WINDANCE RANCH
CONSERVATION EASEMENT BASELINE REPORT©

August 2011
Garfield County, Colorado

Prepared by:

BLUE MOUNTAIN ENVIRONMENTAL CONSULTING
Supporting Sustainable Management of Natural Resources
937 MALLARD DRIVE, FT. COLLINS, CO 80521 (970) 224-0851

Presented to:

COLORADO OPEN LANDS
274 UNION BOULEVARD, SUITE 320 LAKEWOOD, CO 80228

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ACKNOWLEDGEMENTS AND STATEMENTS

Grantor/Grantee Acknowledgement of Documentation of Present Conditions Report Update

In compliance with Section 1.170A-14(g) (5) (i) (D) of the Federal Tax Regulations, this Present Conditions Report is an accurate representation of the property at the time of the conservation easement conveyance. This report will serve as an objective baseline for future monitoring and compliance with the terms of the conservation easement.

Date of Acquisition

_____

Signatures

_____
Grantor Date

_____
Grantee Date

Approved this _____ day of _____, 2011.

Author Certification Statement

I, Matt Tobler, prepared this Conservation Easement Present Conditions Report in accordance with Title 26 of the Internal Revenue Service Code [§ 1.170A-14 (g)(5)]. To the best of my knowledge, this Present Conditions Report, including text, maps and photographs, provides an accurate representation of the conservation values of the Property on July 30, 2011, and at the time of the conveyance of the conservation easement.

_____ _____
Matthew A. Tobler, Principal / Natural Resource Specialist Date
Blue Mountain Environmental Consulting, LLC
937 Mallard Drive, Fort Collins, CO 80522 970-224-0851

CONTACTS AND BASIC INFORMATION SUMMARY

Property Name

Windance Ranch

County

Garfield County

Grantors and Grantor Address

Windance Ranch
Rodney Marcy and Shannon Burke
347 Glencoe St.
Denver, CO 80220
(303) 638-8705

Grantee

Colorado Open Lands
Dieter Erdmann
247 Union Boulevard, Suite 320
Lakewood, CO 80228
(303) 988-2373

Present Conditions Report Preparer

Matt Tobler
Blue Mountain Environmental Consulting
937 Mallard Drive
Fort Collins, CO 80521
(970) 224-0851

Acreage

227 acres

Zoning

Rural

Conservation Easement Address

0968 County Road 151
Glenwood Springs, CO 81637

County Assessors' Parcel Numbers

The parcel numbers for these parcels was not available from Garfield County as of November 15, 2011.

Physical Location

Southwest quarter of Section 27, southeast quarter of Section 28, Township 3 South, Range 87 West of the Sixth Prinicpal Meridian in Garfield County, Colorado

Legal Description

See Exhibit A of the Deed of Conservation Easement.

Project Configuration

The Windance Ranch Property is comprised of 227 acres. This conservation easement covers the 113.5 acre western parcel on the Property. The northern parcel, which is comprised of 113.5 acres, will be eased sometime in the future.

Building Envelope Site Description Summary

There are four structures covering approximately 549 square feet. These structures are located near the middle of the southern property boundary of the western parcel as indicated on the General Reference Map provided in Appendix A. All structures have been photographically documented and measured; photographs are provided in Appendix C.

EXECUTIVE SUMMARY

Methodology and Extent of Investigation

The Property was assessed with an iterative process that included a literature review, database searches, interviews, and a site visit. The site visit was conducted July 28, 2011, and included a review of all roads and trails, prominent features, and the Property interior. Report methodology follows the suggested format of the Land Trust Alliance and the Trust for Public Lands (Byers and Ponte 2005). This report was compiled and formatted to satisfy the requirements of the Internal Revenue Service (IRS) with respect to charitable contributions. Qualifications of the preparer are provided in Appendix D. A list of reference material that has been incorporated is provided in Appendix E. People interviewed as part of report preparation include the following:

Table 1. Resource contacts.

NAME	ORGANIZATION	CONTACT
Dieter Erdmann	Colorado Open Lands	(303) 988-2373
Shannon Burke	Landowner	(303) 638-8705
Bill Blanchard	Former Landowner	bblanchard@wrbenterprises.com

Property Summary

Windance Ranch is situated near the White River National Forest in the western portion of the Rocky Mountains in Garfield County, Colorado. The Property lies within the 2,860-square-mile Colorado Headwaters Watershed. Lands near the Property are in public and private ownership. Public lands adjoining the Property are owned by the United States Forest Service and are part of the White River National Forest. Other Bureau of Land Management recreation areas are also located within the region. The 227 acre property consists of two separate parcels each measuring 113.5 acres. There are a variety of habitats including Rocky Mountain aspen forest and woodland, inter-mountain basins montane sagebrush steppe, and Rocky Mountain subalpine-montane riparian shrubland. There are also hay meadows, rangelands and forests on rolling hills; it has been used for grazing and recreation and contains an abandoned homestead with four buildings. The Property is zoned Rural. This conservation easement baseline report covers the both parcels of the Property.

Directions to the Property

Windance Ranch is located in Garfield County, Colorado, north of the Town of Dotsero. From Interstate 70 take the Dotsero/Colorado River Road exit. Turn north onto Colorado River Road and proceed about 7 miles to Sweetwater Road. Turn west on Sweetwater Road and travel about 6.5 miles. Sweetwater Road becomes Colorado Highway 150. Continue west on Colorado Highway 150 another ¾ of a mile. Turn south onto County Road 151. After half a mile, turn left onto a dirt road and travel another 2 miles to the Property. The Property address is located at 0968 County Road 151 in Garfield County, Colorado. (A gate code is required to access the property.) A map of the Property's location in Colorado is provided in Appendix A.

Summary of Conservation Values

The conservation of the Property would serve relatively natural habitat and scenic and open space conservation values as documented in subsequent sections of this report.

Restricted Acts and Uses

The following discussion of reserved rights, restrictions and prohibitions is from the Deed of Conservation Easement for the Property. Restricted uses include subdivision, surface disturbance, industrial or commercial activity, feedlot, public access, trash, hazardous materials, motorized vehicle operation and easements, rights of way or other interests.

Legal Description

Windance Ranch is located at 0968 County Road 151 in Garfield County, Colorado. The Property is comprised of 227 acres. The northern parcel, which is comprised of 113.5 acres, will be eased sometime in the future, see the General Reference Map in Appendix A. The Property is located in the southwest quarter of Section 27 and the southeast quarter of Section 28, Township 3 South, Range 87 West of the Sixth Principal Meridian. There are four structures on the western parcel covering approximately 549 square feet. All structures have been photographically documented and inventoried in Appendix C. Additional information can be obtained from the Garfield County Assessor's office. A complete legal description is provided on CD in Appendix F.

A complete copy of the Deed of Conservation Easement is provided as Appendix G. This document outlines the conservation values of the Property that are being protected; the permitted, restricted, and prohibited uses of the Property; and reserved rights.

PHYSICAL CHARACTERISTICS OF THE PROPERTY

Geographic Setting and Topography

Windance Ranch is situated near the White River National Forest on the western edge of the Rocky Mountains in Garfield County, Colorado. Average annual rainfall for the nearest climate station at Gypsum is 10.88 inches. Average maximum temperature is 60 degrees and average minimum temperature is 25.1 degrees (F). Elevations on the Property range from 8,400 to 9,200 feet. The topography slopes gently from the southwest portion of the Property to the northeast. Topographic features are illustrated on the General Reference Map provided in Appendix A.

Soils

While soils perform a range of functions that support key processes in biomass production (crops and forestry), sustainably managed soils also support a range of ecological services, including water purification, habitat diversity and other ecological functions.

Soil types at the Property were identified on the Web Soil Survey (2011). A discussion of soil types is provided below; soil reports obtained from Natural Resource Conservation Service Web Soil Survey (http://www.websoilsurvey.nrcs.usda.gov) are provided in Appendix E. The distribution of soil types is indicated on the Soils Map in Appendix A (note that soil data was available for only half of the Property.) Map symbols are provided on the left.

10 **Anvik-Skylick-Sligting association, 10 to 25% slope:** Anvik-Skylick-Sligting association is a composition of soils consisting of Anvik, Skylick, and Sligting soils. Anvik soils originate from mixed alluvium and/or mixed colluvium. This soil type is typically positioned on fans and/or mountain slopes. The land capability class is VIe non-irrigated. The available water capacity is very high and this soil type is well drained. Skylick soils originate from colluvium derived from sandstone and/or residuum weathered from sandstone. This soil type is typically positioned on mountains. The land capability class is VIe non-irrigated. The available water capacity is high and this soil type is well drained. Sligting soils originate from colluvium derived from sandstone and/or colluvium derived from basalt and/or residuum weathered from sandstone and/or residuum weathered from basalt. This soil type is typically positioned on mountains. The land capability class is VIIs non-irrigated. The available water capacity is low and this soil type is well drained. The ecological site for this soil association is undefined.

18 **Cochetopa-Antrobus association, 12 to 25% slope:** Cochetopa-Antrobus association is a composition of soils consisting of Cochetopa and Antrobus soils. Cochetopa soils originate from alluvium derived from basalt. This soil type is typically positioned on fans and/or mountains. The land capability class is VIe non-irrigated. The available water capacity is high and this soil type is well drained. The ecological site is subalpine loam. Antrobus soils originate from alluvium derived from basalt and/or colluvium derived from basalt. This soil type is typically positioned on fans and/or mountains. The land capability class is VIIs non-irrigated. The available water capacity is low and this soil type is well drained. The ecological site is stony loam.

Additional soil reports are provided in Appendix E and include the following:

- *Soil (Type) Reports*
- *Farmland Classification*
- *Non-Irrigated Capability Class*
- *K Factor*
- *Drainage Class*
- *Flooding Frequency Class*
- *Ecological Site ID and Name*
- *Hydric Rating*
- *Range Productivity*
- *Available Water Supply*
- *Hydrologic Soil Group*

Some of these reports are summarized in Table 3 below.

Table 3. Summary of Soil Body Types.

SYMBOL	FARMLAND CLASSIFICATION	RANGE PRODUCTIVITY	RANGE SITE	K FACTOR	HYDRIC	DRAINAGE CLASS
10	Not prime farmland			.24		Well Drained
18	Not prime farmland	2,231	Subalpine Loam/Stony Loam	.20		Well Drained

Farmland Classification identifies map units as prime farmland, farmland of statewide significance, farmland of local importance or unique farmland. These classifications are assigned to soils that are best suited to food, feed, fiber, forage and oilseed crops.

Hydric soils are defined as soils that formed under conditions of saturation, flooding or ponding long enough during the growing season to develop anerobic conditions. These soils, under normal conditions, support the growth of hydrophytic vegetation.

Range Productivity is the amount of air dry vegetation produced by a soil in a normal year expressed in pounds per acre.

K Factor indicates the susceptibility of a soil to sheet and rill erosion by water. Values of K range from 0.02 to 0.69; higher values represent greater susceptibility to erosion.

Drainage Class refers to the frequency and duration of wet periods under conditions similar to those under which the soil formed.

(Ecological) Range Site is the product of environmental factors responsible for soil development, typified by species associations and total production.

Hydrology

Conservation of Windance Ranch will sustain hydrologic connectivity between wetlands, streams and lakes found throughout the Property and in the region. Preserving connectivity will provide valuable ecosystem services including flow regulation, water quality, aquatic biodiversity and habitat. Water resources on the Property have a significant impact on vegetation and wildlife habitat. Changes in soil type, elevation and aspect control subsurface water flow and water and nutrients available for vegetation. This allows for a higher diversity of vegetative communities throughout the Property indirectly providing a variety of habitat types for terrestrial and aquatic wildlife.

Garfield County encompasses nine different watersheds within the Colorado River Basin of the Upper Colorado water resource region. The Property lies within the 2,860-square-mile Colorado Headwaters Watershed. The Colorado Headwaters Watershed is one of six watersheds located within the Colorado River Basin of the Upper Colorado water resource region, which includes the drainage of the Colorado River Basin above the Lee Ferry compact point (one mile below the confluence with the Paria River) and the Great Divide closed basin. The Upper Colorado River Basin drains parts of Arizona, Colorado, New Mexico, Utah, and Wyoming.

> ***"…that area of land, a bounded hydrologic system, within which all living things are inextricably linked by there common water course and where, as humans settled, simple logic demand that they become part of a community."***
>
> -John Wesley Powell

Windance Ranch is located near the Flat Tops, a mountain range situated within the Routt National Forest and White River National Forest. Seasonal snow accumulation at high elevations in the Flat Tops contributes water to the Property. Water flows southeast into Riland Creek and Mason Creek which join Sweetwater Creek, which eventually drain southeast into the Colorado River near the Town of Sweetwater.

The Colorado River is the main drainage of the approximately 17,800-square-mile Upper Colorado River Basin. The Colorado River originates in Rocky Mountain National Park in central Colorado and flows 230 miles southwest into Utah before entering the Lower Colorado River Basin (USGS 2011). Most of the water supply for the Upper Colorado River Basin is stored in the annual snowpack until the spring temperatures initiate snowmelt, contributing runoff for water storage to supplement water demands through the growing season. Precipitation can range from 40 inches per year at high elevations near the eastern boundary of the basin to as little as 10 inches per year at lower elevations near the western portion of the basin (USGS 2011).

Historically, the Colorado River has supported a wide array of land use practices, from mining and trans-mountain diversions near the headwaters to industrial, agricultural, commercial and recreational purposes in the arid regions of the western United States.

Water augmentation and delivery systems have resulted in dewatering of the Colorado River, which no longer reaches the Colorado River Delta or the Gulf of California. Historical practices have contributed to the character of the river today. As population growth and urbanization continue to increase on the western slope of Colorado and downstream, land use practices will continue to threaten the health of the Colorado River, making it even more important to consider protection and preservation of this delicate resource in conservation planning.

The table below outlines the hydrologic unit system for the Property. The United States Geological Survey (USGS) established the hydrologic unit system in order to systematically classify the water resources of the United States into divided and sub-divided regions of successively smaller hydrologic units. The classification system is separated into four levels including: regions (largest), sub-regions, accounting units (basin), and cataloging units (smallest; sub-basin)). Each hydrologic unit has a hydrologic unit code (HUC) corresponding to four levels of classification. For more information on hydrologic units and access to hydrologic units maps visit the United States Geological Survey website (USGS 2011).

Table 4. Summary of hydrologic unit code classification system.

REGION	SUB-REGION	ACCOUNTING UNIT	CATALOGING UNIT	HYDROLOGIC UNIT CODE
Upper Colorado	Colorado Headwaters	Colorado Headwaters	Colorado Headwaters	14010001

Improvements

The Property has few encumbrances outside of the original homestead; there is a partial perimeter fence and there are three headgates as well as irrigation ditches, culverts, and access roads. There are four structures on the Property covering approximately 549 square feet. All structures have been photographically documented and inventoried in Appendix C. The Property contains several irrigation ditches. The General Reference Map in Appendix A illustrates some of these improvements. The Photo Point Map correlates the location of features with photographs provided in Appendix B. The General Reference Map correlates the location of the photographs of structures on the Property provided in Appendix C. Photo points that should be revisited each year are points 2, 4, 5, 11, 19, 20, 23, 26, 32, 33 and 34.

LAND AND RESOURCE USE

Historic Land Use

Garfield County is located in the plateau and canyon country of western Colorado. The earliest inhabitants were the Ute Indians, and the land was theirs by treaty until April 12, 1880, when they were removed to reservations. Although explorers, missionaries, miners, and a few settlers had already visited the area of Garfield County, the main influx of settlers began to arrive and towns were founded beginning in 1880. The county has a ranching and farming heritage, and today tourism is also important. The towns in Garfield County are located along the Colorado and Roaring Fork Rivers in the eastern portion of the county, while much of the western portion has only a few roads and fewer inhabitants.

Current Land Use

Prior to Mr. Blanchard purchasing the Ranch it had been used primarily for hunting, fishing and hay production for the last 16 years. Current land use includes recreational hunting and fishing, grazing and hay production. Hay production occurs on the western parcel. Forestry activities do not occur on the Property. The Property is 58% forest, 25% irrigated hay meadow, 15% open rangeland and 2% open water. All of the land is and has been used for agricultural purposes. Few disturbances to ecological communities have occurred on the Property; soil was displaced when the various stock ponds and irrigation ditches were constructed and habitat was fragmented when the homestead was constructed but the vegetation has long since recovered from these disturbances. The current and former landowners have indicated that herbicides have been used on the Property. Surrounding lands are owned by the United States Forest Service, Bureau of Land Management or private landowners. Portions of adjacent lands have been platted for subdivision into large lots which could negatively affect wildlife habitat, connectivity and local agricultural productivity. Other private lands are primarily used for rangeland or in public ownership so adjacent land uses are congruent with stated conservation values associated with this Property. Pesticide use has been minimal in the past and debris dumps were not observed. The only disturbances observed on the Property were associated with agricultural activity, irrigation and access roads.

Water Rights

Water rights are associated with the Property, one percent of which are being conveyed in the first phase and an additional four percent will be conveyed in the second phase. The following description of water rights is also provided in the Deed of Conservation Easement. Water rights include all of seller's interest in the Baer Ditch, Priority 332, decreed in Case No. CA1123; the Baer Ditch 1st Enlargement, decreed in Case No. 90CW329; Aspen Lake, decreed in Case No. 90CW328; and an undivided 1% of seller's interest in the water rights managed by the Four Creek Ditch Company.

CONSERVATION VALUES

Relatively Natural Habitat

This easement consists of 227 acres and contains a variety of habitats including Rocky Mountain aspen forest and woodland, inter-mountain basins montane sagebrush steppe, and Rocky Mountain subalpine-montane riparian shrubland.

High elevation meadows interspersed with mature aspen stands and open water will be heavily utilized by large ungulates such as deer and elk.

The riparian zones associated with Mason Creek and four acres of open water provide tremendous value to wildlife. In Colorado habitats associated with rivers, streams, and lakes, have the highest wildlife species richness and density and are used by over 429 of the 680 vertebrate wildlife found in Colorado (CDOW Composite Map of Significant Wildlife Habitat, Park County, April 2004).

Although livestock were present on the Property during the site visit, rangelands appeared to be in excellent condition. These range sites consisted of an extremely diverse native flora that is capable of sustaining healthy populations of wildlife and increasing biodiversity on the Property. Invasive species are minimal.

Elk (*Cervus elaphus*) habitat can be found throughout the Property. The Colorado Division of Wildlife has designated the Property as Winter Range with Winter Concentration Areas (WCA) occurring adjacent to the Property. The designation of WCA indicates the range of a species where densities are at least 200% greater than the surrounding winter range density during the same period and used to define winter range in the average five winters out of ten (CDOW). Windance Ranch also lies within the overall range for mule deer (*Odocoileus hemionus*). Winter concentration areas are located just east of the Property boundary, and a critical migration corridor exists across the southern parcel. A conservation easement on the Windance Property will protect this critical migration corridor. The Property also falls within the overall range for bighorn sheep (*Ovis canadensis*), a charismatic species found in Colorado's most rugged mountains.

Habitat connectivity within the region is excellent as most of the land surrounding the Property is either privately owned or managed by natural resource agencies such as the

Bureau of Land Management (BLM) or United States Forest Service (USFS). The White River National Forest encompasses 2.3 million acres within Eagle, Pitkin, Garfield, Summit, Rio Blanco, Mesa, Gunnison, Routt, and Moffat counties and provides recreational opportunities and habitat for a diverse range of wildlife. The Flattops Wilderness Area is truly unique. Representing Colorado's second largest wilderness area it provides 235,214 acres of high, relatively flat, and extremely wild terrain. There are upwards of 110 trout-laden lakes in this region with most being unnamed.

Wildlife

Ranging in elevation from 4,898 to 12,378 feet, Garfield County provides wildlife with an extremely diverse range of habitat. Windance Ranch represents everything a historic Colorado mountain ranch should. With its rich history, aesthetic beauty, and tremendous value to wildlife and people alike, this Property is truly unique. Although improvements have been made, most of the Property remains in its natural state providing wildlife with tremendous value critical to their wellbeing. Wildlife habitat value is enhanced by two ponds which are a perennial source of water and further diversify the range of existing habitats on the Property. that provide Wildlife Maps in Appendix A illustrate potential habitat for wildlife species; a comprehensive list of these species, their probability of occurrence and their abundance is provided in Appendix E.

Figure 5. Ponds are found throughout the Property and provide wildlife with tremendous value.

Threatened and Endangered Species

Garfield County provides habitat for 25 special status species (NDIS, n.d.). Included in this category are federal candidate, federally endangered, state endangered, state threatened and state species of special concern. A list of these species and their status is provided in Appendix F.

Game Species

Garfield County supports 45 game species including big game, furbearer, small game bird, small game mammal, and other game species (NDIS, n.d.). A list of these species is

provided in Appendix F. According to the Colorado Division of Wildlife, the Property falls within Game Management Units 25 and S59.

Habitat Assessment

To document the distribution of species that may inhabit the Property, an assessment was conducted with spatial techniques for focal species such as special-status species and economically important species. This assessment included reviewing the Wildlife Resource Information Source (WRIS). Focal species that are most likely to utilize the area are discussed below, a map of elk and deer distribution is provided in Appendix A. Discussions are based on information from the Natural Diversity Information Source (http://ndis.nrel.colostate.edu/index.html) retrieved on July 27, 2011.

American Elk (CDOW Big Game, CDOW WRIS Species) – In Colorado the species ranges throughout the western two-thirds of the state generally at elevations above 1,800 m (6,000 ft). Habitat includes semi-open forests or forest edges adjacent to parks, meadows, and alpine tundra. Diet includes grasses, shrubs, and forbs. Elk sightings are frequent on the Property and are usually limited to summer or transitional months.

Bighorn Sheep (CDOW Big Game, CDOW WRIS Species) – Bighorn sheep prefer high-visibility habitat dominated by grass, low shrubs, and rock cover, areas near open escape terrain, and topographic relief. In part because of impacts imposed by humans, they typically occur only on steep, precipitous terrain, although a number of herds in the state have become habituated to areas adjacent to busy highways.

Black Bear (CDOW Big Game, CDOW WRIS Species) – Black bears are omnivorous and their diet depends largely on what kinds of food are seasonally available, although their mainstay is vegetation. In spring, emerging grasses and succulent forbs are favored. In summer and early fall, bears take advantage of a variety of berries and other fruits. In late fall, preferences are for berries and mast (acorns), where available. When the opportunity is present, black bears eat a diversity of insects, including beetle larvae and social insects (ants, wasps, bees, termites, etc.), and they kill a variety of mammals, including rodents, rabbits, and young or unwary ungulates. They are common visitors throughout the Property and have potential for high human conflict.

Boreal Toad (State Endangered) – The boreal toad typically lives in damp conditions in the vicinity of marshes, wet meadows, streams, beaver ponds, glacial kettle ponds, and lakes interspersed in subalpine forest (lodgepole pine, Englemann spruce, subalpine fir, and aspen). They eat a wide variety of invertebrates, including grasshoppers, various beetles, mosquitoes, crane flies, stink bugs, damsel bugs, water striders, backswimmers, alderflies, moths/caterpillars, black flies, deer flies, muscid flies, ants, wasps, bees, mites, daddy longlegs, spiders, and snails.

Mountain Lion (CDOW Big Game, CDOW WRIS Species) – Habitat consists mostly of rough, broken foothills and canyon country, often in association with montane forests, shrublands, and piñon-juniper woodlands. Mountain lions prey mainly on deer in North America and also take elk and moose. In some situations they prey on mice, ground squirrels, beavers, rabbits, porcupines, and domestic livestock. Other carnivores, including raccoons, bobcats, and gray fox, also are eaten, especially in winter. Some insects are eaten as well as birds, fish, and berries.

Mule Deer (CDOW Big Game, CDOW WRIS Species) – Mule deer occupy all ecosystems in Colorado from grasslands to alpine tundra. They reach their greatest densities in shrublands on rough, broken terrain, which provide abundant browse and cover. Winter diets of consist of a variety of trees and shrubs (74 percent) and forbs (15 percent). Summer diets are 50 percent browse, and forb consumption increases to 46 percent. Mule deer are common throughout the Property and population levels are particularly high during summer months.

Vegetation

The Rocky Mountains of Colorado support a temperate semi-arid steppe climate. Characteristic vegetation occurs in zones controlled by a combination of altitude, latitude, direction of prevailing winds, and slope exposure.

The Property supports large stands of aspen trees.

To further characterize the vegetation on the Property, community types were aligned with those established in the Colorado Vegetation Classification Project (CVCP, 2003). The CVCP is an interagency, cooperative effort by the Colorado Division of Wildlife, Bureau of Land Management and U.S. Forest Service to provide a landscape-level vegetation dataset for the State of Colorado. Community types were digitized at a scale of 1:5,000 to create the Vegetation Map in Appendix A.

The Property contains six community types according to the CVCP scheme, which result from topographic or cultural influences. A basic discussion of all these communities and their distribution on the Property is provided below. Map symbols are provided on the left to correlate discussions with map units and the CVCP classification scheme.

Aspen (128.8 acres) – This community type is comprised of upland forests and woodlands dominated by quaking aspen (*Populus tremuloides*). The understory

structure may be complex with multiple shrub and herbaceous layers or simple with just an herbaceous layer. The herbaceous layer may be dense or sparse, dominated by grasses or forbs. Associated shrub species include snowberry, thimbleberry (*Rubus parviflorus*), and Saskatoon serviceberry (*Amelanchier alnifolia*). Other shrub species observed on the Property include willow (*Salix* spp.), redosier dogwood (*Cornus sericea*), alder (*Alnus* spp.), currant (*Ribes* spp.), rabbitbrush (*Chrysothamnus* spp.), Gambel oak (*Quercus gambelii*), and broom snakeweed (*Gutierrezia sarothrae*). Characteristic forb species observed on the Property include monkshood (*Aconitum* spp.), bluebells (*Mertensia* spp.), tarragon (*Artemisia dracunculus*).

Herbaceous Riparian (5.2 acres) – This community type occurs in non-woody riparian areas consisting primarily of sedges. This system often occurs as a mosaic of several plant associations, often dominated sedges (*Carex* sp.) and grasses, including slimstem reedgrass (*Calamagrostis stricta*), white marsh marigold (*Caltha leptosepala*), heartleaf bittercress (*Cardamine cordifolia*), tufted hairgrass (*Deschampsia cespitosa*), fewflower spikerush (*Eleocharis quinqueflora*), and Drummond's rush (*Juncus drummondii*).

Sagebrush/Mesic Mountain Shrub Mix (28.5 acres) – This community type is often found at the higher elevations of the sagebrush zone, on north facing slopes, in basins, or on other mesic sites and occurs in areas consisting of mountain big sagebrush (*Artemisia tridentata*) and any combination of mountain snowberry (*Symphoricarpos oreophilus*), roundleaf snowberry (*Symphoricarpos rotundifolius*), Utah serviceberry (*Amelanchier utahensis*), Saskatoon serviceberry (*Amelanchier alnifolia*), wild crab apple (*Peraphyllum ramosissimum*), antelope bitterbrush (*Purshia tridentata*), often with a grass/forb understory. Understory species may include, among others, Geyer's sedge (*Carex geyeri*), bluegrass (*Poa* sp.), needlegrass (*Achnatherum* sp.), arrowleaf balsamroot (*Balsamorhiza sagittata*), lupines (*Lupinus* sp.), penstemons (*Penstemon* sp.), Indian paintbrush (*Castilleja* sp.), and mariposa lily (*Calochortus* sp.). Other grass and forb species observed on the Property include timothy (*Phleum* spp.), redtop (*Agrostis* spp.), mountain brome (*Bromus marginatus*), orchard grass (*Dactylis glomerata*), yellow sweetclover (*Melilotus officinalis*), yarrow (*Achillea millefolium*), vetch (*Vicia* spp.) and sulphur-flower buckwheat (*Eriogonum umbellatum*).

Spruce/Fir/Aspen Mix (3.5 acres) – This community type consists of mixed deciduous/coniferous forest co-dominated by Englemann spruce (*Picea engelmannii*), sub-alpine fir (*Abies lasiocarpa*) and quaking aspen. Associated conifers include white fir (*Abies concolor*) and Douglas fir (*Pseudotsuga menziesii*).

Standing Water (4.1 acres) – This community type is comprised of lakes and reservoirs.

Noxious Weeds

Noxious weeds are invasive plants that have been introduced to native ecosystems either intentionally or accidentally and that are capable of displacing native vegetation thereby lowering site productivity and value. Noxious weed lists are maintained by federal, state, or local management agencies. The Colorado Noxious Weed Act of 1990 requires landowners to manage noxious weeds if those weeds are likely to impact neighboring lands (CNAP 2002). Noxious weeds observed on the Property include Canada thistle (*Cirsium arvense*), musk thistle (*Carduus nutans*), butter and eggs (*Linaria vulgaris*), houndstonguue (*Cynoglossum officinale*) and common mullein (*Verbascun thapsus*).

Wetlands

Wetlands provide a number of ecosystem services, they dissipate stream energy associated with high water flows thereby reducing erosion and improving water quality, filter sediment, capture bedload and aid floodplain development, improve floodwater retention and groundwater recharge, and support greater biodiversity as most of the wildlife species that occur within Colorado depend upon wetlands at some point in their lifecycle. Wetlands are a valuable resource in any landscape as they contribute to public and environmental health. The National Wetlands Inventory Mapper 2011 (established by the United States Fish & Wildlife Service) was used to identify the type of wetlands on ranch. A discussion of these wetland types is provided below and the code description was obtained from the National Wetlands Inventory. A Wetlands Map is provided in Appendix A. (Note that date of wetland mapping was not provided for the National Wetland Inventory data.)

PABG The Palustrine (**P**) System includes all non-tidal wetlands comprised of vegetation consisting of trees, shrubs, emergents, mosses or lichens. Wetlands not containing these vegetative types still qualify for this classification if they display all of the following characteristics:

- Consist of less than 8 hectares (20 acres)
- Do not have an active wave-formed or bedrock shoreline feature
- Low water at depths less than 2 meters (6.6 feet) in the deepest part of the basin
- Salinity due to ocean-derived salts of less than 0.5 ppt

Tidal wetlands are also included in this classification when salinity concentrations, derived from oceans, are 0.5 ppt or less. This wetland type is part of the Aquatic Bed (**AB**) Class, which experiences plant populations that grow near the surface of the water or below for majority of the growing season. The water regime for this wetland type is Intermittently Exposed (**G**), which means surface water is present throughout the year except in years of extreme drought.

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- Do not have an active wave-formed or bedrock shoreline feature
- Low water at depths less than 2 meters (6.6 feet) in the deepest part of the basin
- Salinity due to ocean-derived salts of less than 0.5 ppt

Tidal wetlands are also included in this classification when salinity concentrations, derived from oceans, are 0.5 ppt or less. This wetland type is part of the Aquatic Bed (**AB**) Class, which experiences plant populations that grow near the surface of the water or below for majority of the growing season. The water regime is Intermittently Exposed (**G**) meaning that surface water is present throughout the year except for year of extreme drought. Man-made structures, including barriers and dams, used to control inflow or outflow of water categorized this wetland with a special modifier, Diked/Impounded (**h**).

R3UBG The Riverine System (**R**) includes all wetlands and deepwater habitats contained in natural or artificial channels periodically or continuously containing flowing water or which forms a connecting link between the occur in the channel, but they are not part of the Riverine System. Part of the Upper Perennial subsystem (**3**), this wetland can be characterized by a high gradient and fast water velocity. The dominant substrate consists of gravel, cobble and rock mixed with sand. Due to the high gradient there is little floodplain development.

Part of the Unconsolidated Bottom (**UB**) class, these wetlands include all wetlands and deepwater habitats with at least 25% cover of particles smaller than stones (less than 6-7 cm), and a vegetative cover less than 30%. The water regime is Intermittently Exposed (**G**) meaning that surface water is present throughout the year except for year of extreme drought.

PEMB The Palustrine (**P**) System includes all non-tidal wetlands comprised of vegetation consisting of trees, shrubs, emergents, mosses or lichens. Wetlands not containing these vegetative types still qualify for this classification if they display all of the following characteristics:

- Consist of less than 8 hectares (20 acres)
- Do not have an active wave-formed or bedrock shoreline feature

- Low water depths of less than 2 meters (6.6 feet) in the deepest part of the basin
- Salinity due to ocean-derived salts of less than 0.5 parts per thousand (ppt)

Tidal wetlands are also included in this classification when salinity concentrations are 0.5 ppt or less. Part of the Emergent (**EM**) Class, these wetlands are comprised primarily of perennial vegetation characterized by erect, rooted, herbaceous hydrophytes. Mosses and Lichens are excluded from these wetlands. The water regime for this wetland type is Saturated (**B**), which means the substrate is saturated to surface for extended periods during the growing season, but surface water is seldom present.

PSSA The Palustrine (**P**) System includes all non-tidal wetlands comprised of vegetation consisting of trees, shrubs, emergents, mosses or lichens. Wetlands not containing these vegetative types still qualify for this classification if they display all of the following characteristics:

- Consist of less than 8 hectares (20 acres)
- Do not have an active wave-formed or bedrock shoreline feature
- Low water depths of less than 2 meters (6.6 feet) in the deepest part of the basin
- Salinity due to ocean-derived salts of less than 0.5 parts per thousand (ppt)

Tidal wetlands are also included in this classification when salinity concentrations are 0.5 ppt or less. Part of the Shrub-Shrub (**SS**) Class, these wetlands include areas dominated by woody vegetation less than 6 m (20 feet) tall. The species include true shrubs, young trees (saplings), and trees or shrubs that are small or stunted because of environmental conditions. The water regime for this wetland type is Temporarily Flooded (**A**), which means surface water is present for brief periods during growing season, but the water table usually lies well below the soil surface for most of the growing season. Plants that grow both in uplands and wetlands may be characteristic of this water regime.

PSSB The Palustrine (**P**) System includes all non-tidal wetlands comprised of vegetation consisting of trees, shrubs, emergents, mosses or lichens. Wetlands not containing these vegetative types still qualify for this classification if they display all of the following characteristics:

- Consist of less than 8 hectares (20 acres)
- Do not have an active wave-formed or bedrock shoreline feature
- Low water depths of less than 2 meters (6.6 feet) in the deepest part of the basin

- Salinity due to ocean-derived salts of less than 0.5 parts per thousand (ppt)

Tidal wetlands are also included in this classification when salinity concentrations are 0.5 ppt or less. Part of the Shrub-Shrub (**SS**) Class, these wetlands include areas dominated by woody vegetation less than 6 m (20 feet) tall. The species include true shrubs, young trees (saplings), and trees or shrubs that are small or stunted because of environmental conditions. The water regime for this wetland type is Saturated (**B**), which means the substrate is saturated to surface for extended periods during the growing season, but surface water is seldom present.

Wetland Inventory findings are presented below in Table 2.

Table 2. Summary of Wetland types.

SYMBOL	SYSTEM	SUB-SYSTEM	CLASS	SUB-CLASS	WATER REGIME	MODIFIER(S)
PABF	Palustrine	-	Aquatic Bed	-	Semi-permanently Flooded	-
PABGh	Palustrine	-	Aquatic Bed	-	Intermittently Exposed	Diked/ Impounded
R3UBG	Riverine	Upper Perennial	Unconsolidated Bottom	-	Intermittently Exposed	-
PEMB	Palustrine	-	Emergent		Saturated	-
PSSA	Palustrine	-	Shrub-Shrub	-	Temporarily Flooded	-
PSSB	Palustrine	-	Shrub-Shrub	-	Saturated	-

Potential Conservation Areas

According to the Colorado Natural Heritage Program Potential Conservation Areas do not exist on the Property. There is however a B2 (Very High Biodiversity Significance) area located just to the southwest and a B3 (High Biodiversity Significance) area to the northwest. A map of these areas is provided in Appendix A.

Open Space

Land adjacent to the Property is privately owned or owned by the United States Forest

Service. Other local landowners include the Bureau of Land Management. The 3,100-acre Hack Lake Special Recreation Area is located about one mile northwest of the Property and provides hunting, fishing and camping opportunities. The Deep Creek Trail is five miles south of the Property and provides hiking opportunities. Nearby landowners are shown on the Land Ownership Map provided in Appendix A.

Significant Public Benefit

Garfield County encompasses approximately 2,958 square miles. The population of Garfield County is approximately 56,298 with a density of 19 people per square mile; the population has increased about 28 percent since 2000. Garfield County's main industries are energy development, tourism, ranching and farming. In 2009, government services, construction and retail trade employed the most people.

According to the Garfield County Comprehensive Plan 2030, "the vast majority of the county is either under federal jurisdiction or extremely remote and virtually inaccessible due to terrain constraints. The remaining area, which is subject to the most development pressure, is also the most accessible and visible part of the county. If the level of projected growth materializes over the next 20 years, how it develops will have a dramatic impact on the quality of life of its residents, and the fiscal well-being of its government."

Conservation of this property is consistent with local, public conservation initiatives. The Garfield County Comprehensive Plan 2030 outlines the county's goals of promoting the continuation and expansion of agricultural uses, preserving a significant rural character in the county, and preserving and visual corridors in the county. The plan also emphasizes the county's goals of ensuring that natural, scenic, ecological, and critical wildlife habitat resources are protected and/or impacts mitigated.

Located within Game Management Unit 25 and Unit S59, the Property can provide habitat for many of Colorado's high-value species, including elk, mule deer, black bear (*Ursus americanus*), mountain lion (*Felis concolor*) and bighorn sheep. Due to the Property's close proximity to over 1 million acres of public land in the White River National Forest and Flattops Wilderness Area, populations of these game species will likely increase during hunting seasons as they are pressured off of public land and onto the safety of the Property. In 2010, 2,100 hunters spent 10,098 recreation days in the Game Management Unit 25 and harvested 424 elk. Sheep hunts are extremely limited in the region with only 2 hunting tags being issued. Last year one hunter spent eight days in the field and didn't harvest an animal.

Watershed conservation will ensure the health and protection of forests and wetlands providing valuable ecosystem services, including water purification, ground water and surface flow regulation, erosion control, and streambank stabilization. The importance of these services is improved water quality and quantity contributing to public and environmental health.

Development of the Property would degrade the scenic character of the landscape as it is situated near the top of a hill and is visible from many locations. Development would also fragment wildlife habitat and impair agricultural productivity.

Agriculture and Forestry

Agricultural conservation in Colorado is important because it provides for economic growth and food security for future food demands. The Property does not contain soils that support 'prime farmland;' however, there are soil types available that do support rangeland production. There are soils on the Property that are capable of producing approximately 2,231 pounds per acre of air-dried forage. Forests in Colorado provide significant benefit to the natural environment and the economy. Protection of Colorado's forest has far reaching benefits, as Colorado is a headwaters state with many downstream users relying on healthy forests upstream to maintain clean water. Conservation of the Property protects a variety of forest types including 3.5 acres of coniferous pine forests and 128.8 acres of deciduous aspen forests and woodlands. Agricultural values are supported by water rights as documented herein.

Scenic

Scenic resources, as defined by Scenic America, are "*the visual attributes of landscape that include features having natural, cultural, social, historic, archaeological, and recreational significance; and views that are distinctly characteristic of a region*" (Byers & Ponte 2005). The Internal Revenue Service Code §1.170A-14 expands the definition of "scenic" to include the preservation of open space for the scenic enjoyment of the general public. The IRS Code suggests the following factors be considered when evaluating scenic qualities of a landscape:

1. The compatibility of the land use with other land in the vicinity;
2. The degree of contrast and variety provided by the visual scene;
3. The openness of the land (which would be a more significant factor in an urban or densely populated setting or in a heavily wooded area);
4. Relief from urban closeness;
5. The harmonious variety of shapes and textures;
6. The degree to which the land use maintains the scale and character of the urban landscape to preserve open space, visual enjoyment, and sunlight for the surrounding area;
7. The consistency of the proposed scenic view with a methodical state scenic identification program, such as a state landscape inventory; and

8. The consistency of the proposed scenic view with a regional or local landscape inventory made pursuant to a sufficiently rigorous review process, especially if the donation is endorsed by an appropriate state or local governmental agency.

The following factors apply to the assessment of scenic and open space resources:

- Land use on this Property is compatible with surrounding public and private lands, which consist of residential, recreational, agricultural, and open-space areas in a rural setting;
- Preservation of this Property will maintain a high degree of contrast and variety because various shapes and textures are present. These features include aspen forests, montane-subalpine grasslands, subalpine-montane riparian shrublands, coniferous forests, montane sagebrush steppe, mesic meadows, montane lakes, and other community types, with an undeveloped foreground;
- Ecotones, consisting of forests, wetlands, and riparian habitats, throughout the Property will maintain a variety of shapes and textures;
- The property can be viewed by the general public from the west, where it borders USFS land for approximately 1/2 mile, and from the east and southeast where it is in close proximity to BLM land. These viewpoints allow the general public to enjoy characteristic landscapes.

Historic

Garfield County has a total of 16 registered historic places as listed on the National Register. Most of these historic places are located within the Glenwood Springs vicinity, approximately 20 miles west of the Town of Dotsero. No National Register Historic Districts were identified for Garfield County. An old homestead is located on the Property and includes three buildings. See the Structure Inventory and Photos in Appendix C.

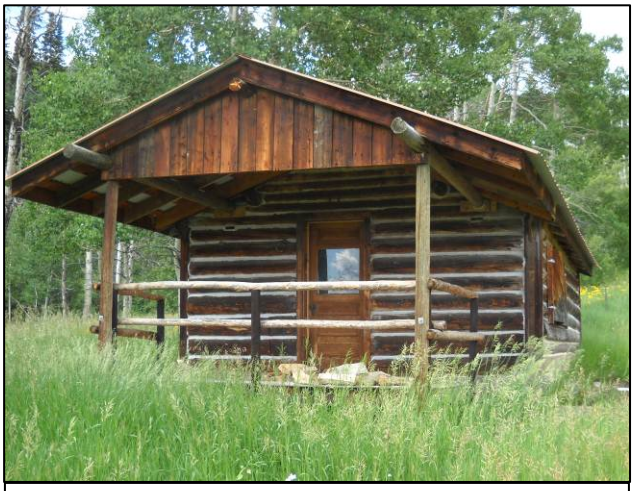


Figure 6. A homestead is located on the Property and includes three buildings.

Supporting Governmental Policies

The conservation purposes of this Deed are recognized by, and the grant of this Deed will serve, (without limitation) the following clearly delineated governmental conservation policies.

The Farmland Protection Policy Act, P.L. 97-98, 7 U.S.C. §§ 4201, *et seq*., whose purpose is "to minimize the extent to which Federal programs contribute to the unnecessary and irreversible conversion of farmland to nonagricultural uses, and to assure that Federal programs are administered in a manner that, to the extent practicable, will be compatible with State, unit of local government, and private programs and policies to protect farmland."

Internal Revenue Code (IRC) § 170(h) (4) supports the protection of a relatively natural habitat of fish, wildlife, or plants, or similar ecosystem. Section 170(h)(4)(A)(ii); *see also* § 1.170A-14(d)(1)(ii) and (3). A second permitted conservation purpose is the preservation of open space ("open space easement"), including farmland and forest land, for the scenic enjoyment of the general public or pursuant to a clearly delineated governmental conservation policy. Other permitted conservation purposes include preservation of land areas for outdoor recreation by, or the education of, the general public and preservation of a historically important land area or certified historic structure.

The Colorado Department of Agriculture statutes, Colorado Revised Statutes §§ 35-1-101, *et seq*., which provide in part that "it is the declared policy of the state of Colorado to conserve, protect, and encourage the development and improvement of its agricultural land for the production of food and other agricultural products."

The Colorado Department of Agriculture statutes, Colorado Revised Statutes §§ 35-3-101, *et seq*., which provide in part that "the soil resources and fertility of the land, and the … prosperity of the farming population…and the waters of the rivers are matters affected with a public interest."

The Colorado Wildlife and Parks and Outdoor Recreation statutes, Colorado Revised Statutes §§ 33-1-101, *et seq*., and §§ 33-10-101, *et seq*., which provide, respectively, that "it is the policy of the state of Colorado that the wildlife and their environment are to be protected, preserved, enhanced, and managed for the use, benefit, and enjoyment of the people of this state and its visitors" and that "it is the policy of the state of Colorado that the natural, scenic, scientific, and outdoor recreation areas of this state are to be protected, preserved, enhanced, and managed for the use, benefit, and enjoyment of the people of this state and visitors of this state."

Colorado Revised Statutes §§ 38-30.5-101, *et seq*., providing for the establishment of conservation easements to maintain land "in a natural, scenic, or open condition, or

for wildlife habitat, or for agricultural . . . or other use or condition consistent with the protection of open land, environmental quality or life-sustaining ecological diversity."

The Colorado Department of Transportation statutes, Colorado Revised Statutes §43-1-401, et seq., provide that the "preservation and enhancement of the natural and scenic beauty of this state" is a substantial state interest.

The Western Governors' Association Policy Resolution 08-21 supports "voluntary incentive-based methods for preserving open space, maintaining land and water for agricultural and timber production, wildlife and other values."

The voters of the State of Colorado, by creation of the Great Outdoors Colorado Trust Fund program, and by adopting and administrating grant applications and due diligence review processes, have established that it is the policy of the State of Colorado and its people to encourage donation and to fund the voluntary bargain sale and acquisition of conservation easements, among other things, to preserve, protect and enhance scenic and open space lands, agricultural lands, wildlife, and wildlife habitat.

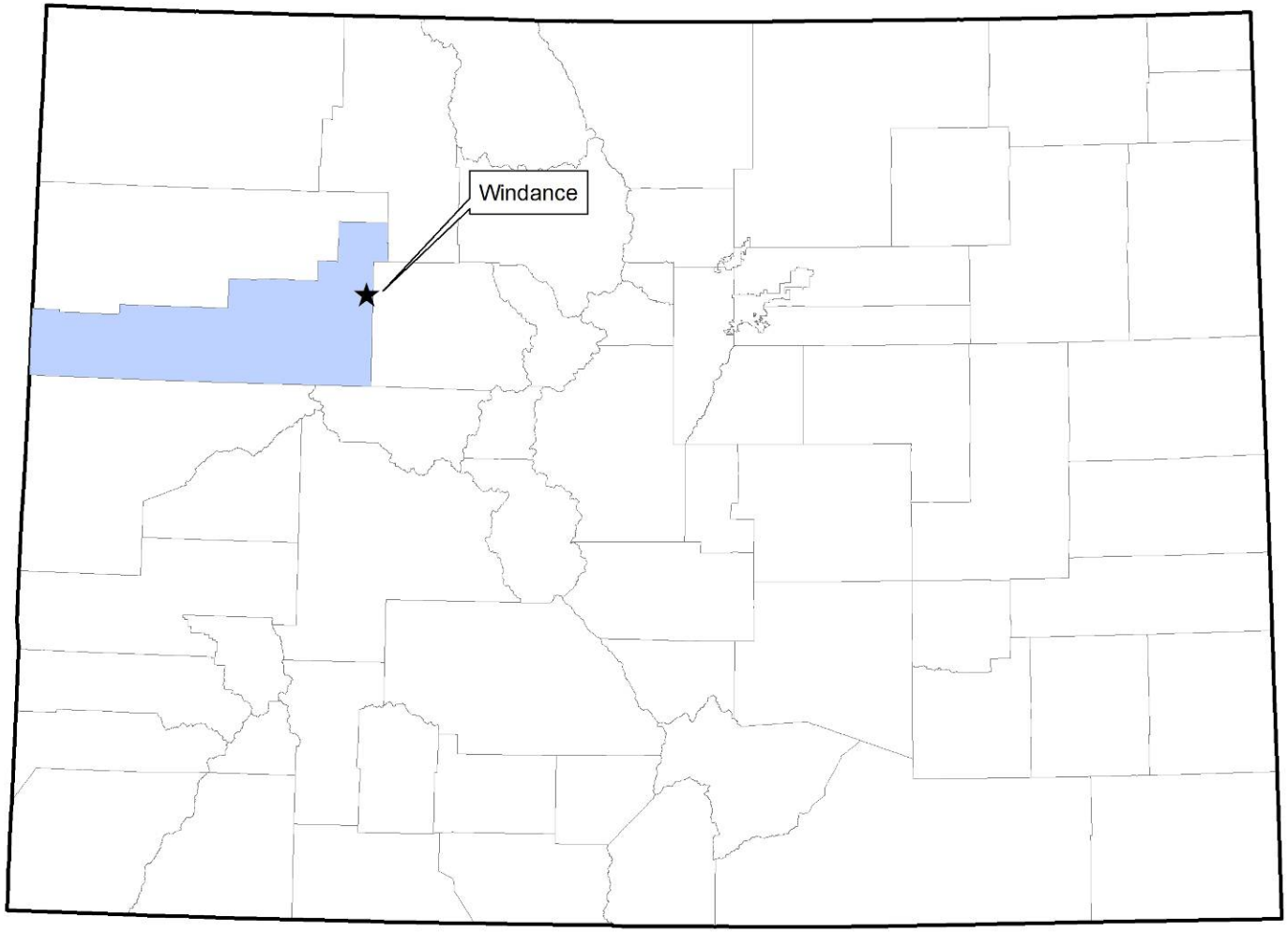
The North American Wetlands Conservation Act (16 U.S.C. §§ 4401 et seq.), the purposes of which are "to encourage partnership among public agencies and other interests (1) to protect, enhance, restore and manage an appropriate distribution and diversity of wetland ecosystems and habitats associated with wetland ecosystems and other fish and wildlife in North America; (2) to maintain current or improved distributions of wetland associated migratory bird populations; and (3) to sustain an abundance of waterfowl and other wetland associated migratory birds…"

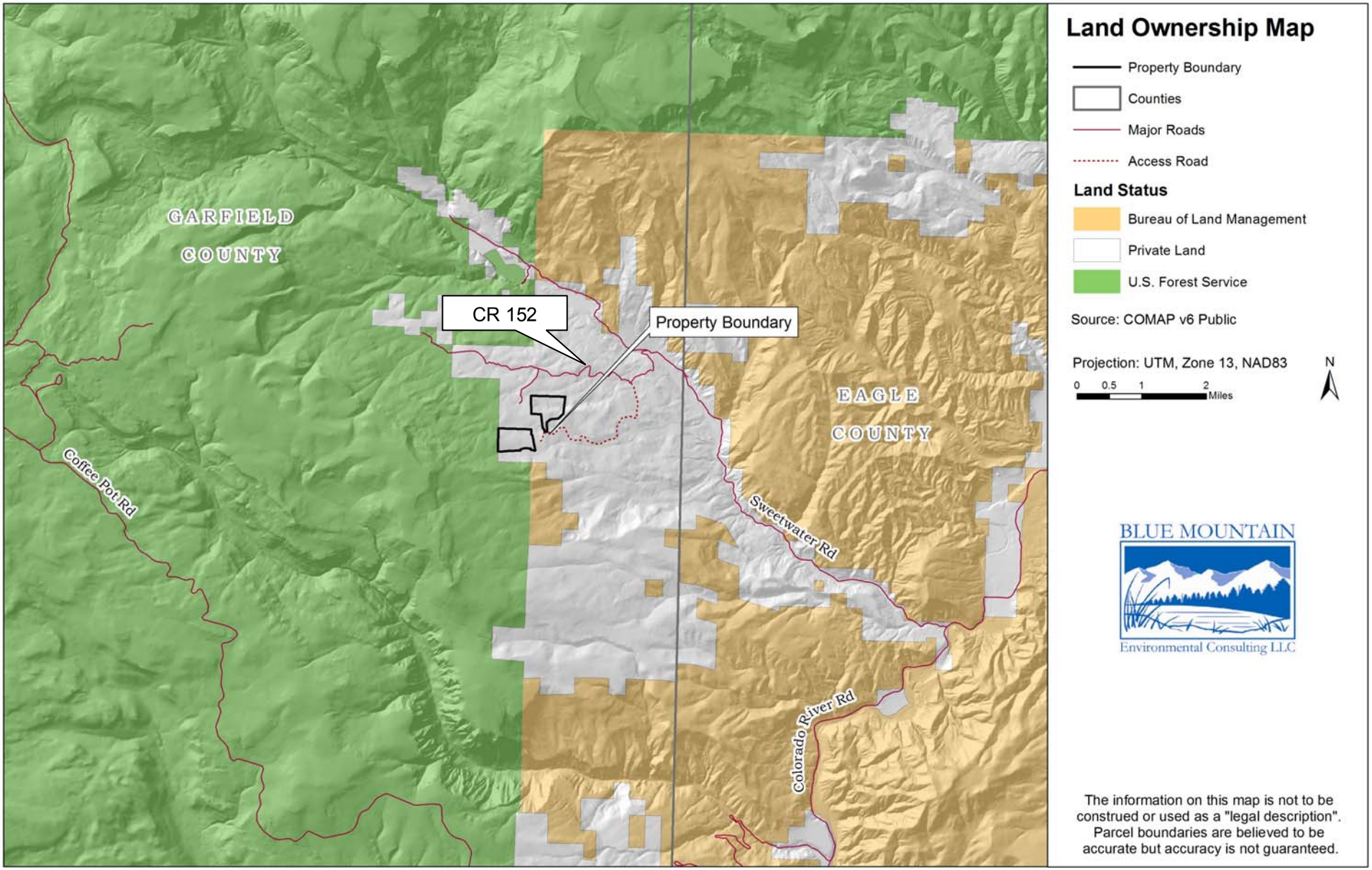
The North American Waterfowl Management Plan, signed in 1986 by the Canadian Minister of the Environment and the U.S. Secretary of the Interior, recognizes the need to recover waterfowl populations by restoring and managing wetland ecosystems; to conserve biological diversity in the western hemisphere; to integrate wildlife conservation with sustainable economic development; and to promote partnerships of public and private agencies, organizations and individuals for conservation. Canada, the United States, and Mexico are committed to the ongoing continental effort to restore North America's waterfowl and wetlands resources.

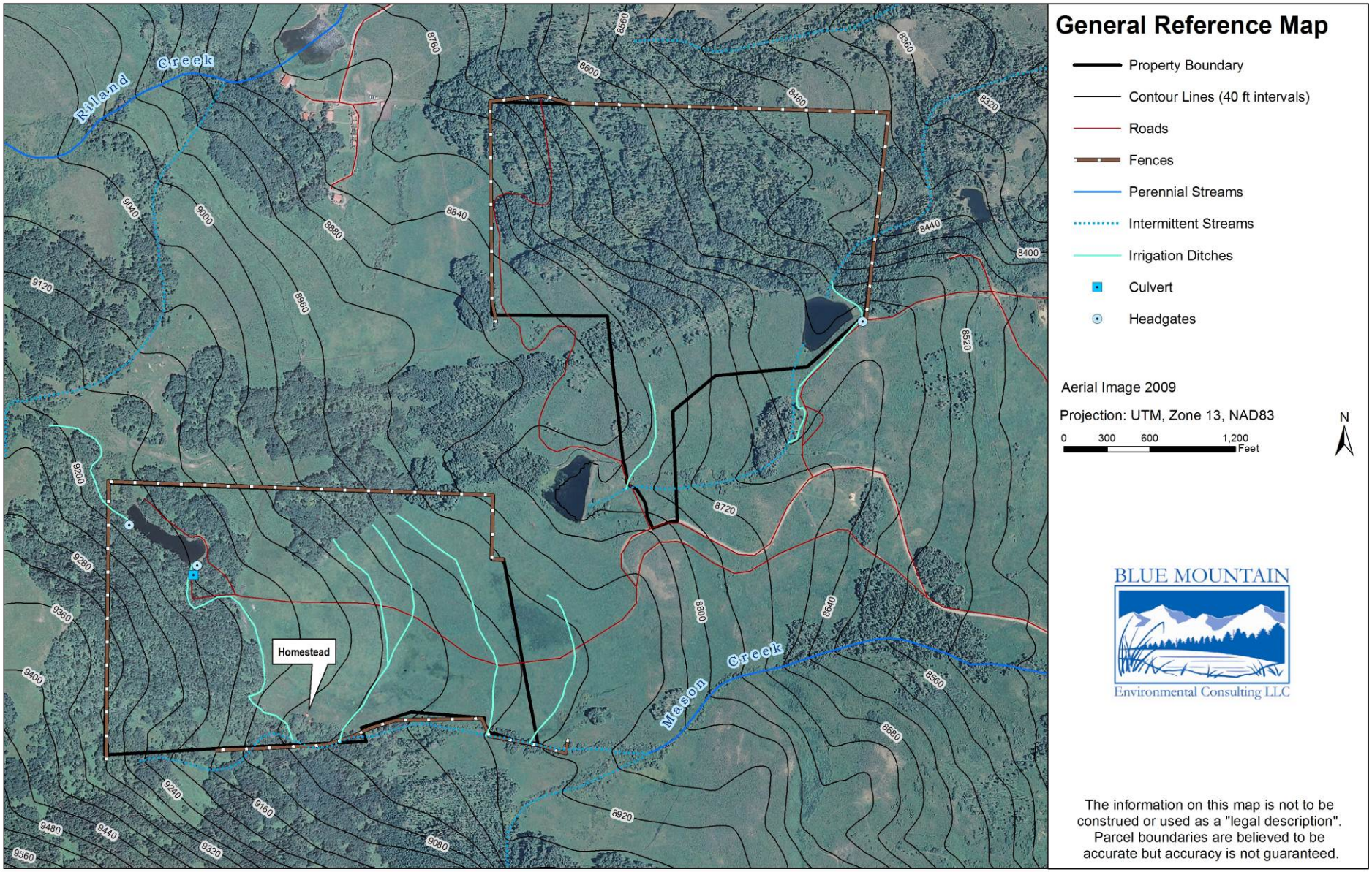
The Garfield County Comprehensive Plan 2030 outlines the county's goals of promoting the continuation and expansion of agricultural uses, preserving a significant rural character in the county, and preserving and visual corridors in the county. The plan also emphasizes the county's goals of ensuring that natural, scenic, ecological, and critical wildlife habitat resources are protected and/or impacts mitigated.

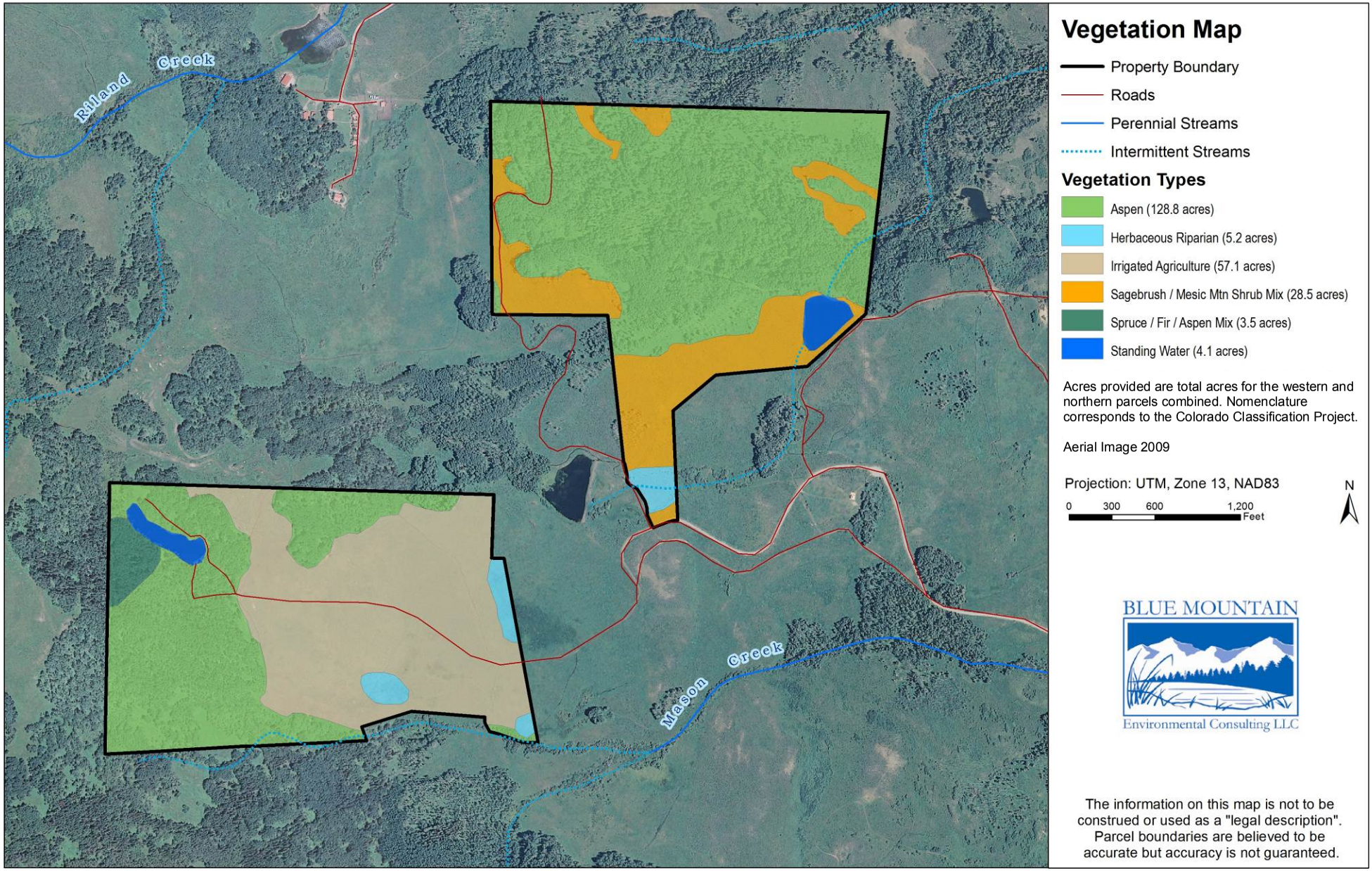
APPENDIX A:
PROJECT MAPS

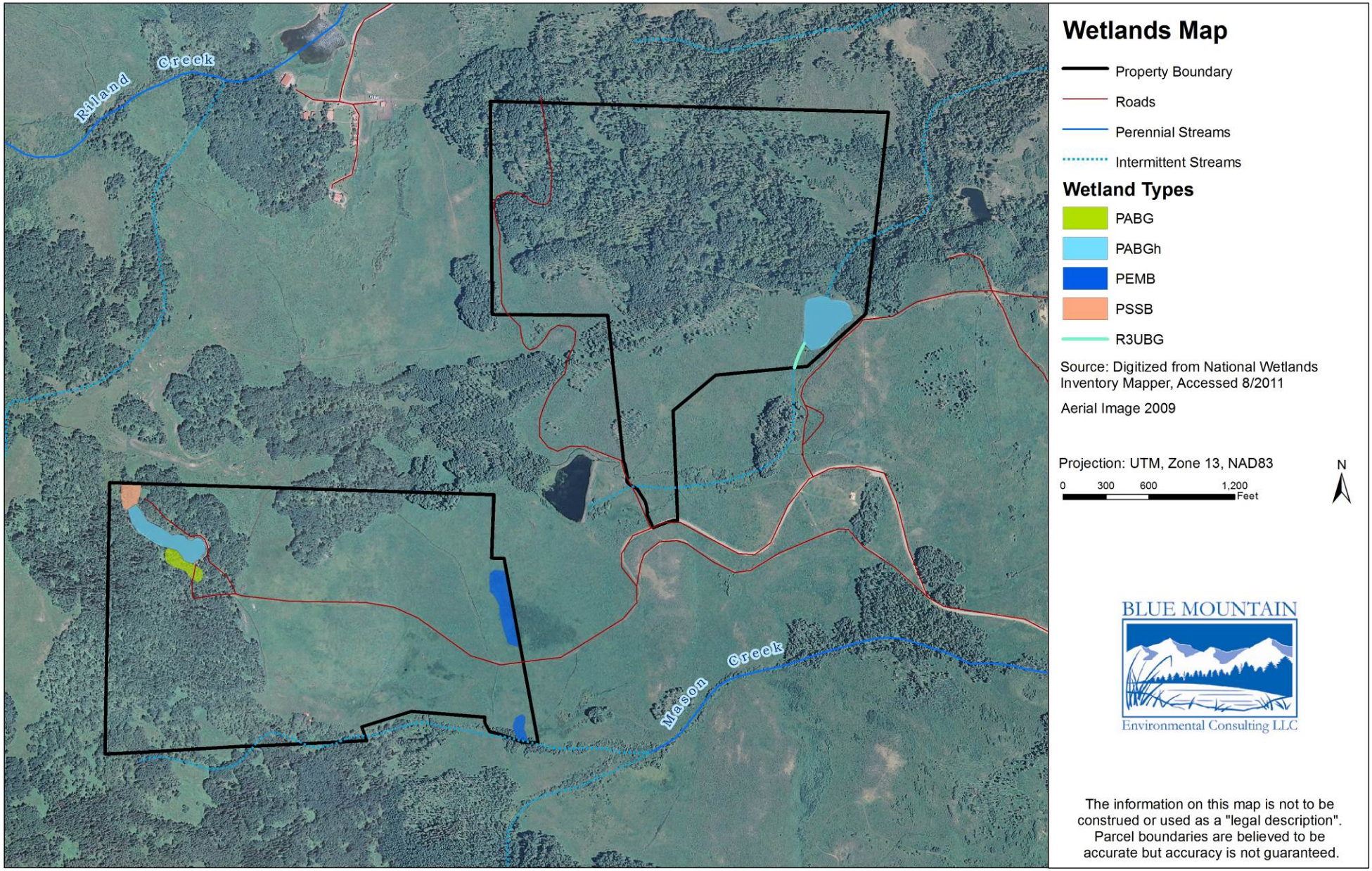
Location in Colorado

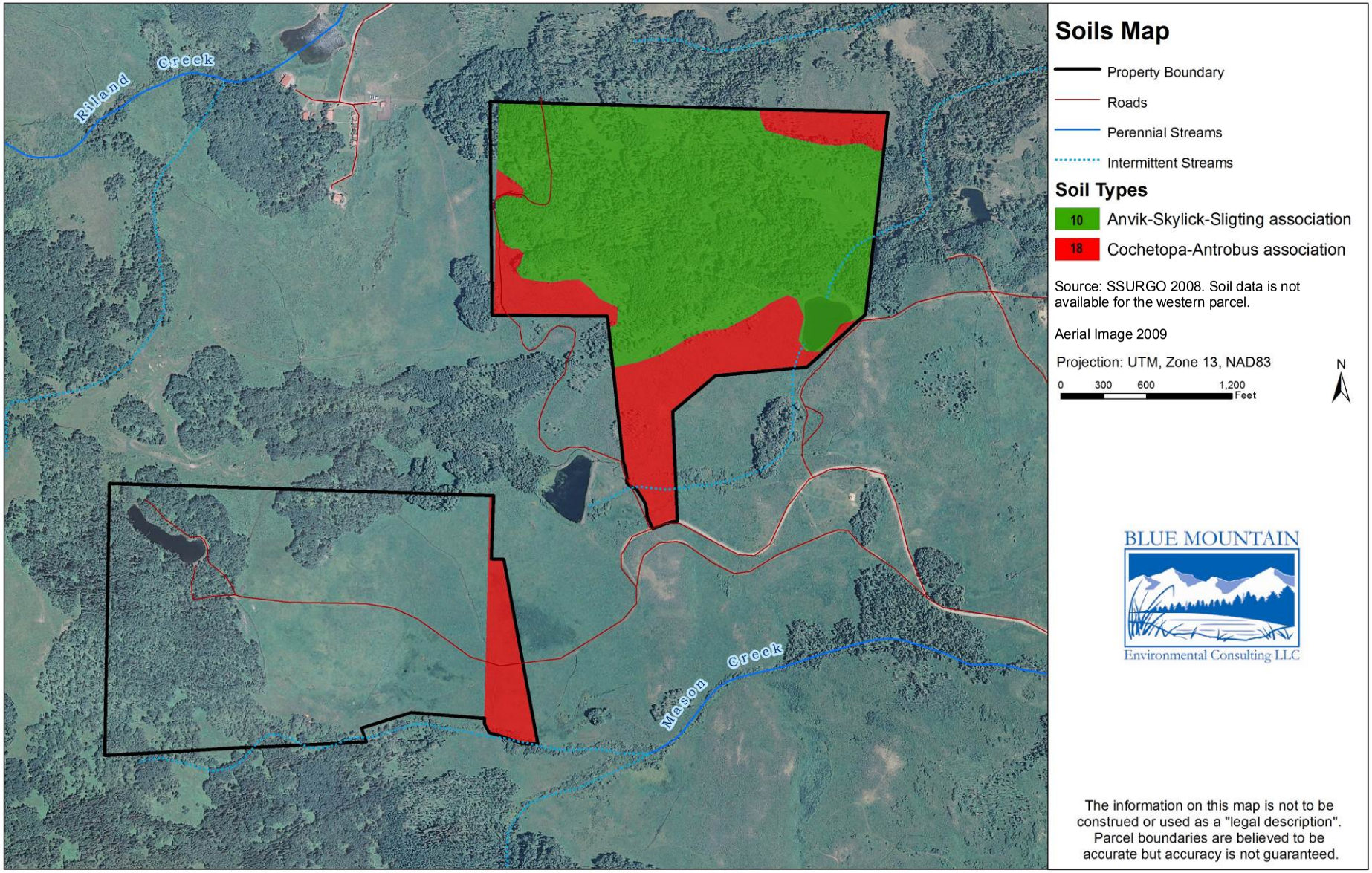


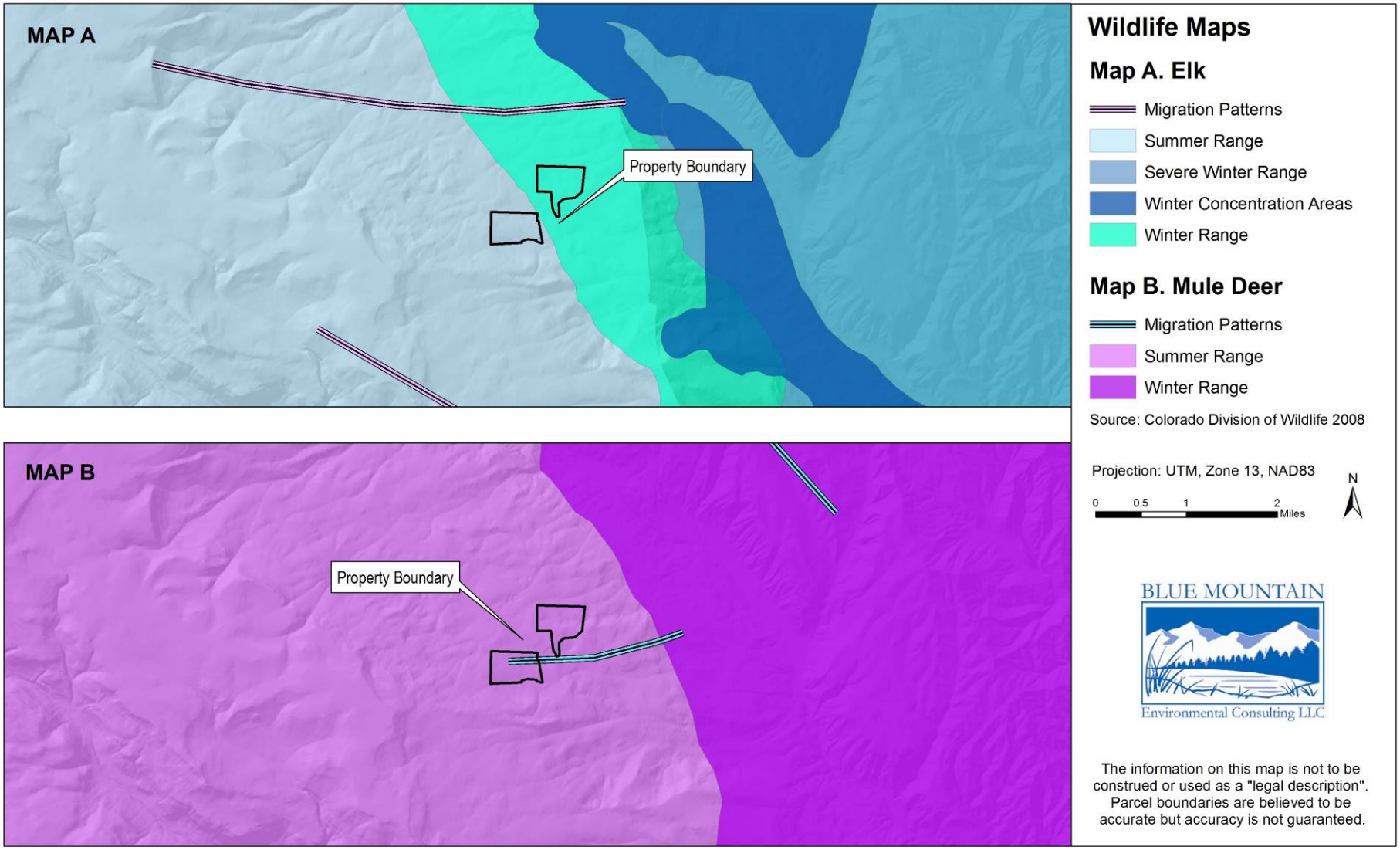












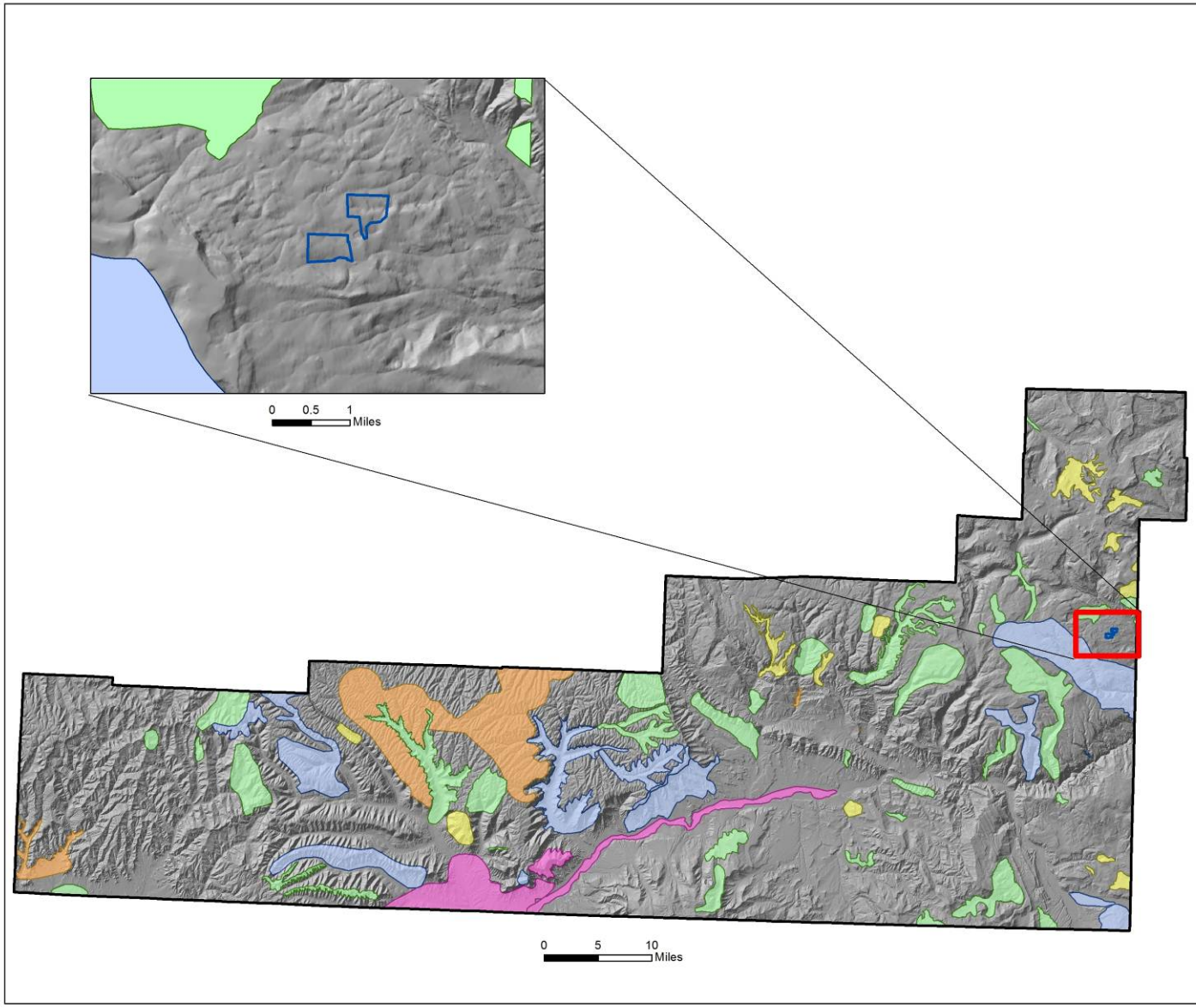
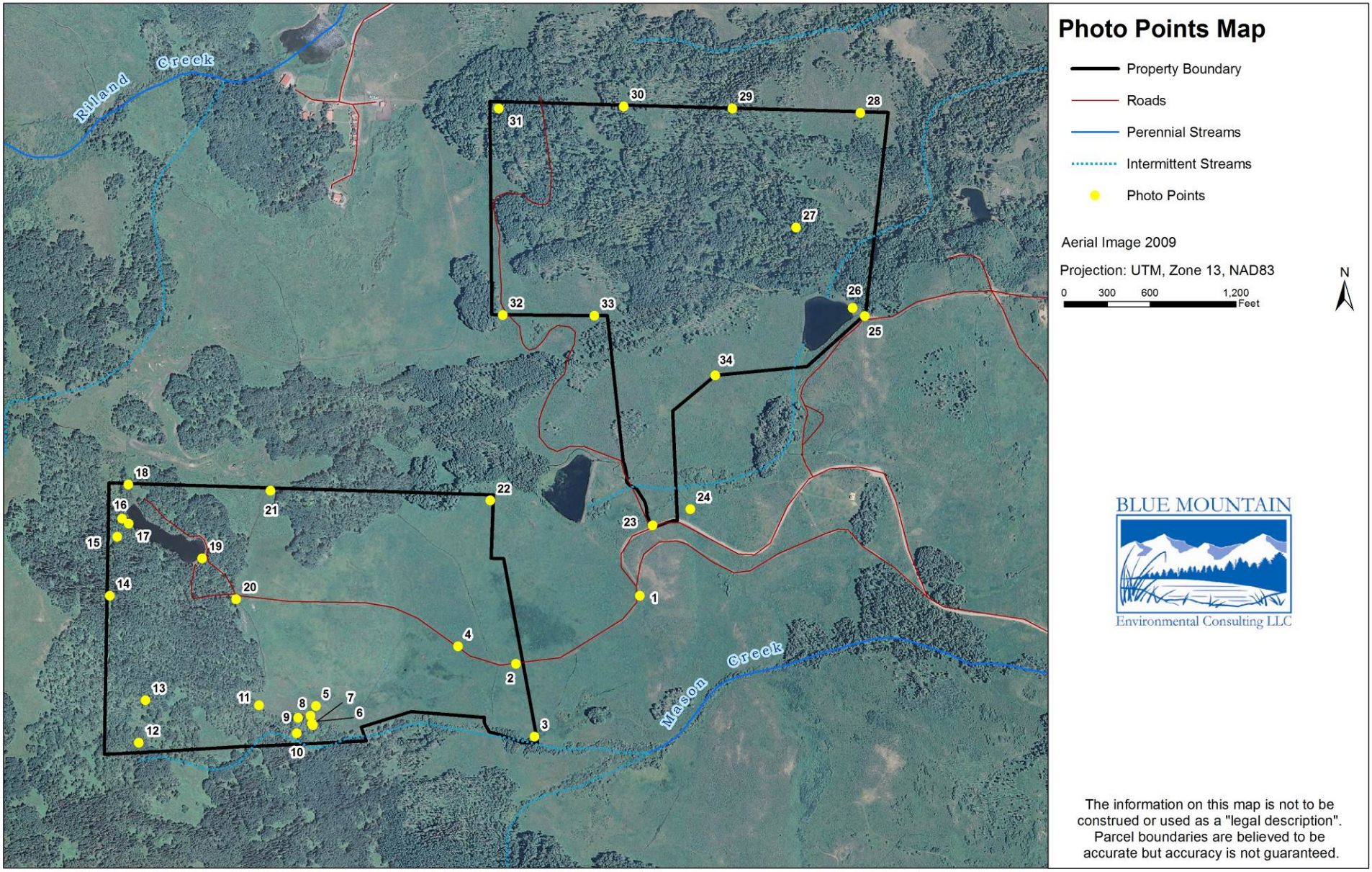


Table 5. Photo Point table of Windance Ranch. GPS coordinates taken from Jupiter Archer Field PC on July 28th 2011.

Photo Point #	Photo Time/ Bearing	UTM Easting	UTM Northing
1	1003, w through gate	315517.1785	4403559.067
2	1014, se, w, nw at boundary	315252.6835	4403414.201
3	1019, w, n at corner	315292.5161	4403258.862
4	1031, n, e, s, w	315129.1424	4403451.238
5	1039, sw at 4 blds	314825.9287	4403324.534
6	1040, sw at privy, 4x4.5: App. C	314819.9398	4403283.584
7	1043, w at cabin, 13.5x12.5: App. C	314817.2984	4403286.61
8	1045, w at cabin, 21.5x16: App. C	314814.8536	4403303.699
9	1048, w at privy, 4.25x4.25: App. C	314788.3048	4403298.787
10	1051, east up, west dwn stream	314785.0779	4403265.73
11	1103, n, e, s, w	314704.5146	4403325.43
12	1112, n, ne, e	314448.5712	4403245.727
13	1115, e, aspen	314462.7667	4403336.457
14	1122, n,e,s	314386.5837	4403559.32
15	1125, n, e	314402.6163	4403684.62
16	1127, e	314412.4219	4403723.811
17	1128, se	314427.0109	4403712.722
18	1131, e, se, s	314425.8798	4403795.863
19	1136, w	314583.0869	4403638.976
20	1142, n, e, s, w	314656.1219	4403551.691
21	1154, e, s, w	314728.8631	4403783.355
22	1215, s, sw, w	315198.0623	4403762.038
23	1228, n, ne, e	315544.0774	4403709.283
24	1238, n, w	315625.0501	4403743.802
25	1249, n, w	315997.2011	4404155.056
26	1251, reservoir, w	315970.7695	4404172.72
27	1302, n, e, s, w	315850.3164	4404343.874
28	1312, s, sw, w	315987.5986	4404588.251
29	1318, e, s, w	315714.721	4404597.952
30	1325, e, s, w	315482.9848	4404601.859
31	1335, e, se, s	315216.4939	4404597.792
32	1346, n. e	315224.5827	4404157.16
33	1353, n, e, s, w, corner	315420.2662	4404156.334
34	1401, n, e, w, s	315678.0405	4404028.703

Note: Photo directions in the above table that are underlined are provided on CD but do not appear in the report.



APPENDIX B:
PHOTO POINTS

Map Number:	
1	
Photo Direction:	
West	
Looking west through a gate near the property boundary.	

Map Number:	
2	
Photo Direction:	
SE	
Looking southeast from the eastern property boundary.	

Map Number:	
2	
Photo Direction:	
West	
Looking west across a hay field from the eastern property boundary.	

Map Number:	
2	
Photo Direction:	
NW	
Looking northwest from the eastern property boundary.	

Map Number:	
3	
Photo Direction:	
West	
Looking west from the southeast property corner.	

Map Number:	
3	
Photo Direction:	
North	
Looking north from the southeastern property boundary.	

Map Number:	
4	
Photo Direction:	
North	
Looking north.	

Map Number:	
4	
Photo Direction:	
East	
Looking east along the access road.	

Map Number:	
4	
Photo Direction:	
South	
Looking south.	

Map Number:	
4	
Photo Direction:	
West	
Looking west along the access road.	

Map Number:	
5	
Photo Direction:	
SW	

Looking southwest towards the homestead which includes two cabins (center) and two outhouses (left and right, red arrows). Individual photos of these structures are provided in Appendix C.

Map Number:	
10	
Photo Direction:	
East	

Looking east down a tributary to Mason Creek near the southern property boundary.

Map Number:	
10	
Photo Direction:	
West	
Looking west up a tributary of Mason Creek.	

Map Number:	
11	
Photo Direction:	
North	
Looking north.	

Map Number:	
11	
Photo Direction:	
East	
Looking east, note the homestead at right.	

Map Number:	
11	
Photo Direction:	
South	
Looking south.	

Map Number:	
11	
Photo Direction:	
West	
Looking west.	

Map Number:	
12	
Photo Direction:	
North	
Looking north from near the southwestern property corner.	

Map Number:	
12	
Photo Direction:	
East	
Looking east from near the southwestern property boundary.	

Map Number:	
13	
Photo Direction:	
East	
Looking east through a typical aspen stand.	

Map Number:	
14	
Photo Direction:	
North	
Looking north from the western property boundary.	

Map Number:	
14	
Photo Direction:	
East	
Looking east into the property from public lands.	

Map Number: **14** Photo Direction: **South**	
Looking south along the western property boundary, note forest succession processes as conifers displace the early seral aspen trees.	

Map Number: **15** Photo Direction: **North**	
Looking north towards an irrigation reservoir.	

Map Number:	
15	
Photo Direction:	
East	
Looking east.	

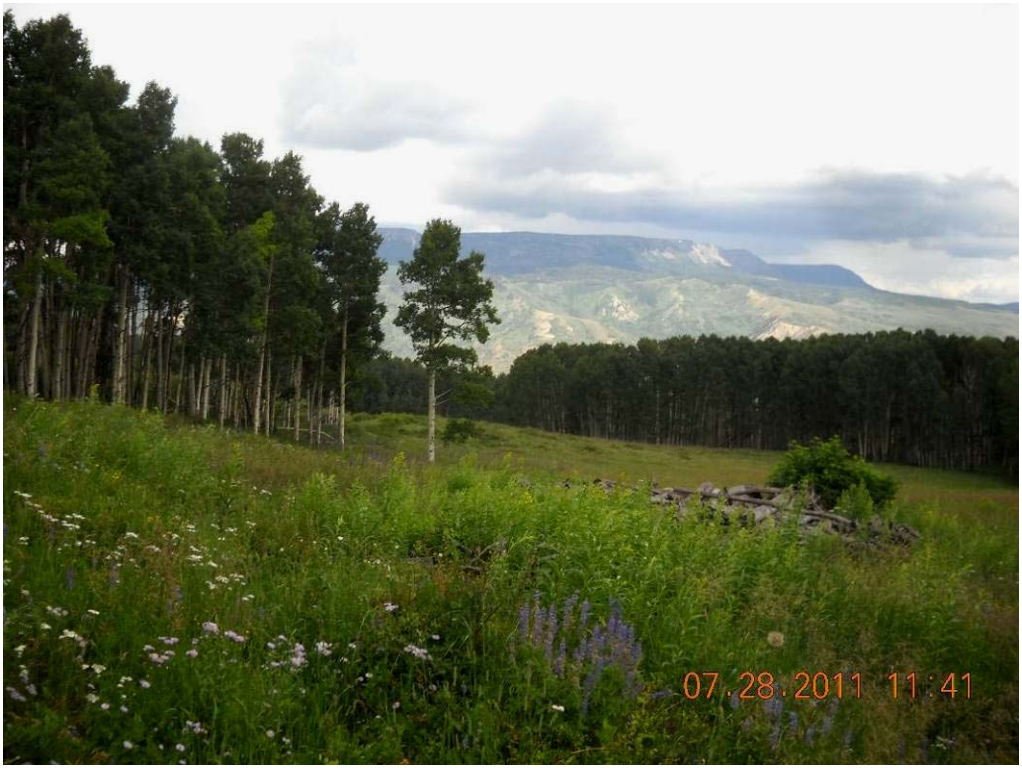
Map Number:	
16	
Photo Direction:	
East	
Looking east.	

Map Number:	
17	
Photo Direction:	
SE	
Looking southeast at a culvert that is associated with the inflow of the irrigation reservoir.	

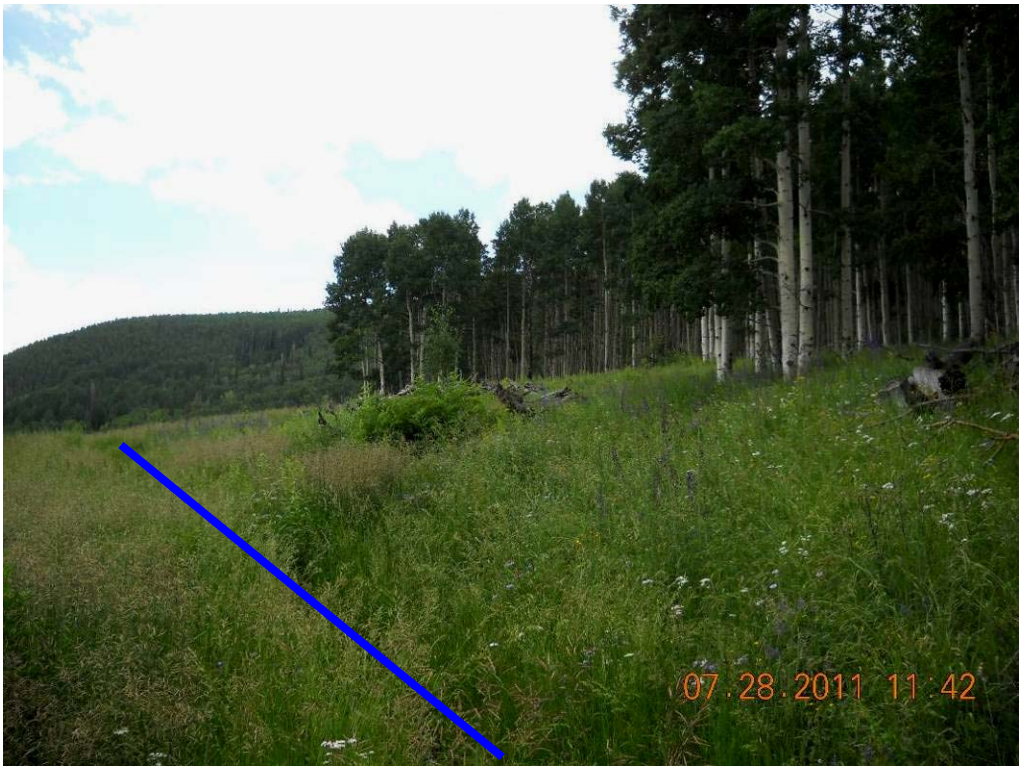
Map Number:	
18	
Photo Direction:	
East	
Looking east along the northern property boundary.	

Map Number:	
18	
Photo Direction:	
South	
Looking south.	

Map Number:	
19	
Photo Direction:	
West	
Looking west along the irrigation reservoir.	

Map Number:	
20	
Photo Direction:	
North	
Looking north from the top of the hay field.	

Map Number:	
20	
Photo Direction:	
East	
Looking east from the top of the meadow along the access road.	

Map Number:	
20	
Photo Direction:	
South	
Looking south, note irrigation ditch in foreground (blue line).	

Map Number:	
20	
Photo Direction:	
West	
Looking west, note the irrigation ditch to the left of the access road.	

Map Number:	
21	
Photo Direction:	
East	
Looking east from the northern property border.	

Map Number:	
21	
Photo Direction:	
South	
Looking south.	

Map Number:	
21	
Photo Direction:	
West	
Looking west.	

Map Number:	
22	
Photo Direction:	
South	
Looking south from the northeastern property corner.	

Map Number:	
22	
Photo Direction:	
West	
Looking west.	

Map Number:	
23	
Photo Direction:	
North	
Looking north from the southwest property corner of the second parcel, note access road.	

Map Number:	
23	
Photo Direction:	
NE	
Looking northeast.	

Map Number:	
24	
Photo Direction:	
North	
Looking north from the southeastern property corner.	

Map Number:	
24	
Photo Direction:	
West	
Looking west.	

Map Number:	
25	
Photo Direction:	
North	
Looking north.	

Map Number:	
25	
Photo Direction:	
West	
Looking west.	

Map Number:	
26	
Photo Direction:	
West	
Looking west across an irrigation reservoir.	

Map Number:	
27	
Photo Direction:	
North	
Looking north at a typical aspen stand and meadow with chest deep herbage.	

Map Number:	
27	
Photo Direction:	
East	
Looking east.	

Map Number:	
27	
Photo Direction:	
South	
Looking south.	

Map Number:	
27	
Photo Direction:	
West	
Looking west.	

Map Number:	
28	
Photo Direction:	
South	
Looking south from near the northeastern property boundary.	

Map Number:	
28	
Photo Direction:	
West	
Looking west from along the northern property corner, note the fence at right.	

Map Number:	
29	
Photo Direction:	
East	
Looking east along the northern property boundary, note the fence at left.	

Map Number:	
29	
Photo Direction:	
South	
Looking south from the northern property boundary.	

Map Number:	
29	
Photo Direction:	
West	
Looking west along the northern property boundary, note the fence at right.	

Map Number:	
30	
Photo Direction:	
East	
Looking east along the northern property boundary.	

Map Number:	
30	
Photo Direction:	
South	
Looking south along the northern property boundary.	

Map Number:	
30	
Photo Direction:	
West	
Looking west along the western property boundary.	

Map Number:	
31	
Photo Direction:	
East	
Looking east from the northwestern property boundary.	

Map Number:	
31	
Photo Direction:	
South	
Looking south from the northwestern property boundary.	

Map Number:	
32	
Photo Direction:	
North	
Looking north.	

Map Number:	
32	
Photo Direction:	
East	
Looking east.	

Map Number:	
33	
Photo Direction:	
North	
Looking north.	

Map Number:	
33	
Photo Direction:	
East	
Looking east.	

Map Number:	
33	
Photo Direction:	
South	
Looking south.	

Map Number:	
33	
Photo Direction:	
West	
Looking west.	

Map Number:	
34	
Photo Direction:	
North	
Looking north.	

Map Number:	
34	
Photo Direction:	
East	
Looking east.	

Map Number:	
34	
Photo Direction:	
South	
Looking south.	

Map Number:	
34	
Photo Direction:	
West	
Looking west.	

APPENDIX C:
STRUCTURE INVENTORY AND PHOTOS

Table 6. Photo Points of buildings found on the Windance Ranch.

MAP NUMBER	STRUCTURE TYPE	DATE	ROOMS	SIZE (FT²)
6	Outhouse	Unknown, recent	1	18
7	Cabin	Unknown, historical	1	168.75
8	Cabin	Unknown, historical	1	344
9	Outhouse	Unknown, historical	1	18.06
			Total	**548.81**

Map Number:	
6	
Structure:	
Outhouse	
Size SqFt.:	
18	

Map Number:	
7	
Structure:	
Cabin	
Size SqFt.:	
168.75	

Map Number:	
8	
Structure:	
Cabin	
Size SqFt.:	
344	

Map Number:	
9	
Structure:	
Outhouse	
Size SqFt.:	
18.06	

APPENDIX D:
QUALIFICATIONS

Matt Tobler, Director, Blue Mountain Environmental Consulting, LLC

NATURAL RESOURCE SPECIALIST, PROJECT MANAGER

PROFESSIONAL SUMMARY

Matt Tobler is a natural resource specialist with 20 years of experience; his work has been centered upon natural resource conservation through ecological research, regulatory compliance and the implementation of ecologically based management. At Blue Mountain Environmental Consulting, his responsibilities include business management and administration, client development and relations, proposal writing, project implementation and management, team supervision, technical documentation, quality assurance and quality control, marketing and communications, budgeting, accounting, staff development and mentoring.

Mr. Tobler has conducted diverse resource management projects with an interdisciplinary approach that places an emphasis on the integration of existing ecological conditions, historical conditions and project goals to create sustainable outcomes. Focal areas include planning, management, restoration and regulatory compliance in the fields of forestry, wildfire mitigation, rangeland and noxious weeds, wildlife, wetland and riparian areas, watershed management, terrestrial ecology, rural land use planning, geographic information systems, erosion and sedimentation control and conservation planning.

Mr. Tobler has conducted natural resource projects with diverse clientele including federal agencies, state agencies, local governments, non-profit organizations, land trusts, foundations, a variety of consulting groups and many private landowners.

Mr. Tobler has participated in numerous NEPA projects across western states addressing oil and gas infrastructure development, communication facilities, FERC licensing, water development and conveyance. In this capacity, he has conducted wetland compliance activities, threatened and endangered species surveys, environmental assessments and prepared documentation per NEPA, CERCLA and Section 404 of the Clean Water Act.

As a research associate with the U.S. Forest Service, he designed and implemented original research studies to investigate causes of landscape diversity and vegetative responses to disturbance of Colorado forests. He served as a research associate with the U.S. Geological Survey to assess rangeland capacity for domestic cattle, bison, moose and elk in the Teton Valley in Wyoming. As a research associate at the Woods Hole Research Center, he assisted in the implementation of a pioneering study that assessed the fire susceptibility of primary tropical rainforest along the arc of deforestation in the northeastern Amazon of Brazil. Matt also worked a ranger for the National Park Service and implemented wildfire mitigation and forest stewardship programs for the Colorado State Forest Service. As an environmental field technician with Cleanharbors, Matt conducted hazardous materials remediation and emergency spill response services.

Raised on a New York dairy farm, Matt has an additional 15 years of agricultural experience. He also worked with the Natural Resource Conservation Service and various farm service agencies in New York to implemented soil and water conservation practices. He has completed thousands of hours of volunteer service with conservation organizations in North, Central and South America.

APPENDIX E:
REFERENCES

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APPENDIX F:
ELECTRONIC FILES

Baseline Report
Site Photos
Project Maps
Wildlife Species Lists

APPENDIX G:
DEED OF CONSERVATION