

# Coaldale Community Meeting

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The Future of Agricultural Land and Water  
in Fremont County and the sale of CB Ranch.



**“We’re all connected together.  
If one sells their water, it affects us all.”**

*-Frank McMurray, Chaffee County Rancher*

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## Welcome

The purpose of the meeting is to discuss the future of agricultural land and water in Fremont County. We will also discuss what we can do as a community moving forward after the sale of the CB Ranch.

San Isabel **supports the rights of private property owners regarding sale of land, water, or any private assets.** However, the separation of water rights has serious impacts to the land and community that deserve consideration. *San Isabel strives to offer alternatives to “buy and dry” situations to keep water on the land.*

### Colorado Water Law - *Key principals:*

- The public owns all of the water of the natural streams within the State of Colorado. However, the water is dedicated to use of the people through the system of prior appropriation and adjudication through the water courts.
- The right to use water is a private property right, able to be bought and sold separately from the land it irrigates.
- Water must be put to beneficial use. If you don't use it, you lose it.
- When there is not sufficient water to satisfy the use of all water rights, the older established right prevails.
- If a landowner wants to change a water right in use, location, or timing, they must go to water court and prove they will not harm other users. If the proposed change might affect other users who depend on the return flow, the court will object.

### Impacts of Dry Up

Landowner Testimonial by Frank McMurray, McMurray Ranch, Chaffee County. In the 1980's Pueblo West purchased the Hill Ranch near Nathrop for its water. The McMurray family are multi-generational ranchers who live adjacent to the Hill Ranch. Water was permanently transferred and irrigation ceased three years ago.

**The Hill Ranch story may foretell what the Coaldale community might expect from the CB Ranch dry-up.**



## **Process & Timing of Water Transfer**

- Opportunity for involvement
  - Statements of Opposition to changes of use
- Negotiations regarding the transfer

## **Potential Mitigation Examples**

- Baseline analysis: soil, vegetation, groundwater
- Raising the standards for reclamation to dry prairie
  - A complex issue which requires ongoing monitoring and ability to adapt practices.
- Financial compensation
  - Weed & insect management
  - Ongoing reclamation investments
  - Neighboring land values and wells
- Infrastructure investments
  - e.g. Holcim
- Leaseback arrangements
- Creative land uses following dry up
  - What do we want?
  - What don't we want?



# The Future of Agricultural Land and Water

- Colorado's population is projected to double by 2050.
- Studies project that Colorado will be at least 20% short of the water it needs by the year 2030. Demand for water will increase through population growth, industry, and a changing climate, while most water in the state has already been spoken for. New infrastructure will make transfers easier, e.g. the Southern Delivery Pipeline System (Pueblo/Colorado Springs)
- The primary source of water for cities and industry is agricultural water. Between 500,000 and 700,000 irrigated acres could be dried-up by 2050 to provide for these water needs.
- Such large-scale dry-up of irrigated agriculture would have adverse economic and environmental impacts and poses a threat to the food security of our nation.
- The Colorado Water Plan is in development and is an opportunity for input.

## Fremont County land ownership & conservation opportunity

<b>Total Acreage in county</b>	<b>981,760 acres</b>
Public	604,841 (61%)
<i>B.L.M.</i>	351,718 (36%)
<i>U.S.F.S.</i>	98,229 (10%)
<i>State of CO.</i>	137,879 (14%)
Private	376,919 (39%)
Private, Protected by Conservation Easement	11,015 (1%)
Private Unprotected (70+ acres)	181,520 (18%)
Unprotected private land, Irrigated or Adjacent to Watercourse (70+ acres)	78,108 (43% of unprotected land)

### San Isabel Land Protection Trust:

- 127 conservation easements.
- ~40,000 acres.

### Fremont County:

- 25 Conservation Easements
- ~5,000 acres

**Fremont County is a priority for land conservation.**



# Land and Water Protection Tools

## Conservation Easements – *Tying Water to the Land, Forever*

### Why keep water on the land?

- Sustains agricultural productivity & provides food security
- Supports the local economy
- Provides wildlife habitat and scenic beauty
- Supports a high quality of life
- Over the next several decades there will continue to be a huge demand that will lead to further dry-up and alteration of our mountain valleys

### What is a conservation easement?

- A voluntary agreement between a private landowner and a land trust that permanently restricts and defines the amount and type of development that is permitted on a property.
- One goal is to avoid agricultural dry-up through the sale of water rights, by providing a voluntary, market-based incentive to landowners. Conservation easements are the only commonly used tool to tie water to the land, permanently.
- Property remains in private ownership, management and control.
- The Land Trust retains no right to use, sell or transfer the water rights or development rights
- No government control
- No public access
- Each conservation easement is unique and tailored to the goals of the landowner

### Benefits of conservation easements

- Assurance of a legacy: Your land will not be dried up or split up, ever.
- Financial benefits: Colorado State Tax Credits, Federal tax deductions, Estate tax reductions, and direct funding provided through conservation easements offer a strong financial alternative to water sales.
- Partnership with land trust: Connecting landowners to resources, strategies and funding for land stewardship.

**Conservation easements can provide income to landowners to NOT sell their water.**

“When you sell the water, you ruin the land”.

–John Brandenburg



## Next Steps . . .

- The process is a marathon, not a sprint.
- Create a Volunteer Coalition
  - File objection(s) as a group as well as individuals to stay informed as well as to voice your mitigation requests.
- Preserve rural agriculture with your voice AND your vote
- Spread the word about land protection

## Get involved!

Your local land trusts:

**San Isabel Land Protection Trust**  
**Colorado Cattleman's Agricultural Land Trust**  
**Land Trust of the Upper Arkansas**

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## Resources . . .

Colorado Foundation for Water Education: [www.yourwatercolorado.org/](http://www.yourwatercolorado.org/)

Colorado Division of Water Resources: <http://water.state.co.us/>

Colorado Water Conservation Board: [cwc.state.co.us/](http://cwc.state.co.us/)

Colorado's Water Plan: [www.coloradowaterplan.com](http://www.coloradowaterplan.com)

San Isabel Land Protection Trust: [www.sanisabel.org](http://www.sanisabel.org)

“It is important that people understand the importance of agricultural water. It is the basis for a sustainable food supply, provides for wildlife habitat, and helps create the scenic vistas we enjoy. Agricultural water is a part of our heritage, as well as our culture today. It is at the core of our environmental goals and economy and we need to use all of the various tools available to keep water in agriculture while at the same time allowing owners of water rights to realize its monetary value.” **-Keith Hood, 4<sup>th</sup> generation rancher, San Isabel Board Member**

