retain the lease - the land is sold to the highest bidder, whoever that may be.

In the event a tract of land is sold at public auction the lease is terminated. The lease contract allows the lessee a 30-day period from date of sale to vacate the premises. This period may be extended by the Board for any valid reason, such as the harvesting of growing crops. All refunds of prepaid rental are effective 30-days after the date of sale, unless, however, the lessee is the successful purchaser, in which case refunds of rental are figured from the date of sale.

10. MINERAL LEASES ON LAND LEASED FOR SURFACE USE

The Board reserves the right to lease all or any portion of the land for mineral purposes, together with such surface rights as may be necessary for the operation of such mineral lease. A surface lessee may not keep the holder of a mineral lease or permit off the land and may not prevent a mineral lessee from constructing roads or structures, sump pits, waste dumps or other facilities necessary to the recovery of minerals, including oil and gas. The surface lessee has no control over these minerals or their recovery and may not claim any part of them nor any revenue from them.

Minerals referred to above include coal, asphaltum, oil and gas or other like substances, ores and metals of any kind and character, sand, gravel, clay of all kinds, limestone, sandstone, building stone or decorative rock, scoria, bentonite or any other material in the soil. These materials are sold by the Board by permit or lease and the surface lessee may not use or permit the use of any of them.

The Board requires of the mineral lessee that he cooperate with the surface lessee to the extent of repairing damage caused by him to fences, gates, cattleguards, ditches, reservoirs and other improvements of the surface lessee. Equal cooperation is expected from the surface lessee.

The lessee is given possession of the land for the period stated in the lease, with certain exceptions such as sale of the land, the recovery of minerals, the granting of rights-of-way by the Board, and as described below.

Sale of the land is covered in Paragraph 9.

Recovery of Minerals is covered in Paragraph 10.

Rights-of-Way are covered in Paragraph 11.

The land may be used only for the purpose agreed on and stated in the lease. The lessee has no other legal control of the land.

Posting of Land: At the present time the lessee, in all areas except the State Forest, is permitted to post the leased land against hunting and fishing if he so desires. This is a policy of the Board, not a law or regulation, and it is subject to change at the option of the Board. Under no circumstances may the lessee collect or receive any fee or other reimbursement for allowing hunting, fishing or other recreational use upon the leased land.

Timber: The Board reserves the right to sell all or any portion of the timber upon the leased land, and to grant to the purchaser of such timber the right of entry to remove same.

The lessee may not cut or remove, or allow to be cut or removed, any timber, standing trees, or dead or down timber or wood fuel that may be upon the land (except, he may use dead or down timber for domestic fuel and for fence posts and corrals on the leased land.) A failure to preserve and protect the timber as stated subjects the lease to cancellation.

Cancel for Higher Use: All or any part of a grazing lease may be cancelled on 30-days notice by mail, if the Board has an application to lease such land for agricultural (farming) purposes. Leases, or parts of leases, may be cancelled for other "higher" uses of the land.

Care of the Land: If the lessee fails to take good care of the leased premises or any part thereof, including state-owned improvements thereon, has overgrazed the grass land, or has failed to otherwise use said land in conformity with good soil conservation practices, the Board may cancel the lease by giving 10-days notice by mail to the lessee.

Damage to the Land: The lessee may not permit any loss or damage, nor commit, cause or allow to be committed, any injury or waste in, to, or upon the leased premises, or any part thereof, nor use the land for any purpose except that specified in the lease. It is the lessee's obligation to prevent and forbid dumping of any waste, or other such nuisance, on the leased lands. Any unauthorized use of the land by anyone is to be reported at once.

Improvements: See Paragraph 12.

Subleasing: See Paragraph 13.

A key section of the law (112-3-18, 1c) provides that, "before land shall be leased to anyone other than the present lessee, said present lessee shall be given ten days notice and an opportunity during said ten days to negotiate with the -----Board----- concerning a new lease."

The law does not provide that the lease will go to the highest bidder. Sometimes the present lessee is required to meet the rental rate offered by the conflicting applicant, but not always. Generally, if the lessee has taken care of the land and complied with the provisions of his lease, the lease will be renewed to him. The rental rate, in all cases, is determined by the Board.

C. By Original Application for land not now under lease: A lease application is submitted, as described in B; the Board appraises the land and either accepts the rental rate offered or sets a rate. The lease is issued by decision of the Board.

5. GENERAL LEASING RULES

No one has any preferential right to a state lease, other than the present lessee's 10-days to negotiate for renewal.

In the rare cases where land is obtained by the Board by exchange with some other agency, the lessee of the former owner may be given first opportunity to obtain a state lease, but this is at the option of the Board.

The Board has the authority to cancel and terminate any lease at any time if it finds that a lessee has made any false statement in his application.

The Board is willing and anxious, at any time, to assist anyone interested in leasing state land by showing maps or providing any information needed.

6. RENTAL RATES - GRAZING AND AGRICULTURE

State Statutes: (112-3-13) "The --- Board --- may lease any portion of the land of the State at a rental to be determined by it---" (112-3-18) "The public lands of the State may be leased by the --- Board ---, and if so leased shall be leased in such manner and to such persons as will produce an optimum long-term revenue." (112-3-14) "The --- Board --- shall have the direction, control and disposition of the public lands --- and when, in its option, conditions justify, shall have the power and authority to adjust rentals under any existing, expired or defaulted lease---, in a manner to secure the maximum possible revenue----." This is the extent of the law concerning rental rates. It is clear that the Board has power to determine the rental

rate and that it must secure the "maximum possible amount" or "optimum long-term revenue."

In the past, there have been definite formulas in the law as to how rental rates for grazing leases were to be determined, but at this time (1969) there are no such formulas.

Grazing Rates. While no rigid formula is followed, the Board may consider carrying capacity of the land as the basis for grazing rental rates. Carrying capacity is the key factor in the yardstick called Animal Unit Month (AUM), in general use. A theoretical example of the use of this yardstick is: A section of land (640 acres) has a carrying capacity of 16 cows for 8 months.

Using an arbitrary rate of \$2.00 per AUM (this rate can vary according to economic and range conditions), the rental can be worked out as: 16 cows times 8 months, times AUM rate of \$2.00, divided by 640 acres ($16 \times 8 = 128$, $128 \times 2.00 = 256$, $256/640 = 40\text{¢}$ per acre). Other factors may be considered in determining the rental, such as: Location of the land, type of soil, average precipitation, length of season, grass and other growth on the land, past use, availability of stock water, accessibility, value to lessee's unit (ranch), rates paid for similar land in the area, and competition for the lease.

All rental rates are set by the Board's field appraisers who inspect the land before a new lease or renewal is made, and, usually, at the mid-term of the lease. The Board may, and frequently does, adjust these rates, either up or down, on the basis of information in its files or from its own knowledge of the leased land. An attempt is made to obtain consistency - to set the same rental rate for the same kind of land regardless of location and when all conditions affecting the land are the same.

As explained in the last paragraph of 4-B, rental rates are sometimes determined by the offer of a "conflicting" applicant when he "bids" for a lease that has expired. The present lessee may be required to meet the bid - or he may not be so required. The rental rate, in all cases, is determined by the Board.

Grazing rates vary greatly according to the character of the land, its location, the rainfall in each area, the accessibility of the land to potential users, the number of animals it will sustain, the length of the season it may be used, the kind and quality of the grass established on the land, the percentage of usable land in the lease, the stock water available, and the competition among potential users.

All these factors are considered in order to arrive at the "productive value" of the land to the lessee; that is, the highest rate that the user of the land can pay and still use the land for grazing without financial loss on the operation. The cost of the rancher's operation and the price he receives for his stock when sold necessarily affect the productive value of the land.

It should be remembered that these state leases are generally for ten-year terms and the rent must be paid regardless of conditions during

the term of the lease. The rate, then should be the average value of the land to the lessee, through good years and bad, over the term of the lease.

The Board furnishes only the land to the lessee. The lessee must provide the water, fences, and any other improvements he needs, at his own expense. This affects the lease rate.

Grazing rental rates on state school land (1969) run from 10¢ per acre per year for the poorest land in remote areas to \$1.70 per acre per year for the best land. The average at this time is about 40¢ per acre which is higher than the average rate for school lands in other western states and considerably above federal grazing rates.

Agricultural rates on cultivated land are also based on productive value of the land. Productive value is dependent on precipitation or the availability of irrigation water. The rates vary from \$1.50 for some marginal dry farming land to \$7.50 for good land with adequate water. (The water is almost always owned by the lessee; the State rarely furnishes any.)

It should be remembered that the best agricultural lands in the State were in private ownership before the grant to the State, and were not included in the grant; and, also, that most of the State's best agricultural land has been sold. The remaining state school land cannot be compared with Colorado's finest farms.

Homesites on Grazing & Agricultural leases: The Board may set a higher rental rate on that part of the leased land upon which a house or other extensive improvements are located.

7. OTHER SURFACE LEASES - TERMS AND RATES

Leases for uses other than grazing or agriculture, such as for homesites, commercial or industrial establishments, public or private recreation, etc., are each prepared individually with special provisions and restrictions to fit the particular circumstances. The leases are few in number, cover small areas, and are for a wide variety of uses from radio towers to parking lots. There are no fixed rental rates. Rates are determined by the Board after considering all the circumstances. Recently the rates for such leases have usually been set at 4% or 5% of the appraised value of the land, with a provision that the land will be reappraised at the end of each five-year period and the rental rate adjusted at that time.

8. RIGHTS AND RESTRICTIONS IN THE LEASE

The rights of the lessee are set forth in the lease document.

RAYMOND H. SIMPSON
President
TOMMY NEAL
Register
ROBERT D. McPHEE
Engineer



X 12
Policies

FC
AK
R
J
al

THOMAS E. BRI
Mineral Direct
ANTHONY SABA
Administrative Off
E.J.P. VALDE
Chief Accounta

BOARD OF LAND COMMISSIONERS

DEPARTMENT OF NATURAL RESOURCES

201 Columbine Building
1845 Sherman St., Denver, Colorado 80203
(303) 892-3454

POLICY STATEMENT

TREE TRANSPLANTS FROM STATE LANDS

Effective as of 8-1-75, the Board adopted the following policy on the sale of trees from State lands to be used for transplants.

Permits for the sale of trees from State lands to be used for transplants will no longer be allowed or issued to private parties for personal use. All permits issued for the sale of tree transplants will be limited to commercial landscaping contractors, or equivalents thereof.

Handwritten signature of Raymond H. Simpson in cursive script.

President

Handwritten signature of Tommy Neal in cursive script.

Register

Handwritten signature of Robert D. McPhee in cursive script.

Engineer

Colorado State Forest Service
Fort Collins District
Memorandum

TO: Mike Babler & Mike Hughes
FROM: Mike Harvey
DATE: November 13, 1995
SUBJECT: State Land

Here are six traverses that I did on Pass Creek, and a sketch map indicating their relative position. I used a hand compass and pacing so a couple of the closures aren't that great, but they are plenty good for records. The numbers I assigned to the cutting units probably contradict the numbers on the map that Bill gave Ray, so keep that in mind. I suggest that you try to borrow a 1994 aerial photo to get the acreages of the remaining five or six units.

While I was at Pass Creek I noticed that two sections of the road are beginning to wash out. One area is a spur off the main road that goes through unit #5 and unit #3. The other area is on the main road above the switch back in unit #2.

A few other state land issues that I noticed on the district are:

- could not find plan for Crystal Mountain
- erosion of a haul road in an old cutover area on Crystal Mountain
- time to do some precommercial thinning on Crystal Mountain
- no reference in the Trail Creek plan to harvesting Christmas trees
- no designation of take or leave trees in Christmas tree sales
- pile burning on Trail Creek

I left one loose end on state land that I can think of. Don Hass with the M.S. Society asked if we would sell them 100 Christmas trees on Crystal Mountain. He told me that Ray has done this in the past. He also said Ray was charging \$4 or \$5 per tree, which I think is too low. I told him I thought we probably could (I did not commit to any price), but that I wanted to look at the section first. I think we could go ahead with this in 1995, but I would suggest a more controlled tree selection procedure in the future, but of course that will be your decision. Don's home number is 669-3032, office is 667-3083.

MB
MH *MS*
KPT
DF *adB*
File

M E M O R A N D U M

DATE: February 3, 1997
TO: All Projects
FROM: Phil Schwolert *P.S. -*
RE: State Land Board Status Report

I am sure that many of you are fielding questions about the status of the State Land Board. Here is our latest information based on newspaper articles, a recent meeting and telephone conversations with SLB staff. Understand that this situation takes a new twist every few days. I will keep in touch with SLB staff and keep you posted on developments.

At a January 15 hearing, a federal judge lifted the restraining order that was preventing implementation of Amendment 16. The Land Board staff and new board members are now moving ahead. Two new board members were named prior to the 1997 legislative session and therefore did not require senate approval. They are Thomas Swanson and Charles Vidal (see attached article). Three additional board members have been named, but require confirmation by the senate. Until new members are confirmed, Bob Mailander will continue to serve out his unexpired term. Therefore, there are three of five board member slots filled. This allows the board to carry out its responsibilities. We have requested an opportunity to meet the new board and to present our vision of state lands forest management.

I will be assembling and submitting our state-wide annual work plan within the next two weeks. The board must approve it before we can implement these activities. Originally, we thought there was going to be a series of public meetings to review our local annual work plans. That process fell apart for several reasons, the biggest being confusion over Amendment 16. The public

meeting concept was an SLB staff attempt to encourage their district managers to initiate more dialogue with CSFS field people and to better understand the content of our plan recommendations. They did not happen and won't this year. The point is that now, more than ever, it is important that we maintain good communications with the district managers.

I thought you would be interested in knowing that recently Max Vazzani, SLB Staff Director, mentioned that way our field people deal with the SLB and lessees **"has been a model for how these relationships should function."** They are quite pleased with how you work through conflicts that arise in a cooperative manner instead of "falling on our sword."

I will inform you as soon as the board approves our work plan. If you have any questions, please contact me.

Romer appoints 5 to State Land Board

By The Associated Press

DENVER — Gov. Roy Romer on Monday appointed five people to the State Land Board, which must juggle the task of preserving open space while also generating money for Colorado schools.

Luanne C. Hazelrigg of Evergreen, Mark D. Pearson of Durango, John R. Stulp of Lamar, Thomas W. Swanson of Evergreen and Charles A. Vidal of Aspen are the first members appointed since Amendment 16 revamped the board.

Amendment 16, passed by Colorado voters Nov. 5, added two more land board members and called for the board to preserve

open space when managing the 3 million acres of state-owned public trust lands.

Previously, the board's mission was to generate the most money for public schools by selling and leasing the land to private investors.

"I couldn't be more pleased that this group of talented Coloradoans have agreed to serve on this important board," Romer said. "Each brings a wealth of experience and background."

Hazelrigg, a past president of the Jefferson County school board, will serve as a board member with experience in primary and secondary public education.

Pearson, vice president of the Wilderness Land Trust, will represent natural resource conservation interests.

Stulp, a veterinarian, is a Prowers County commissioner who brings experience in production agriculture.

Swanson was selected as the board's citizen at large. He is a member of the Colorado Nature Conservancy and the St. Joseph Hospital Foundation Board of Trustees.

Vidal, the executive director of the Aspen Valley Land Trust, will serve as a member with experience in local government and land-use planning.

Planner named to help preserve farmland

By The Associated Press

The American Farmland Trust has hired a Colorado researcher in an attempt to curb the 10-acre-per-hour depletion of the state's agricultural land.

Jeff Jones was named Monday as the trust's field representative in Colorado.

The trust estimates that urban growth has caused Colorado to lose about 90,000 acres of farmland annually since 1978.

"We now will be able to respond

far more quickly and efficiently to the many requests for assistance and to show how agricultural conservation can and should be incorporated into all land-use planning decisions," said AFT director of field programs Bob Wagner.

Wagner said Jones will work with state officials in implementing conservation recommendations by the Agricultural Land Task Force.

Jones also will focus on protecting threatened agricultural areas

in Weld, Larimer and Jackson counties.

Prior to joining the American Farmland Trust, Jones served as project coordinator for the Colorado State Forest Ecosystem Planning and Monitoring Project.

Jones, who has degrees from the University of Northern Colorado, Colorado State University and the University of Denver, also has been a forester and a field assistant for the Colorado State Forest Service.

Fort Collins District

State Land Sales Plan for 1995

1. Legal Description: S16, T11N, R75W
Common Name: Sand Creek
Prescription: Thinning
Size of Practice: 15 acres
Species: Aspen
Products to harvest: Transplants
Volume of Product 100 trees
Estimated Direct Cost: \$ 85
Estimated Value: \$ 350
Estimated duration: 3 years

Other benefits: Improve grazing. Reduce density.
Why: Planned transplant area.

2. Legal Description: S16, T11N, R75W
Sand Creek
Thinning
640 acres
Sub-alpine fir
Christmas Trees
100 trees
\$ 135
\$ 550
3 years

Other benefits: Utilize low quality wood producing species.
Why: This area is in 13th year of Christmas tree management.

3. Legal Description: S36, T12N, R74W
Trail Creek
640 acres
Sub-alpine fir, lodgepole pine
Christmas trees
100 trees
\$ 135
\$ 550
3 years

Other benefits: Utilize low quality wood producing species.
Why: Christmas tree management area. Thin lodgepole pine.

4. Legal Description: S16, T9N, R73W
Manhattan
Harvest & TSI
160 acres
Ponderosa pine, Douglas-fir
Sawlogs, fuelwood
75 MBF and 50 cords
\$ 800 plus cost of FM Plan
\$ 4,500
12 months.

Other benefits: Improve wildlife habitat. Reduce dwarf-mistletoe infection. Establish natural regeneration.
Why: Reduce stocking to recommended FMP levels.

5. Legal Description: S 36, T11N, R77W
La Garde Creek
Thinning and fire salvage
70 acres
Lodgepole pine
Sawlogs, roundwood, fuelwood
150 MBF & 160 cords
\$ 1,300
\$ 5,200
12 months

Other: Promote regeneration. Eliminate dwarf-mistletoe.
Provide fuelbreaks for wildfire hazard reduction. Promote
forage production.

Why: Reduce dwarf-mistletoe. Improve wildlife habitat.
Utilize site potential to obtain optimum growth.

6. Legal Description : S 36, T11N, R72W
Crystal Mountain
Thinning
640 acres
Sub-alpine fir
Christmas trees
100 trees
\$ 130
\$ 550
3 months

Other: Utilize low quality wood producing species. Improve
wildlife habitat.

Why: Reduce competition in aspen stand. Reduce stocking
levels.

COLORADO STATE FOREST RESOURCE MANAGEMENT GUIDES

STATE BOARD OF LAND COMMISSIONERS



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Birds of the State Forest

Species	Population Status ¹				Species Status Jackson Co.	Nest On Forest
	Mar.- May	June- Aug.	Sept.- Oct.	Nov.- Mar.		
Western bluebird		u	u		uncommon	
Mountain bluebird		a	a		common	Yes
Golden-crowned kinglet		c	c		uncommon	Yes
Water pipit		c	c		uncommon	Yes
Cedar waxwing		r	o		uncommon	
Loggerhead shrike		u	u		common	unknown
Yellow warbler		a	c		common	willow thickets
Yellow-rumped warbler		c	c		common	Yes
Wilson's warbler		o	o		uncommon	unknown
Red-winged blackbird	c	a	a		common	Yes
Yellow-headed blackbird		c	c		common	
Common grackle		u	u		common	
Brown-headed cowbird		c	c		common	
Western tanager		c	c		common	Yes
Pine grosbeak	c	c	c	c	common	Yes
Black-headed grosbeak		r	r		peripheral	
Purple finch	u			u		
Cassins finch	u	u	c	c	common	
House finch			c	c	common	
Gray-crowned rosy finch	c	c	c	a	common	Yes
Black rosy finch	r	r	r	c	uncommon	unknown
Brown-capped rosy finch	u	u	u	c	common	Yes
American gold finch		u	u		uncommon	
Red crossbill	o	c	c		common	Yes
White-winged crossbill		r				
Rufous-sided towhee		c	c		common	unknown
Green-tailed towhee		u	r			
Lark bunting		o	o		common	
Lark sparrow		o			uncommon	
White-crowned sparrow		c	c		common	above timberline
Brewer's sparrow		u	u		uncommon	
Sage sparrow		c	c			
Snow bunting				r	uncommon	

¹a - abundant o - occasional
c - common r - rare
u - uncommon

Birds of the State Forest

Species	Population Status ¹				Species Status Jackson Co.	Nest On Forest
	Mar.- May	June- Aug.	Sept.- Oct.	Nov.- Mar.		
Franklins gull		r	r		common	
Foresters tern		r	r		common	
Band-tailed pigeon		o	o		uncommon	in trees
Mourning dove	o	c	o		common	Yes
Short-eared owl	o	o	o		common	unknown
Boreal owl		r			uncommon	
Saw-whet owl		o	o		uncommon	Yes
Great horned owl	c	c	c	c	common	Yes
Snowy owl				r	peripheral	
Common nighthawk		o			common	
Black-chinned hummingbird		r			uncommon	
Broad-tailed hummingbird		a	c		common	Yes
Rufous hummingbird		c	c		common	unknown
Belted kingfisher		o	o		common	
Hairy woodpecker	c	c	c	a	common	tree cavity
Downy woodpecker	c	c	c	a	common	Yes
Northern three-toed woodpecker	u	u	u	u	uncommon	Yes
Yellow-bellied sapsucker		c	c		common	Yes
Williamson's sapsucker		c	c		common	Yes
Flicker		c	c		common	Yes
Western kingbird		u	u		peripheral	unknown
Cassins kingbird		c	c		uncommon	unknown
Say's phoebe		u			uncommon	
Traill's flycatcher		a	c		common	Yes
Hammond's flycatcher		c	u		common	
Dusky flycatcher		u			uncommon	
Western flycatcher		u			uncommon	
Horned lark	a	a	a	a	common	Yes
Violet-green swallow		a	c		common	tree cavity
Tree swallow		a	c		common	Yes
Stellers jay	u	c	c	u	common	Yes
Gray jay	c	a	a	a	common	Yes
Black-billed magpie	u	c	c	u	common	Yes
Clarks nutcracker	c	c	c	c	common	Yes
Common raven	c	c	c	c	common	Yes
Common crow	c	c	c	c	common	Yes
Black-capped chickadee	c	u	u	c	common	Yes
Mountain chickadee	a	a	a	a	common	Yes
Red-breasted nuthatch	u	u	u	o	common	possibly
Pygmy nuthatch	u	u	u	o	common	Yes
Brown creeper		u	u		uncommon	Yes
Dipper	r	c	c	r	common	Yes
Sage thrasher		c	c		uncommon	Yes
Robin	c	a	a		common	Yes
Townsend's solitaire		u	u		uncommon	unknown

¹a - abundant
c - common
u - uncommon

o - occasional
r - rare

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Colorado State Forest Resource Management Guides

Prepared for the State Board of Land Commissioners by the State Forest Task Force

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Please note that these guides may be updated from time to time. For updates, contact the State Board of Land Commissioners or Task Force members.

(Cover photo by Dr. Dale L. Shaw)



Birds of the State Forest

Species	Population Status ¹				Species Status Jackson Co.	Nest On Forest
	Mar.- May	June- Aug.	Sept.- Oct.	Nov.- Mar.		
Common loon	o	r			unknown	
Western grebe		r			common	
Pied-billed grebe		r	r		common	
Eared grebe		r	r		common	
Black-crowned night heron	u	o	o		common	beaver ponds thick willows
Snowy egret		r			common	
Canada goose	o	o	o		common	
Mallard	o	o	c		common	
Gadwall		o	c		common	
American wigeon		o	o		common	
Green-winged teal	o	c	c		common	
Blue-winged teal		u			common	
Cinnamon teal		o	u		common	
Shoveler		u			common	
Pintail	o	o	o		common	
Lesser scaup	o	c	a		common	
Ring-necked duck		o	o		common	
Common goldeneye	o	o	o		common	
Barrows goldeneye	r		r		peripheral	
Ruddy duck	u	u			common	
Common merganser	o	o	c		common	ground, tree cavity
Turkey vulture	u	c	c		common	unknown
Sharp-shinned hawk	u	u	u	r	peripheral	thick forests
Coopers hawk	u	u	u	r	peripheral	scattered woods
Goshawk	c	c	c	o	common	trees
Red-tailed hawk	c	c	c	c		Yes
Rough-legged haws	c	u	u	c	peripheral	
Golden eagle	o	c	c	o	common	Yes
Bald eagle		r	r		uncommon	
Prairie falcon	o	o	o		common	high cliffs
Peregrine falcon	r	r	r		uncommon	
Merlin	u		u		uncommon	
American kestrel	o	c	c		common	possibly
Osprey	r	r	r		peripheral	
Blue grouse	a	a	a	a	common	on ground
White-tailed ptarmigan	c	c	c	c	common	above timberline
Sage grouse	u	c	c	o	common	on ground
Greater sandhill crane	r	r	r		threatened	
Virginia rail	o	c	c		common	marshy ponds
Sora	o	c	c		common	marshy ponds
Killdeer		o	o		common	
Spotted sandpiper	c	c	c		common	Yes
Lesser yellowlegs		r			common	
Ring-billed gull		c	c		common	
Herring gull		o	o			

¹a - abundant
c - common
u - uncommon
o - occasional
r - rare

V. Basic Policy

The Land Board adopted the following policy statement concerning the State Forest on June 1, 1976:

The State Board of Land Commissioners recognizes that renewable natural resources produced on the State Forest can, under sound management, be used to a permissible degree and at the same time be sustained for the use and enjoyment of future generations. The Board has therefore adopted a policy that the State Forest will be a multiple use area whereby available resources can be utilized for the benefit of the State and for all the users of the Forest.

The Board also realizes that natural resources, including soil, timber, wildlife, forage, and water, although renewable, can be severely damaged or even destroyed by overuse or improper use. In recognition of this, the Board hereby adopts the policy that in all management considerations, adequate protection of the Forest's natural resources shall be the first priority. Planned use shall safeguard all resources on the Forest so that such resources will be maintained in a healthy and viable condition in perpetuity.

/s/ State Board of Land Commissioners

Jackson County Statement

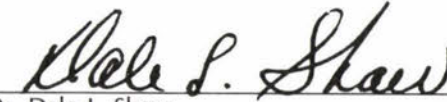
Activities on state lands by state agencies may be subject to some degree of supervision and review by county and regional planning and zoning regulations. Activities of private persons on state lands are clearly subject to such planning and zoning regulations.

The Board will make every effort to cooperate with local agencies in effecting the goals of its State Forest resource plan.

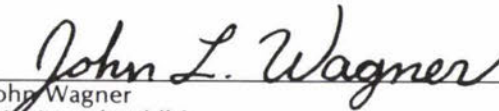
Transmittal Sheet

We the undersigned State Forest Task Force members hereby submit this Management Guide to the State Board of Land Commissioners.

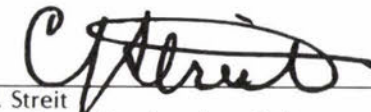
We hereby endorse this document and respectfully request that it be used by the Commissioners in establishing and implementing management decisions regarding the State Forest.



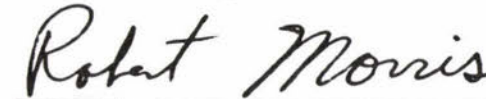
Dr. Dale L. Shaw
Colorado State Forest Service



John Wagner
Division of Wildlife



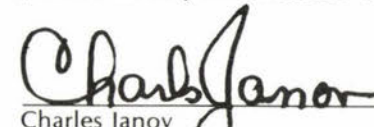
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Robert Morris
Division of Parks & Outdoor Recreation



Kent Crowder
Jackson County Administrator-Planner



Charles Janov
State Board of Land Commissioners

May 9, 1979
Date

Appendix

Memorandum

February 24, 1977

TO: Dale Shaw, Chairman, State Forest Task Force

FROM: State Land Board

SUBJECT: Creation of a permanent State Forest Task Force

As you know, the Task Force was created last year for the specific purpose of revising the management plan for the Colorado State Forest. We believe the Task Force can serve a useful purpose by being continued on a permanent basis.

In order for the Task Force to function effectively on a permanent basis, we believe there must be clear directives from the Land Board to the Task Force which are set forth in the following paragraphs.

I. Membership

- A. The Task Force shall be composed of one representative from each of the following entities: Division of Wildlife, Division of Parks and Outdoor Recreation, State Forest Service, State Land Board, State Forest Grazing Association, and Jackson County.
- B. Task Force members shall be appointed for indefinite terms by directors of state agencies involved and by the president of the State Forest Grazing Association. The Jackson County representative shall be the County Planner.
- C. The representative of the State Forest Service shall serve as chairman of the Task Force.
- D. The State Land Board Forester is hereby designated as the Land Board representative on the Task Force.

II. Meetings, Procedures

- A. The Task Force shall meet at the call of the chairman; meetings shall be held at least semiannually.
- B. The Task Force shall adopt rules of procedure it deems appropriate and necessary.

III. Purpose

The Task Force is established on a permanent basis for the following purposes:

1. To act in an advisory capacity to the Land Board with regard to the management of the State Forest, in accordance with the Board's policy statement of June 1, 1976. In its advisory capacity, the Task Force will be responsible for making recommendations to the Land Board concerning the management of the Forest.
2. To serve as a clearinghouse for a continuous exchange of information and ideas concerning the management of the Forest.
3. To review and make recommendations to the Land Board concerning proposed agency plans

and activities regarding the Forest before such plans or activities are implemented.

4. To review and make recommendations to the Land Board concerning proposals regarding the Forest which may be made by entities other than state agencies.
5. To periodically review and up-date, as needed, the State Forest Management Plan.

IV. Process

A. Responsibilities

1. **The State Land Board.** The Board has statutory authority for the administration and management of the State Forest. Thus, policy decisions and final approval of proposed plans and activities of all agencies involved with the State Forest rest with the Board. This does not include routine and everyday activities.
2. **The Task Force.** Task Force members are expected to make a commitment to actively participate in the work of the Task Force. In designating a representative, state agencies are expected to do so with the commitment that each agency will keep others informed of activities and plans regarding the Forest *before* such plans and activities are carried out. The Task Force will be responsible for making recommendations to the Land Board, and the Board will then act on those recommendations.

B. Process

The Board believes that the following process will enable the Task Force to fulfill its responsibilities in an orderly manner:

1. Proposed plans and activities of state agencies on the Forest, other than routine activities, will be submitted directly to the Task Force, with a copy to the Land Board. In instances where submission of a copy to the Land Board would require extensive duplication or expense, a memorandum outlining the proposal will suffice.
2. The Task Force will review the proposed plan or activity without undue delay, providing Task Force members with an opportunity to respond to the proposal and to resolve, whenever possible, conflicting views and problems which may arise.
3. The Task Force will submit its recommendation, in writing, to the Land Board. Members who do not agree with the Task Force recommendation may submit their views, in writing, to the Land Board.
4. The Land Board will consider the Task Force recommendation, together with any dissenting views, at a regular meeting of the Board (in conformance with the Sunshine Law, which requires agenda items to be posted for two weeks) and act upon the recommendation.

What About The Future?

A number of problems and needs, some current and others anticipated, were discussed frequently as Task Force members assembled these Guides. Following are items discussed which will need attention as time goes on. Although some items are mentioned in previous sections, such items are repeated here for emphasis.

1. A major need is for additional basic resource data. A reason for this document being titled "Guides" is that Task Force members believe too little hard data is available to warrant calling this a plan. Guides can be formulated from observations and some familiarity with an area while satisfactory planning usually requires in-depth inventories and other data.
A complete, professionally-acceptable plan cannot be put together until needed data is gathered. Timber is just one example; no data is available on any but a handful of proposed sale units. Neither foresters or operators know where specific boundaries are or what's available for cutting.
2. Another major need is proper construction, reconstruction, and maintenance of major access roads. Secondary but heavily-used roads now receive little or no maintenance and are deteriorating. One user group cannot be expected to build or maintain roads for all users. This problem will probably not be resolved satisfactorily until a centralized, well-financed road construction and maintenance program is established.
3. The **potential** for overuse and resulting deterioration or destruction of resources is voiced by Task Force members. This situation requires a choice between undesirable alternatives — whether to provide all goods and services that ever-increasing numbers of users want and then suffer resource damage **or** restrict use and deprive **some** users or potential users of benefits the Forest offers.
4. The Task Force should remain active as an advisory board to the Land Board to pool problem-solving expertise and maintain liaison among disciplines active on the Forest.

Origin

The State Forest was created via land exchanges with the U.S. Forest Service. An offer for exchange was made by the State Board of Land Commissioners on March 5, 1934. The exchange was completed December 2, 1938 when President Franklin D. Roosevelt issued a patent to Colorado for 70,980 acres; 65,625 from the Routt National Forest and 5,355 from the Roosevelt National Forest. For State Forest location, see Fig. 1.

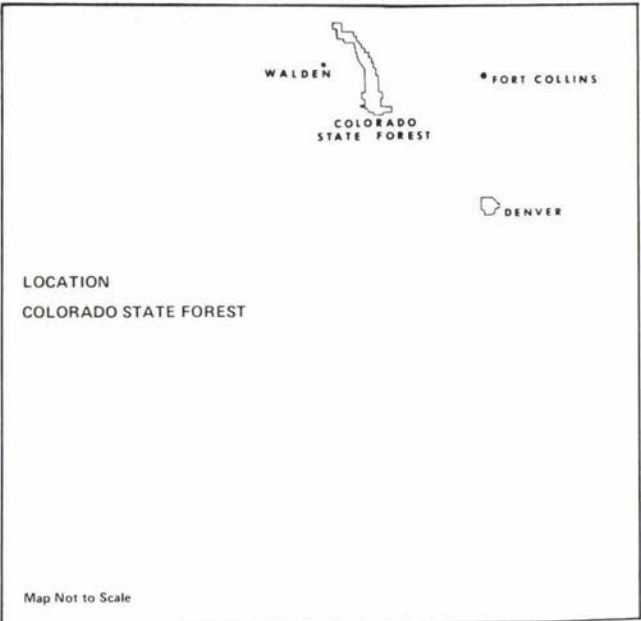
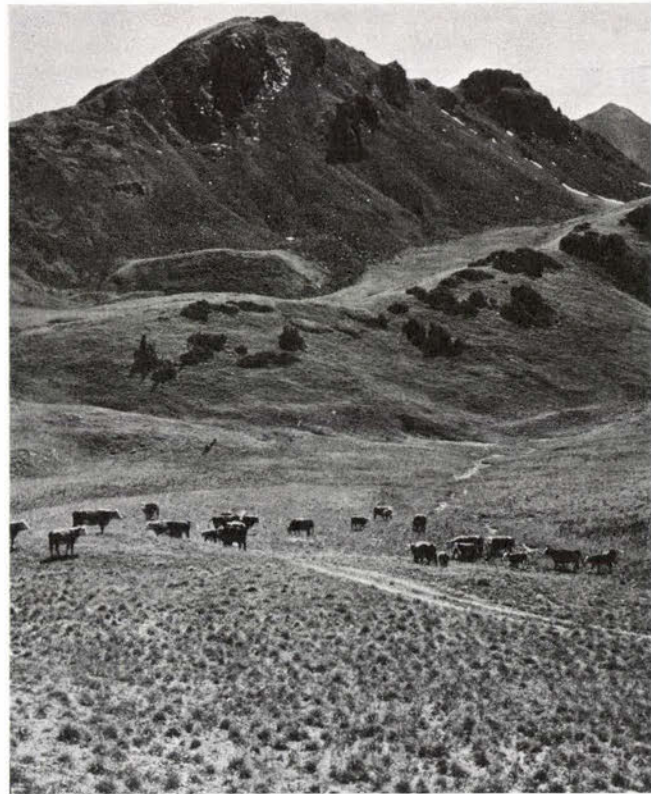


Figure 1. State Forest location.

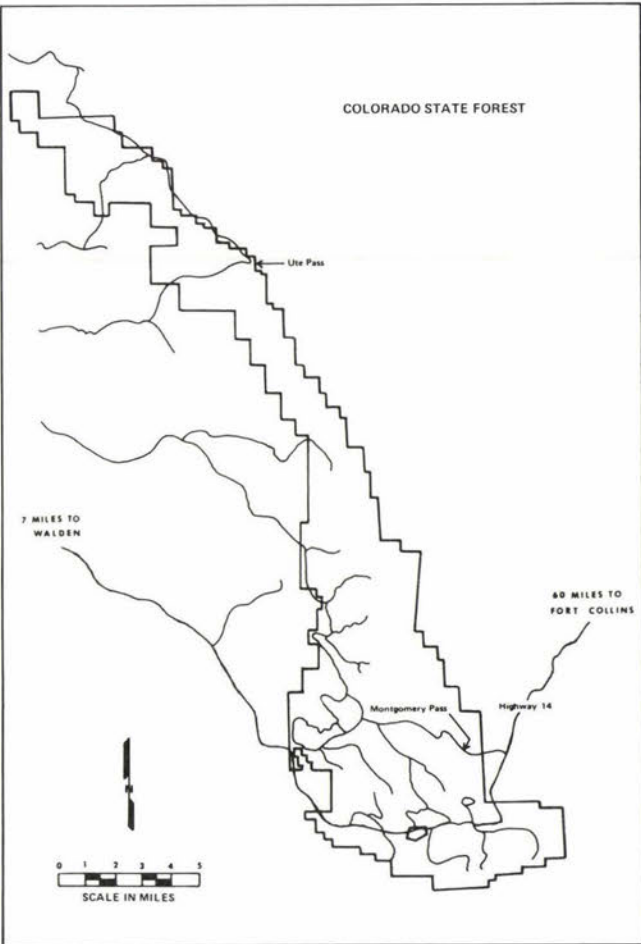


Figure 2. Colorado State Forest.

Introduction

Competitive demands on public and quasi-public forest lands have increased dramatically. There is a demand for wood products, a demand for water production, a demand for wilderness, a demand for domestic grazing, a demand for places to hunt and fish, a demand for skiing and other winter sports, a demand for campgrounds and boating reservoirs, and a demand for more and better roads so people can drive wherever they wish. Each user group wants their own forest environment not only maintained, but expanded.

Such public pressures on forest lands have, in many instances, resulted in destruction of the very resources which attracted users. Huge blocks of timber were clearcut, huge and productive areas were locked up via wilderness designation, ranges were overgrazed, fragile ecosystems near lakes and streams were destroyed, ski runs on steep slopes became raw erosion ditches, campgrounds became mini-deserts, some game species were driven from their habitat by mass encroachment of people, and gashes were torn in hillsides by the spinning wheels of four-wheel-drive vehicles.

Hopefully, the State Forest — a still-beautiful and somewhat pristine area — will not suffer such atrocities. There is still time to protect resources there and yet permit reasonable use. Again, hopefully, observation of what's happened to other areas open to the public will serve as adequate warning signs to administrators so that mistakes in land use will not result in destruction of additional natural resources.

To further acceptable management and protect existing resources, the State Board of Land Commissioners requested that the State Forest Task Force revise and update the original management plan completed in 1972. This revision is the result of Task Force efforts.

The Ute Pass Road on the north is to be closed and kept closed pending the outcome of wilderness studies on adjacent U.S. Forest Service land.



The Natural Area as seen from the Canadian River road.

Management Objective

Motorized recreation vehicle use on designated roads.

Development priority for the area is low. No development will be possible without additional financial resources.

Medicine Bow Divide Multiple Use Area

Location and Description

This is the area from the northern extremity of the Forest south to the Natural Area.

Vegetation ranges from sagebrush flats to aspen groves to lodgepole pine and spruce-fir to non-forested ridges. Access to the area is primarily the Mendenhall Creek logging road located just north of the Adams ranch.

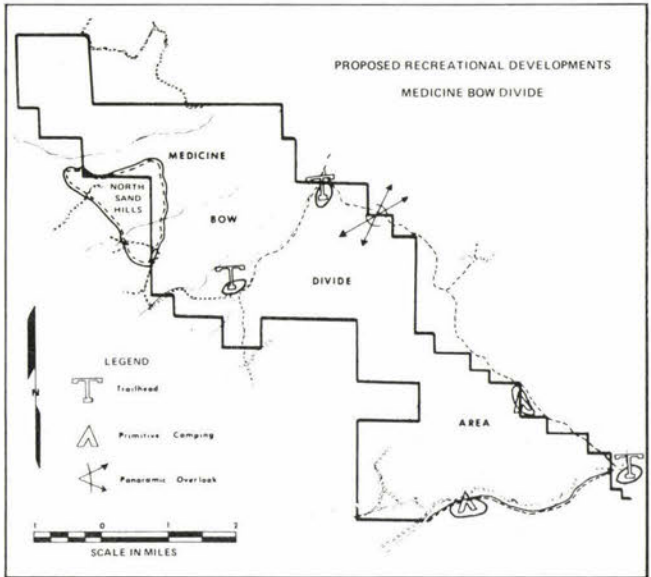


Figure 21. Medicine Bow Divide area.

Location and Description

This area is along the State Forest - Rawah Wilderness boundary from just south of Clark Peak to slightly north of Clear Lake. The western boundary encompasses upper drainages of Clear and Kelly Creeks plus the upper portion of the Canadian River.

Part of the crest is formed by the North and South Rawah Peaks joined by a knife-edge arete. The area is characterized by rugged and highly-attractive terrain near or above timberline. Narrow glacial valleys carpeted by alpine meadows and bordered by spruce-fir timber lead to three high mountain lakes. These lakes are Ruby Jewel, Kelly, and Clear. Each of these is set in a glacial cirque.

Management Objectives

Objectives are (1) protect the area's natural character, (2) provide a buffer for the adjoining Rawah Wilderness, (3) protect bighorn sheep habitat, and (4) maintain quality fishing in the lakes.

Development and Management

All motorized vehicles are excluded. Camping will be limited to designated sites away from the lakes with sanitary facilities at stopoff points and at destination. An extensive trail system will be developed to minimize crosscountry travel. Pack outfits and other equestrian use will be limited by corrals away from lakes. Carrying capacity will be enforced by patrol and overnight registration.

Trailhead access will be provided at terminals of designated roads.

Development specifications for each lake are:

Ruby Jewel: Trailhead 1½ miles from lake at elevation 1200 feet below lake. Day use only at lake with trailhead parking for 10-20 vehicles. Limited camping will be developed about ½ mile north of the lake.

Kelly: Trailhead at Kelly Creek crossing. Campsites within ½ mile of lake and trailhead parking for 20-30 vehicles.

Clear: Trailhead for 20-30 vehicles located 4 miles west of the lake. Campsites within ½ mile of the lake.

Development priority for the area is primary to secondary.

Natural Area

Location and Description

The Natural Area includes some 18,000 acres from the Ute Pass Road to Clear Creek on the south. The East Sand Hills are situated within the Natural Area.

Lower slopes of sagebrush, meadow, and aspen rise through lodgepole pine post and pole stands to

spruce-fir and thence to the Medicine Bow crest above timberline. Excellent stands of lodgepole pine sawtimber exist in the Muddy Park area.

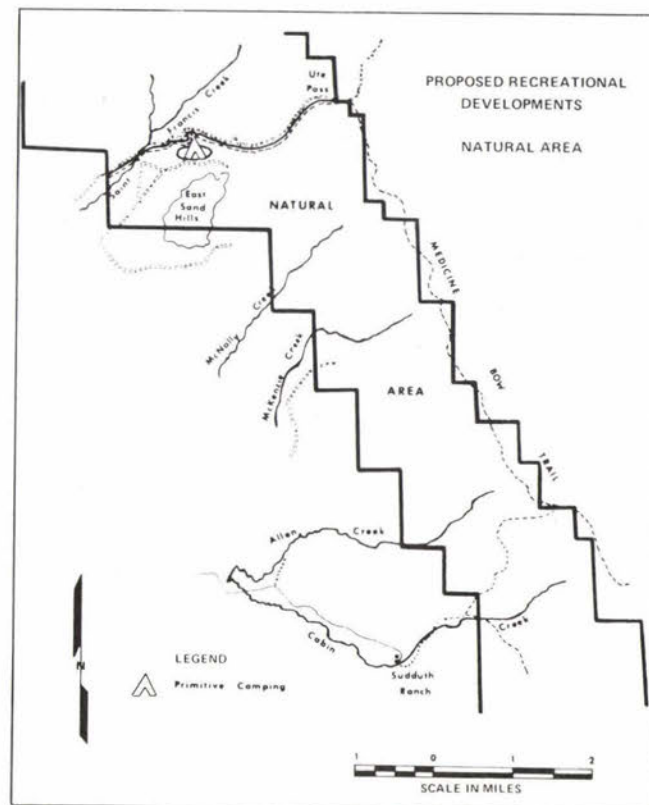


Figure 20: Natural area.

The Natural Area was selected as such because of its relative isolation as far as vehicle access is concerned. It is protected on the east by the Rawah Wilderness and on the west by private landowners. Another reason for selection is that the area is almost entirely unaffected by man.

Management Objective

Preserve the relatively-untouched and wild character of the area.

Management

There will be no vehicular use except for fire control and other administration. Grazing lessees may drive into the area when on official business.

No limitations are imposed on wilderness-type use by the public; however, extensive trail systems will not be developed. Domestic grazing will continue and timber harvest will be limited to that necessary to preserve health and vigor of stands.

Management of the East Sand Hills will be aimed at securing additional vegetative cover and preserving that which exists.

State Forest Management Objectives

1. Protect all resources by adequate planning and action.
2. Devise methods of coordinating management of all resources based on the multiple use philosophy.
3. Organize and plan so management will proceed in a logical and orderly manner to avoid future use conflicts.
4. Establish major use areas and outline permissible activities for each.
5. Set management priorities for each major use area.
6. Establish management guidelines for each major land use area.
7. Establish policy-level decision-making procedure for proper multiple use management.

State Forest Laws

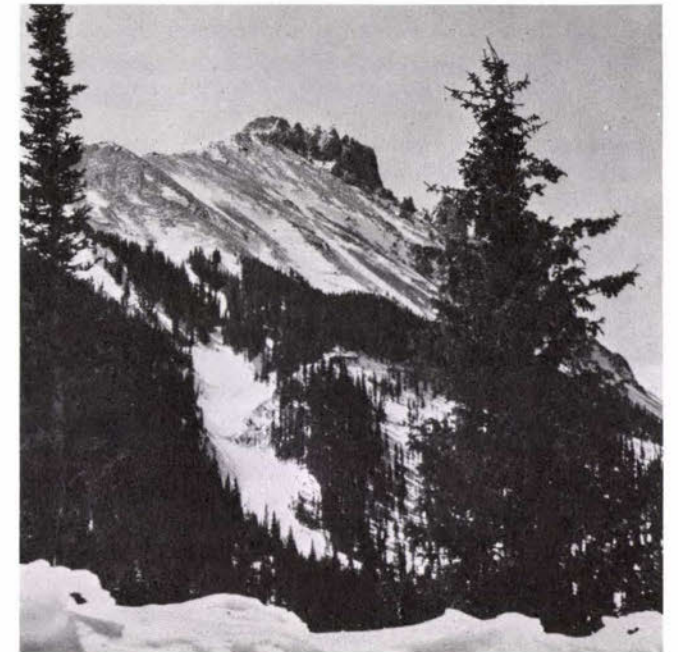
A common misconception is that the State Forest is public land similar to national forests and national parks. Instead, the Forest is trust land which, according to law, must be administered for financial benefit of Colorado's public schools.

Colorado Revised Statutes, 1973, read: "There is hereby created the Colorado State Forest to consist of a consolidated area of forest lands to be selected by the State Board of Land Commissioners through exchange with the United States Government."

"The State Forest Lands, when so selected from time to time . . . shall be set aside, and sale of any parcel or part thereof is prohibited."

"The State Board of Land Commissioners is hereby authorized and empowered with the administration of the State Forest lands; the leasing of same for grazing, agriculture, mineral, and all other purposes to secure the maximum rental and revenue therefrom; to provide for and extend the practice of intensive forestry for its preservation, to sell, cut, and remove timber therefrom in accordance with good forestry practice; and to provide for protection against fire hazard."

"The State Board of Land Commissioners shall prescribe and issue rules and regulations for the administration and leasing of such lands and for the preservation, conservation, cutting, and sales of timber thereon; and for improvement of such lands, the building of trails, roads, and otherwise for the expense thereof."



Policy Statement - State Board of Land Commissioners

The State Board of Land Commissioners recognizes that renewable natural resources produced on the State Forest can, under sound management, be used to a permissible degree and at the same time be sustained for use and enjoyment of future generations. The Board has therefore adopted a policy that the State Forest shall be a multiple use area whereby available resources can be utilized for the benefit of the State and for all users of the Forest.

The Board also realizes that natural resources, including soil, timber, wildlife, forage, and water, although renewable, can be severely damaged or even destroyed by overuse or improper use. In recognition of this, the Board hereby adopts the policy that in all management considerations, adequate protection of the Forest's natural resources shall be a first priority. Planned use shall safeguard all resources on the Forest so that such resources will be maintained in a healthy and viable condition in perpetuity.

/s/ State Board of Land Commissioners
June 1, 1976

Priority for motorized trail improvement is primary. No additional commercial development is recommended. However, should such development occur, it should be in the Highway 14 corridor.

North Fork of the Michigan - Canadian River Management Complex

General Description

Headwaters of the North Fork of the Michigan rise in the eastern edge of the State Forest near Montgomery Pass. The upper portion of the watershed is above timberline. Below this, slopes mantled by spruce-fir forests fall steeply westward into lodgepole pine and meadowed valleys. About two-thirds of the way in its path across the Forest, the stream is dammed to form the North Fork Reservoir. This impoundment covers about 64 acres and was constructed in 1965 by the Division of Game, Fish, and Parks. Limited primitive camping facilities exist in the reservoir area. The lake and portions of the stream above and below receive considerable fishing pressure. Most timber in this drainage has been selectively harvested since 1940. Meadows are grazed by domestic livestock.

Headwaters for the North and South Forks of the Canadian River rise in the area from Ruby Jewel Lake to about a mile north and west. Vegetation is similar to the North Fork area except lodgepole pine stands in the Canadian River drainage are primarily post and pole size and have had very little harvest. The relatively flat bench-like area between the two forks of the Canadian is, vegetation-wise, comprised of aspen, lodgepole pine, and domestic grazing meadows. Much of the area is somewhat boggy from early spring to mid or late summer.

The North Fork valley is readily accessible by automobile — an all-weather graveled road leads from Highway 14 to the North Fork Reservoir. During dry weather, automobiles may be driven beyond the reservoir along the North Fork or north and west to the Canadian River. A number of logging roads lead from the North Fork valley to surrounding areas.

Management Objectives

High-density outdoor recreation areas along and adjacent to the North Fork should be developed and coordinated with domestic grazing and wildlife and timber production on surrounding areas.

Development and Management

Camping facilities should be developed to handle visitors to the reservoir and stream. Campsites needed total from 50-100 along with 20-50 picnicking sites. The campground should be kept open for winter use; it is anticipated that primary winter use will be snowmobilers.

A major immediate need is reconstruction of portions of the Canadian River access road. Parts of this road are impassable during wet weather and considerable silt washes from the road into the North Fork of the Canadian.

Primitive hunter-type campgrounds are needed along the Canadian River access road.

Recreation vehicle use will be confined to designated roads.

Department of Parks and Outdoor Recreation will erect a fence to keep cattle from the immediate North Fork Reservoir area. The grazing lessee for that area will be consulted as to fence location.

A visitor center to serve the North Fork and Canadian River complex, plus the Cirques Scenic Area, might eventually be located in the North Fork area.

Development priority in the North Fork area is primary. Canadian River recreation development should be primitive until other higher priority areas are completed and until recreation demand on these exceeds supply.

Glacial Cirques Scenic Area

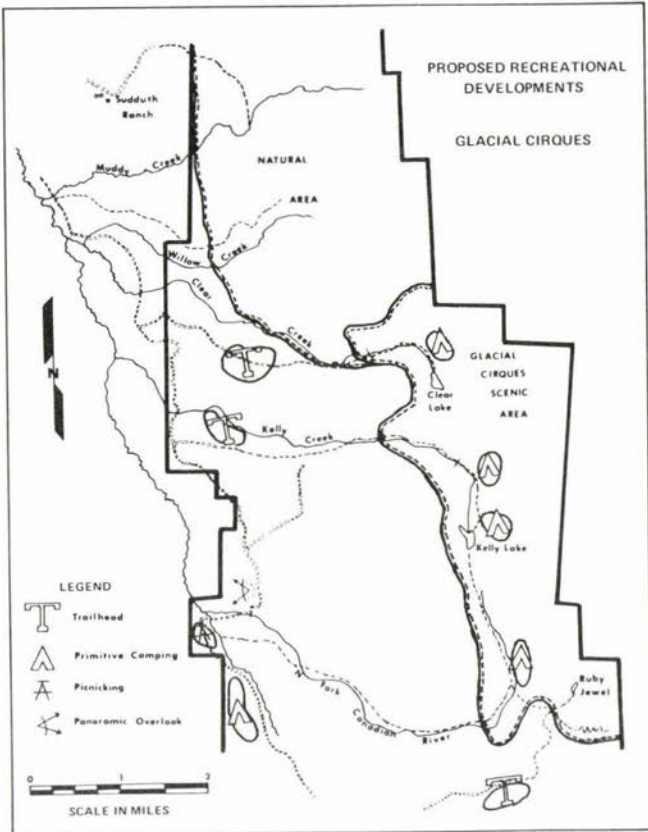


Figure 19. Glacial cirques scenic area.

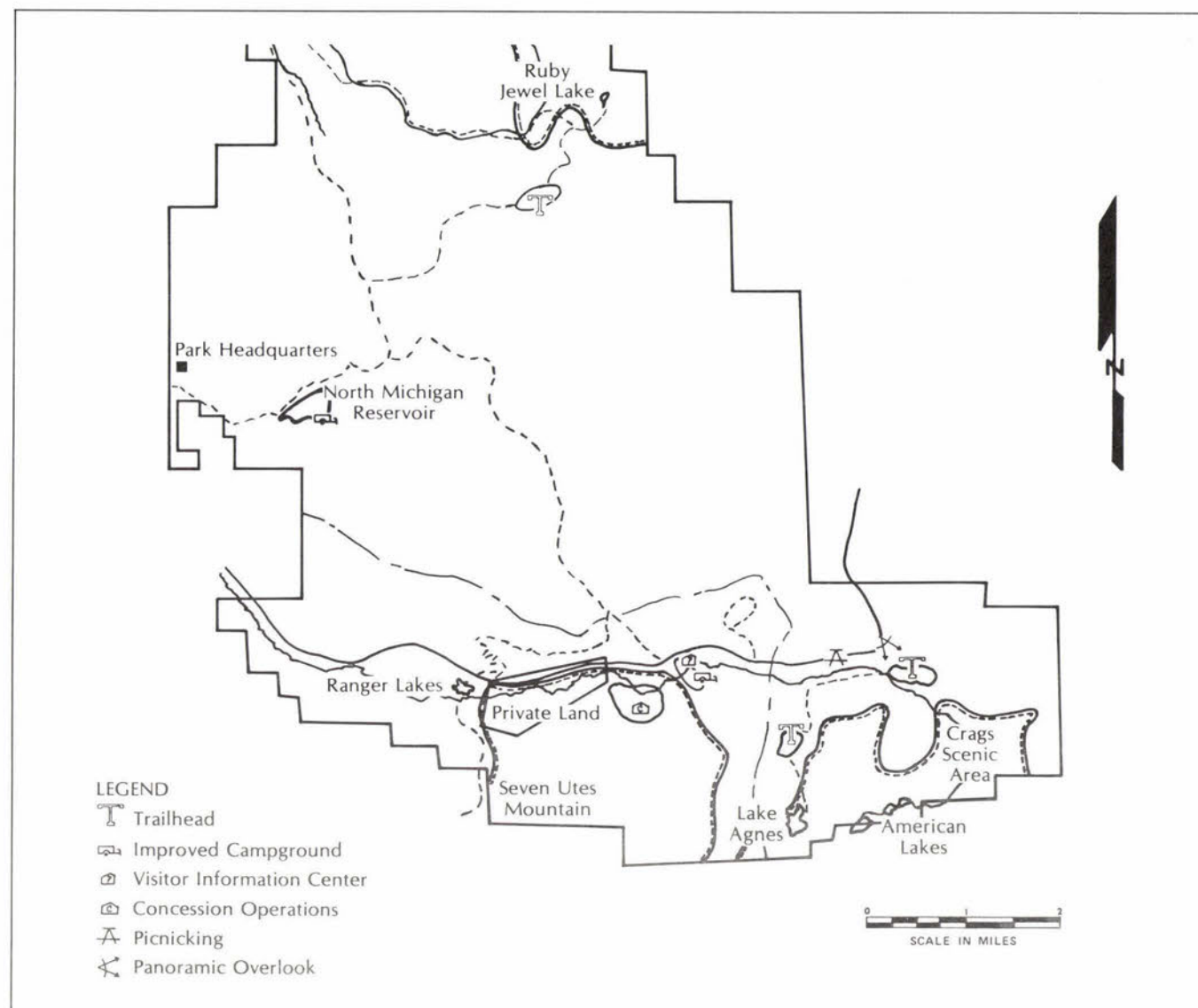


Figure 18. Middle Fork Recreation Area.

Diamond Peaks - Gould Mountain Area

Location and Description

Location is north of Highway 14 between Cameron Pass and Gould.

The area is mountainous with steep to moderately steep slopes covered primarily with lodgepole pine. Some areas support aspen groves and others patches of spruce-fir. The area was partly logged about 25 years ago; logging roads provide access.

Management Objectives

Objectives are to coordinate recreation use, domestic grazing, and wood fiber production. A major recreation objective is to curtail environmentally-damaging off-trail recreation vehicle use. In keeping with Land

Board policy, four-wheel-drive vehicle use as an activity in itself will be discouraged.

Proposals for new roads, modification of existing roads, or road closures will be submitted to the Task Force for consideration prior to any action being taken.

Development and Management

Recreation management is aimed at non-damaging use of logging roads by recreation vehicles. Motorized vehicles other than over-the-snow machines will be restricted to designated roads. Separate hiking and equestrian trails may be developed. Where such development is considered, the DOW representative to the Task Force will be consulted to resolve any potential conflicts with wildlife habitat.

Resource Values

The State Forest represents many values, some of which are difficult to estimate in dollars. Resources having considerable value but which it is difficult to accurately assign a value includes watersheds and aesthetics. Resource use for recreation is also difficult to approximate in dollars.

Receipts and dollar value gains from 1939 to 1978 and which can be closely approximated include:

Timber sales	\$ 850,000
Timber growth	1,560,000*
Grazing revenue	370,000
Recreation leases	125,000
Increase in land values	42,588,000**
	\$45,493,000

*Based on average growth of 85 board feet per acre per year.

**Estimated value in 1939 of \$20 per acre and a value in 1978 of \$600 per acre.

Estimated value of commercial timber on the Forest in 1978 is \$3,760,000.

By Colorado Statute No. 33-6-104, minimum values for certain species of wildlife were established. Using these data, following are estimated dollar values of a portion of the Forest's wildlife:

Species	No. of Animals	Value Per Animal	Total Value
Elk	600	\$ 700	\$ 420,000
Deer	800	600	480,000
Bighorn sheep	130	1000	130,000
Beaver	500	25	12,500
Black bear	50	400	20,000
Eagle	20	1000	20,000
			\$1,082,000

Other animals of value but of unknown quantity on the Forest include furbearers, assorted small game, fish, and raptors other than eagles.

Should land values continue to increase at rates established over the past 10 years, this will add another \$10,647,000 during the coming decade. Grazing and recreation leases, plus growth on standing timber, will return about \$75,000 annually.

Total value of the State Forest at any point in the future is open to speculation. It is anticipated, however, that values of every resource will continue to climb; further, demands for resource use will accelerate. Faced with these demands, the real challenge to State Forest resource managers is to stay on the conservative side of the thin line between maximum allowable use and exploitation simply to appease one or more special interest groups.



Research and Educational Opportunities

The State Forest offers excellent potential as a center for research and education in many phases of natural resource management. The major prerequisite — stability of ownership — is present. All forest resources — timber, water, forage, and wildlife — can be found. A major forest use — recreation — is practiced. Further, several degrees of use are a part of State Forest history; the researcher or educator can start with virgin areas or with land that has been intensively used.



Middle Fork Management Complex

General Description

Located on the southern end of the State Forest, the Middle Fork of the Michigan River originates in steep-walled glacial cirques at Lake Agnes and the American (Michigan) Lakes. These lakes are separated by the rugged and spectacular Nokhu Craggs. Colorado Highway 14 parallels the Middle Fork through the widest portion of the Forest from just south of Cameron Pass to the village of Gould.

The only privately-owned land within the Forest lies along Highway 14 just east of the headquarters.

Craggs Scenic Area

Location and Description - The Craggs Scenic Area contains largely alpine and subalpine areas extending from the Upper Michigan Ditch south to the Forest boundary and with the upper Middle Fork on the east and Lake Agnes on the west. Included are Lake Agnes, the Nokhu Craggs, and American (Michigan) Lakes. Slopes, composed primarily of slide rock, drop almost vertically from the jagged Nokhu Craggs to Lake Agnes on the west and American Lakes on the east. This area is the most spectacular scenic portion of the Forest.

Management Objectives - The primary objective is to preserve the wild and scenic beauty of this area. Other major goals include maintaining a quality fishery at Lake Agnes and American Lakes, protect fragile alpine tundra, minimize encroachment on bighorn sheep habitat, and provide a buffer for the proposed Never Summer Wilderness and Continental Divide Trail. The latter, if completed, will skirt the west, north, and east sides of the Craggs Scenic Area.

Development and Management - Lake Agnes is a day use area; motorized recreation vehicles and overnight camping are excluded. Vehicle access and primitive camping is provided by the Craggs Campground located at the lower perimeter of the area. Trails to Lake Agnes are improved to minimize impact on plants and soils.

A trailhead to accommodate 24 vehicles is used to control user numbers. A trail system will be used to protect natural resources.

The trailhead for the American Lakes area limits use to 32 vehicles and is located 1½ miles from Highway 14. Control within the American Lakes area is accomplished with designation of 10 tent sites and by a designated trail system.

Through a patrol program, registration of overnight campers will be implemented and carrying capacity established. A trailhead is proposed in the old Craggs Campground area. The exact location is the old sawmill area south of the creek. This area will accommodate overnight parking for users of the

proposed Continental Divide Trail and mountains to the south.

Middle Fork Recreation Area

Location and Description

The area is located along the Middle Fork of the Michigan River from just south of Cameron Pass to the eastern edge of Seven Utes Mountain (Fig. 18). Vegetation is an interspersion of small meadows and spruce-fir timber.

Management Objectives

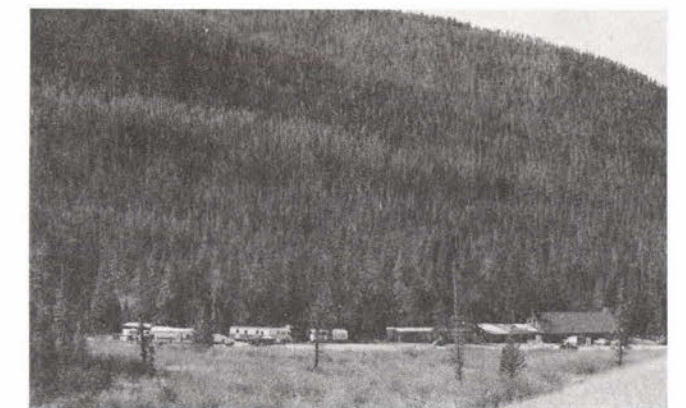
The intent of management is to accommodate tourists and winter sports enthusiasts who travel Highway 14 and who visit the Craggs Scenic Area.

Development And Management

A visitor information center, administrative office, and employee residence may be needed. This complex would be located at the site of the old Craggs Campground.



KOA campground at the junction of Highway 14 and the North Fork Reservoir road.



M-M guest ranch just off Highway 14 three miles south-west of Cameron Pass. This is a private recreation lease as is the KOA campground.

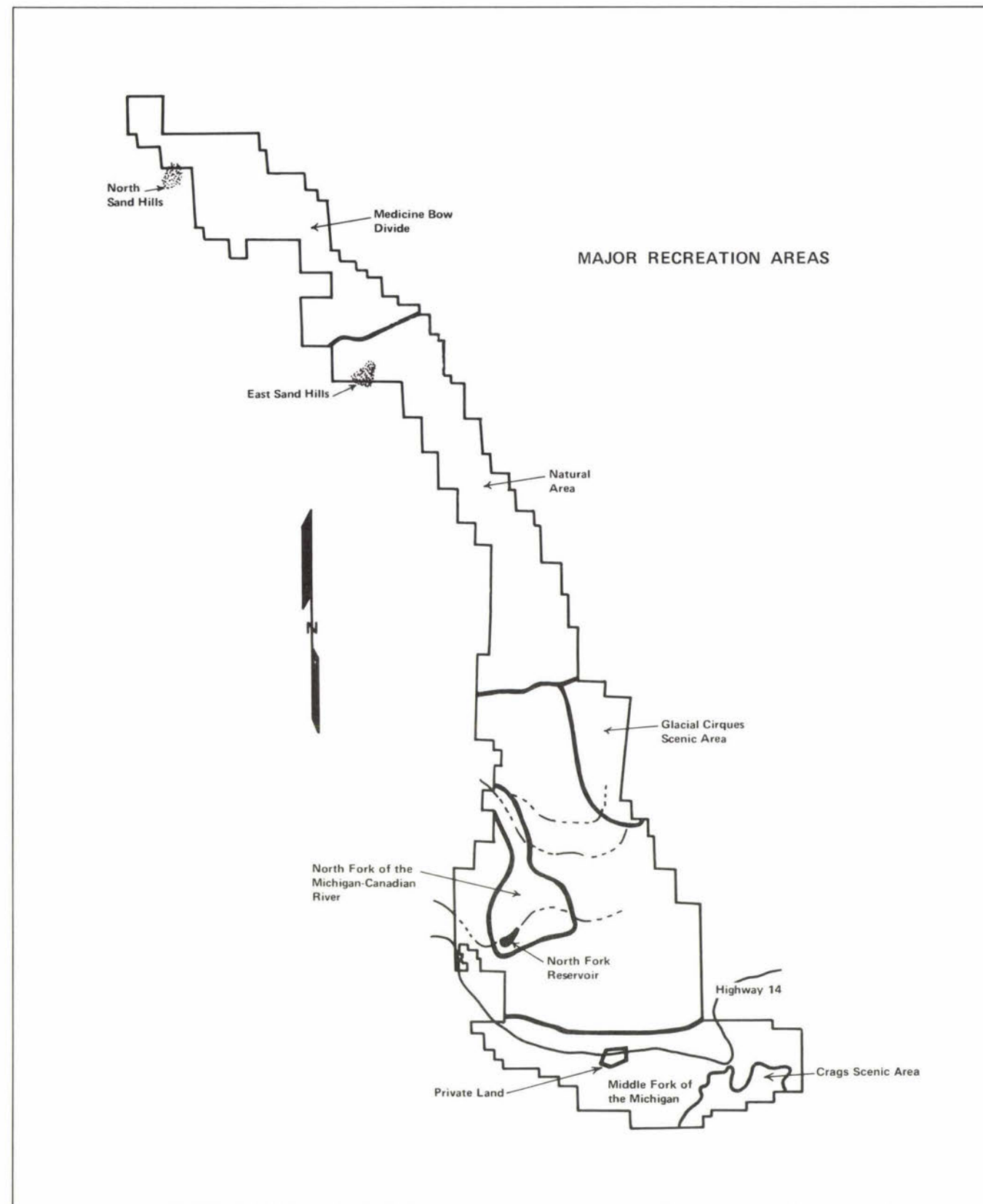


Figure 17. Major recreation areas.

The Timber Resource

Management Objectives

Maximum allowable use, effectiveness, and enjoyment of State Forest resources depend on an adequate and healthy tree cover. It is imperative, then, that timber management be coordinated with other activities and management objectives.

Specific timber management objectives are:

1. Improvement of general stand health and vigor.
2. Enhancement of wildlife habitat.
3. Contributions to all recreation uses occurring on the Forest.
4. Maintenance of water quality and quantity.
5. Enhancement of aesthetic values.
6. Sustained production of commercial wood fiber.
7. Enhancement of domestic grazing.
8. Enhancement of forestry education potential.

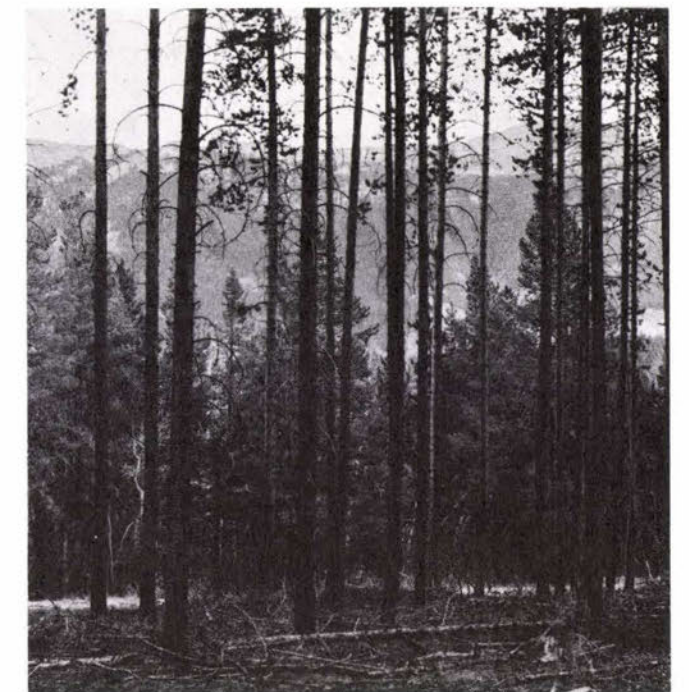
Immediate Action

Mature Lodgepole Pine Stands

1. Conduct intensive inventory as soon as possible. Enter data in Jackson County computer-based resource system for State Forest. Timber data, when combined with other State Forest base resource information, will provide material from which sound management decisions can be made.
2. Following inventory, select areas for tree removal. Mark boundaries of these areas. All trees will be removed for mistletoe control and to initiate establishment of reproduction.
3. Pile slash during harvesting operations. Burn slash piles as soon as weather and burning conditions permit.
4. Assure that enough soil disturbance is accomplished so reproduction will become established. Experience shows that little reproduction is obtained when slash is left to cover the surface.
5. Timbering operations should be of sufficient magnitude to get stands under management within 5-10 years.

Post and Pole Stands

1. Conduct intensive inventory as soon as possible. Enter data in Jackson County computer-based resource system for State Forest. Timber data, when combined with other State Forest base resource information, will provide material from which sound management decisions can be made.
2. Following inventory, delineate boundaries of commercial stands. Mark enough area within each stand to determine sizes and volumes that should be removed. This will provide base data for discussions with loggers.
3. Conduct concerted effort to market trees which should be removed. Coordinate marketing with harvest from mature sawlog stands.



Area, Species, History, and Volumes

There are approximately 52,000 timbered acres on the State Forest; this represents 73 percent of the total Forest area. Timber of commercial quality grows on 48,000 acres and noncommercial covers 4,000 acres.

Three major timber types are represented: lodgepole pine, spruce-fir, and aspen. Lodgepole covers 31,500 acres (60 percent), spruce-fir is dominant on 12,000 acres (23 percent), and aspen grows on 8,600 acres (17 percent).

Most lodgepole pine sites were burned to some degree about 120 years ago. Sites where all tree cover burned now support stands which range from 6" to 10" in diameter at breast height (measured 4½ feet above ground level and called DBH); these stands are, for the most part, free of dwarf mistletoe. Stands partially burned support post- and pole-size trees interspersed with old growth; younger stems near old growth are infected with mistletoe. Other stands which escaped the fire are composed of old growth "redbarks" which are saturated with mistletoe.

Of the commercially-timbered acres, about 11,000, or a fifth, have had some trees removed by commercial sales since acquisition of the Forest by the state in 1939. Of this 11,000 acres, 96 percent was selectively cut and four percent clearcut. Selective cutting was on an 11-inch DBH basis regardless of tree condition, age, or intensity of mistletoe infection.

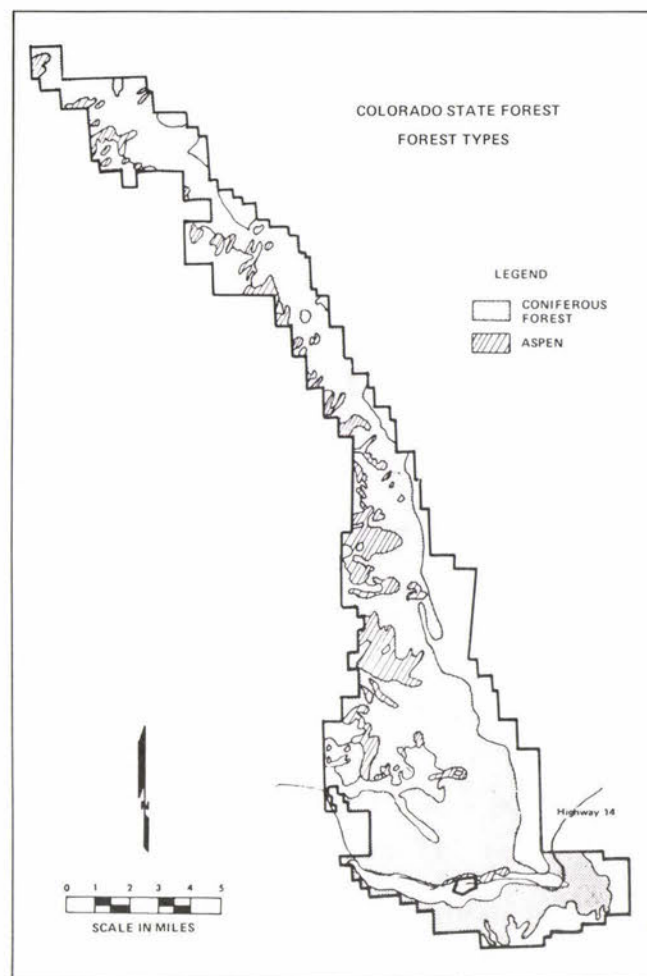


Figure 3. Forest types.

Commercial harvests after 1939 were confined to the south one-third of the Forest — this is where mature and overmature spruce-fir stands were located. Also, a majority of the larger-diameter lodgepole pine stands were in this area.

Eighteen sawmills were active at one time on the Forest during the mid-1940s. The two major mills were Willy's and Bockman's. The former was located on the Middle Fork of the Michigan River where the Lake Agness access road crosses that stream and Bockman's mill was near the North Fork of the Michigan about a half mile above the present North Fork Reservoir.

At the height of operations, Bockman's Camp contained about 100 families plus a now-unknown number of single men. A store and school, both erected by the Bockman family, were part of the camp.

The end of the initial logging era on the Forest came in 1973 when Bockman completed his final contract and the camp was razed. Willys camp ceased to exist in 1970.

Timber Condition

With minor exceptions, few timber stands on the State Forest are in a healthy, productive condition. This is not desirable, regardless of whether individual acres are used for recreation, wildlife production, production of wood fiber, domestic grazing, watersheds, or any combination of these. Both economic and aesthetic losses will continue until this condition is corrected.

The timber inventory on the southern third of the Forest indicates that a considerable amount of overmature and mistletoe-infected lodgepole pine exists. This condition, interspersed with areas of post- and pole-size material, is highly undesirable because: (1) stands of young material are in poor condition due to overcrowding, (2) extensive areas of dense young stands and old stands with crown closure are undesirable as wildlife habitat, (3) old trees are spreading mistletoe to young stands, thus young trees are deformed and show little growth, (4) aesthetic values of a vigorous, healthy forest are being lost, and (5) wood fiber which could contribute materially to the state's school fund is not being produced at near what it should be.

Eighty-five percent of all commercial timber on the Forest is pole-timber (5" to 10.9" DBH). These stands, primarily lodgepole pine, are generally stagnated because of overcrowding. Also, portions of these stands are infected with dwarf mistletoe.

The remaining 15 percent of the commercial forest is primarily small sawtimber (11" to 16" DBH). Composed mainly of lodgepole pine, sawtimber stands are not young; they are mature to overmature and most are heavily infected with mistletoe. Growth rates in these stands are exceedingly slow and scattered patches of dead trees are visible.



Female dwarf mistletoe plant. Globe-like appendages are seeds.

Recreation



North Fork Reservoir.



Ranger Lakes campground.

Management Objectives

1. Work within the multiple use concept to realize efficient use of all State Forest resources.
2. Protect the integrity of all natural resources on the Forest.
3. Preserve future recreational opportunities for posterity on the Forest.
4. Plan and manage for a meaningful, healthy, and safe outdoor recreational experience on the Forest.
5. Contribute financially to Colorado's public schools by paying for recreational use on the Forest.
6. Develop recreational opportunities by using alternatives to outright fee simple purchase of land.



Ranger Lakes parking lot.

Recreation Summary

1. Recreation management complexes on the State Forest include (1) Middle Fork of the Michigan, (2) North Fork of the Michigan, (3) Canadian River, (4) Glacial Cirques, (5) Natural Area, and (6) Medicine Bow Divide.
2. The major priority for recreational development is along and south of Highway 14 and at the North Fork Reservoir.
3. Lake Agnes and the Nokhu Crag are designated as a day use and roadless scenic area.
4. Management of the American Lakes area will be accomplished by designation of trails, campsites, hitching areas, registration of campers, and carrying capacities.
5. No additional commercial development is recommended. However, should such development occur, it should be located in the Highway 14 corridor.
6. Camping facilities are needed in the North Fork Reservoir area and along the Canadian River road.
7. The area bounded by Clear Creek on the south and the Ute Pass road on the north is designated a Natural Area and will remain essentially roadless.
8. The area including Ruby Jewel, Kelly, and Clear Lakes is designated as the Glacial Cirques Scenic Area and will be protected by designation of trails, campsites, hitching area, camper registration, and carrying capacities.
9. Detailed studies of the East Sand Hills are needed to analyze proposed uses in terms of impacts on the resource.
10. Proposals for new roads, modification of existing roads, or road closures will be submitted to the Task Force for their consideration.
11. The North Sand Hills, if arrangements can be made with the BLM, will be developed for motorized recreation compatible with the resource. Motorized use will be controlled by a designated road system.

to that necessary to conduct affairs directly related to domestic grazing.

7. A range inventory, similar to the one conducted in 1969, is needed to find out what current range conditions are and to serve as a basis for determining if management should be altered.

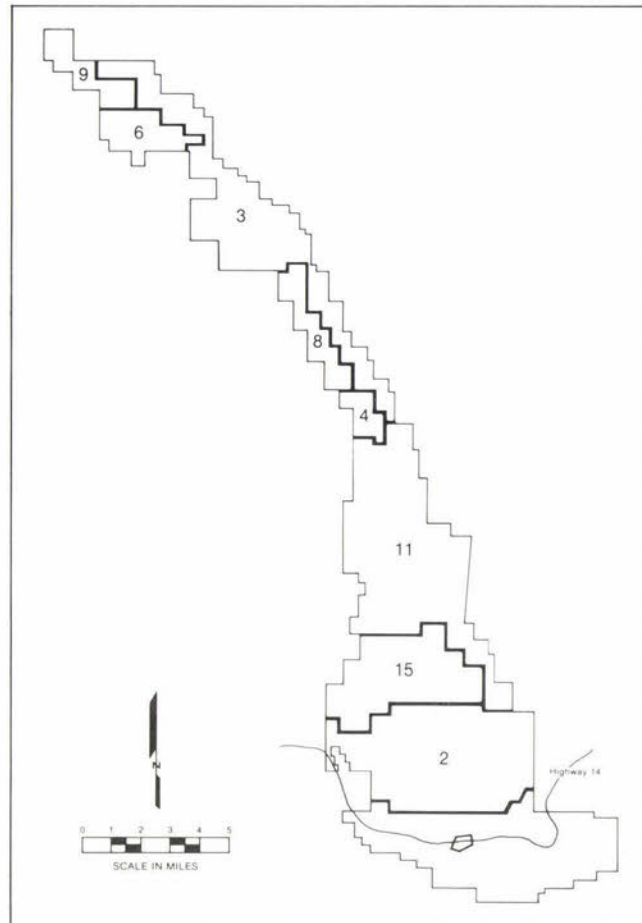
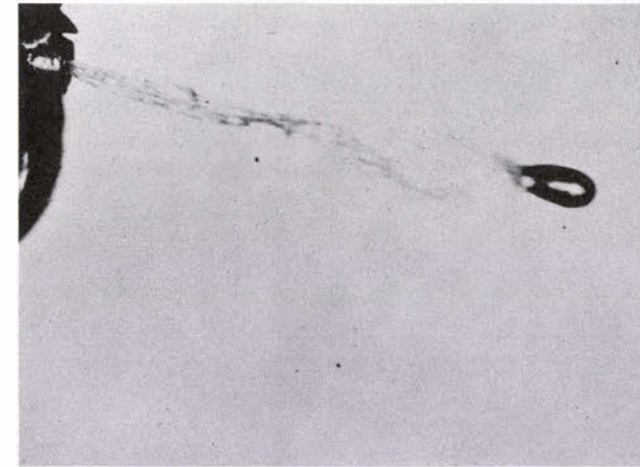


Figure 16. Approximate boundaries of grazing allotments.



Dwarf mistletoe seed being expelled. At maturity, seeds, which are covered with a sticky substance, are expelled and adhere to tree trunks and branches.



Mistletoe on young lodgepole pine.

A major problem was created by the 11-inch diameter limit at which timber was harvested until the early 1960s. Lodgepole pine heavily infected with mistletoe was allowed to stand under this practice — regeneration under and near these stems is now also infected. Had original mistletoe-infected stands been clearcut, the existing young forest would be healthy instead of diseased.

Most spruce-fir stands on the south third of the Forest were cut over to some degree during the 1940s and 1950s — some stands, especially those south of Highway 14, were clearcut. Adequate reproduction occurs in most of these areas.

Aspen occurs in scattered patches over most of the Forest; these stands have considerable domestic and wildlife grazing value but little commercial forest value. A major asset of aspen is aesthetic; these stands are highly attractive during all seasons and especially in the fall.



Mistletoe-caused deformity and mortality in older lodgepole pine.



These young trees are victims of mistletoe.



Mortality caused by mistletoe is common in older lodgepole pine stands.



sagebrush, narrow stream bottoms, and thinned timber stands. This makes complete utilization difficult as animals do not readily move from area to area; they often congregate near water. Association members encourage increased cattle distribution through salting away from water and by riding. Estimates are that range utilization can safely be increased by 40 percent¹ via such recommended management practices.

Livestock water is adequate as streams and lakes occur throughout the range.

Values of domestic grazing on the Forest include (1) provides income to the school fund, (2) Jackson County tax base is enhanced as State Forest grazing helps to support some 30,000 acres of taxed lands, and (3) cattle annually consume tons of vegetation that would otherwise contribute to increased fire hazard.

Range Management Recommendations

1. Continue the practice of no grazing south of Highway 14 from Gould to Cameron Pass.
2. Pursue possibilities of fencing in the North Fork Reservoir area to limit the presence of cattle in and around campgrounds.
3. Continue to salt cattle in areas of light grazing pressure and away from water, roads, and trails.
4. Have a Land Board representative count cattle on the Forest.
5. Conduct periodic range inspections to determine condition and needs.
6. Vehicles used by Grazing Association members shall display the official State Forest Grazing Association decal. Vehicle use by Association members within the Natural Area shall be limited

Table 6. Grazing allotments and cattle numbers.

Allotment Number	Allotment Name	Size (acres)	Lessee	Cattle Numbers
2	North Fork of Michigan	12,810	Baller Livestock and Wilford	232
3	Upper-Lower Ute Pass	6,055	Streit Brothers	140
4	Cabin & Muddy Creek	1,955	Nofsinger	100
6	Horse Ranch	3,770	Adams	75
8	Allen Creek	2,575	Dodge	55
9	Government Creek	2,720	State Line	75
11	Kelly Creek, Clear Creek, Canadian River	13,175	Nofsinger	100
15	South Canadian	6,210	Baller Livestock	300
	Total	49,270		273

Table 7. Vegetation type acreage by allotment.

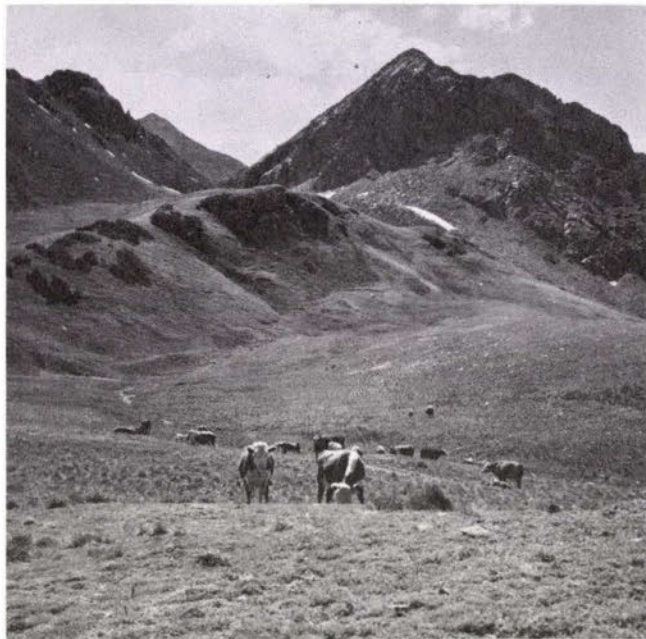
Allotment Number	Vegetation Type						Total
	Coniferous	Aspen	Tundra	Grass	Willow	Sage	
2	10,285	450	1,020	280	440	335	12,810
3	3,260	815	0	1,250	40	690	6,055
4	1,030	680	0	60	0	185	1,955
6	1,090	725	0	0	70	1,885	3,770
8	1,715	610	0	0	0	250	2,575
9	1,375	595	0	30	0	720	2,720
11	4,850	3,205	3,760	310	220	830	13,175
15	4,720	930	115	60	95	290	6,210
Total	28,325	8,010	4,895	1,990	865	5,185	49,270

¹Based on 1969 range inventory.

Domestic Range

Management Objectives

- 1. Protect and perpetuate the Forest's grazing resource.
- 2. Recognize and promote the multiple use concept by working closely with other agencies and users.
- 3. Through cooperation with Land Board and other agencies, maintain grazing privileges on the Forest. Without this resource, carrying capacity of lessee ranches would be seriously reduced and thus ability to maintain ranches and remain viable, tax-paying entities would be significantly hampered.



History

When the area now known as the State Forest was administered by the U.S. Forest Service, domestic grazing was leased to owners of adjacent ranches. This practice was continued by the State Board of Land Commissioners following acquisition of the property in 1939.

Prior to 1959, 10 grazing leases were in effect. In 1959, these were cancelled and one lease made to the State Forest Grazing Association, an organization comprised of previous lessees. Terms of the new lease were specified by the Board and the stipulation made that the Association would enforce these terms in cooperation with the Board's resident forester.

The Grazing Association meets at least annually in Walden or on the Forest; the Board or its representative, plus other interested parties, attend and items of mutual interest are discussed.

In August of 1968, a range inspection team of specialists from various range management agencies visited the Forest. This team, headed by Dr. Wayne Cook, chairman of CSU's Range Science Department, inspected domestic grazing areas and made recommendations for intensified management. One suggestion was that a complete range inventory be conducted; under Land Board funding, this inventory was completed in 1969.

Immediately following the range inspection, Dr. Cook's team conducted a tour of Forest grazing areas for lessees and the Board to discuss management recommendations. These recommendations are included in the current grazing lease.

Range Resource

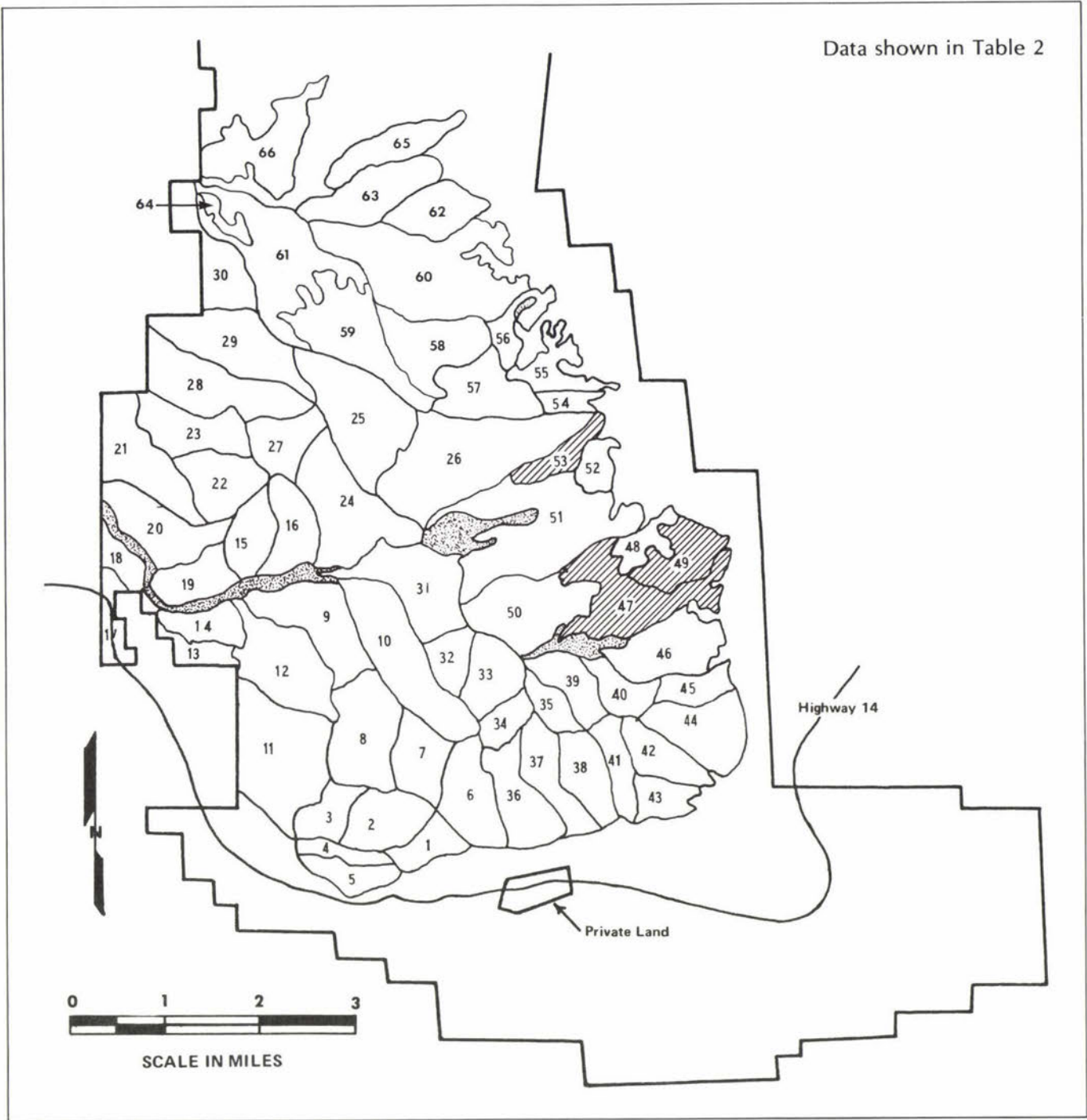
Approximately 25,000 acres of the Forest are nontimbered grazing lands. Another 24,270 acres support domestic grazing to some degree.

Eight grazing allotments accommodate 1350 cattle. Allotments are vital to lessees who own about 30,000 acres of ranch land adjacent to the forest.

In general, State Forest grazing areas are in good condition. Association members, through more efficient salt distribution and riding, are accomplishing dispersal in range use.

Range Description and Values

Domestic grazing areas on the forest are diversified; they lie at elevations from 9500 feet to timberline. No large, contiguous areas exist; the resource is generally in small, scattered meadows, aspen groves, patches of



Value of the Resource

Receipts from timber sales from 1939 to 1977 totaled near \$850,000. Estimated net cash value of standing timber, excluding aspen, was 3.5 million dollars in 1977

based on \$15 per thousand stumpage for sawtimber and \$2 per cord for roundwood. Annual growth is valued at \$40,000.

Values of the total timber cover for aesthetics, recreational use, watershed protection, and wildlife

habitat are considerable. Also, State Forest timber stands represent a high potential for needed research in forest management, water manipulation, recreation management, and wildlife production. The area could contribute materially to much-needed scientific knowledge if its potential as an outdoor laboratory is used.

Current Volumes

Estimated volumes, size classes, and type distributions are shown in Table 1 and Figs. 5 and 6. Cruise units and volumes in each are shown in Table 2 and Fig. 4. Fig. 7 shows board foot-basal area ratios for lodgepole pine.

Table 1. Estimated timber volumes, State Forest, 1976

Species	Size Class*	Acres	Bd. Ft.	Volume Cu. Ft.	Cords
Lodgepole Pine	Sawtimber	3,200	47,437,000	16,824,000	737,565
	Poletimber	26,700	51,001,000	62,693,000	
Spruce-fir	Sawtimber	2,200	14,192,000	25,404,000	162,239
	Poletimber	7,300	13,044,000	10,870,000	
Aspen	Poletimber	7,500	15,916,000	20,054,000	250,675

*Sawtimber is material 10.9" DBH and larger at a point 4.5 feet above ground level.
Poletimber is material 5" to 10.9" DBH and larger at a point 4.5 feet above ground level.

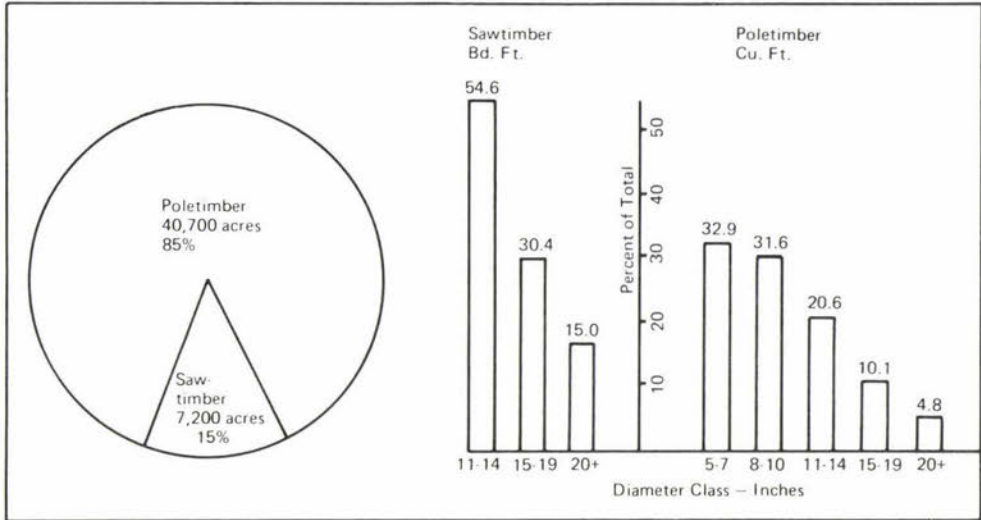


Figure 5. Distribution of size classes and volume on commercial forest land.

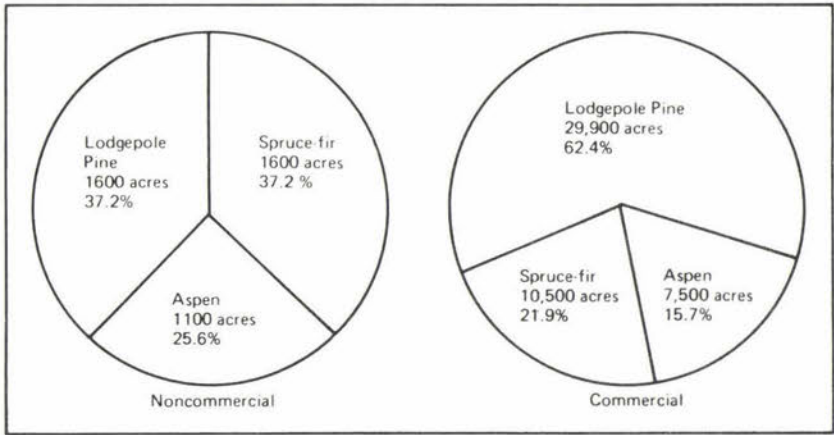


Figure 6. Distribution of timber types on the State Forest.

Ranger Lakes will be stocked within a schedule of fish availability. Greenback cut-throat trout were stocked in Snow Lake and the DOW will monitor fishing pressure there to determine how this species is progressing.

A recommendation is that quality fishing be maintained in high-altitude lakes by continuation of flies and lures only as bait. These lakes should be stocked with cut-throat trout only except Kelly Lake where stocking of golden trout and grayling should continue.

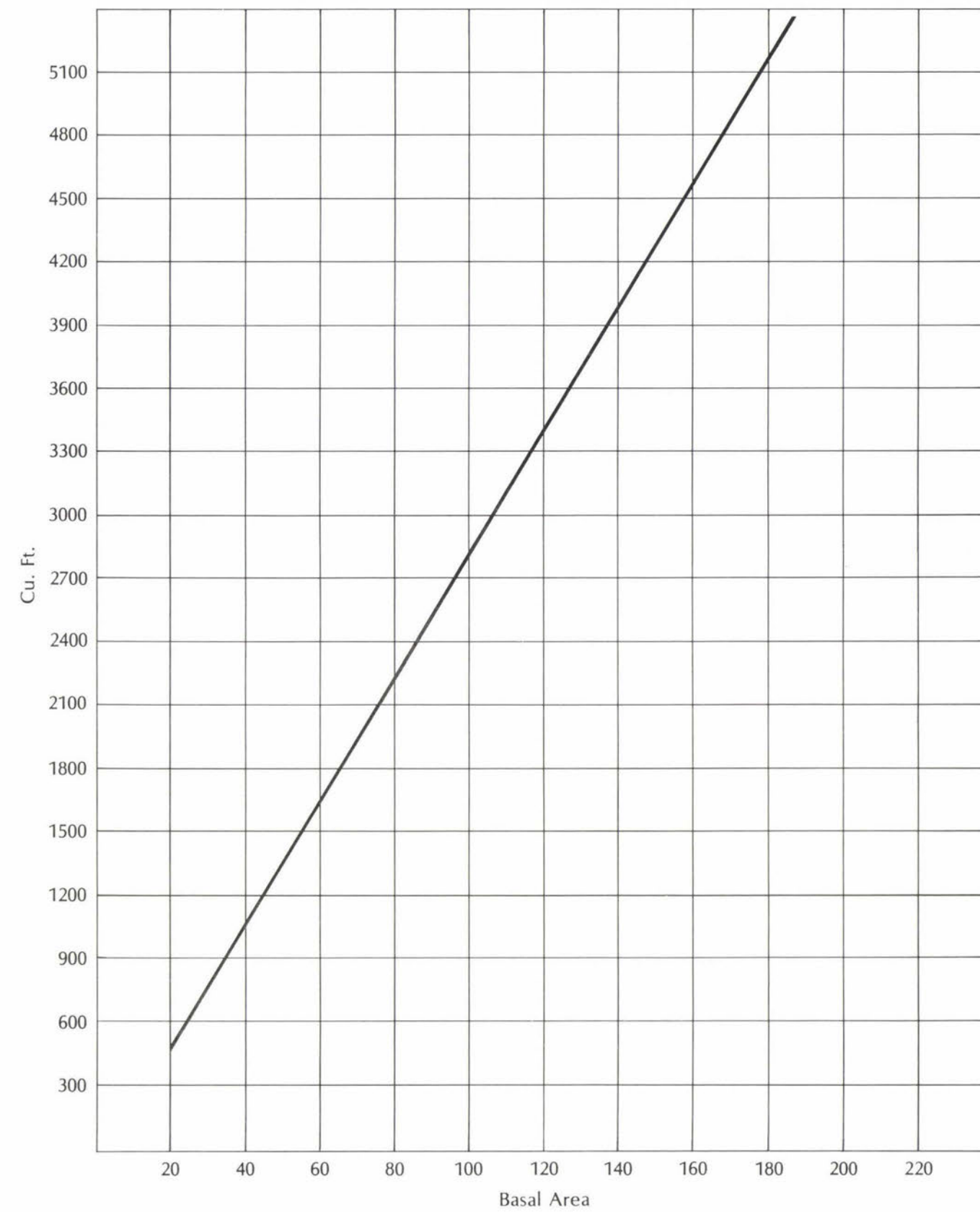
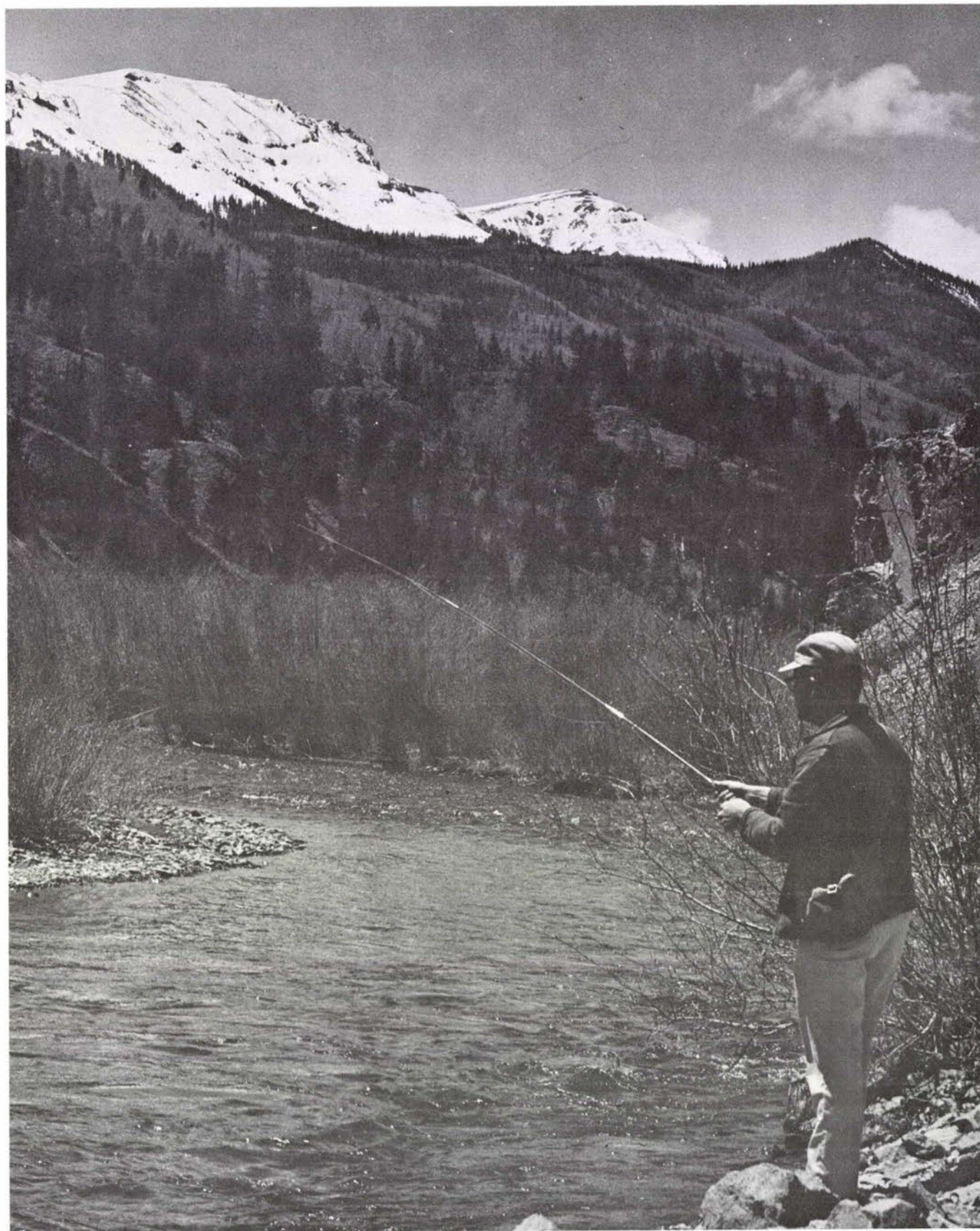


Figure 7. Average cubic foot volumes per square foot of basal area, lodgepole pine.

Table 2. Summary of data from intensively cruised timber units.

Unit	Year Cruised	Acres	Type*	Cords	Volume Cu. Ft.	Bd. Ft.
1	1968	183	LP	4,464	357,147	412,203
2	1968	306	LP	12,292	983,358	1,097,789
3	1968	183	LP	5,282	422,545	544,163
4	1968	100	LP	2,331	186,494	327,212
5	1968	179	LP	3,307	264,592	300,005
6	1969	386	SF	7,944	635,477	294,035
7	1969	290	LP	6,362	508,929	420,966
8	1968	487	LP	10,649	851,900	980,000
9	1969	428	LP	7,121	569,709	392,584
10	1969	593	LP	13,544	1,083,554	702,030
11	1968	679	LP	16,682	1,334,600	860,000
12	1968	489	LP	11,149	891,900	782,000
13	1968	107	LP	3,707	396,600	203,000
14	1968	202	LP	3,539	283,200	141,000
15	1968	228	LP	5,411	433,000	682,000
16	1968	275	LP	8,867	709,300	901,000
17	1968	200	LP	6,639	531,100	392,000
18	1968	114	LP	3,209	256,700	155,000
19	1968	253	LP	7,249	579,900	240,000
20	1968	423	LP	10,062	805,000	312,000
21	1970	459	LP	19,016	1,521,311	1,874,422
22	1969	325	LP	8,518	681,432	794,295
23	1969	316	LP	8,554	684,286	1,075,965
24	1969	557	LP	12,256	980,476	804,165
25	1969	646	LP	15,826	1,266,092	1,208,092
26	1970	946	LP	26,297	2,103,730	2,323,879
27	1969	224	LP	5,680	454,372	326,825
28	1970	551	LP	14,913	1,193,037	1,176,121
29	1970	533	LP	16,008	1,280,613	1,071,511
30	1970	367	LP	10,309	824,726	775,751
31	1969	338	LP	4,731	378,442	263,147
32	1969	158	LP	2,674	213,927	99,837
33	1969	233	SF	2,769	223,711	236,477
34	1969	128	SF	1,802	144,147	176,365
35	1969	130	LP	1,620	129,594	148,098
36	1969	345	SF	5,480	438,380	401,860
37	1969	279	LP	3,604	288,287	140,728
38	1969	278	SF	3,485	278,775	329,354
39	1969	206	SF	2,246	179,699	74,646
40	1970	165	LP	3,070	245,629	175,452
41	1969	156	SF	1,973	157,868	93,290
42	1970	248	SF	2,803	224,219	259,009
43	1970	176	SF	2,149	171,916	179,752
44	1970	391	SF	3,827	306,138	504,921
45	1970	156	SF	3,461	276,907	536,322
46	1971	376	SF	5,135	411,000	883,000
48	1971	141	SF	4,312	345,000	769,000
50	1971	506	LP	6,770	542,000	716,000
51	1971	876	LP	18,059	1,445,000	2,241,000
52	1971	130	SF	4,894	392,000	1,203,000
54	1971	81	SF	2,064	165,000	579,000
55	1971	204	SF	4,516	361,000	945,000
56	1971	140	SF	3,611	289,000	5,862,000

(continued)

Ptarmigan

This species occupies much alpine country on the Forest; populations are not large but do offer some sport hunting.

Ptarmigan scatter over alpine areas during summer but winter finds them concentrated in critical habitat such as willows at or near timberline. Designated snowmobile and crosscountry ski trails should be planned to avoid critical winter habitat. All alpine ski areas or similar installations should be carefully evaluated before approval.

Elimination of domestic sheep from alpine areas has helped preserve wintering areas for ptarmigan.

Band-Tailed Pigeon

Breeding populations are confined to an area from Ruby Jewel Lake south to Mount Richtofen and west to Owl Mountain. Specific nesting trees have not been identified; areas scheduled for timber cutting should be examined before harvest to determine if nesting trees are present.

Non-Game Birds

One hundred and twenty-six species of birds have been observed on the Forest; some are resident and others migrate (See Appendix).

Portions of the state-wide DOW Strategic Plan for non-game birds applies to the Forest. Indications of this plan's intent can be seen from these excerpts:

1. Provide sufficient protection, research, and management of 36 species of raptors whereby total populations can be classified as either common or peripheral in Colorado.
2. Determine population status of the boreal owl, flammulated owl, peregrine falcon, and spotted owl in Colorado. (Boreal owls have been seen in the vicinity of Rabbit Ears Pass and on the Laramie River; chances are good that this species occurs on the Forest).
3. Provide sufficient protection, management, and control of 330 species and their habitat whereby as many of these species as possible can be classified as either common or peripheral.

Especially pertinent to the Forest is protection of nesting and wintering areas for raptors. The International Bird Plot Census should be initiated for (1) alpine, (2) spruce-fir, (3) lodgepole pine, (4) aspen, and (5) sagebrush to gain additional insights into breeding status of some species.

Growing numbers of people enjoy their wildlife heritage through simply viewing animals in a native

habitat. Such activities should be encouraged on the State Forest; however, caution should be exercised not to invade nesting areas to the extent that sensitive species are harmed.

Proposals for Introduction of Species

Wolves

A proposal was made by Rocky Mountain National Park personnel to introduce wolves into areas immediately south of the Forest. If such animals are introduced, they are expected to range onto the Forest as far north as Kelly and Clear Lakes.

Possible problems if wolves are introduced include:

1. Opposition by livestock growers with accompanying requests for damages should damage occur.
2. Wolves need large areas of habitat isolated from man. Heavy backcountry use by man will no doubt inhibit success of wolf transplants.
3. Public fear of wolves may lead to killing of the animal.

River Otter

Some Forest streams are being considered as possible sites for introduction of river otters. This animal is classified as an endangered species. Lack of open water during winter may cause problems with otter introductions.

Fisheries

Lakes and their size are:

North Fork Reservoir	66 acres
Kelly Lake	25 acres
Lower Agnes	22 acres
Snow Lake	17 acres
Ranger Lakes (3)	13 acres
Michigan Lakes (2)	9 acres
Clear Lake	9 acres
Upper Agnes	4 acres
Ruby Jewel	4 acres
	169 acres

Major fishing streams are:

Cabin Creek
North Fork of the Canadian
South Fork of the Canadian
Clear Creek
Kelly Creek
Grass Creek
North Fork of the Michigan
Middle Fork of the Michigan
Muddy Creek

Major fish species include brook, brown, rainbow, and golden trout. Kelly Lake contains grayling.

Moose

The DOW has released 24 moose in North Park on the Illinois River about eight miles east of Rand. Some animals have moved to or near the State Forest. One cow was on Gould Mountain during the summer of 1978, one was seen on the Canadian River in October of 1978, tracks were seen near Ranger Lakes in December, 1978, and a bull spotted near the North Michigan Reservoir dam in December of 1978. Others have been located just off the Forest in the Silver Creek area.

Management involves total protection from illegal shooting and as little disturbance by people as possible. Location monitoring via radio tracking will continue.



Beaver

Beaver inhabit all State Forest streams except those which are dry during a part of the year. Populations of this animal are steadily increasing on the Forest; expansion has been by both natural migrations and by trapping and release. Live trapping has been accomplished where animals are troublesome such as in irrigation ditches and headgates. Specific areas where populations have been reestablished through trapping and release include Grass Creek and upper portions of the North Fork of the Michigan. The DOW should handle all beaver problems.

Commercial trapping of some beaver is done through a permit system based on counts of animals in individual locations. A recommendation is that this system continue in order to maintain populations in harmony with carrying capacity of the habitat.

Recognized values of the beaver resource include viewing by Forest visitors, pools created by beaver dams are significant in perpetuating brook trout fisheries, and commercial worth of pelts from harvested animals.

Other Furbearers

Mink, marten, weasel, and muskrats inhabit the State Forest. An occasional animal of these species is trapped incidentally during commercial beaver harvest but current markets are low. A recommendation is that such limited trapping be continued.

Timber harvesting could seriously affect marten populations; areas slated for timber cutting should be examined to determine the extent of these animals in that area.

Rabbits and Hares

Cottontail rabbit populations on the Forest are low. Snowshoe hares, while not often seen, are present in good numbers. Although hunting for these animals is nonexistent, they may provide an important element in the food chain of other species.

Logging practices to alter successional stages will benefit rabbit and hare populations.

Other Mammals

Red fox, coyote, bobcat, porcupine, pika, skunk, and small rodents are on the Forest. Two confirmed reports of wolverine sightings have come from the American Lakes area.

Harvest of the larger of these mammals is limited with the exception of coyote; take of this species varies from 400-500 annually in North Park when prices are high to 100-200 when prices are low.

A recommendation is that Forest visitors be discouraged from harassing animals mentioned in this section, particularly pika colonies at higher elevations.

Blue Grouse

Large numbers of blue grouse inhabit the State Forest from Lake Agnes to the North Sand Hills. No specific critical habitat requirements have been identified; however, heavy recreation use will displace grouse populations. Hunting pressure and harvest on the Forest is low and could be increased as long as specific local populations are not over-hunted.

Table 2. (continued)

Unit	Year Cruised	Acres	Type*	Cords	Volume Cu. Ft.	Bd. Ft.
57	1971	376	LP	4,961	397,000	399,000
58	1972	358	LP	6,889	551,000	217,000
59	1972	540	LP	16,917	1,353,000	707,000
60	1972	805	LP	16,312	1,305,000	1,791,000
61	1972	395	LP	10,222	818,000	765,000
62	1972	292	LP	6,840	547,000	679,000
63	1972	325	LP	6,639	539,000	361,000
64	1972	65	LP	2,310	185,000	85,000
65	1972	258	LP	4,904	392,000	436,000
66	1972	275	LP	6,908	553,000	433,000

Totals 20,562 465,234 37,295,719 44,261,271

*LP is lodgepole pine and SP is spruce-fir.

Management Needs and Recommendations

A major consideration in high-density recreation areas is maintenance of adequate tree cover consistent with primary use.

Retention of vegetative cover and minimization of soil erosion are major problems in high-density recreation areas. During design and construction, reasonable effort should be made to protect tree cover. Where practical, areas of foot and vehicle traffic should be designed away from individual groups of trees. Once a recreation area is operational, trees should be protected from damage by vehicles, cutting, hacking, and pruning of branches from live stems.

Heavy infections of dwarf mistletoe are present in most recreation areas along Highway 14 and around the North Fork Reservoir. Trees around Ranger Lakes have such an intense infection that many have died and others have dead tops. Trees in the campground



A healthy, vigorous tree cover is vital to camping areas.

west of Ranger lakes have heavy infections as do those east of the upper tip of North Fork Reservoir. The intensity of these infections is such that complete control can be accomplished only by removing all pines. This is not, of course, acceptable practice in recreation areas. One possible alternative is to have a knowledgeable forest pathologist look at trees in these areas to determine if pruning of heaviest infections will significantly prolong tree life.

Areas along secondary roads have varying degrees of mistletoe infection. Heavy infections occur along the road from Highway 14 to the North Fork Reservoir and along the Canadian River road. Areas of extreme infection such as along the road east and north of the Reservoir (near the junction of the road to Bockman's old camp) should be identified and boundaries marked. Small, irregularly-shaped patches should be cleared of all pine trees and slash burned. Reproduction from a foot or two to 30 or more feet in height is practically all infected and should not be "saved." Once reproduction comes into cleared areas, adjacent patches should be outlined and cleared.

Multiple Use Areas

Commercial Thinning — This is the major management need on the 27,000 acres of lodgepole pine in post and pole size classes. Thinning is necessary to promote healthy and vigorous stands regardless of whether the management objective is wood fiber production, water yield, wildlife habitat improvement, recreation, forage production, or a combination of these.

There are three to five times more stems per acre in lodgepole pine post and pole stands than sites can adequately support. Dominant trees are adding little increment while intermediate and suppressed individuals are not growing or are suffering mortality. Available moisture and nutrients, then, are not used efficiently. Further, escape cover is about all these dense, stagnated stands offer big game animals.

Ground and surface water yields could be increased by thinning, as could scenic attractiveness and wood fiber production.

Lodgepole pine post and pole stands should be stratified according to site productiveness. Stratification should be based on average tree height at 100 years of age and divided into 50, 50-65, and 65 and over. Thinning priority will be given to average heights of 55 and over; sites with heights of under 55 will not be thinned until timber on better sites is improved unless wildlife habitat enhancement is involved.

Where thinning is anticipated, trees to remain shall be marked by trained personnel. Where wood fiber production is the priority, crop trees selected shall be those with (1) largest, straightest, tallest boles, (2) largest crowns, and (3) a minimum of mistletoe infection. About 60 square feet of basal area will be left on average sites and 80-90 square feet on the best sites.



Dense, low vigor stands provide little in the way of timber production or wildlife habitat.



Thinning in young stands promotes health, vigor, and growth rates. Following thinning, stands are better able to resist insect and disease attacks.

Personnel marking for thinning must be alert for mistletoe infections. Most infections are grouped around old residual trees which escaped past fires. On fringes of such infections, little evidence of the disease is visible; as the disease center is approached, evidence becomes quite pronounced and old red-bark trees can be seen. NO LEAVE TREES SHOULD BE MARKED WITHIN THE CIRCLE OF INFECTION AS MISTLETOE IS PROBABLY PRESENT EVEN THOUGH INVISIBLE ON THE SURFACE. This will result in clearcuts of one to three acres scattered throughout the stand. An added benefit is that such small clearcuts will enhance big game habitat.

Before any cutting contracts are let — either for thinning or sawlogs — such proposals should be reviewed by Task Force members so potential conflicts, if any, can be resolved before cutting starts.

Noncommercial Thinning - Acreages are very limited where noncommercial or precommercial thinning is needed. This activity, then, has a low priority when all timber management needs are considered.

Sawlog Harvest - About 3,200 acres or near 10 percent of the lodgepole pine type is in sawtimber; these trees are mostly in the 11" to 16" diameter classes. Scattered stands of larger stems are present but do not represent significantly large volumes. One exception is the steep, west-facing hillside south and east of Cameron Pass where significant volumes of sawlog-size spruce-fir does exist. No immediate harvest is planned here, however, as this area is highly visible from Highway 14. This area should be monitored annually; if insect problems or mortality due to old age begins to appear, then some degree of harvest should be considered.

Though much lodgepole pine sawtimber is in smaller diameters, these stands are not young. They are, for the most part, mature to overmature and often heavily infected with dwarf mistletoe to the extent that net growth approaches zero. A major problem was created during previous harvests when an 11-inch DBH limit was observed; regeneration that has come in under remaining mistletoe-infected trees is also heavily infected with the disease.

Another potential threat — mountain pine beetle — must be considered in making decisions regarding harvest of larger, older trees. Recently-published research results¹ explain why this is true.

Although mountain pine beetle has not as yet (in 1978) been located on the Forest, heavy infestations do exist

¹Guidelines For Reducing Losses of Lodgepole Pine to the Mountain Pine Beetle In Unmanaged Stands in the Rocky Mountains. General Technical Report INT-36, June 1977. Published by Intermountain Forest & Range Experiment Station, Ogden, Utah 84401.

Bighorn Sheep

Populations and Range

Two separate bighorn sheep herds inhabit the State Forest; one is identified as the Never Summer and the other as Rawah (Fig. 14).

The Never Summer herd, estimated at 80-100 animals, is located on the southern portion of the Forest in the vicinity of Mt. Richthofen, the Nokhu Crag, Thunder Pass, American Lakes, and Seven Utes Mountain. Sheep range over this entire area during summer months but often congregate around the American Lakes and Thunder Pass. Winter is spent in the same general locale as is the summer.

Observations by DOW officials indicate that a primary lambing area for the Never Summer herd is the American Lakes area. The same area is used year after year — requirements are resting and feeding areas surrounded by or adjacent to rocky slopes and cliffs.

The Rawah herd ranges the Medicine Bow crest from Diamond Peaks north to Mendenhall Creek. Summer range for these animals historically was high areas around Clark Peak; however, heavy people pressure from the Rawah Wilderness forced much of the herd to move as far as forested areas north of Ute Pass. Wintering areas for the Rawah bighorns are ridges near Clear and Kelly Lakes as well as similar topography around the Rawah Lakes.

Estimated population of the Rawah herd is 50 animals. DOW is considering sheep transplants in the Rawahs as the U.S. Forest Service may put limitations on back country use.

Harvest

Only 22 sheep have been harvested on the State Forest since 1960. Years with one sheep harvested include 1960, 1961, 1962, 1964, 1968, 1969, 1972, and 1976. One illegal sheep was taken in 1965. Two sheep were killed in 1965 and 1967; four were taken in 1963, and six in 1966.

The Bowen Pass - Clark Peak bighorn sheep unit was divided in 1971. The area south of Highway 14 is now S-19; north of Highway 14 is S-18. From 1971 on, sheep harvest was permitted in S-19 only.

Major Problem

Increasing human invasion of high country along the Medicine Bow crest and southern portions of the Forest is slowly eliminating bighorn sheep populations. Prior to 1974, for example, upward to 30 animals were observed in the Grassy Pass - Sheep Mountain area. In 1975, three days of observations saw people on Sheep Mountain, the approaching ridges, the high Rawah peaks, and on Grassy Pass itself. Fifty-three backpackers were counted within an hour's time. No sheep or sheep sign were seen. See Fig. 15 for sheep counts.

Management Recommendations

1. Discourage increasing public use of sheep habitat by no additional construction of trails, campgrounds, or other improvements in areas known to be used by sheep. Increasing human pressure could eliminate sheep populations.

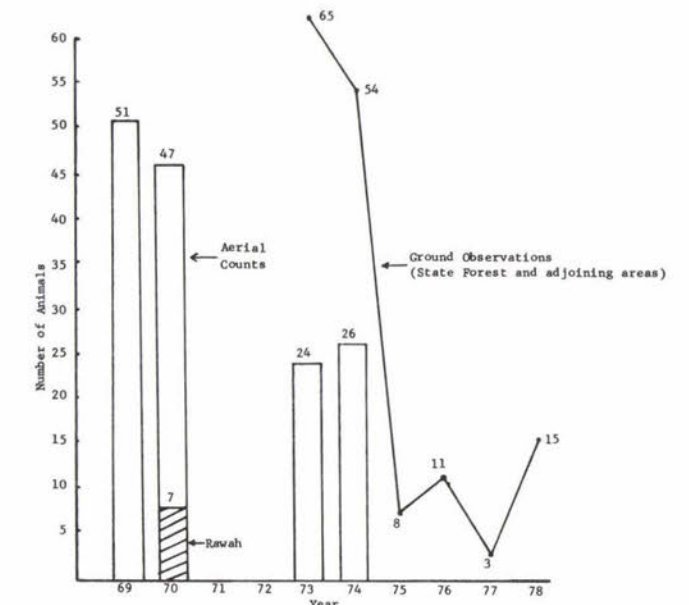


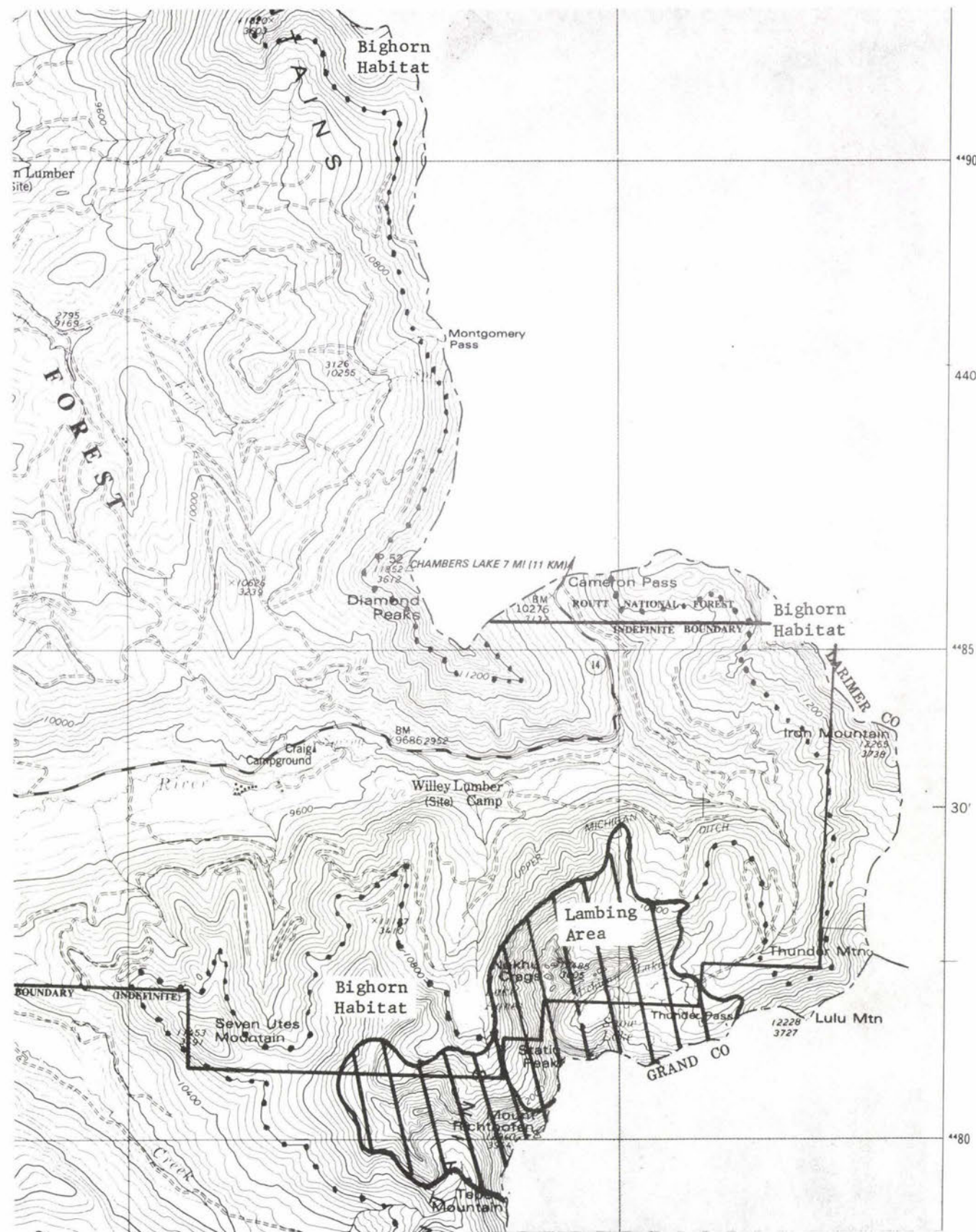
Figure 15. Sheep counts by year.

2. Make every attempt to keep people out of lambing areas during spring months.
3. Continue the practice of no domestic sheep on alpine ranges.
4. Initiate research to pinpoint lambing and bedding areas and to accurately determine population locations and trends.
5. Any proposed use in alpine country should be closely examined and evaluated to determine potential impact on sheep.
6. Continue to examine the potential for sheep transplants along the Medicine Bow Range.

Black Bear

This species occurs throughout the Forest; total population is estimated at 47-58. There is some hunting but few animals are harvested. The most recent estimate is 72 hunters and 443 recreation days.

A concern is the "garbage bear" which frequents campgrounds. It is anticipated that bear-camper incidents will increase. Where individual animals cause problems, a common practice is live trapping by the DOW and removal of bear to remote areas.



Many stands are mature or overmature and have been cut over. Remaining stems in such stands are heavily infested with mistletoe as are young trees which have come in following cutting.

a few miles to the south and could move northward at any time.

Briefly, the research mentioned indicates that susceptibility of lodgepole pine to beetle attack is heavily influenced by tree diameter, age, phloem thickness, and stand density. Beetles kill proportionately more large- than small-diameter trees and prefer the largest green trees left in the stand each year as an infestation progresses. Such preference for larger trees is directly related to phloem thickness; larger trees have the thickest phloem.

Phloem is the food for developing beetle larvae. Consequently, the amount of phloem is one of the most important factors determining the number of larvae completing development, becoming adults, and emerging to attack new trees. In fact, beetles seldom attack small trees unless no large ones are available.

As for tree age, beetles seldom attack stands of lodgepole pine where such stands are less than 60 years old. In some cases, stands under 60 years of age may be attacked if older stems aren't available, but chances are slight here that the outbreak will develop to epidemic proportions. Again, thicker phloem as is found in older trees is the key.

A cutting program should be launched immediately to harvest mature and overmature lodgepole pine stands, especially those heavily infected with dwarf mistletoe. This can be done by clearcutting irregularly-shaped patches (Fig. 8). Once reproduction is established, adjacent uncut areas will receive similar treatment. In other words, a series of clearcuts will be interspersed with uncut areas; later, selected uncut areas will be harvested.

Because logging roads established during earlier cuttings are still useable, it is not anticipated that additional main haul roads will be needed; some short spur roads of a temporary nature will, however, be



Many stems in old residual stands show the effects of past fires.

necessary. Roads shown in Fig. 9-10 will provide the major access needed for logging.

Slash in clearcut areas will be piled for burning. Burning will be accomplished after material is dry and following sufficient snow to assure fire safety.

The Colorado Division of Wildlife may, at its discretion, plant wildlife browse species in clearcut areas.

Seed Orchard

A pole-size stand of superior lodgepole pine exists in the NW¼NE¼, Section 23, T7N, R77W. Though trees in surrounding areas show heavy infections of dwarf mistletoe, the superior stand exhibits little or none. Individual trees in this stand average about two inches larger in diameter and some 15 feet taller than surrounding stems; this is no doubt due to absence of mistletoe in the superior stand.

The intriguing question is: Why is there little or no mistletoe in the superior stand? Conjecture is that prior to the fire of some 120 years ago, a small group of mistletoe-free trees stood in this area. Following the fire that destroyed most old (or original) trees, seeds from those disease-free stems produced the now-existing stand of superior trees.

In 1967, Dr. Dale Shaw of the Colorado State Forest Service proposed that the superior stand be

designated a "seed orchard" and that studies be undertaken to find out if seeds from these trees will produce mistletoe-resistant progeny. A proposal was also made that the area be isolated to some degree and that cultural practices be instituted to improve the stand.

In the fall of 1967, an experimental inventory and thinning were conducted by Shaw and Henry Jones, Land Board forester. The inventory indicated that average number of stems per acre was 700, average tree height was 70.4 feet, and average DBH was 8.75 inches. Volume per acre averaged about 105 cords of merchantable material — this is over three times more volume than "average" post-pole stands on the Forest.

A ¼-acre thinning plot was cut in November of 1967. On this plot, 132 trees were cut and 43 allowed to remain; basal area of leave trees was 85.4 square feet. Average height for cut trees was 65.4 feet and average DBH was 7.75 inches. Cut trees averaged 12 cubic feet in volume; an average of 6.7 such trees made one cord of volume.

The seed orchard was marked for thinning and a cut made via commercial sale in 1974. In addition, all trees in an isolation strip of about 60 to 100 feet were removed around the orchard and slash from this and the thinning chipped.



Average tree diameter and height is much greater in the seed orchard than in surrounding stands. This attributed to the fact that no mistletoe is present in the seed orchard.

Should progeny from the orchard prove mistletoe-resistant, this will represent a major breakthrough in lodgepole pine management.



Figure 8. Potential clearcutting areas — Bull Mountain unit.
— indicates clear-cut areas
--- indicates roads

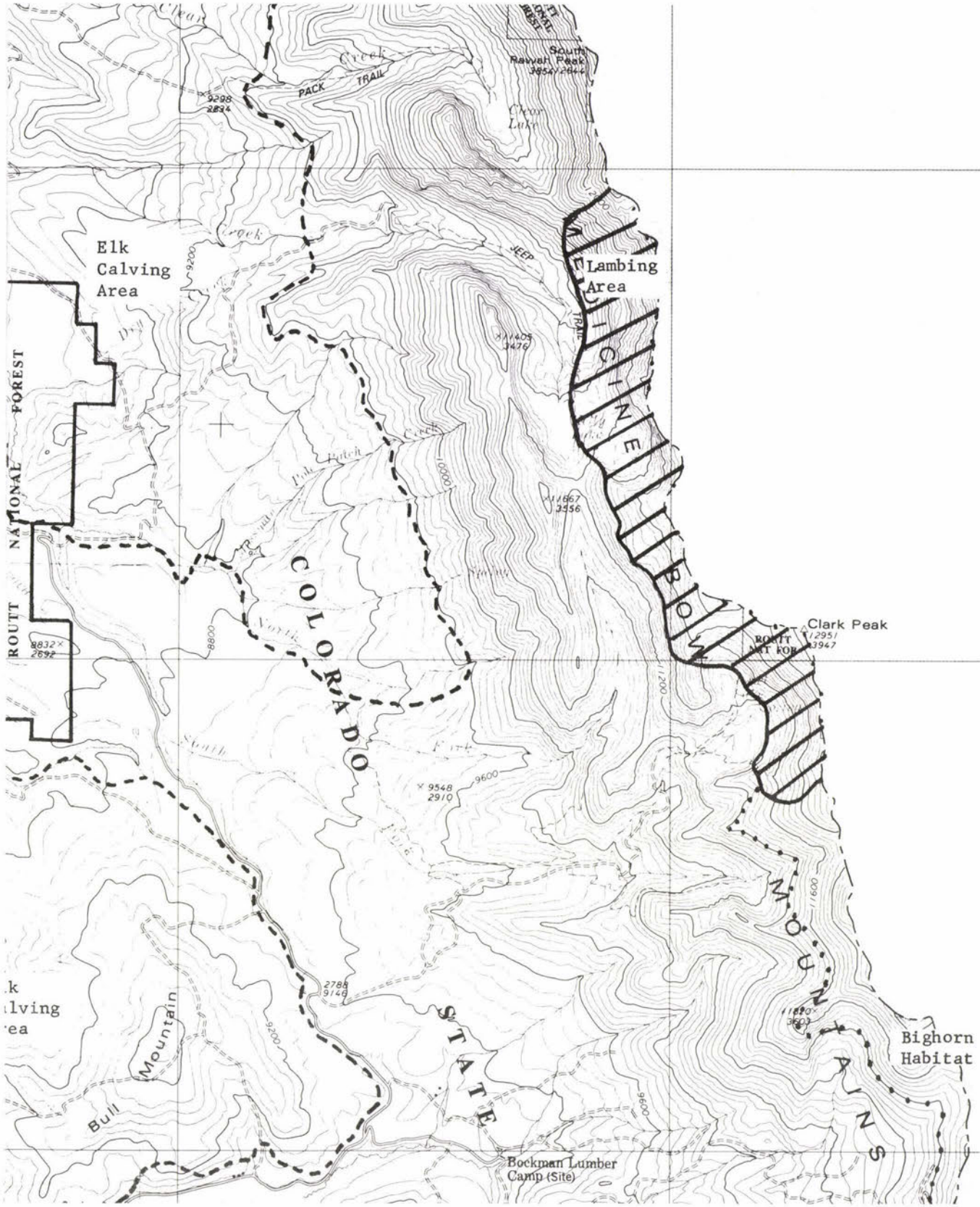


Figure 14. Bighorn sheep range and lambing areas. (Continued next page)



It is essential that elk calving areas be protected.



Camps such as this spring up on the Forest during hunting season.



Fire Protection

Access

Highway 14 is the only major all-weather road on the Forest. A number of 4-wheel-drive roads originate at Highway 14 and provide adequate access to the south one-third of the Forest (Fig. 9).

Vehicle access on the north half of the Forest is somewhat limited (Fig. 10). Primary access is via roads leading to ranches which have a common boundary with the Forest.

Fire Incidence

No large wildfires have occurred on the Forest since it has been in state ownership. Reasons for this include (1) climatically, the Forest is wet much of the year; snow comes early, stays late, and afternoon showers are common during summer months. There have been, however, periods of summer drought, (2) logging activity in past years has provided an abundance of work crews and equipment to stop fires before they reach appreciable size, and (3) numbers of people using the Forest for recreation have been relatively small.

The only one of these factors expected to remain is the first. Although some logging activity is anticipated,

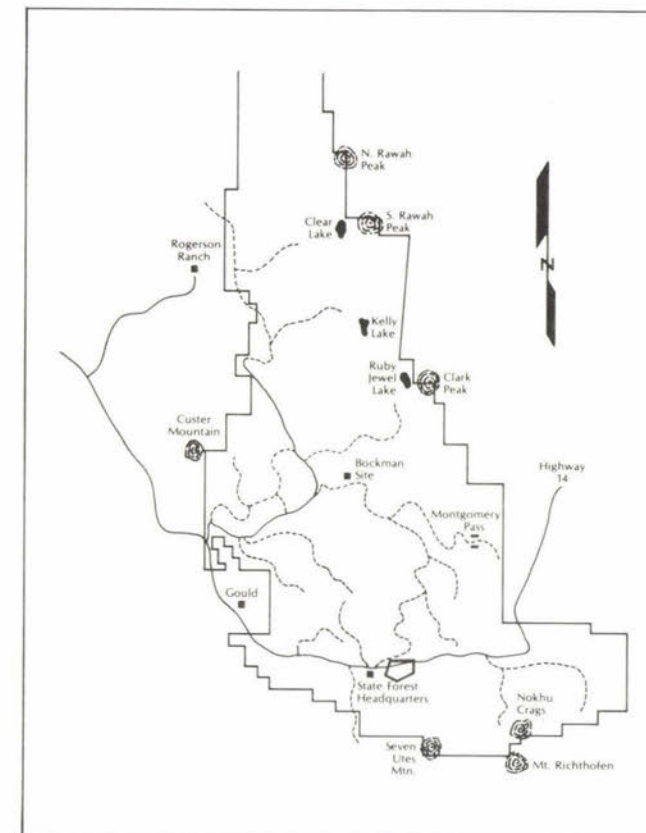


Figure 9. Fire access roads — south half of State Forest.

this will not be to the extent previously experienced. Numbers of persons engaged in summer recreational activities on the Forest will increase significantly. It is expected, then, that wildfire incidence and size will increase. This means that the fire control organization should be bolstered accordingly to protect all resources of the Forest. Considerable aid in this direction has been provided by establishment of a permanent headquarters and work force by the Division of Parks and Outdoor Recreation.

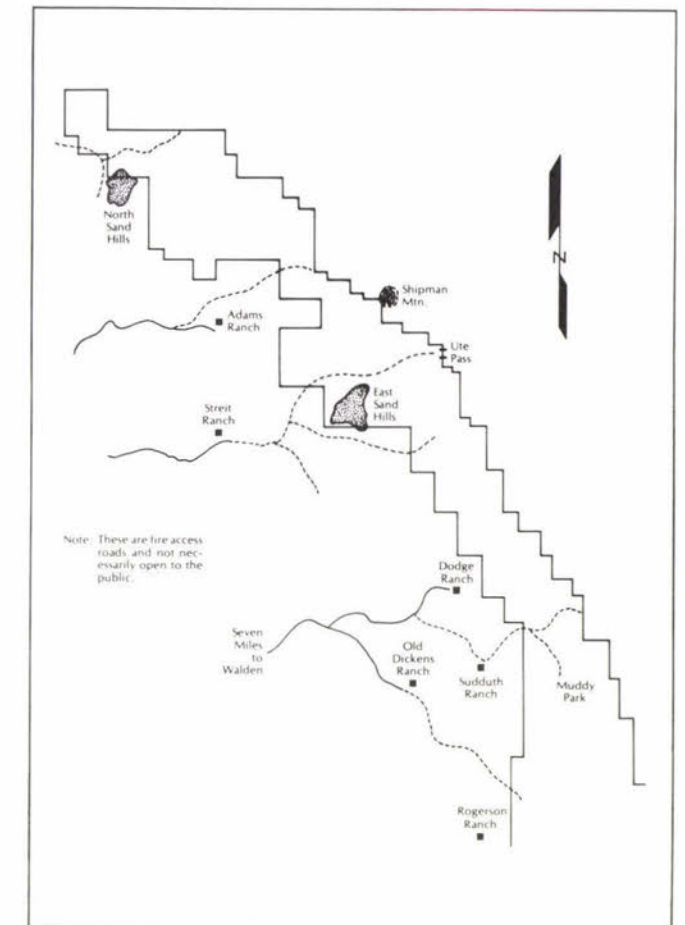


Figure 10. Fire access roads — north end of Forest.

Hazard Areas

High hazard areas for wildfire are near public use facilities such as campgrounds, roads, and trails. With continued addition of such facilities and resulting dispersal of people throughout the Forest, potential for wildfires will increase. Increasing numbers of hunters on the Forest also add to wildfire potential. Concentrations of high use are largely on the south one-third of the Forest and primarily along and south of Highway 14 plus the North Fork Reservoir area. Access roads north of the latter area also present fire hazards.



Additional recreational and other uses on the Forest increases chances for a major forest fire.



Fire trucks such as this are available for use on the Forest if needed.

Fire Equipment

Location
State Forest Headquarters

Type Of Equipment
International TD 6 crawler tractor
International carryall 4x4
2½-ton flatbed 6x6
2½-ton 6x6 with 600-gallon tank and pump
Military jeep
20-man fire cache
Pacific Marine "Y" pump, 1400' of 1½" hose
Six 4-gallon backpack pumps
3 chain saws
2-wheel jeep trailer
2-way radio base station - LG frequency
¾-ton jeep pickup 4x4

Streit Ranch

¾-ton 4x4 with 200-gallon tank & pump
5-man fire cache

Division of Parks Headquarters

30-man fire cache
C-rations, 60 meals
CB radio base station
Two 4x4 pickups with CB radios
One 4x4 Ramcharger with CB and Wildlife-Parks band.
One 2WD pickup
One two-ton dump truck, 2WD
Six chain saws
One tractor with front loader & blade
One slip-on tank and pump
Sixty hard hats

North Michigan Reservoir

5-man fire cache

Lake Agnes Cabin

5-man fire cache

Division of Wildlife - Walden

Three pickups
Pickup-towed lowboy
Beachcraft Bonanza plane

The use wintering areas receive depends on snow depth. Heavy early snows cause most elk to move to the Platte River Canyon with some crossing the divide to winter along the Colorado-Wyoming border above Woods Landing. Mild winters with late snow allow the animals to stay near summer range longer; in some cases they spend an entire winter on the Forest at lower elevations — these wintering areas are classified as critical (Fig. 13).

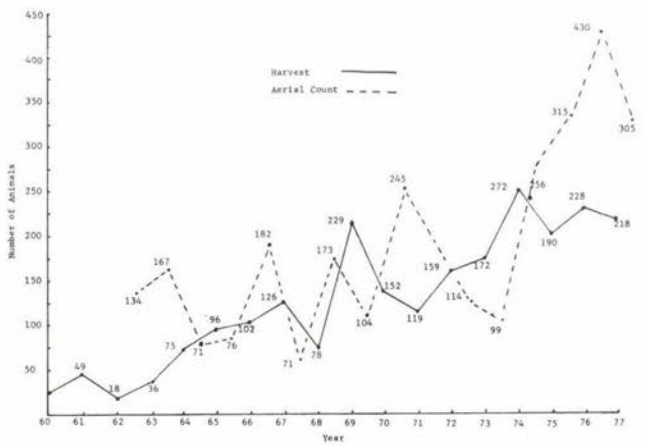


Figure 13. Elk harvest and aerial counts, 1969-1977.

Calving Areas

Elk select specific areas for calving. On the Forest, these include portions of Bull Mountain and an area from the head of the Canadian Rivers to the old Dickens sheep trail. Exact calving locations within

these areas is determined by late-season snow depths; calving is at higher elevations when snow melts early. It is vital to elk populations and to health and vigor of the young that calving areas be recognized and human activity kept from these during calving.

Management Recommendations

To help meet DOW annual harvest goals, specific management recommendations are:

1. Protection of elk from disturbance on wintering areas. Harassment results in animals having to use vital calories needed to maintain body heat and also results in dispersement which may lead to increases in elk damage problems.
2. No human activity permitted in calving areas during calving.
3. Logging, as outlined in the timber management portion, should be carried out because such activities can benefit elk.
4. Maintain domestic grazing at a level consistent with available forage.
5. Vehicular access, both for recreation and logging, should be planned so as not to invade critical elk calving and wintering areas. Existing vehicular access into such areas should be closed when needed to protect elk. Such closure of recreation roads shall be by mutual agreement of DOW and DPOR. Closure of active logging roads shall be by agreement between DOW and the forester in charge of logging. Should there be problems in reaching agreement on closures, final decisions shall be made by the Land Board.
6. Increase annual elk harvest if damage occurs to parts of the winter range.

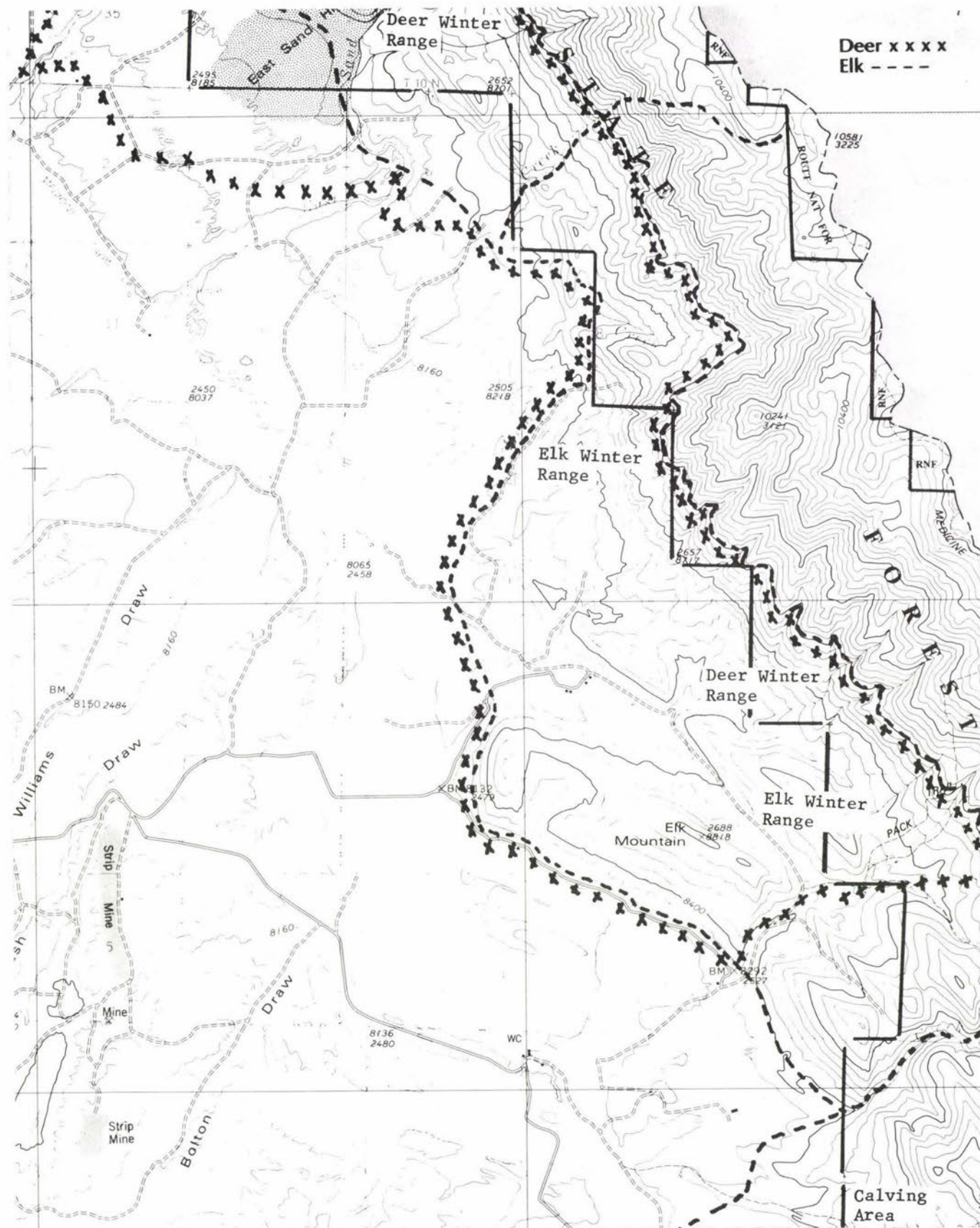
Table 4. Elk harvest by year and general age class.*

Age Class	Year								
	1970	1971	1972	1973	1974	1975	1976	1977	1978
Bulls	96	77	72	96	226	131	150	150	
Cows	37	30	71	64	36	46	63	51	
Calves	19	15	16	12	10	13	15	17	
	152	122	159	172	272	190	228	218	305

*For years 1970-77, ratio of age classes harvested is bulls, 66%; cows 26%; and calves 8%.

Table 5. Elk aerial counts by area and year.

Area	Year								
	1970	1971	1972	1973	1974	1975	1976	1977	1978
Walden NE	70	33		61	75	221	155	93	205
Sentinel Mt.	31	178		80	17	16	135	305	143
Walden Flats	0	0		0	0	0	0	32	0
Pinkham Creek	0	0		3	7	17	22	0	6
Johnny More	3	34		0	0	2	3	NC	51
	104	245		144	99	256	315	430	405



Tractors with dozers

Brand	Type
International	TD-20
International	TD-20
International	TD-15
Caterpillar	D7E
Caterpillar	D717A
Caterpillar	D6
Allis Chalmers	HD16
Allis Chalmers	HD16
Caterpillar	D4
Caterpillar	D6
Allis Chalmers	HD16
*Allis Chalmers	HD15
Allis Chalmers	HD21
Allis Chalmers	HD11
Allis Chalmers	HD16
Allis Chalmers	HD11

*Equipped with brush rake only

Lowboys and tractors

Type
Tractor and lowboy
Tractor only
Tractor only
Tractor and 3 lowboys
Tractor and lowboy
Tractor and lowboy
Tractor and lowboy

Mobile Pumps

Type
50-gal. slipon/200' 3/4" hose
4x2 truck/500' of 2" hose, 1000 gal.
6x6 truck/400' of 2" hose, 1000 gal.
6x6 truck/250' of 1 1/2" hose, 1000 gal.
4x2 truck/4000-gal. tank
6x6 truck/800' of 1 1/2" hose, 1000 gal.

Specialized Equipment

Type	Number
Smoke chaser packs	4
Radio, Porta-mobile	7
Radio, portable	2
Fire rations	25
Chain saws	7

Hand Tools

Number
50
30
25
7
5

Portable Pumps

Type	Hose
Pacific Marine	2150' 1 1/2"
Homelite	1800' 1"
Wisconsin	

Source

U.S. Forest Service, Walden
USFS, Steamboat Springs
USFS, Steamboat Springs
Hines Lmbr. Co., Walden
Hines Lmbr. Co., Walden
Spaulding Const., Walden
Jackson County
Jackson County
Jackson County
Jim Knoll, Walden
Delmar Dowdell, Walden
John Hughs, Walden
John Hughs, Walden
John Hughs, Walden
Robert Turner, Walden
Streit Ranch, Walden

Phone

723-4707
879-1722
879-1722
723-8231
723-8231
723-4906
723-4481
723-4481
723-4481
723-4663
723-4259
723-4553
723-4553
723-4553
723-4912
723-4945

Source

USFS, Steamboat Springs
Leroy Forbes, Walden
Don Wamsley, Walden
Jackson County
Ralph Flesch & Son, Walden
John Hughs, Walden
Jim Know, Walden

Phone

879-1722
723-4311
723-4324
723-4481
723-4737
723-4553
723-4663

Source

USFS, Walden
Jackson County
Jackson County, Cowdrey
Jackson County, Rand
Hines Lmbr. Co., Walden
Jackson County

Phone

723-4707
723-4411
723-
723-4330
723-4294
723-4411

Location

USFS, Walden
USFS, Walden
USFS, Walden
USFS, Walden
USFS, Walden

Phone

723-4707
723-4707
723-4707
723-4707
723-4707

Source

USFS, Walden
Hines Lmbr. Co., Walden
Fire Dept., Walden
Cowdrey Fire Dept.
Rand Fire Dept.

Phone

723-4707
723-4294
723-4411
723-8305
723-4300

Source

USFS, Walden
USFS, Walden
Jackson County

Phone

723-4707
723-4707
723-4481

Personnel

Position	Location	Phone
Forester	Colorado State Forest	723-4505
Park Manager	Colorado State Forest	723-8366
		(Home) 723-4928
Assist. Park Manager	Colorado State Forest	723-4922
State Forest Service	Colorado State Forest	723-4546
Sheriff	Walden	723-4242
County Road Dept.	Walden	723-4481
District Forester	Steamboat Springs	879-0475
Staff Forester, CSFS	Fort Collins	482-8185
CSFS Shop	Fort Collins	482-9512
USFS District Ranger	Walden	723-4707
County Commissioners	Walden	723-4481
Roosevelt National Forest	Fort Collins	482-5155
Red Feather District	Fort Collins	482-3834
Routt National Forest	Steamboat Springs	879-1722
Medicine Bow National Forest	Laramie	3-7-745-5950
Dr. David France	Walden	723-4255
		(Home) 723-4341
		723-4676
Wildlife Cons. Officer	Walden	

Aerial Services

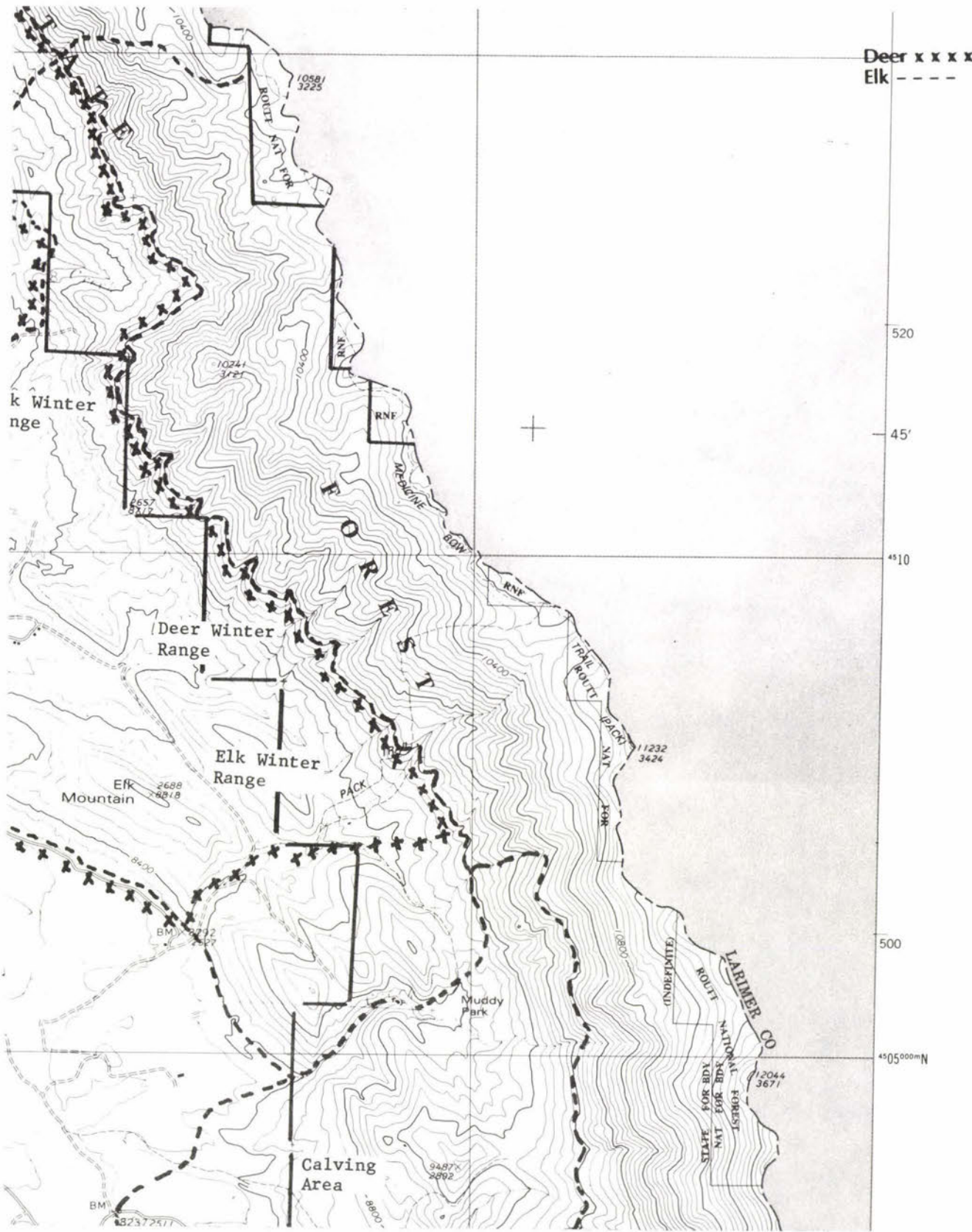
Name	Location	Phone
Helicopters Unlimited	Steamboat Springs	
Ag Helicopters, Inc.	Fort Collins	484-0544

Ranches

Name	Phone
Fred Adams	723-4235
C.J. & Bernard Streit	723-4945
Dodge Ranch	723-4218
Pete Baller	723-4424
Noffsinger Ranch	723-4519

Radio Communications

An LG frequency base station is maintained at State Forest headquarters. Call letters designated are KLM-727. This station facilitates communications with State Forest Service mobile units and with the Highway Patrol base station at Craig. A CB base station is located at Parks headquarters on the Forest. The USFS at Walden is on the Routt National Forest network. In addition, wildlife conservation officers are on yet another frequency, thus four radio frequencies could be involved on a major fire. With the Roosevelt National Forest being on their own frequency, this number could jump to five.



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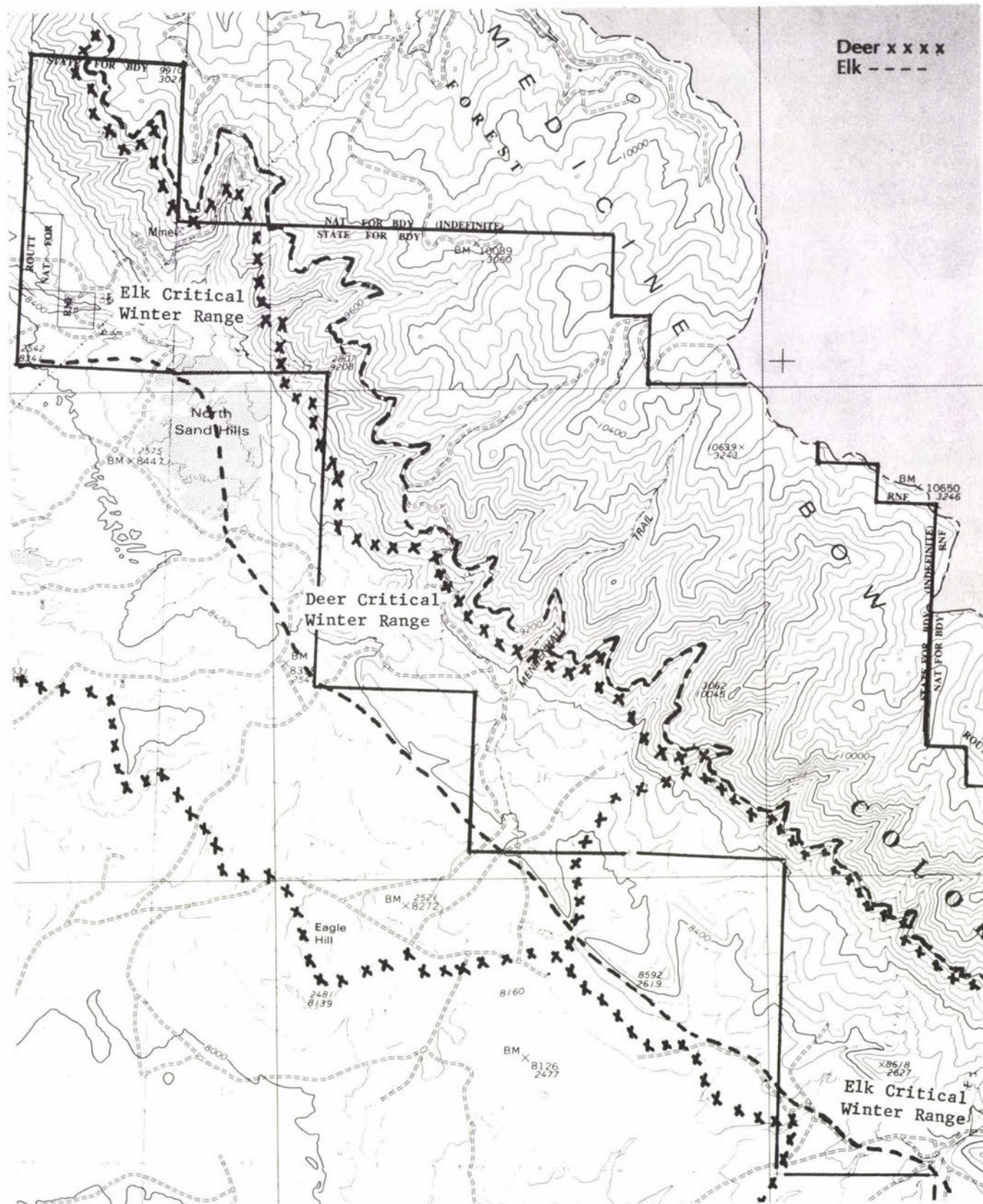


Figure 12. Deer and elk winter range. (Continued next page)

The Wildlife Resource

Management Objectives

1. Enhancement of habitat.
2. Establish workable population goals for big game herds.
3. Provide a reasonable amount of:
 - a. sport fishing
 - b. sport hunting
 - c. commercial and sport trapping
 - d. wildlife viewing
4. Protect habitat from destructive uses.
5. Maintain population levels commensurate with habitat.
6. Stock fish where needed.
7. Increase knowledge about wildlife populations and habitat.
8. Reintroduce species to historical ranges.
9. Provide supplemental transplanting to aid existing populations.

Hunter Use Data

Deer, elk, and bear are species usually hunted on the Forest. Following is an estimate of hunter use for 1978.

Type	Hunter Numbers	Recreation Days
Archery - deer	20	126
Muzzleloading - deer	24	105
Regular - deer	454	1505
Archery - elk	31	149
Muzzleloading - elk	51	251
Regular - elk	1153	5141
Bighorn sheep	8	unknown
Bear	72	443

Values

Wildlife is a major resource of the State Forest because: (1) the majority of recreationists who visit the Forest do so to either hunt or fish, (2) hunters and fishermen are major contributors to the economy of area surrounding the Forest, and (3) wild animals are one of the few remaining visible links between modern man and his past; it is vital that the quality and quantity of this link be maintained. For visitors to the Forest, the sighting of wildlife, especially larger animals, provides psychological fulfillment and a special joy in the realization that something truly wild does still exist.

Problems

Man has a tendency to destroy, often unwittingly, that which he purports to hold in great value; often such is the case involving wildlife. On the State Forest,

destruction of the quality and quantity of at least a part of existing wildlife is certain unless controls are exercised to prevent such an occurrence. Reasons for this follow.

All wild creatures have habitat or ecological requirements specific to that species — in general, these needs include a specific type of food, a specific type of cover, specific space requirements, breeding areas of a certain type, a suitable location to have and rear young, some degree of absence of pathogenic agents, and water of a certain quality and quantity. In addition, some wild species cannot tolerate a close proximity to man.

Thus, by the very nature of the wildlife resource, any land use which lessens availability of one or a combination of these requirements has a negative effect on one or more species of nondomestic animals. Significant losses of habitat components occurring through decisions to devote land to uses incompatible with wildlife or occurring because of little or no control over uses detrimental to wild animals inevitably results in a decline in numbers, total loss of a species from the affected area, a lowering of quality in individuals, or a combination of these.

The problem on the State Forest involving wildlife, then, is one of devising and putting into effect a total land use plan which will minimize impacts of other activities on wild animal populations. In areas critical to a wild species, this may mean exclusion, part time or full time, of activities which have negative impact on that species.



Mule Deer

Population Trends

Populations of deer on and near the State Forest are steadily declining (Fig. 11 and Table 3). During the



1950s, some 4000 animals were counted on winter range west of the Forest; following 1960, the high count in this area was 1082. On Johnny Moore Mountain just south of the Forest's midsection, 500 deer were counted during the winter of 1955; no animals winter there now.

Population highs in the 1950s were excessive to carrying capacities of winter range and a reduction in numbers due to natural forces was expected. The population "crash" was accelerated significantly by

massive spraying of sagebrush habitat formerly used as winter range. Now (1979) an estimated 800-1000 deer are on the State Forest at different times of the year.

Fall And Winter Range¹

Late fall and winter deer range on the Forest is limited to open foothill slopes from the North Sand Hills south

¹See Pages 26-28 for maps.

to the Dodge Ranch. These foothills, including areas surrounding the North and East Sand Hills, are especially critical to deer populations (Fig. 12). An example is the heavy snows and high winds during the winter of 1978-79 where deer were trapped in both sand hills areas. Survival was possible only because of this good habitat which *must* be protected.

A direct and significant relationship exists between the foothills range and that to the west toward Walden. Deer move to the foothills and sand hills in the fall. If heavy snows don't materialize, most animals remain and allow the Walden Flats range to "rest." Early, heavy snows force deer to the Flats, however, where they must winter.

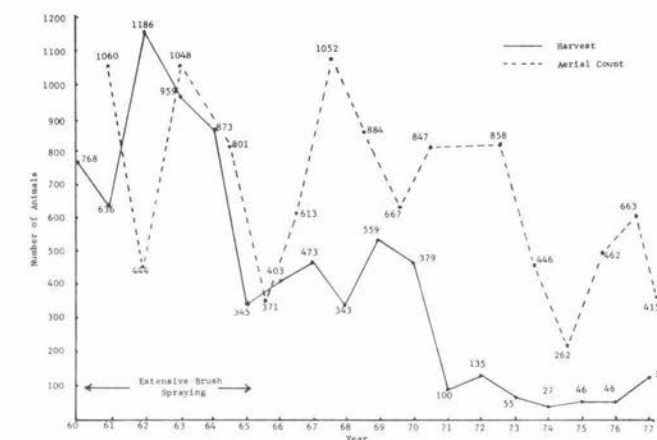


Figure 11. Deer harvest and aerial counts, 1960-1977.

Another factor needing recognition is that east and northeast of Walden are huge coal reserves which may be extracted. If this happens, much of the Walden Flats wintering area may be affected. This anticipated habitat loss may place even more importance on the Forest's Foothills and Sand Hills winter range.

Management Recommendations

To help meet DOW (Division of Wildlife) annual harvest goals, specific management recommendations are:

1. The Sand Hills and Foothills areas are among the best winter deer range in North Park. Any land use in these areas will affect deer populations. Therefore, (1) recreation use from December 1 to

May 1 should be absolutely minimal, (2) no permanent structures should be erected, and (3) maintain domestic grazing at a level consistent with available forage.

2. Clearcuts and thinnings via logging, as outlined in the timber management section of these Guides, will benefit big game animals and should be encouraged.
3. Large-scale mineral developments should be discouraged in critical habitat areas.
4. Fertilization should be done on critical range areas to improve quality and quantity of forage.
5. Browse species should be planted in selected logging areas following clearcutting.
6. No brush should be removed from critical range areas.
7. Deer harvest should be held at a level which permits a gradual increase in populations.

Elk

Population Trends

The State Forest elk herd is one of the healthiest and fastest-growing in Colorado (Fig. 13 and Table 5). The estimate in 1977 is that from 500 to 700 animals are on the Forest during the spring, summer, and fall seasons.

Hunting pressure and harvest are indicated in Fig. 12 and Table 4.

Seasonal Range

Ninety-five percent of the herd spends the spring, summer, and fall seasons on the Forest. Spring movements are in a southerly direction as snow allows; as the season progresses, herds move upward in elevation to subalpine and alpine meadows. Many herds of a hundred or more animals summer above timberline south of Clark Peak and in the Thunder Pass area.

Following a summer and fall spent at high elevations, and as winter approaches, movement is downward in elevation and toward the north. As snowfall increases, many animals move to wintering areas from the Three Sisters-Baldy-Muddy Park section to Pinkham Creek. Here, feeding is on exposed slopes and foothills. One herd of some 30-50 individuals have used the East Sand Hills area for winter range for the past several years.

Table 3. Deer aerial counts by area and year.

Area	Year								
	1970	1971	1972	1973	1974	1975	1976	1977	1978
Walden NE	613		No Count	244	281	211	389	581	362
Sentinel Mt.	54			16	0	0	73	22	0
Walden Flats	0	847		598	165	51	0	60	53
	667	847		858	446	262	462	663	415

Obtain list of properties from Bud Clemmens

Both Wendal Asst AG

200K in 98, 100K in 99 - 200K could vary

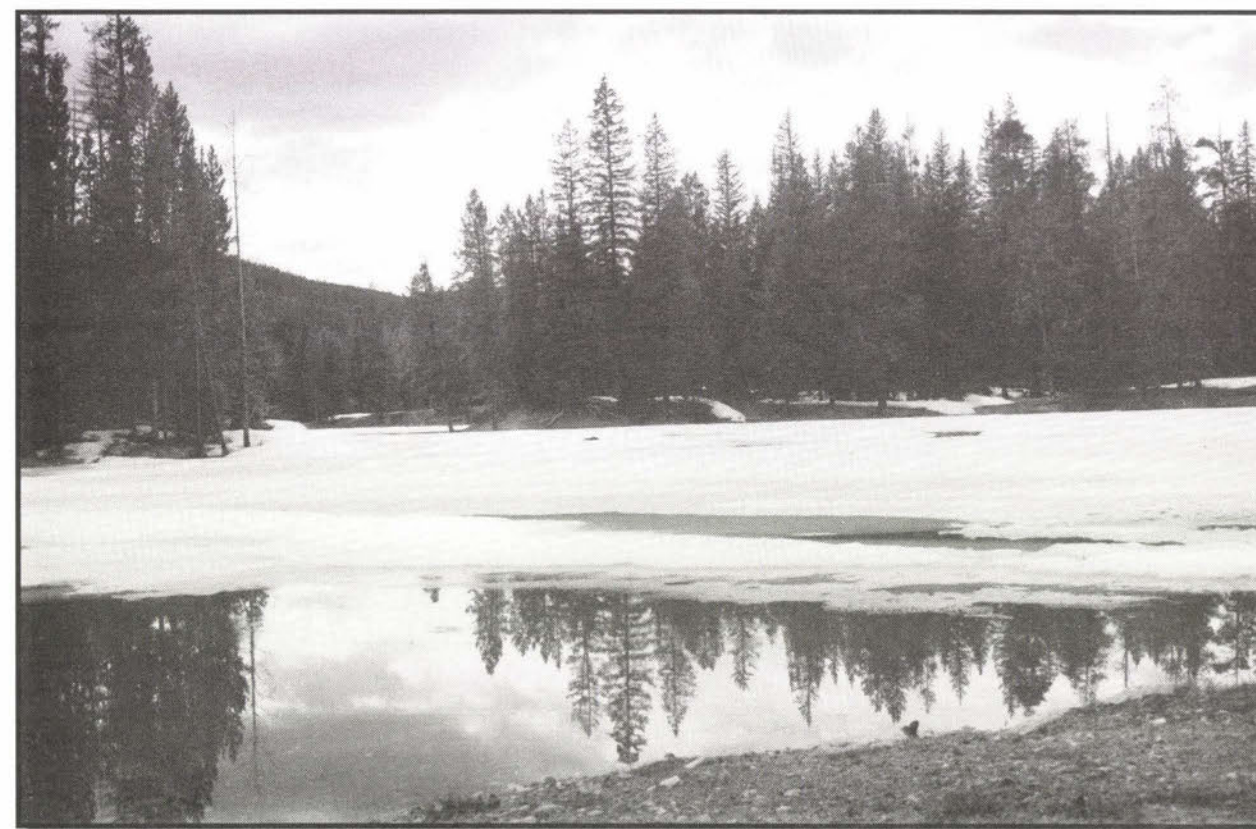
Ph. I - agency review
- Dist. wk load?
April to July

Sub
file

COLORADO STATE BOARD OF LAND COMMISSIONERS

ANNUAL REPORT

July 1, 1995 through June 30, 1996



Colorado State Board of Land Commissioners
1313 Sherman St., Room 620
Denver, CO 80203
Phone: (303) 866-3454
FAX: (303) 866-3152

Roy Romer
Governor

Colorado Department of Natural Resources

James S. Lochhead
Executive Director

State Enabling Act,
paragraphs 7-11 & 14, 15

Colorado Constitution Article IX,
Sections 9 & 10;

CRS, 36-1-101 to 36-8-110

Enabling Act:

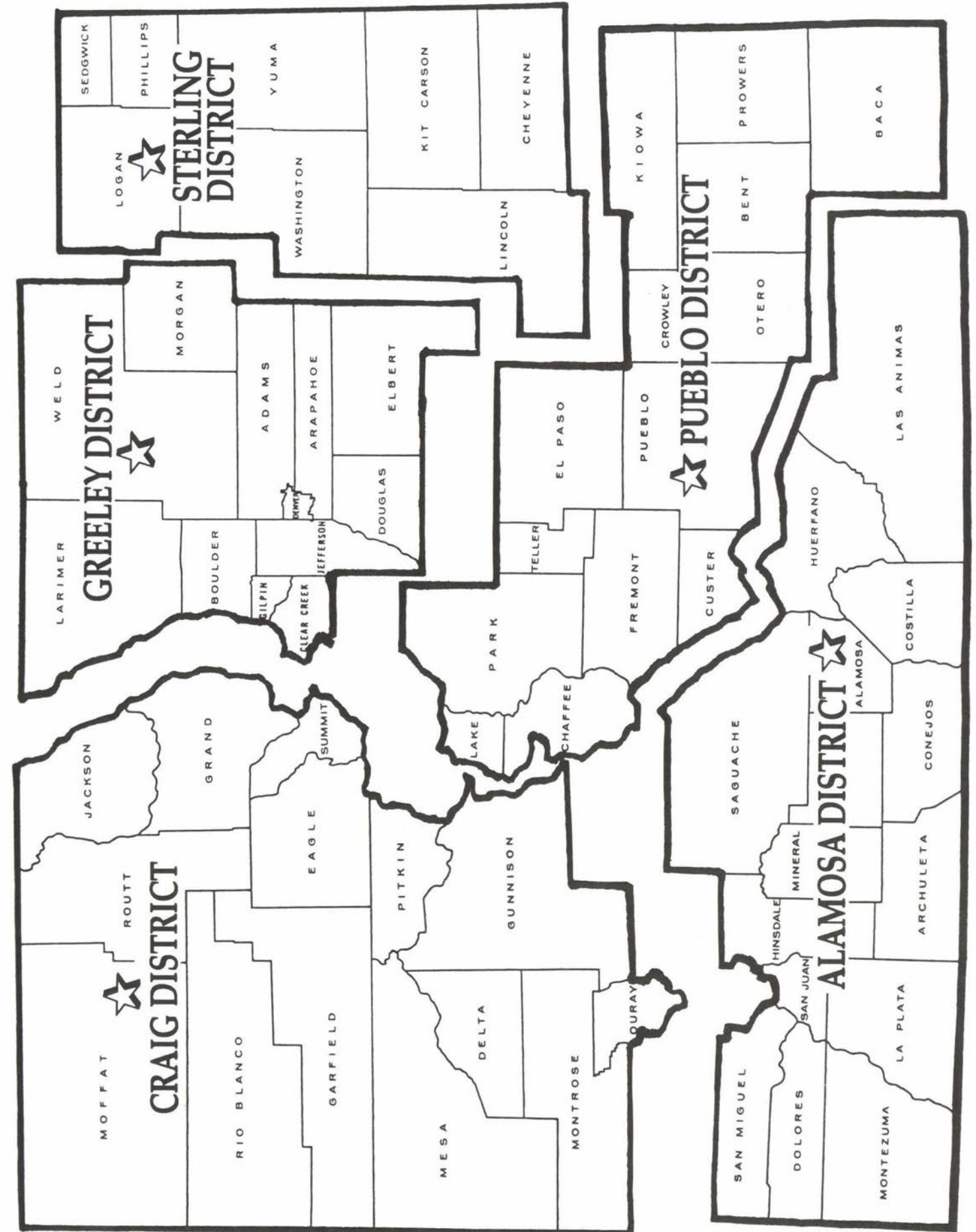
7. School Lands.

The sections numbered 16 and 36 in every township...are hereby granted to said state for the support of common schools. That the two sections of land in each township shall be disposed of only at public sale..., the proceeds to constitute a permanent school fund, the interest of which to be expended in the support of common schools.

State Board of Land Commissioners
Mission Statement:

To maximize benefits to the trusts while
recognizing state interests and citizen concerns
by managing the assets in a manner

- To preserve and enhance the long-term
productivity and value of all the assets
and
- To promote increased annual revenues.



Colorado Board of Land Commissioners
Land & Water Management Fund
Types of Expenses

Period	*1 Range Improvements	*2 Land Use Studies	*3 Other Asset Management	*4 Total Expenses
7/79--6/80	147	0	0	147
7/80--6/81	15,604	17,054	16,727	49,385
7/81--6/82	13,484	1,000	25,552	40,036
7/82--6/83	23,350	4,064	13,566	40,980
7/83--6/84	14,068	12,500	8,617	35,185
7/84--6/85	38,486	2,900	8,597	49,983
7/85--6/86	35,410	32,548	2,600	70,558
7/86--6/87	30,340	2,000	5,513	37,853
7/87--6/88	25,887	19,590	5,992	51,469
7/88--6/89	26,147	0	40,964	67,111
7/89--6/90	12,570	17,414	15,930	45,914
7/90--6/91	8,779	12,996	15,210	36,985
7/91--6/92	14,962	31,596	2,150	48,708
7/92--6/93	52,585	8,629	11,237	72,451
7/93--6/94	60,215	0	14,785	75,000
7/94--6/95	49,245	1,000	24,755	75,000
7/95--6/96	56,350	7,088	11,500	74,938
Totals	\$ 477,629	\$ 170,379	\$ 223,695	\$ 871,703
% of Total	54.79%	19.55%	25.66%	100.00%

*1 includes stock-ponds and wells; noxious weed spraying; erosion control dams and terracing; stockwater pipelines; windmills and cross-fencing
*2 includes groundwater research, surface and minerals evaluations; urban land development studies; appraisals
*3 includes consultant services; surveys on state trust lands; other miscellaneous expenses
*4 supported by fees revenue; limited statutorily to \$75,000 annually

Addresses & Phone Numbers

Colorado State Board of Land
Commissioners

1313 Sherman St., Room 620
Denver, CO 80203
(303) 866-3454

FAX (303) 866-3152

Director: Max Vezzani
Surface: John Brejcha
Mineral: Mark Davis
Accounting: Ruth Kary

District Offices & Managers:

Pueblo District: Robert Clift

201 W. 8th, Suite 307
Pueblo, Co 80631
(719) 543-7403 FAX (719) 544-9348

Greeley District: Bud Clemons

800 W. 8th Ave., Suite 219
Greeley, CO 80631
(970) 352-3038 FAX (970) 352-2879

Sterling District: Danny Skalla

301 Poplar, Suite 3
Sterling, CO 80751
(970) 522-0975 FAX (970) 522-0316

Alamosa District: Billy Martinez

Box 88/422 4th St.
Alamosa, CO 81101
(719) 589-2360 FAX (719) 589-2967

Craig District: Beverly Rave

577 Yampa Ave.
Craig, CO 81625
(970) 824-2850 FAX (970) 824-3036

COLORADO



DEPARTMENT OF
NATURAL
RESOURCES

Colorado State
Board of Land
Commissioners

Maxine F Stewart
President

Robert R. Mailander
Register

John S. Wilkes III
Engineer

Max Vezzani
Staff Director

Report published by

The State Board of
Land Commissioners
620 Centennial Bldg.
1313 Sherman St.
Denver, CO 80203

January 1997

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Cover Photo: Ranger Lakes near the Colorado State Forest Service
Headquarters in the Colorado State Forest; photo by Ruth J. Kary

To the Citizens of Colorado:

On behalf of the Colorado Board of Land Commissioners, we are pleased to submit this Annual Report through the 1995-1996 fiscal year. This report presents statistical information for the last two fiscal years, as the last published report was through fiscal year 1993-1994.

Total trust revenue for the latest year was \$19,501,493 from the various land uses such as leases for commercial, grazing, agriculture, minerals; and rights-of-way, forest product and land sales revenue.

The Public School Permanent Fund reached a total fund balance of \$261.8 million as of June 30, 1996. The Fund is comprised of revenues from minerals royalties and sales of land, and is invested by the Colorado State Treasurer's Office. Interest earned on this fund totaled \$18 million for the fiscal year.

During the 1996 legislative session, a bill was passed, effective July 1, 1997, which requires that a portion of the interest derived from the Public School Permanent Fund be retained and reinvested, to protect the fund from the effects of inflation. The remaining interest income will be used for school finance purposes, as the interest income has been used in the past. In the 1995 legislative session, the school finance bill, as approved, included interest reinvestment language for fiscal years 1994-95 and 1995-96, an interim period, until a more permanent reinvestment bill was successfully passed.

In November 1996, voters passed Amendment 16, which changes the structure of the Board from three full-time commissioners to a part-time board of five people with substantial experience in production agriculture, in public primary or secondary education, in local government and land use planning, in natural resource conservation, and one citizen at large.

The amendment also established a long-term stewardship trust of up to 300,000 acres to be managed to preserve long-term benefits and returns to the state; "...to maximize options for continued stewardship, public use, or future disposition, by permitting only those uses, not necessarily precluding existing uses or management practices, that will protect and enhance the beauty, natural values, open space, and wildlife habitat thereof..."

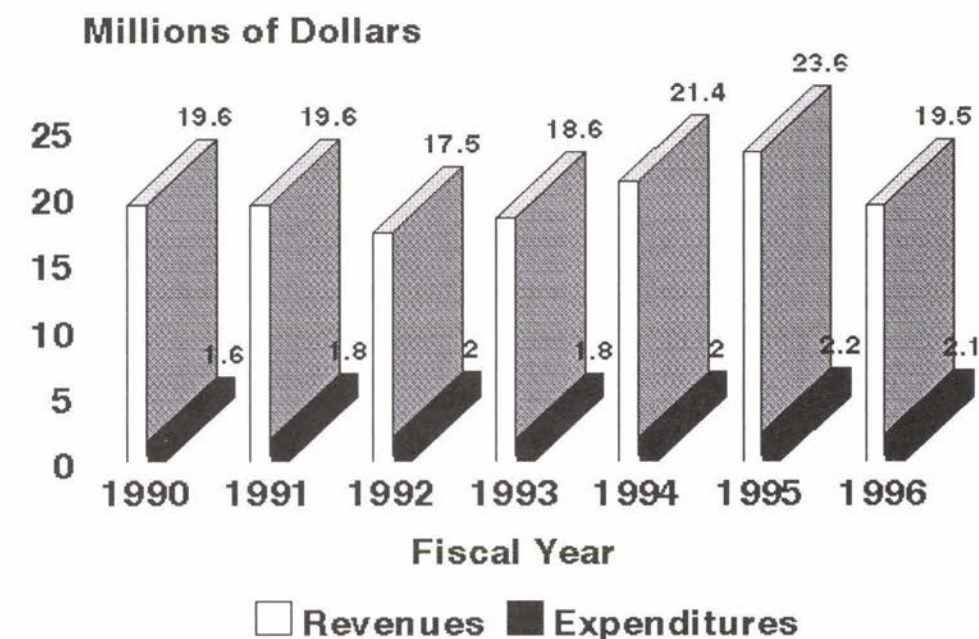
In addition, the amendment also enables the General Assembly to adopt laws to establish the terms and conditions upon which the State Treasurer may (1) invest the School Permanent Fund in bonds of school districts, (2) use all or any portion of the Fund or the interest or other income to guaranty bonds issued by school districts, or (3) make loans to school districts.

As always, the Board of Land Commissioners will do our best to manage the state's trust assets, to explore ideas and implement solutions to help meet the needs of our citizens and to maximize benefits and returns to the trust beneficiaries.

Sincerely,
Colorado Board of Land Commissioners:

Maxine F Stewart, President
Robert R. Mailander, Register
John S. Wilkes III, Engineer

Colorado State Board of Land Commissioners Overview: Revenues/Expenditures



Fiscal Years 1989-90 through 1995-96

Colorado State Board Of Land Commissioners Operating Expenses For FY 1995-96 And Comparative Figures From FY 1994-95

	FINAL EXPENSES FY 1995-96	COMPARATIVE EXPENSES FY 1994-95
Personal Services	\$ 1,396,613	\$ 1,363,027
Operating (incl. travel)	61,255	59,781
Timber Management	10,000	10,000
Indirect Costs	93,285	94,172
Minerals Audits	37,478	29,819
State Trust Land Evaluations	219,626	210,350
Emerald Mountain Study	9,276	0
Risk Management	8,915	5,565
Lease Space—Field Offices	17,751	15,176
Capitol Complex Lease Space (Denver Office)	40,595	39,984
Worker's Comp	4,438	4,322
Vehicle Leasing	19,172	18,696
Legal Services	161,933	254,625
ADP Maintenance	52,865	48,862
Capital Outlay	7,054	7,342
Total Operating Expenses	\$ 2,140,256	\$ 2,161,721
Total FTE Authorized	29.0	29.0

**COLORADO STATE LAND BOARD
LAND SALES...FISCAL YEAR 1994-95**

SALE DATE: 12/14/94

Leroy A. Lambertson and Lauretta C. Lambertson, 58351 Weld County Road 77, Grover, Colorado 80729. 640 acres @ \$90/acre. Sales price: \$57,600

Joseph F. Hawkins, Jr and Alice J. Hawkins, P.O. Box 191, Fort Lyon, Colorado 81038. 125 acres @ \$55/acre. Sales price: \$6,875

J. Marvin Wilhite, P.O. Box 216, Holly, Colorado 81047. 240 acres @ \$130/acre. Sales price: \$31,200

Clifford W. Verhoeff, 34391 Road 29, Rt. 1, Box 91, Holly, Colorado 81047. 320.94 acres @ \$75/acre. Sales price: \$24,070.50

Roger D. Ashley, 42512 County Road FF, Akron, Colorado 80720. 10 acres @ \$1,000/acre. Sales price: \$10,000

Dennis J. Salyards and Arlene M. Salyards, 17255 County Road 32, Haxtun, Colorado 80731. 27 acres @ \$407.41/acre. Sales price: \$11,000

Ida J. Sprague, 35719 County Road 38, Holyoke, Colorado 80734. 9.4 acres @ \$617.02/acre. Sales price: \$5,800

Donald F. Spalletta, 25233 Road 117, Simla, Colorado 80835. 280 acres @ \$100/acre. Sales price: \$28,000

James S. Gray, P.O. Box 310, Johnstown, Colorado 80534. 6.623 acres @ \$7,549.45/acre. Sales price: \$50,000

James S. Gray, 8381 Weld County Road 44, Johnstown, Colorado 80534. 153 acres @ \$915.03/acre. Sales price: \$140,000

Milton J. Tormholen, 19658 Country Road N, Fort Morgan, Colorado 80701. 78.43 acres @ \$300/acre. Sales price: \$23,529

Milton J. Tormholen, 19658 Country Road N, Fort Morgan, Colorado 80701. 160 acres @ \$150/acre. Sales price: \$24,000

SALE DATE: 4/19/95

Winston L. Ham and Mary Ann Ham, 28814 County Road 11, Haxtun, Colorado. 8.7 acres @ \$541.38/acre. Sales price: \$4,710

Ronald R. Hoffman and Linda R. Hoffman, 32798 County Road 16, Las Animas, Colorado 81054. 6.23 acres @ \$136/acre. Sales price: \$847.28

Daryn Lane Marsh and Kristen Louise Marsh, 8531 North County Road 15, Fort Collins, Colorado 80524. 5.7 acres @ \$4,385.96/acre. Sales price: \$25,000

James J. Jacob and Peggy L. Jacob, 1099 South County Road 137, Bennett, Colorado, 80102. 160 acres @ \$490/acre. Sales price: \$78,400

James K. Alkire and Susan H. Alkire, 42916 Weld County Road 35, Pierce, Colorado 80650. 160 acres @ \$310/acre. Sales price: \$49,600

James K. Alkire and Susan H. Alkire, 42916 Weld County Road 35, Pierce, Colorado 80650. 140.06 acres @ \$400/acre. Sales price: \$56,024

Clifford T. Mansanares and Rebecca A. Mansanares, 4524 Van Gordon Way, Morrison, Colorado 80465. 170 acres @ \$70/acre. Sales price: \$11,900

Los Hermanos Luceros, P.O. Box 183, Antonito, Colorado 81120. 40 acres @ \$312 acre. Sales price: \$12,480

Maurine A. Clevinger, 409 West 18th, Pueblo, Colorado 81003. 40 acres @ \$220 acre. Sales price: \$8,800

Community Property Trust, Robert G. Irvin and Betty F. Irvin, as trustees, P.O. Box 15060, Los Angeles, California 90015. 320 acres @ \$200 acre. Sales price: \$64,000

John Salazar. P.O. Box 510, Manassa, Colorado 81141. 62.57 acres @ \$82.50 acre. Sales price: \$5,162.03

John W. DiSanti, 46911 Fields Road, Avondale, Colorado 81022. 74.81 acres @ \$120 acre. Sales price: \$8,977.20

Herman R. Wooten, 2600 Huerfano Road, Avondale, Colorado 81022. 77.97 acres @ \$145 acre. Sales price: \$11,305.65

John G. Raftopolous and Steve G. Raftopolous, 893 Stout, Craig, Colorado 81625. 100 acres @ \$132.50 acre. Sales price: \$13,250

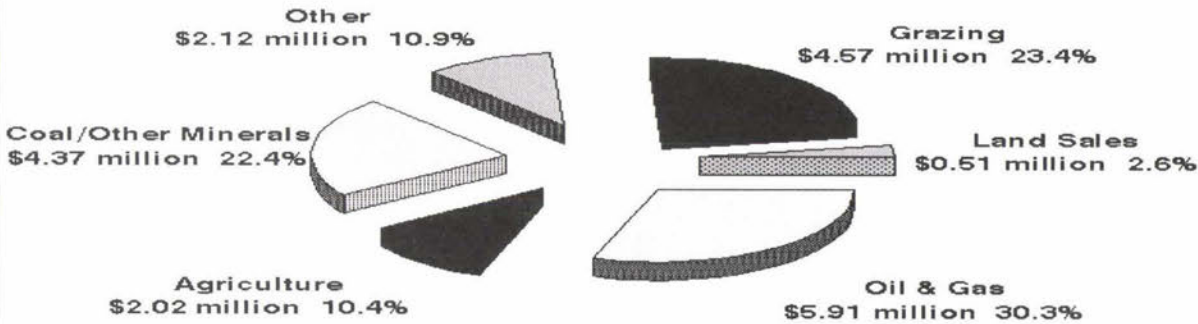
SALE DATE: 6/7/95

Richard Winterberg, P.O. Box 358, Limon, Colorado 80828. 160 acres @ \$195 acre. Sales price: \$31,200

Estate of Clarence Hof (deceased), Arthur Clarence Hof as personal representative, P.O. Box 806, Alamosa, Colorado 81110. 3.64 acres @ \$1,510.99 acre. Sales price: \$5,500

Total Acres Sold: 3,580.073 Total Sales Price: \$889,230.66 Average Price Per Acre: \$248.38

**Revenue By Source
State Board of Land Commissioners**



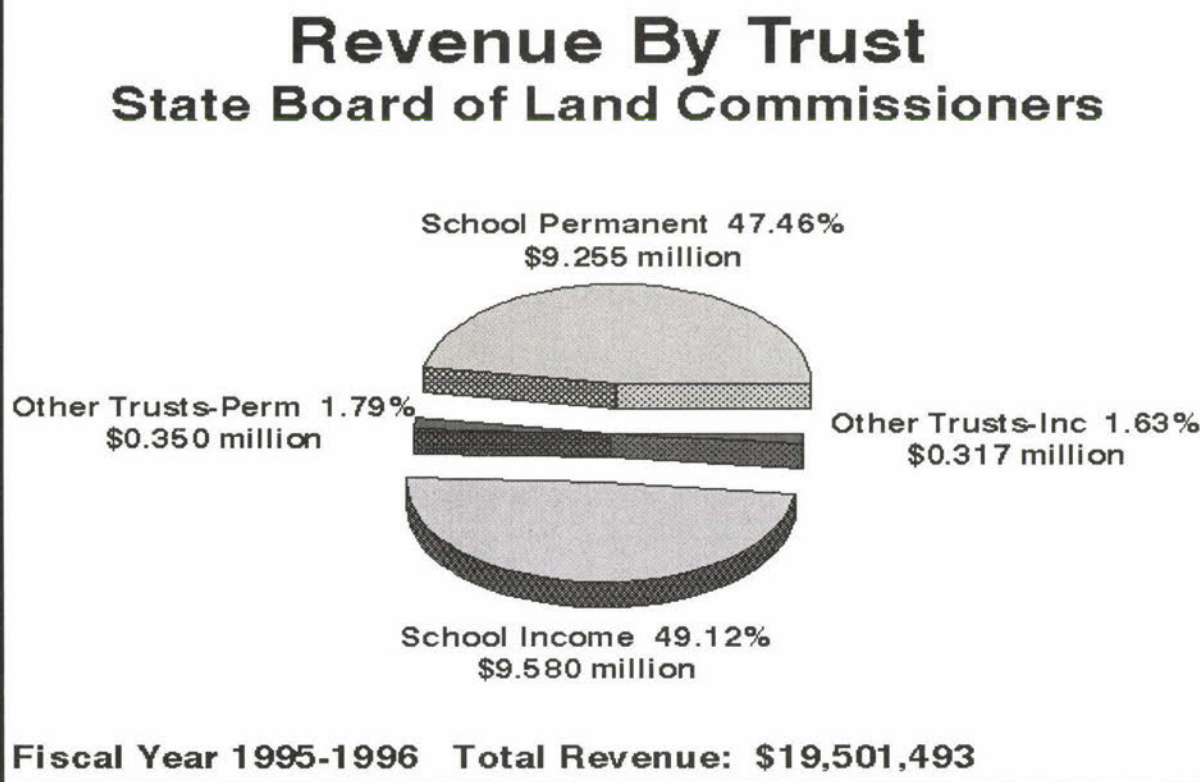
Fiscal Year 1995-1996 Total Revenue: \$19,501,493

**Colorado State Board Of Land Commissioners
Trust Revenue By Revenue Source
Comparisons For FY 1994-95 & FY 1995-96**

	REVENUE FY 1994-95	REVENUE FY 1995-96
PERMANENT:		
Land Sales - Principal	\$ 1,288,065	\$ 508,567
Rights of Way	233,844	see below
Oil Royalty	2,745,805	2,378,505
Gas Royalty	2,791,227	2,159,168
Coal Royalty	5,564,788	3,829,197
Gravel Royalty	229,880	207,265
Other Mineral Royalty	323,362	279,243
Bonus	602,052	567,428
TOTAL PERMANENT	\$ 13,779,023	\$ 9,929,373
INCOME:		
Agricultural Rental	\$ 2,147,185	\$ 2,021,379
Grazing Rental	4,629,554	4,567,279
Commercial Rental	497,784	921,715
Other Rental	1,025,000	601,426
Rights of Way	see above	127,118
Assignments	226,676	183,430
Oil & Gas Rental	956,389	805,485
Coal Rental	27,417	26,097
Gravel Rental	8,776	9,056
Other Mineral Rental	27,904	17,565
Forestry Products Sales	113,547	144,621
Interest - Land Sale Contracts	155,841	131,041
Interest - Delinquent	29,787	12,148
For State Forest Counties	13,716	3,760
TOTAL INCOME	\$ 9,859,576	\$ 9,572,120
TOTAL REVENUE:	\$ 23,638,599	\$ 19,501,493
Appropriated For Administrative Costs	(2,133,011)	(2,140,256)
REVENUE TO TRUSTS	\$ 21,505,588	\$ 17,361,237

**Colorado State Land Board
Revenue Distributed To Trust
Beneficiaries:**

	Fiscal Year	
	1994-95	1995-96
School Trust - Permanent Revenue	\$ 12,002,721	\$ 8,335,396
School Trust - Income Revenue	\$ 8,655,991	\$ 8,432,796
Revenue To Other Trust Beneficiaries	\$ 846,876	\$ 593,045
	FY 1994-95	FY 1995-96
Univ. of Colorado	\$ 24,565	\$ 16,619
Colorado State Univ.	159,734	126,580
Hesperus	6,372	0
Penitentiary	13,411	11,631
Public Buildings	130,876	90,268
Internal Improve.	406,115	305,663
Saline	32,183	38,858
Payments to State		
Forest Counties	13,033	3,426
Reformatory	\$ 60,587	\$ 0
TOTAL	\$ 21,505,588	\$ 17,361,237



**Colorado Board of Land Commissioners
Surface Land Sales
20 Year History**

Fiscal Year (as of 6/30)	Total Acres Sold	Total \$\$ Sales Price	Average \$\$ Price/Acre
1995/96	743.30	263,916.65	355.06
1994/95	3,580.07	889,230.66	248.38
1993/94	4,462.58	693,654.70	155.44
1992/93	2,887.74	1,207,885.00	418.29
1991/92	2,550.90	912,788.00	357.83
1990/91	760.52	155,446.00	204.39
1989/90	550.16	103,857.40	188.78
1988/89	272.98	67,430.60	247.02
1987/88	1,179.45	154,162.75	130.71
1986/87	1.08	9,227.00	8,543.52
1985/86	3,498.33	1,650,646.45	471.84
1984/85	206.15	42,532.50	206.32
1983/84	1,365.00	375,700.00	275.24
1982/83	5.94	7,000.00	1,178.45
1981/82	1,663.58	251,946.33	151.45
1980/81	644.97	109,245.00	169.38
1979/80	70.09	780,013.28	11,129.37
1978/79	3,193.61	1,233,524.70	386.25
1977/78	1,360.00	290,280.00	213.44
1976/77	2,927.69	508,961.00	173.84
Grand Totals	31,924.14	\$ 9,707,448.02	\$ 304.08

**COLORADO STATE LAND BOARD
LAND SALES...FISCAL YEAR 1995-96**

SALE DATE: 11/8/95

Tom Haskell and Lola Haskell, Route 1, Box 63, Wiley, Colorado 81092. 8.95 acres @ \$1,201.12/acre. Sales price: \$10,750

R & M Land Co., 13184 Weld County Road 13, Longmont, Colorado 80504. 80 acres @ \$1,200/acre. Sales price: \$96,000

Abbas Safey-Eddine, % Fetoush, 1448 Market Street, Denver, Colorado 80202. 160 acres @ \$180/acre. Sales price: \$28,800

Louis T. James, Jr. and Dawn James, 23463 County Road 34, Eads, Colorado 80136. 79.77 acres @ \$145/acre. Sales price: \$11,566.65

SALE DATE: 5/3/96

Charles E. Souders, 40475 Road 36, Wiley, Colorado 81092. 200 acres @ \$290/acre. Sales price: \$58,000

Robert D. Taylor and JaLois M. Taylor, 408 S. Hickory, Yuma, Colorado 80759. 8.58 acres @ \$932.40/acre. Sales price: \$8,000

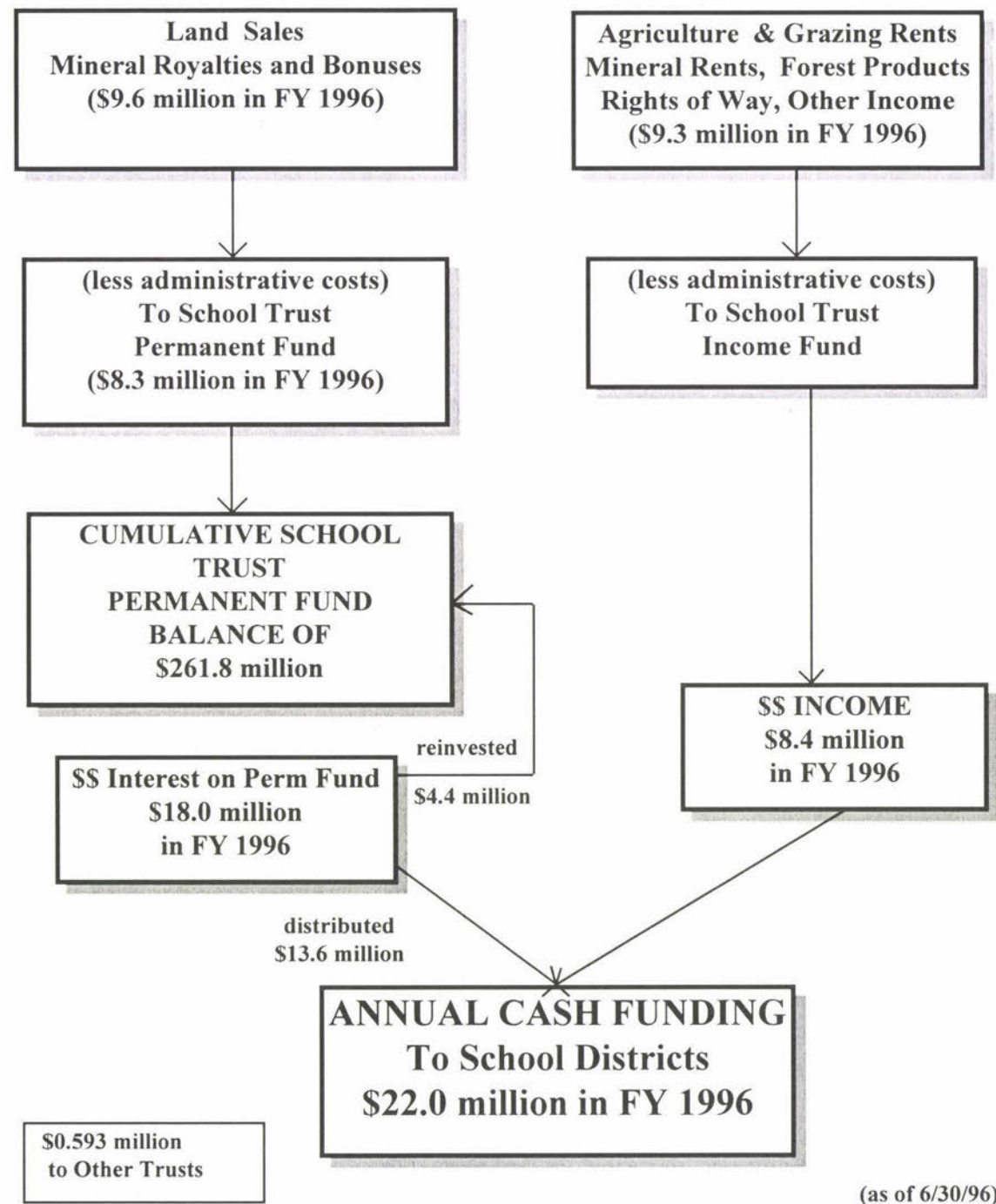
Emma Forbes, 22931 County Road 4, Rush, Colorado 80833. 40 acres @ \$600/acre. Sales price: \$24,000

Kathryn S. DeSmith, 48490 Weld County Road 57, Ault, Colorado 80610. 160 acres @ \$130/acre. Sales price: \$20,800

Warren E. Smith and Genevieve L. Smith, 7681 Elmwood Lande, Denver, Colorado 80221. 6 acres @ \$1,000/acre. Sales price: \$6,000

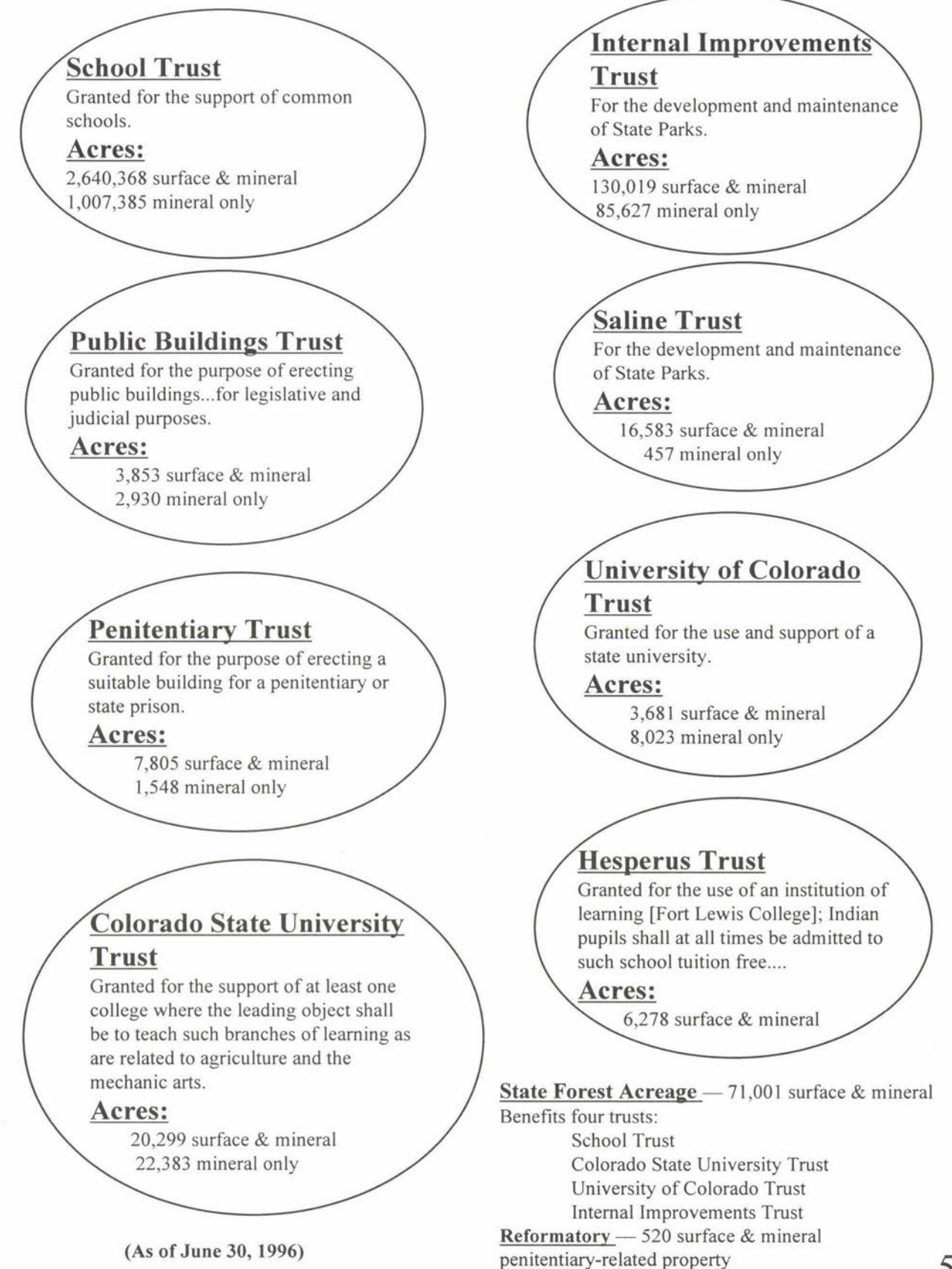
Total Acres Sold: 743.30 Total Sales Price: \$263,916.65 Average Price Per Acre: \$355.06

Colorado Board of Land Commissioners
STATE SCHOOL & OTHER TRUST LANDS
 3 MILLION ACRES SURFACE & MINERAL; 1 MILLION ACRES MINERAL



The Colorado State Land Board is responsible for the management and care of eight separate land trusts:

TRUST BENEFICIARIES



**Colorado State Board of Land Commissioners
State Trust Land—Acres By County**

FY 1995-96	SURFACE ACRES		MINERAL ACRES	
COUNTY	OWNED	**UNDER LEASE	OWNED	UNDER LEASE
Adams	21,726.41	20,190.79	51,466.04	27,581.93
Alamosa	56,168.39	48,039.59	72,540.39	8,409.76
Arapahoe	39,541.45	108,814.48	54,464.95	22,540.38
Archuleta	2,233.31	4,689.20	19,189.21	0.00
Baca	37,232.13	38,200.79	91,887.76	27,656.82
Bent	140,405.46	157,814.78	146,683.78	13,111.87
Boulder	1,779.50	2,075.22	11,479.07	760.00
Chaffee	17,048.95	34,900.13	18,138.85	0.00
Cheyenne	49,402.69	48,716.69	68,570.08	47,301.71
Clear Creek	2,371.94	2,825.69	5,914.41	320.64
Conejos	54,737.21	124,031.75	76,723.61	0.00
Costilla	0.00	0.00	80.00	0.00
Crowley	62,963.15	63,025.69	66,826.43	0.00
Custer	10,156.08	19,214.06	13,919.86	40.00
Delta	0.00	0.00	20.00	0.00
Denver	199.21	161.80	2,620.12	0.00
Dolores	3,360.00	7,678.18	10,272.26	640.00
Douglas	4,326.62	4,552.00	16,999.96	1,280.00
Eagle	6,564.77	11,152.79	20,992.15	640.00
Elbert	78,290.36	87,606.50	149,460.03	25,179.23
El Paso	162,719.60	186,699.43	185,757.49	1,440.00
Fremont	64,464.98	95,608.12	63,356.66	2,466.42
Garfield	0.00	0.00	0.00	0.00
Gilpin	670.00	640.00	2,080.00	320.00
Grand	48,433.55	105,101.42	76,281.67	0.00
Gunnison	11,156.11	21,434.63	19,753.46	0.00
Hinsdale	0.00	0.00	10,281.70	0.00
Huerfano	40,348.96	60,052.16	53,481.38	10,280.83
Jackson	115,476.57	284,188.99	121,734.56	5,159.61
Jefferson	5,060.17	8,336.49	22,499.03	1,668.64
Kiowa	70,379.68	68,034.76	109,716.77	54,073.57
Kit Carson	51,495.81	50,241.90	84,856.93	19,199.70
Lake	1,606.53	511.72	1,999.52	629.32
La Plata	13,196.55	25,060.68	24,571.95	6,154.89
Larimer	46,644.35	70,312.54	91,950.63	7,833.94
Las Animas	143,316.42	178,030.80	173,095.67	10,760.00
Lincoln	133,300.09	140,031.69	169,909.73	24,530.65
Logan	134,885.87	139,987.26	181,353.83	20,440.07
Mesa	1,377.38	759.42	1,198.68	0.00
Mineral	57.85	0.00	1,283.31	0.00
Moffat	191,004.36	296,026.86	209,318.99	91,340.80
Montezuma	8,181.82	16,558.76	50,003.84	8,703.57
Montrose	0.00	0.00	0.00	0.00
Morgan	50,669.46	55,645.39	78,477.32	8,200.00
Otero	122,047.69	123,530.04	130,281.42	80.00
Ouray	281.42	161.92	2,996.50	0.00
Park	98,721.23	141,000.69	101,867.48	2,749.55
Phillips	15,784.59	13,645.11	23,859.63	0.00
Pitkin	480.00	473.44	2,590.80	0.00
Prowers	40,908.15	39,920.24	63,468.10	13,688.56
Pueblo	227,911.48	262,153.20	255,425.23	3,765.23
Rio Blanco	750.94	751.94	750.94	40.00
Rio Grande	9,660.27	9,474.06	40,339.78	640.00
Routt	63,380.76	94,305.01	109,202.80	43,088.17
Saguache	81,344.97	96,412.53	129,171.49	2,640.00
San Juan	1,920.00	631.00	7,065.76	0.00
San Miguel	13,840.00	23,432.71	24,682.93	3,200.00
Sedgwick	23,625.44	25,473.77	35,396.00	8,163.40
Summit	320.00	320.00	960.00	0.00
Teller	5,024.26	10,505.32	12,337.00	1,480.00
Washington	103,126.92	102,586.76	139,419.59	18,039.44
Weld	159,121.93	171,282.38	224,281.66	103,913.37
Yuma	48,682.49	50,658.61	92,930.27	28,492.10
Total	2,899,886.28	3,753,671.88	4,028,239.46	678,644.17

**More than one lease may be held on the same acres for different purposes.

Permanent Funds Cumulative Total

(as of June 30, 1996)

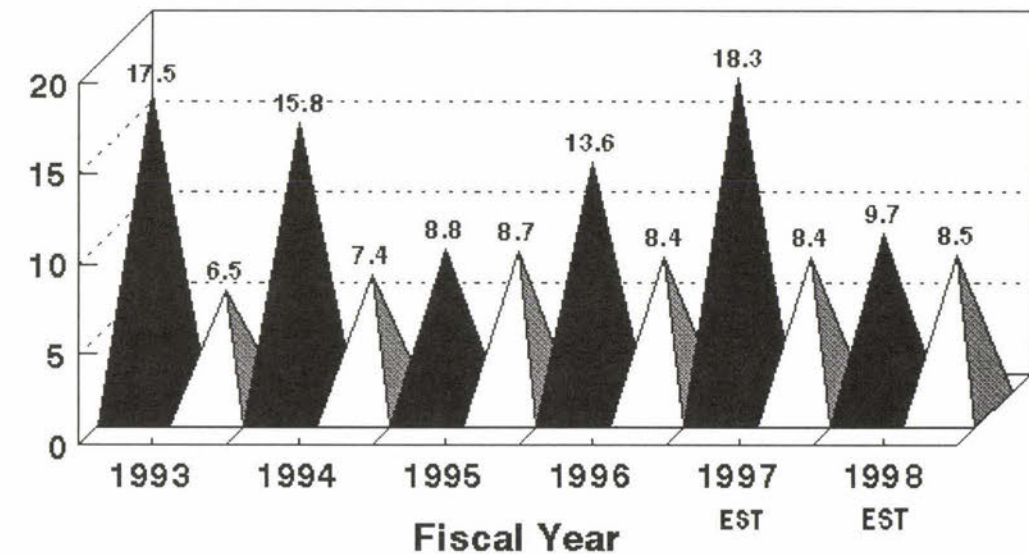
	<u>6/30/95</u>	<u>6/30/96</u>
School Trust	\$ 249,087,746	\$ 261,854,789
Interest Earned	\$ 16,315,965	\$ 17,998,262
Colorado State University Trust	\$ 2,680,375	\$ 2,776,271
University of Colorado Trust	\$ 1,566,193	\$ 1,606,074

Colorado Board of Land Commissioners

Disbursements to School Districts

School Trust

Millions of Dollars



▲ Interest Earnings △ Income Fund

A portion of the interest earnings is reinvested in the School Permanent Fund in 1995, 1996 and then from 1998 forward, by legislation, to protect the Fund from the affects of inflation.

◆ Amendment 16 ◆

An Overview

On Nov. 4, 1996, Colorado voters approved Amendment 16 to the Constitution. The amendment reaffirms that the school trust is “a perpetual, intergenerational trust. . .for the support of public schools.” It defines the standard for revenue generation as “reasonable and consistent income over time.” It also:

- ◆ Establishes a 300,000-acre Stewardship Trust, designated by the Board through a statewide nomination process. Establishment of this trust represents a judgment by the voters of Colorado that certain state trust lands may be more valuable in the future if they are kept in the trust land portfolio rather than disposed of with an eye to short-term gain. The amendment further provides that lands within the Stewardship Trust will be managed “to maximize options for continued stewardship, public use or future disposition” by protecting and enhancing the “beauty, natural values, open space and wildlife habitat” on these parcels.

The Stewardship Trust is not intended to set land aside to preserve it forever in a pristine condition. Land in this trust may still generate revenue, including from existing uses such as grazing, crop production, oil and gas production and mining— as long as these uses are compatible with long-term protection of the land’s natural resource values.

The amendment sets a deadline of Jan. 1, 1999, for enrollment of the first 200,000 acres into the Stewardship Trust. Another 95,000-100,000 acres must be enrolled by Jan. 1, 2001. The State Land Board is in the process of defining nomination criteria for this enrollment process.

- ◆ Changes the structure of the State Land Board from three full-time salaried commissioners to a non-salaried citizens board of five members. Members of the Board are Luanne C. Hazelrigg, Evergreen, past president of the Jefferson County School Board and the Girl Scouts Mile High Council, to serve as a person with experience in public primary or secondary education; Jay P. K. Kenney, Denver, an attorney specializing in legal ethics and a board member of the Colorado Environmental Coalition, the Colorado White Water Association and the American White Water Affiliation, to serve as a person with experience in natural resource conservation; John R. Stulp, Lamar, a farmer and rancher, veterinarian and Prowers County commissioner, to serve as a person with experience in production agriculture; Thomas W. Swanson, Evergreen, a private investor and retired banking executive, to serve as a “citizen at large”; and Charles A. Vidal, executive director of the Aspen Valley Land Trust, president of Real Estate Affiliates Inc. and former member of the Aspen Planning and Zoning Commission, to serve as a person with experience in local government and land use planning.

- ◆ Mandates that the Land Board include terms, incentives and rates in its agricultural leases that promote sound stewardship and land-management practices, long-term agricultural productivity and community stability.

- ◆ Clarifies that the Land Board has specific authority to undertake “non-simultaneous exchanges of land”— in other words, land banking— and to sell or lease conservation easements.

- ◆ Gives the Colorado General Assembly authority to adopt laws that allow the State Treasurer to invest the Land Board’s School Trust Permanent Fund (currently valued at \$262 million) in school district bonds, to guarantee bonds issued by school districts or to make loans to school districts.

- ◆ Prior to lease, sale or exchange of land for development, the Land Board must determine that income from the transaction exceeds its fiscal impact on local schools and state funding of education.

- ◆ Allows access to state trust lands by public schools without charge for outdoor educational purposes— providing the access does not conflict with existing approved uses of the land.

- ◆ Provides a way for public schools to “lease, purchase or otherwise use” state trust lands for school building sites at fair market value— and pay the State Land Board over time.

THE STATE LAND BOARD'S STEWARDSHIP TRUST

QUESTIONS & ANSWERS

1. WHAT IS THE STATE LAND BOARD?

When Colorado became a state in 1876, the federal government gave the state approximately 4.5 million acres of federal lands. The largest portion of these lands was granted for the support of common schools (the "school lands"). Today, the state still owns about 3 million of those acres, as well as an additional 1.5 million acres of mineral rights where the state does not own the surface land. All these acres are managed by the five-person State Land Board and a staff of 29 to benefit the School Trust and seven smaller trusts. The Board is the "trustee" for state trust lands and has a "fiduciary" responsibility to its beneficiaries—in the case of the School Trust, the school kids of Colorado. As the trustee, the Board must produce reasonable and consistent income from the trust lands for beneficiaries living now and born in the future.

2. WHAT IS THE LAND BOARD'S STEWARDSHIP TRUST?

In November 1996, the voters of Colorado amended the state constitution to set out a more modern management scheme for school and other trust lands. We recognized, for example, that school lands must support schools now and in the future. Because of this "intergenerational" nature of the trust, the voters said that the Board should not sell off all of the trust lands to the highest bidder right now, but, rather, should preserve some of the lands for the future.

To accomplish this, the constitution now requires the Board to designate 295,000-300,000 acres of trust lands into a special trust—the Stewardship Trust. This land will be preserved for future use by the Board to support public schools and other trust beneficiaries. The Board has until Jan. 1, 1999, to designate at least 200,000 acres of trust land into the Stewardship Trust, and until Jan. 1, 2001 to designate the remaining acres. Once land is in the Stewardship Trust, it can be removed only by a vote of four out of five of the Land Board commissioners.

The voters also reasonably decided that land is more valuable if its natural resources are preserved. Specifically, we found that sound stewardship equals economic productivity. Therefore, the constitution requires that land put into the Stewardship Trust must be managed so as to preserve its natural values. In this way, the Board keeps its options open for "continued stewardship, public use or future disposition," whichever use is in the best interest of the beneficiaries.

3. DOES PUTTING LAND IN THE STEWARDSHIP TRUST GUARANTEE THAT IT WILL REMAIN PRISTINE OPEN SPACE FOREVER?

The Board must always manage trust lands solely for the benefit of the beneficiaries; for school lands, those are the school kids of Colorado. But the Board may determine that the best long-term benefit to school kids and other beneficiaries is to preserve certain land, rather than develop it. For instance, because the School Trust is an intergenerational trust, the Board must look at producing benefits for generations yet unborn. Therefore, it is a reasonable management strategy to put lands aside so that future boards can make their own economic decisions about them. That means that a future board may decide that it is in the long-term best interests of the trust beneficiaries to remove a parcel from the Stewardship Trust and explore different uses—including sale to a public agency for parks or open space or to a private individual for agricultural use or development.

One final point: The voters have decided that sound stewardship—preserving the beauty and natural values of land—is essential to preserving the economic value of land. In practice, this means that the Board is required to take good care of the natural values of its trust land. That is a positive gain for the environment and the public.

4. WHAT OTHER TOOLS ARE AVAILABLE FOR MAINTAINING STATE TRUST LAND AS OPEN SPACE OR FOR OTHER NATURAL VALUES?

In managing trust lands, the Board must consider and preserve the natural values of the lands until they are sold or developed. The voters of Colorado have determined that sound stewardship promotes economic value. In order to ensure sound stewardship of trust lands, the constitution (1) requires the Board to include in agricultural leases provisions that will promote sound stewardship and land management practices; and (2) gives the Board the authority to sell or lease conservation easements. The Board can also consider sales, leases, or exchanges for conservation purposes and use its general management authorities to protect the natural values on trust lands.

5. WILL THE PUBLIC HAVE ACCESS TO STEWARDSHIP TRUST LANDS?

Designation of land into the Stewardship Trust does not automatically allow any new use of the land, such as hiking trails or other recreational uses. Any new use of state trust land, whether the land is in the Stewardship Trust or not, requires a lease application. If anyone applies for a new use on Stewardship Trust land, the Board will evaluate the lease application and determine whether permitting the new use is consistent with the Stewardship Trust, and in the best interests of the trust beneficiaries. Any new use or activity on Stewardship Trust lands will need to be coordinated with existing uses.

6. WHO WILL MANAGE THE STEWARDSHIP TRUST LANDS?

The State Land Board is ultimately responsible for managing all state trust lands in Colorado, including Stewardship Trust lands. Under the terms of their leases and with oversight and guidance from the Board and SLB staff, Land Board lessees are responsible for day-to-day management of the land they lease.

7. WILL EXISTING LEASES CONTINUE WHEN TRUST LAND IS DESIGNATED INTO THE STEWARDSHIP TRUST?

The great majority of state trust acres have at least one lease in place—for ranching, farming, oil and gas production, mining, timbering etc. These leases constitute legal agreements between the lessee and the SLB. Consequently, a lease can be canceled only according to its terms or for violation of the lease. Designation of land into the Stewardship Trust, in itself, will not cancel a lease. The constitution acknowledges that uses and management practices that protect and enhance the beauty, natural values, open space and wildlife habitat of the land are consistent with Stewardship Trust designation. Renewal of any SLB lease depends upon many factors, including good stewardship and acceptable management practices by the lessee.

8. HOW CAN PEOPLE NOMINATE LAND FOR THE STEWARDSHIP TRUST?

By law, anyone can nominate land for designation into the Stewardship Trust. The nomination period opened Jan. 15, 1998 and runs through March 31, 1998. A nomination packet can also be requested by writing Ms. Alden Whittaker, Stewardship Trust Coordinator, at 1313 Sherman St., Room 620, Denver, Colo. 80203, by calling 303/866-3454x319, or by e-mailing her at alden.whittaker@state.co.us. The Board is holding a series of nominator assistance workshops in January and February. The Stewardship Trust Coordinator is available to give one-on-one help to people who cannot attend a workshop. The nomination packet and additional information about the Stewardship Trust is also available in down-loadable form at the Land Board's web site, www.dnr.state.co.us/slb. *The packet includes an outline of the process the Board will use to make its decisions on what land to include in the Stewardship Trust.*

Short Subjects

New district office hours.

To make life easier for lessees and others who need to get in touch with a live person at our district offices, the offices have set morning hours when the office assistant will be there to handle phone calls and walk-in business. The opening hours vary a little from office to office, but in general, you can now count on the offices being staffed from 8:30-noon, Monday-Friday. **Please call your district office (during the morning!) for exact hours.**

No more Multiple Use enrollments 'til 2000.

The SLB and the Division of Wildlife have agreed that the Board will not consider enrollment of any new state trust parcels in the SLB's Multiple Use Program until the year 2000—which means that the earliest any new trust lands could be opened for hunting and other wildlife recreation is fall 2000.

State Board of Land Commissioners
1313 Sherman, Room 620
Denver, CO 80203

340300000

State Land Board meeting schedule

The following is a list of the dates of the State Land Board meetings scheduled for January through June 1998:

January 26 and 27, 1998
February 23 and 24, 1998
March 16 and 17, 1998
April 20 and 21, 1998
May 18 and 19, 1998
June 15 and 16, 1998

All meetings will take place in Denver at 1313 Sherman Street, Room 318, unless otherwise noticed. Generally, the Board workshops will begin at 12:00 p.m. on the first day, and the Board meetings will begin at 8:30 a.m. on the second day.

Because changes in schedule are sometimes necessary, people interested in attending meetings should call 303/866-3454x318, several days before meetings to confirm times and locations. Agendas are available about a week before each meeting.

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LAND BOARD

A PUBLICATION FOR THE LESSEES OF THE COLORADO STATE BOARD OF LAND COMMISSIONERS

December '97

AUM increase deferral ends

The "Year 2" AUM grazing rate increases originally scheduled to go into effect on Jan. 1, 1997 will go into effect Jan. 1, 1998, for the 1998 billing year. This increase had been delayed by the Board for a year due to hard economic times in the cattle industry.

The AUM rates for the '98 billing year by region are:

West	\$6.58 (up from \$6.50);
Southeast	\$7.16 (up from \$6.79)
East Central	\$7.58 (up from \$7.00);
Northeast	\$7.92 (up from \$7.17);

(See the map on page 2 for region boundaries.)

The new rate structure resulted from a previous Board's decision in 1993 to bring its grazing rates to market rates. Board staff spent more than two years working with lessees and members of the State Lands Committee of the Colorado Cattlemen's Association before the current rates were announced in November 1995. To give lessees time to adjust to the new rates, the Board voted to phase them in over three years.

The rate structure was based on a study commissioned by the SLB and conducted by the USDA's Agricultural Statistics Service. A new study is scheduled for 1999.

The rates were calculated by taking an animal unit month (AUM) market rate for four regions of the state, then subtracting a 35 percent credit for lessees' investment in and maintenance of fencing and water systems.

The final year of the phased-in increase will go into effect Jan. 1, 1999. They will be \$6.65 for the West Region; \$8.66 for the Northeast; \$8.17 for the East Central; and \$7.53 for the Southeast.

New constitutional provisions that resulted from passage of Amendment 16 call for the Board to establish stewardship incentives for its agricultural lessees. The State Lands Committee of the Colorado Cattlemen's Association has taken the lead in developing draft incentives for grazing lessees and presented a draft version to the CCA leadership at their annual meeting in late November. Land Board staff have begun working with dryland and irrigated lessees to create stewardship incentives for those groups.

New faces at the Board

Amendment 16 to the Constitution changed the structure of the Land Board to a five-person citizens board. In May 1997, the Senate confirmed Governor Romer's appointments to four of the five positions:

Luanne C. Hazelrigg, Evergreen, past president of the Jefferson County School Board and the Girl Scouts Mile High Council, to serve as a person with experience in public primary or secondary education; **John R. Stulp**, Lamar, a farmer and rancher, veterinarian and Prowers County commissioner, to serve as a person with experience in production agriculture; **Thomas W. Swanson**, Evergreen, a private investor and retired banking executive, to serve as a "citizen at large"; and **Charles A. Vidal**, former executive director of the Aspen Valley Land Trust, president of Real Estate Affiliates Inc. and former member of the Aspen Planning and Zoning Commission, to serve as a person with experience in local government and land use planning. Swanson is Board president; Vidal is vice president.

In June, the Governor appointed **Jay Kenney**, Denver, an attorney specializing in legal ethics and a board member of the Colorado Environmental Coalition, the Colorado White Water Association and the American White Water Affiliation, to serve as a person with experience in natural resource conservation. His appointment is subject to Senate confirmation this session.

New Director

In September, the Board hired a new Land Board director, **Charles Bedford**, to replace Max Vezzani, who resigned to move to his ranch near Walsenburg and become director of the State Soil Conservation Board.

SLB President Tom Swanson said, "The commissioners were unanimous in our selection of Mr. Bedford, who demonstrated that he has the vision, enthusiasm and leadership to guide the agency in the post-Amendment 16 era."

Bedford, 32, is from Fort Collins. He holds a bachelor of science degree from Georgetown University and a law degree from the University of Colorado. As a policy advisor and deputy legal advisor to Governor Romer,

Please complete the customer service survey on p. 3...

continued on page 2

COLORADO STATE BOARD OF LAND COMMISSIONERS

1313 Sherman, Rm. 620
Denver, CO 80203
303/866-3454; FAX 303/866-3152
Web site:
www.dnr.state.co.us/slb

LAND BOARD DIRECTOR
Charles Bedford

LAND BOARD COMMISSIONERS
Tom Swanson, president
Chuck Vidal, vice president
Luanne Hazelrigg
Jay Kenney
John Stulp

DEPUTY DIRECTOR
John Brejcha
303/866-3454x308

AG PROGRAM MANAGER
Bud Clemons
303/866-3454, x306

MINERALS PROGRAM MANAGER
Mark Davis, 303/866-3454, x316

DISTRICT MANAGERS
Craig District:
Beverly Rave, 303/824-2850

Greeley District:
Bud Clemons, 970/352-3038

Sterling District:
Danny Skalla, 970/522-0975

Alamosa District:
John Koshak, 719/589-2360

Pueblo District:
Robert Clift, 719/543-7403

◆
If you have ideas for topics that
the Land Board should communi-
cate with our lessees about,
please contact:
Kate Jones
Communications Coordinator
1313 Sherman, Room 620
Denver, CO 80203
303/866-3454x320
Thanks!
◆

New Board. . .director. . .district manager

continued from page 1

Bedford worked extensively on a number of natural resource-related issues. Previous work experience includes real estate, municipal bond and corporate law in the private sector.

"While we work to ensure reasonable and consistent income for our beneficiaries, I want to make sure that we are responsive to the concerns of the customers that generate the Land Board's income, such as coal mining, oil and gas and agricultural lessees and recreationists," Bedford said.

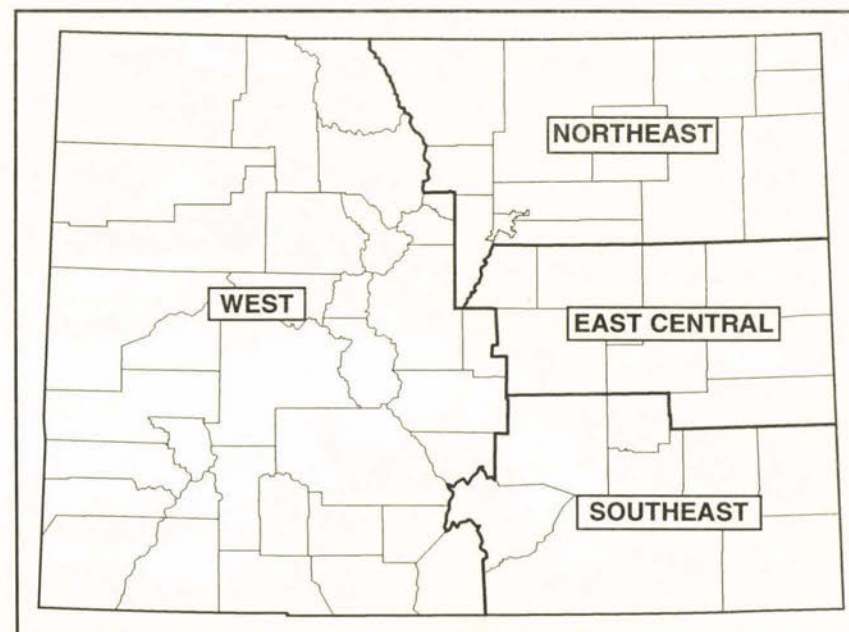
A statewide search drew more than 140 applicants for the job. Applicants underwent an extensive screening and testing process that included written and oral examinations, which were scored by independent reviewers. Bedford was among the four finalists referred to the commissioners and Department of Natural Resources Executive Director Jim Lochhead for final interviews and selection.

New District Manager

The Land Board has hired **John Koshak** as its Alamosa District Manager. Koshak, who has most recently served as the manager of San Luis Lakes State Park near Mosca, began his job at the Land Board November 1.

Koshak, who also owns a small ranch near Monte Vista, was hired through an open, competitive process to replace Billy Martinez, who retired from the Alamosa position last summer.

During his eight years with State Parks, Koshak served as the agency's local liaison with other government agencies and boards. Before joining Parks in 1989, Koshak worked as a primary and secondary school teacher and assistant chief of a volunteer fire department. He has also worked as a field researcher and photographer for a number of agencies, including the National Parks Service and the U.S. Forest Service.



State Land Board AUM Rate Regions

Customer Service Survey

Please take a few minutes to fill out this survey and help us improve our customer service.

- In the past year, how many times have you contacted the State Land Board—either by phone or in person?
District office _____none _____1-5 times _____6-10 times _____more
Denver office _____none _____1-5 times _____6-10 times _____more
- When you have contacted the Land Board, have you been satisfied with the customer service you received?
_____Yes _____No
If you answer no, please let us know what you've been dissatisfied with. (Use additional sheets if necessary.)
- What suggestions do you have to help SLB employees provide better service? (Use additional sheets if necessary.)
- Are there any Land Board employees you'd like to recognize for good (or poor) customer service? Please list names and reasons below. (Use additional sheets if necessary.)

Please complete and mail to:
Land Board Customer Service Survey, 1313 Sherman, Room 620, Denver, CO 80203. **THANK YOU**

Stewardship Trust update

The State Land Board and its staff are putting the final touches on the public nomination process for the Stewardship Trust. Nomination packets will be available by Jan. 15, 1998, and members of the public have until March 31, 1998, to nominate parcels.

By law, the Board is required to notify state trust lessees if lands they lease have been nominated, and to give them a chance to comment on the nomination. In late April, after all nominations are in, we will notify lessees of any lands they lease that have been nominated. Comments made by lessees will become part of the file on the parcel that the Board will consider when it deliberates about which lands to place in the trust during the fall of 1998.

In November 1997, Colorado voters amended the Constitution to change to mission and structure of the State Land Board. As amended, the Constitution directs the Board to establish a 300,000-acre Stewardship Trust, designated through a statewide

nomination process. The Board has until Jan. 1, 1999, to designate at least the first 200,000 acres, and until Jan. 1, 2001, to designate the remainder.

In August, all lessees and local governments were mailed an information packet on the Stewardship Trust process—and an invitation to a series of public meetings that were held in Denver, Sterling, Fort Collins, Steamboat Springs, Colorado Springs, La Junta, Alamosa and Durango during the first two weeks of September. Everyone who came to those meetings has been placed on the SLB's Stewardship Trust mailing list and will automatically receive a nomination packet in January.

If you were not able to attend one of these meetings but would like to receive mailings in addition to any required notification that land you lease has been nominated for the Stewardship Trust, please write the SLB Stewardship Trust coordinator at the Board offices in Denver, or call 303/866-3454x319.

STATE OF COLORADO

BOARD OF LAND COMMISSIONERS

Department of Natural Resources
1313 Sherman Street, Room 620
Denver, Colorado 80203
Phone: (303) 866-3454
FAX: (303) 866-3152



DEPARTMENT OF
NATURAL
RESOURCES

Roy Romer
Governor

James S. Lochhead
Executive Director

Charles E. Bedford
Director

January 5, 1998

Dear Friend:

The Colorado State Land Board is pleased to send you information regarding the process of publicly nominating State Land Board property into the newly created Stewardship Trust. We invite you to submit a nomination and/or reproduce or distribute this information to anyone who may be interested in doing so. **Completed nominations of State Trust land must be postmarked by March 31, 1998.** Designations of at least 200,000 acres into the Stewardship Trust will be announced by December 31, 1998.

Enclosed please find the:

Stewardship Trust Nomination Packet

The packet includes general information about the Trust and the nomination process as well as the application itself. Pages 7 and 8 must be completed and submitted with the nomination and answers to the questions on pages 9 through 12 of the Nomination Packet must be completed and submitted in order on separate sheets of paper. Please be sure to follow the General Instructions carefully.

Information about the lessees and other aspects of State Land Board property can be obtained from our District Offices (list enclosed). *The office staff will respond to your requests as quickly as they can; however, please allow them plenty of time to get back to you.* Questions about mineral rights should be addressed to Bobbie Mobley in our office at 303-866-3454 extension 314. 7.5 minute topographic quadrant maps can be obtained from the United States Geological Survey by calling 303-202-4700. Depending on the location of the property and the type of information needed, you may want to contact the:

Earth Science Information Center (run by USGS) at 303-202-4200
Environmental Review Office at the Colorado Natural Heritage Program at 970-491-7331
local tax assessor
local offices of state and federal agencies, or
other organizations which may have useful databases (see the contact list enclosed).

Schedule of Technical Assistance Workshops

The workshops, which are being held in various locations throughout the state, are designed to answer any questions that you may have about the State Land Board and the Stewardship Trust;

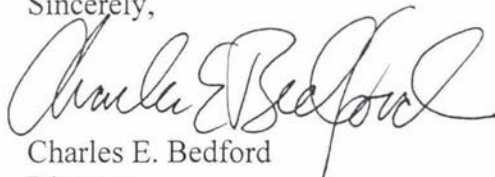
the process of nomination, evaluation, and designation; or the nomination application itself and what kind of information is needed for each of the questions. Anyone is welcome to attend.

At each workshop, the Stewardship Trust Coordinator will talk generally about the history of the State Land Board, Amendment 16, and the advent of the Stewardship Trust. Following this, the Coordinator will explain the nomination process itself and the expected timeline for this process over the coming year. Lastly, the Coordinator will go through the application, question by question, explaining what is expected and where to obtain the necessary information. There will be time throughout the presentation for questions that may be helpful to others in the audience. Specific questions about particular parcels may be tabled for private discussion after the workshop or at a later appointment.

Maps and/or directions to each of the workshop meeting places have been included. **All meetings are in the evening, and refreshments will be served.** If there is no workshop scheduled for your area and you feel that there is sufficient demand for one, please let the Stewardship Trust Coordinator know and we will try to accommodate your needs. The Coordinator is always available to answer your questions by phone or appointment.

Additional copies of any of the enclosed information or general information about the State Land Board, Amendment 16, or the Stewardship Trust can be obtained by contacting Ms. Alden Whittaker, Stewardship Trust Coordinator, in our office at 303-866-3454 extension 319. We are excited about the new Stewardship Trust and thank you for your interest in the nomination process. We look forward to working with you and encourage you to contact us should you have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles E. Bedford". The signature is fluid and cursive, with the first name "Charles" and last name "Bedford" clearly distinguishable.

Charles E. Bedford
Director

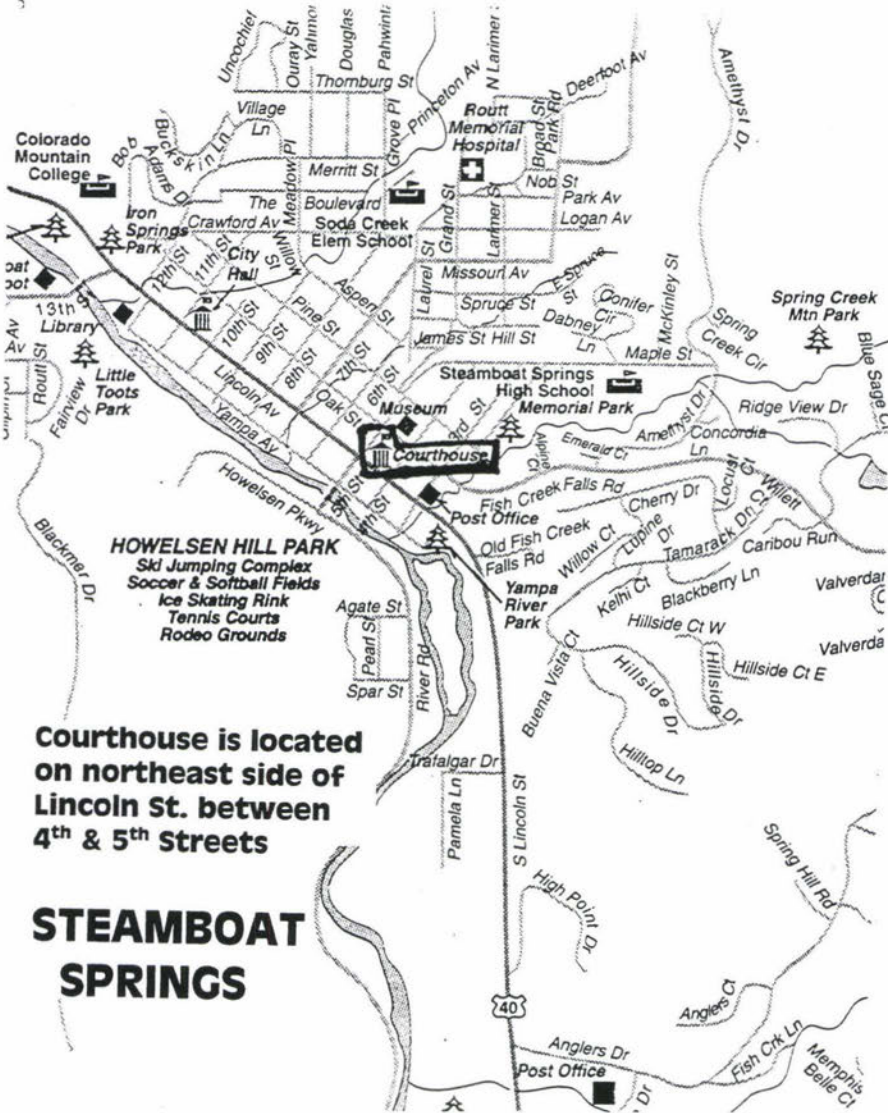
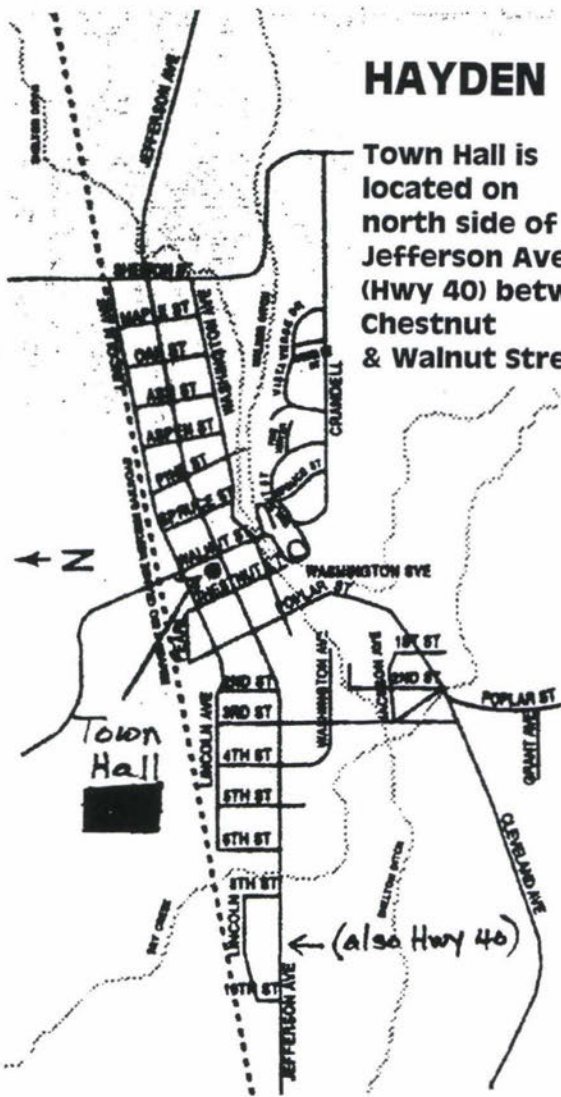
Enclosures

Stewardship Trust Workshops

Date	Location	Time	Meeting Place	Directions
January 12 Monday	Hayden	7-9 pm	Hayden Town Hall	SEE MAP
January 13 Tuesday	Steamboat Springs	7-9 pm	Commissioners Room Routt County Courthouse 136 6 th Street	SEE MAP
January 27 Tuesday	Colorado Springs	6-9 pm	# 1 City Hall Place City Hall Union & Grant, 3 rd Floor	Take I-25 to 1 st Street Exit, down big hill, go right on 1 st Street, go past Santa Fe and Main Streets, take a left on Union (just past West Plains Energy on north side of street), go one block on Union to Grant, building on left side of street. 3 rd Floor.
January 28 Wednesday <i>I'll go McTOD</i>	Fort Collins	6-8:45 pm	Fort Collins Library 201 Peterson	I-25 to Ft. Collins, Mulberry Exit, Mulberry west to College Avenue/287, north on College Avenue/287 to Olive Street (2 nd Right), on Olive go east 3 blocks to Peterson, north on Peterson. Parking in front of library between Peterson & Olive.
February 2 Monday	Alamosa	6-9 pm	Alamosa County Courthouse Conference Center 402 4 th Street Alamosa, CO	SEE MAP
February 3 Tuesday	Durango	6-9 pm	La Plata County Courthouse 1060 East 2 nd Avenue Anasazi/Columbine Room Durango	Highway 550/160 to College Drive, east on College Drive to 2 nd Avenue, north on 2 nd Avenue to 9 th Street; corner of 9 th & 2 nd .
February 4 Wednesday	La Junta	6-9 pm	Holiday Inn Express 27994 Highway 50 Frontage Road	Intersection of Highway 50 & Highway 10, on right hand side of road.
February 5 Thursday	Pueblo	6-9 pm	McClelland Library 100 E. Abriendo Avenue (Mesa Junction Area)	I-25 to Abriendo exit, go four lights, Library on north side of street.
February 9 Monday	Fairplay	6-9 pm	USFS – Fair Barn Park County Fairgrounds Quonset Hut	SEE MAP
February 11 Wednesday	Fort Morgan	6-9 pm	Madison Hotel Morgan Room	I-76, Exit 75

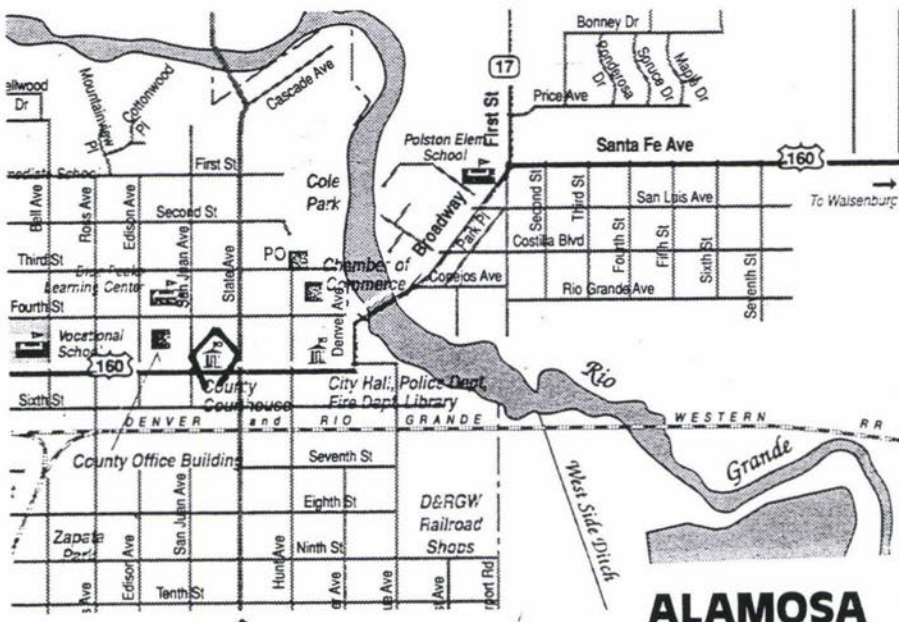
HAYDEN

Town Hall is located on north side of Jefferson Ave. (Hwy 40) between Chestnut & Walnut streets



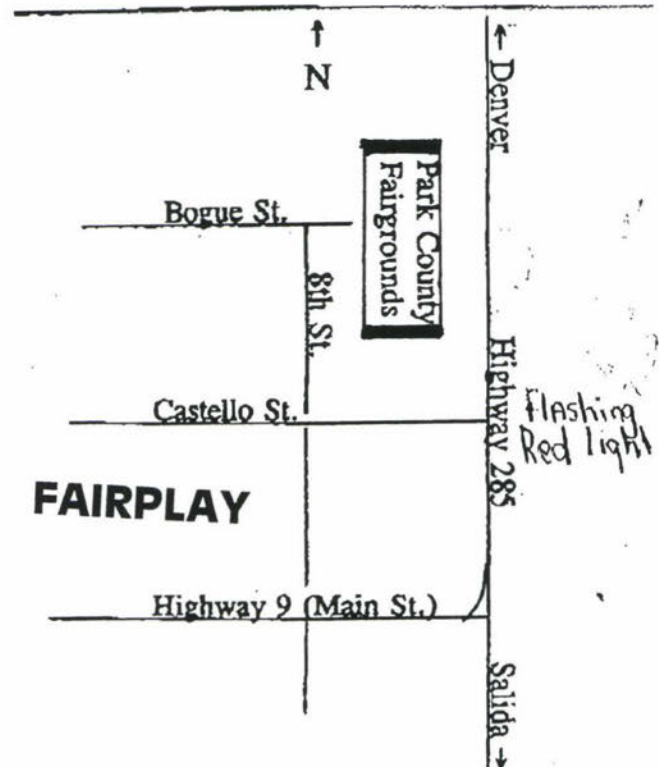
Courthouse is located on northeast side of Lincoln St. between 4th & 5th Streets

STEAMBOAT SPRINGS



ALAMOSA

Courthouse



FAIRPLAY

Contacts



SOILS

Soil surveys:

Local offices of the Natural Resources Conservation Service (under United States Government, Department of Agriculture in the phone book)

Soil tests:

Local offices of Colorado State University Cooperative Extension (under county government in the phone book)

Geologic hazards:

County planning offices
Colorado Geological Survey,
303/866-2611

Radon:

Environmental Protection Agency,
Region 8: 1-800/227-8917

Active mining and abandoned mines:

Division of Minerals & Geology,
303/866-3567

WEEDS

Local offices of Colorado State University Cooperative Extension (under "county government" in the phone book)

Colorado Weed Management Assoc.,
2305 Nottingham Ct., Ft. Collins,
CO 80526; 970/229-0352

GRAZING

Local offices of the Natural Resources Conservation Service (under United States Government, Department of Agriculture in the phone book)

Colorado State University
Cooperative Extension (under "county government" in the phone book)

Grazing on public lands:

Colorado State Board of Land
Commissioners, 303/866-3454

U.S. Bureau of Land Management
(under United States Government,
Interior, Department of)

U.S. Forest Service (under United
States Government, Agriculture,
Department of)

Livestock laws:

Brand Inspection Division,
Colorado Agriculture Commission,
303/294-0895

TREES & FORESTS

Colorado State Forest Service, State
Office, 970/491-6303 or local offices
(under State of Colorado, Forest
Service, in the phone book)

WATER

Well permits:

Division of Water Resources
Ground Water Information Desk,
303/866-3587

Water rights:

Division offices of the Colorado
Division of Water Resources: South
Platte River (Greeley), 970/352-8712;
Arkansas River (Pueblo), 719/542-
3368; Rio Grande River (Alamosa),
719/589-6683; Gunnison River
(Montrose), 970/249-6622; Colorado
River mainstem (Glenwood
Springs), 970/945-5665;
Yampa River (Steamboat Springs)
970/879-0272; Animas/San Juan
rivers (Durango), 970/247-1845.

WATER QUALITY

Wetlands:

Local offices of the Natural Resources
Conservation Service (under United
States Government, Department of
Agriculture, in the phone book)

National EPA Wetlands Hotline:
1-800-832-7828

U.S. Army Corps of Engineers district
offices for Colorado:

South Platte drainage:
303/979-4120

Arkansas & Rio Grande
drainages:
719/543-9459

Colorado River drainage:
970/243-1199

State and federal water quality laws:

Water Quality Control Division of
the Colorado Department of Public
Health & the Environment,
303/692-3500

EPA Region 8 toll-free number:
1-800-227-8917

WILDLIFE

Local offices of the Colorado
Division of Wildlife (under State of
Colorado, Natural Resources, in the
phone book)

U.S. Fish & Wildlife Service (under
United States Government,
Interior, Department of)

HOMESITE PLANNING

General questions:

Colorado State Forest Service
(under State of Colorado, Forest
Service, in the phone book)

Natural Resources Conservation
Service (under United States
Government, Department of
Agriculture in the phone book)

Colorado State University
Cooperative Extension (under "county
government" in the phone book)

Local planning and zoning rules:

Your county planning and zoning
office (under county government in
the phone book)

Conservation easements and open space:

Colorado Open Lands, 5555 DTC
Parkway, Ste. C-2050, Englewood,
CO 80111; 303/694-4994

Colorado Coalition of Land Trusts,
P.O. Box 1651, Durango, CO
81302; 970/259-3415

COURTESY OF THE:
COLORADO ASSOCIATION
OF SOIL CONSERVATION
DISTRICTS

COLORADO STATE BOARD OF LAND COMMISSIONERS

1313 SHERMAN STREET, SUITE 620

DENVER, COLORADO 80203

(303) 866-3454

FAX 866-3152

STATE LAND BOARD DISTRICT MANAGERS

Beverly Rave
Carolyn Schneider
8:00 - 5:00
P.O. Box 1094
Craig, CO 81626
577 Yampa Ave.-81625

(970) 824-2850
FAX 824-3036

Delta
Eagle
Garfield
Grand
Gunnison
Jackson
Mesa
Moffat
Montrose
Ouray
Pitkin
Rio Blanco
Routt
Summit

Bud Clemons
Nancy Forte
8:00 - 5:00
800-8th Ave.
Suite 219
Greeley, CO 80631

(970) 352-3038
FAX 352-2879

Adams
Arapahoe
Boulder
Clear Creek
Denver
Douglas
Elbert
Gilpin
Jefferson
Larimer
Morgan
Weld

Danny Skalla
Sundy Ferkovich
9:00 - 1:00
301 Poplar
Suite 3
Sterling, CO 80751

(970) 522-0975
FAX 522-0316

Cheyenne
Kit Carson
Lincoln
Logan
Phillips
Sedgwick
Washington
Yuma

John Koshak
Laura Gomez
8:00 - 12:00
Box 88
Alamosa, CO 81101
422 4th Street

(719) 589-2360
FAX 589-2967

Alamosa
Archuleta
Conejos
Costilla
Dolores
Hinsdale
Huerfano
La Plata
Las Animas
Mineral
Montezuma
Rio Grande
Saguache
San Juan
San Miguel

Robert Clift
Patty Dunnington
8:00 - 12:00
201 W. 8th
Suite 307
Pueblo, CO 81003

(719) 543-7403
FAX 544-9348

Baca
Bent
Chaffee
Crowley
Custer
El Paso
Fremont
Kiowa
Lake
Otero
Park
Prowers
Pueblo
Teller

E. ECONOMIC ANALYSIS

Introduction: In light of its fiduciary responsibilities to its trust beneficiaries, the Board must determine that accepting lands into the Stewardship Trust "preserves the long-term benefits and returns to the state" (Colorado Constitution, Article IX, Sec. 10). To help them make this determination, the Board will consider responses to the following questions:

1. What is your income-generating vision for the property if it is designated for the Stewardship Trust?

How can the property provide the trust beneficiaries with reasonable and consistent income over time?
2. If a current use of the property that generates revenue for trust beneficiaries is not compatible with your stewardship vision for the property, what alternate sources of revenue, if any, are you proposing to recoup this loss of income? *(Be specific. For example, are there additional revenue opportunities from recreation leases or conservation leases?)*
3. Is the nominator (or a partner) working toward the permanent protection or acquisition of surrounding lands through either fee title or conservation easement? If so, please explain—and describe how the nominated land fits into this overall strategy.
4. Is the nominator (or a partner) willing to purchase the development rights (a "conservation easement") off of the parcel being nominated either now or in the future?

In filling out this application, please keep in mind:

- ❖ Although not every parcel of land must continue to generate current income, in general, lands in the Stewardship Trust are expected to continue to generate income, including existing uses such as grazing, crop production, mineral and oil and gas production and forest management—to the extent such uses can be managed in ways that are compatible with long-term goals for protection of the land's natural resource values. When appropriate, the Board may pursue other income-generating possibilities such as hunting leases and conservation easements.
- ❖ With a staff of only 26 people, the Land Board traditionally requires its lessees (grazing, cropland etc.) to assist in day-to-day management of its lands. C.R.S. 36-1-107.5, passed by the Legislature in 1997, requires the Board to notify all lessees that a parcel they lease has been nominated for the Stewardship Trust, and to give them the opportunity to comment on the nomination.
- ❖ The Land Board has entered into legal agreements with its lessees. Any proposals for changes in use that might come about as the result of a parcel's enrollment in the Stewardship Trust would have to follow due process and statutory requirements and may be subject to a negotiated settlement between the Board and the affected lessee.

❖
COLORADO STATE LAND BOARD
❖
STEWARDSHIP TRUST
NOMINATION PACKET
❖

Nomination period opens: Jan. 15, 1998
Nominations must be postmarked by: March 31, 1998

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THE STEWARDSHIP TRUST:

❖ WHAT THE CONSTITUTION SAYS ❖

The Colorado Constitution, as amended by voters in November 1996, establishes a **Stewardship Trust of 295,000-300,000 acres**. This is approximately 10 percent of the 3 million surface acres that the State Board of Land Commissioners manages to benefit eight trusts—the largest of which supports kindergarten-12th grade education in Colorado.

The purpose of the Stewardship Trust is to protect the long-term productivity and sound stewardship of lands held in trust by the State Land Board. The constitutional criteria for selection of land to be placed into the Stewardship Trust follows from this purpose and is remarkably simple: Land placed into the Stewardship Trust must be valuable “primarily to preserve long-term benefits and returns to the state.” This requirement means that the Board must determine that parcels selected for the trust are valuable primarily because of the long-term economic benefits that they can provide to the trust beneficiaries.

In order to make this determination, the Board will follow the evaluation process explained beginning on page 3 of this nomination packet.

As outlined in the Constitution, the Board will manage lands that have been placed in the Stewardship Trust to keep their options open for “continued stewardship, public use or future disposition.” These options will be evaluated with two objectives in mind: 1. Preserving the natural values of the Stewardship Trust lands, since the voters of Colorado have determined that sound stewardship enhances economic productivity; and 2. Ensuring that Stewardship Trust lands do their part in yielding reasonable and consistent income over time for the trust beneficiaries.

NOTE:

The portion of the Colorado Constitution that governs creation of the Stewardship Trust can be read at the SLB’s web site, <http://www.dnr.state.co.us/slb>. During the nomination period, we will also post “Frequently Asked Questions” about the nomination process at that site.

4. How urgent is it that the parcel be placed in the Stewardship Trust? What natural resource, open space, beauty and/or wildlife habitat values will be lost if this property is not designated now?

Please include if known:

Does the property contain any unique or significant cultural, historical or archeological features?

If yes, what are they? *(Include any relevant articles or other documentation. If you include photos, limit your submission to the number of photos that can be mounted on three 8 1/2 x 11" sheets, front and back. Clearly identify the contents of each photo.)*

Introduction to Sections D and E

If you are proposing a change in use or an additional use as part of your nomination, please make sure you indicate how and by whom you expect the new use to be managed; at its discretion, the Board may ask nominators who propose additional uses to submit a draft management plan. And please keep in mind: The Board may designate a property but reject a proposed use.

If a nomination does not propose a change in use, the Board will assume that the current management plan being implemented by the Board and lessee(s) will remain in place.

D. MANAGEMENT & STEWARDSHIP OF PROPERTY IF DESIGNATED

1. If the property is currently under lease, are the current and permitted uses compatible with the vision outlined for this property in your Stewardship Vision? How? *(Be specific: What uses of the property are either compatible or incompatible and why?)*

Note: If you contend that a current use is incompatible with your stewardship vision, please be sure to fully answer the questions in Section E, below.

2. How will inclusion in the Stewardship Trust maximize the Board’s options for continued stewardship, public use or future disposition of the property?
3. Does your stewardship vision include new public uses of the nominated property?

Note: Designation of a parcel into the Stewardship Trust confers no right of public access to any particular group or to the public as a whole.

4. If your stewardship vision for the property includes public recreation or other public use in the future, have you contacted an appropriate public agency or other organization concerning taking on the necessary management, rule enforcement and maintenance responsibilities? *(Please indicate who will be responsible and attach letters of interest or commitment from them.)*

8. Describe the level of local government, public and adjacent landowner support and commitment to designation of the parcel for the Stewardship Trust. (Attach letters and/or any relevant documentation.)

Attach 3 maps:

- 1) A map that highlights the state trust land and also shows nearby towns, highways etc. that allow the property to be easily located and identified.
- 2) A map that identifies the nominated parcel in relation to adjacent property. This map should identify ownership of surrounding property (is it privately owned or owned by local, state or federal government?) and any land-protection mechanisms in place (for example, a conservation easement or inclusion in a local government open space program).
- 3) A map of the nominated parcel, with any significant features/structures identified.

Include a typed or clearly handwritten legend with each map, including source of map and explanation of any symbols that are used on the map to identify natural features, structures etc.

B. STEWARDSHIP VISION

In 200 words or less, describe your reasons for nominating this property for enrollment in the Stewardship Trust.

Note: Your stewardship vision for the property you are nominating is a description of how the Board can protect and enhance the long-term productivity and sound stewardship of the land and preserve long-term benefits to the state by managing the land to maximize future options for continued stewardship, public use or future disposition and by permitting only uses that will protect the land's beauty, natural values, open space and wildlife habitat.

C. QUALITIES RELATED TO BEAUTY, NATURAL VALUES, WILDLIFE HABITAT OR OPEN SPACE

1. Describe the specific natural resource, open space, beauty and/or wildlife habitat values that support this property's designation into the Stewardship Trust. (For example, is the parcel an important wildlife habitat migration corridor? Does it provide habitat for threatened species or protect sensitive vegetation? Is it an important buffer to an existing protected area? Does it protect a significant geologic or visual feature?)

Please be sure to note unique aspects or values of this property that make it significant from a regional, state or global perspective. If available, please provide supplemental information documenting these special or unique values as an attachment. (Examples: Colorado Natural Heritage Program inventories, Colorado Division of Wildlife information on habitat, any federal designations. When possible, include photos. Limit photos to the number that can be mounted on three 8 1/2 x 11" sheets, front and back. Clearly identify the contents of each photo.)

2. Describe how these natural values would enhance the long-term economic value of the nominated parcel.
3. Specifically state how enrolling the nominated parcel would protect and enhance the beauty, natural values, open space and wildlife habitat values described above and contribute to sound stewardship of the parcel.

THE STEWARDSHIP TRUST: ❖ TIMELINE & PROCESS ❖

Timeline

In order to meet its first designation deadline of Jan. 1, 1999, the State Land Board has laid out the following schedule (timespans approximate):

Jan. 15, 1998	Nomination period begins
Jan.-Feb. 1998	Nomination workshops held at selected locations to help people complete nominations
March 31, 1998	Nomination period closes
May-June 1998	Comment period for lessees, local governments
April-July 1998	Agency review; property evaluation & inventory work
July-September 1998	Review of nominations by Long-term Benefits Team
October-December 1998	Stewardship Trust designations by Board
Late 1998-early 1999	Nominators notified of designations

Who can nominate land for the Stewardship Trust? What land can be nominated?

Anyone—any individual, group or agency—is eligible to nominate parcels for designation. There is no fee for nominating a parcel.

The Board encourages groups and individuals interested in nominating the same parcel of trust land to collaborate and submit one nomination.

According to the Constitution, the Land Board has until Jan. 1, 1999, to enroll at least the first 200,000 acres in the Stewardship Trust, and until Jan. 1, 2001, to enroll the remaining acres needed to create the 300,000-acre Stewardship Trust. Because of the tight timeframes for the first round of nominations, the Board will accept nominations only of land it already owns. Before the second round of nominations, the Board will determine whether or not to allow nominations of land it does not own for acquisition specifically for inclusion in the Stewardship Trust.

What process will the Board follow to decide what lands to place in the Stewardship Trust?

In order to give the Board as much information as possible on which to base their designation decisions, the SLB will follow these steps:

Step 1. Checking the nomination

Once the SLB receives a Stewardship Trust nomination, the Stewardship Trust coordinator will log in the application, and review it for completeness. Staff will also make sure that the nominated parcel is owned by the SLB, then identify which of the eight trusts managed by the SLB includes the nominated parcel, and add this information to the nomination packet.

If more than one nomination of the same parcel is received, the SLB will notify the nominators and encourage them to cooperate in the nomination process—especially in cases where the nominations include conflicting information or proposed uses of the parcel.

Step 2. Adding information to the nomination packet

1. SLB staff will begin the process of soliciting comments from local government and lessees of nominated parcels as required by law (C.R.S. 36-1-107.5). Comments by local governments and lessees will also become part of each parcel's packet.

2. Each application will be forwarded to the Department of Local Affairs, the Division of Minerals and Geology, the Colorado Department of Agriculture, the Colorado Natural Areas Program, the Colorado Natural Heritage Program, the Division of Wildlife, Great Outdoors Colorado, the Colorado Oil and Gas Conservation Commission, and other entities with relevant expertise to solicit technical information about the parcel. These agencies will evaluate the relative merits of the nominated parcels with respect to the matters within their expertise, and may provide advice regarding whether certain features of a particular parcel would be valuable in the long run to the trust beneficiaries. This information will be added to the nomination file.
3. Concurrently with this agency review process, the Stewardship Trust coordinator and SLB field staff will prepare a report for each nominated parcel that discusses the current and historical uses, known natural resource values, and the historical, current and anticipated income from the nominated parcel. In addition, the coordinator will prepare GIS reports on each of the parcels. Finally, the SLB staff will consult existing published information concerning the agricultural and mineral resources potential of the nominated land, including master plans developed under Section 34-1-304, C.R.S. If information about mineral resource potential is inadequate, the SLB staff will request an inventory of the mineral resources potential of the nominated land from the Colorado Geological Survey.
4. To the extent possible, SLB staff and/or other qualified staff from appropriate agencies will conduct a field visit and evaluation for every nomination. A file on each nominated parcel will be completed no later than July 30, 1998. This file will include: all of the above information; reports from the reviewing entities; any supplemental or unsolicited information; and comments from local governments, lessees, community organizations and the public.

Step 3. Review of the nomination by the Long-term Benefits Team

During the late summer, each nomination will be reviewed by a "Long-term Benefits Team," consisting of persons with expertise in natural resource economics, agricultural economics, general economics, real estate and/or other disciplines relevant to the evaluation of long-term benefits to the trust beneficiaries of placing the nominated parcel in the Stewardship Trust.

Using the information in the nomination file gathered through the process outlined above, the team will evaluate each nominated parcel from the perspective of whether designation of the parcel would preserve long-term benefits and returns to the trust beneficiaries. The team will prepare a report for each parcel that discusses how the long-term interests of the trust beneficiaries may be served by including the nominated parcel in the Stewardship Trust. In this report, the team will discuss the link(s) between the particular features of the nominated parcel that have been identified by the nominator, SLB staff and the reviewing entities—and the benefits to trust beneficiaries of preserving those particular features through Stewardship Trust designation.

In addition, the team will rank each parcel as high, medium or low in its potential for long-term benefits to the trust beneficiaries.

The nomination file and the report and rankings from the Long-term Benefits Team will be provided to the Board for the Board's use in evaluating the nominated parcels. The Board members may, at their discretion, tour nominated parcels of land at any time during the nomination process.

STEWARDSHIP TRUST NOMINATION: ❖ PROPERTY EVALUATION QUESTIONS ❖

A. PROPERTY CONTEXT

1. What are the existing surface uses of the property (e.g., grazing, mining)?

Note: The SLB encourages nominators to contact our lessees to gain information about the property and work with the lessee(s) on the nomination. By law, lessees will be notified of nominations of land they lease and have the chance to comment.

Information on current uses can be obtained by calling 303/866-3454, ext. 319.

Please include if known:

Are there any buildings or other improvements on the property?

If yes, what are they?

2. Who owns the property adjacent to the state trust land you are nominating? What are the existing uses on the adjoining property(ies)? How would designation of this parcel affect adjacent property?
3. If the county or municipality in which the property lies has zoning that is relevant to current or proposed uses, what is it?
4. If the county has a master plan, how does this parcel fit into the plan? Are there other local or regional plans that include this property? What are they? *Please attach copies of relevant sections of any plans you cite.*

Note: County or municipal government offices should be able to supply you with information on legal description, zoning, master plans and adjacent ownership. C.R.S. 36-1-107.5 requires the SLB to notify counties of nominations within their boundaries and notify municipalities of nominated lands within 3 miles of their corporate limits, to give them a chance to comment.

5. Describe any local, regional, state or federal efforts that are consistent with—or conflict with—managing to protect and enhance the beauty, natural values, open space, and wildlife habitat on adjacent lands and/or regionally. *(Please attach relevant sections of any documentation of these efforts—for example, a local open space plan that targets adjacent lands for protection.)*
6. How would designation of this parcel complement these other efforts? Would designation of this parcel provide a critical or key link in the conservation of a larger landscape or regional plan? If so, please describe and specify what plans and/or goals will be advanced by designating this parcel for the Stewardship Trust. *(Attach any relevant documentation.)*
7. If this parcel is *not* enrolled in the Stewardship Trust, how would the character of the surrounding landscape or community change?

PROPERTY INFORMATION

5. Common or local name for parcel you are nominating, if applicable:
6. County(ies) in which parcel is located:
7. Number of acres nominated: _____
8. Legal description*:
- Township_____ Range_____ Section #(s):_____
- (*Note: Legal description must be in U.S. Government subdivision [aliquot parts—quarters or quarters/quarters] if possible.)
9. Other description if legal description is not feasible
10. Authorized Signature_____ Date_____

Step 4. Board evaluation and decision-making

At its August 1998 meeting, the Board will set the process by which it will evaluate parcels nominated for the Stewardship Trust. This process will be custom-tailored depending on the number of nominations received and other factors. **Copies of this process will be mailed to all nominators and any lessees, local governments, constituency groups and members of the public who have previously provided comment or expressed an interest in participating in the process.**

This process will include a schedule of open, recorded meetings at which nominators, lessees, local governments and others interested in particular parcels will have an opportunity to make comments and answer Board questions about the parcels. At these meetings, the Board, at its discretion, may also question SLB staff, members of the Long-term Benefits Team and anyone else who has relevant information. On a parcel-by-parcel basis, the Board will evaluate whether the parcel is valuable primarily to preserve long-term benefits and returns to the trust beneficiaries, and decide whether to designate the parcel—or a portion of the parcel—reject the parcel, or table consideration of the parcel for a subsequent meeting. If the Board elects to designate an area larger or smaller than the parcel originally nominated, Board staff will notify the nominator, any affected lessees and the appropriate local government, to give them a chance to comment on the change in size.

The Board will issue a written order or orders announcing its decisions regarding designation of Stewardship Trust lands.

NOMINATING LANDS FOR THE STEWARDSHIP TRUST:

❖ GENERAL INSTRUCTIONS ❖

1. After you have read the background information provided, answer all the questions in the "Property Evaluation" section as completely as possible, using your own paper. *Answer the questions in order and identify which question you are answering.*
2. Submit maps and additional information as requested and make sure that maps and additional information are included in the proper order and keyed to the appropriate question. *(Remember: All submitted material becomes property of the Board and a part of the public record. Materials will not be returned.)*
3. Fill out the two-page "Nominator & Property Information" form. **This form must be submitted with your nomination.**
4. Early submission of nominations is encouraged to allow as much time as possible for analysis.
5. If there is supporting information for one or more questions that cannot be available by **March 31, 1998** (for instance, because you want to do field work that cannot take place until spring), please write a letter giving your reasons for requesting an extension of time to answer specific questions and mail your request to the Stewardship Trust coordinator. Please do not wait for the application deadline, but make your request for extension as soon as possible. No requests will be considered after the nomination deadline.
6. Additional instructions:
Provide **10** copies of your submission, including all supplemental materials.
Please provide one unstapled, original copy of your nomination.
Do not bind your nomination material.
Do not add tabs, dividers etc.
Maps should be no larger than 11" x 17" and folded to 8 1/2 x 11.

Nominators are encouraged to supply an electronic version of their submission, preferably in Microsoft WORD for DOS, on a 3 1/2-inch floppy disk. *(Note: This does not take the place of any of the 10 hard copies.)*

Please return your completed nomination packet to:

Colorado State Land Board
1313 Sherman Street, Room 620
Denver, Colorado 80203
Attention: Stewardship Trust coordinator

**NOMINATIONS MUST BE POSTMARKED
NO LATER THAN MARCH 31, 1998.**

*Please contact Alden Whittaker, Stewardship Trust coordinator, 303/866-3454, ext. 319
(e-mail: alden.whittaker@state.co.us), with questions about the nomination process.*

STEWARDSHIP TRUST NOMINATION:

❖ NOMINATOR & PROPERTY INFORMATION ❖

This two-page form must be filled out and included with all nominations.

NOMINATOR INFORMATION

1. **Nominator.** The organization, agency or individual submitting the nomination

Name

Address

2. **Nominator contact.** The person who has day-to-day responsibility for the nomination—and whom you want the Board to contact with any questions

Name & Title

Phone #

FAX #

E-mail

3. **Partner(s).** List group(s) or individual(s) cooperating with the nominator in this nomination. *(Use additional sheets if there is more than one partner, and list a contact for each partner.)*

4. **Partner contact**

Name

Address

Phone #

Fax #

E-mail

Detach and mail with nomination