

NOTICE OF AVAILABILITY OF DECISION

EXCHANGE OF LANDS IN BOULDER AND TELLER COUNTIES, COLORADO  
SERIAL NO. COC-63471  
BUREAU OF LAND MANAGEMENT-BOULDER COUNTY LAND EXCHANGE

UNITED STATES DEPARTMENT OF THE INTERIOR, Bureau of Land Management,  
Royal Gorge Field Office, 3170 E. Main St., Canon City, Colorado 81212

Notice is hereby given that on December 11, 2002, Roy Masinton, Field Manager, Royal Gorge Field Office, Bureau of Land Management (BLM), issued a decision to approve a proposed land exchange with Boulder County, P. O. Box 471, Boulder, CO 80306

The following described public lands have been determined to be suitable for disposal by exchange pursuant to Section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716), as amended:

All lands are in the 6th PM., Boulder County, Colorado

T.1N., R.71W.

Parcel A:

Sec. 5: Lots 49, 50, 51, 53, 88, 92, 93, 94, 97, 98

(Lots 97 and 98 formerly identified as the area occupied by former Democratic, Columbia and Delaware lode claims)

Containing approximately 28.91 acres

Parcel C:

Sec. 8: Lots 188, 189, 190, 191

Sec. 9: Lots 25, 26

(Formerly identified as the area occupied by former Compromise, Protection, Protection No. 2 and Washington lode claims)

Containing approximately 16.53 acres

Parcel D:

Sec. 15: Lot 3

Containing approximately 20.32 acres

T.1N., R.72W.

Ward Parcels:

Sec. 6: Lots 92, 93, 95 through 111, 113 through 127, 129, 130, 137, 138, 139, 141 through 151, 153 through 163, 165, 168, 171 through 175, 177, 178, 179

(Lot 168 is a portion of former lot 164; lots 171 through 175 are corrections to the survey plat; lot 177 is a portion of former lot 136; lot 178 is a portion of former lot 135; lot 179 is a portion of former lot 112)

Containing approximately 186.64 acres

Sec. 7: Lots 49 through 58, 60 through 82, 84 through 91, 93 through 104, 106, 108 through 117, 120, 122 and Tract B  
 (Lot 120 is a portion of former lot 107; lot 122 is a portion of former lot 83)  
 Containing approximately 183.03 acres

Parcel G:

Sec. 11: Lot 35  
 Containing approximately 7.09 acres

T.1N., R.73W.

Ward Parcels:

Sec. 1: Lots 73 through 96, 98, 100 through 104, 107 through 109, 113, 115, 116  
 Containing approximately 133.82 acres

Sec. 12: Lots 5 through 8, 14, 17 through 30, 32, 34, 35, 38, 39, 40, 42, 44, 46, 51, 55, 57, 58, 60, 62, 63  
 (lot 55 is a portion of former lot 41; lot 57 created to correct error in survey plat; lot 58 is a portion of former lot 45; Lot 60 formerly identified as a portion of lot 12; lot 62 created to correct error in survey plat; lot 63 formerly identified as lot 11; lot 64 formerly identified as a lot bounded by the Shamrock lode, Mineral Survey (MS) 11500, the Crescent lode, MS 11500A and the Captain Jack lode, MS 11231;)  
 Containing approximately 129.17 acres

The public lands described above total approximately 705.51 acres.

There are no unpatented mining claims, withdrawals or oil and gas leases on any of the public land parcels. All minerals will transfer with the surface estate for all the public parcels described above with the exception of those parcels listed below, for which all minerals will be reserved to the United States:

T.1N., R.71W.

Sec. 5: Lots 49, 50, 51, 53, 88, 92, 93, 94, 97, 98  
 Sec. 8: Lots 188, 189, 190, 191  
 Sec. 9: Lots 25, 26  
 Sec. 15: Lot 3

T.1N., R.72W.

Sec. 6: Lots 118, 120, 122, 124, 127, 129, 139, 150, 160, 162, 163, 168, 177, 178  
 Sec. 7: 84, 91, 101, 103, 104, 106, 117, 120  
 Sec. 11: Lot 35

T.1N., R.73W.

Sec. 1: Lots 75, 76, 78, 83, 86, 87, 88, 90, 92, 93, 94, 101, 109, 113

Sec. 12: Lots 7, 29, 63  
 Consisting of approximately 328.92 acres

Ditches and canals constructed by the authority of the United States will be reserved on all selected public land parcels. All title transfers for the public land parcels will be subject to valid existing rights, and the following existing federal authorizations:

Parcel A: T. 1 N., R. 71 W., Section 5

COC-64692 Richard Bilbrough, Roxbury Project LLC, Section Five LLC: Access Road

Boulder County Road 106, Lefthand Canyon Drive

T. 1 N., R. 72 W., Section 6:

COC-018397 Colorado Dept. of Transportation: Highway

COC-22445 Public Service Company of Colorado: Aerial Power Line

COC-38666 Qwest Corporation: Telephone line

COC-52513 Caroline & Harold Malde: Access Road

COC-63466 Jean Pless & R. C. Whittenbaugh: Access Road

COC-63636 Harriet Tamminga, Inc.: Access Road

COC-64687 Doyle Koehn, BEK Recreations Inc., Mountain View Lode LLC: Access Road

COC-64688 Holly Hughes & Leaf Running-rabbit: Access Road

COC-64689 Martin Holland: Access Road

COC-64691 Keith Leatherman: Access Road

Boulder County Road 102, Gold Lake Road

Boulder County Road 102J, Spring Gulch Road

Boulder County Road 100, Chipmunk Gulch Road

T. 1 N., R. 72 W., Section 7:

COC-22445 Public Service Company of Colorado: Power Line

COC-36859 Harold Bonertz: Access Road

COC-38666 Qwest Corporation: Telephone Line

COC-38680 Harold Bonertz: Access Road

COC-38681 Harold Bonertz: Access Road

COC-42676 Virginia Axtell: Access Road

COC-57573 Carole & Michael Gordon: Access Road

COC-60951 Richard Marchese, Raymond Miles, Marilyn & Michael Wertheimer, Kent Albers: Access Road

COC-63182 Becky & Edward Martinek: Access Road

COC-64686 Andrew P. Duncan: Access Road

Boulder County Road 106, Lefthand Canyon Road

Boulder County Road 93J, Switzerland Road

Boulder County Road 95, Sawmill Road

Parcel G: T. 1 N., R. 72 W., Section 11

COC- 38672 Public Service Company of Colorado: Power Line

COC-51295 John Cervenka, Carole & David Nordgren: Access Road  
 COC-60632 Gold Hill Fire Protection Dist.: Pipeline & Cistern  
 Boulder County Road 52, Gold Hill Road

T. 1 N., R. 73 W., Section 1:

COC-22445 Public Service Company of Colorado: Power Line,  
 COC-38666 Qwest Corporation: Telephone Line  
 COC-52513 Caroline & Harold Malde: Access Road  
 COC-63636 Harriet Tamminga, Inc.: Access Road, Access Trail  
 COC-64376 John Birmingham: Access Road  
 COC-64685 Baker A. and Andrew P. Duncan: Access Road  
 Boulder County Road 102, Brainard Lake Road  
 Boulder County Road 102N, Duck Lake Road

T. 1 N., R. 73 W., Section 12:

COC-051676 Colorado Department of Transportation: Highway  
 COC-42681 Qwest Corporation: Telephone Line  
 County Road 106, California Gulch Road

The public land parcels to be disposed of are designated for disposal in the Northeast Resource Management Plan (RMP) (1986). These parcels were determined to be difficult and uneconomic for the federal government to manage. The exchange will create more coherent ownership patterns and improve the efficiency and effectiveness of management by Boulder County. The selected public land parcels will be conveyed to Boulder County for management by its Parks and Open Space Department. The County will be accomplishing this exchange utilizing funds generated through a sales tax initiative passed by the voters to generate revenues for the acquisition of County Open Space. The County intends to retain the majority of the federal parcels as publicly owned open space and to maintain and protect their ecological, historical, recreational and scenic values. Once acquired, the County will develop a management plan for these lands. This process involves input from the public. Use will be limited to those allowed under the sales tax resolution, in this case passive recreation. In most cases, for those parcels the County subsequently conveys out of county ownership, conservation easements will be placed on the lands, in keeping with the sales tax resolution. The County has made a commitment that no new building lots will be created with these transactions.

In exchange, the United States will acquire approximately 650 acres of land from Boulder County; 483.32 acres adjacent to lands managed by the BLM in Teller County, and 165.03 acres adjacent to lands managed by the U. S. Forest Service in Boulder County. The acquisition parcels are described below:

All lands are in the 6<sup>th</sup> P.M., Colorado

T.15S., R.70W.  
 Teller County, Gaffney:

Mineral Surveys (MS) 11077, 12596, 11299, 14598, 14886, 10559, 18375, 14552, 13188, 13244, 13164, 18890, 11524, 14597, 17087, 14713, 18409, 10920, 14144, 17436, 9299, 15521, 12299, 9889, 15393, 14493, 11321, Binder Lode of MS 18892, Gold Valley Placer #2 of MS 8892, portion of MS 11686, all in Secs. 22, 23, 26, 27, 28, 33, 34 and 35;  
 Sec. 27: Lots 1 and 5  
 Containing approximately 483.65 acres

T.1S., R.73W.

Boulder County, Caribou Flats:

MS 14284, and portions of Iron King Lode and the Iron Wonder Lode and all of the Iron King No. 2 Lode of MS 16776; all in Secs. 7 and 8  
 Containing approximately 165.03 acres

Surface estate will be acquired on the Caribou Flats parcel. The mineral estate is held in other private ownership. Surface and mineral estate will be acquired on the Gaffney property, except for the following parcels for which only the surface estate will be acquired:

MS 18375, 14552, 11524, 17087, 14144, 17436, 9299, 15521, 14493, Binder Lode of MS 18892, and a portion of MS 11686  
 Consisting of 106.97 acres

Acquisition of these parcels by the United States will enhance the efficiency of land and resource management through the consolidation of public land ownership. The lands to be acquired in Teller County possess important natural resource values, including excellent wildlife habitat for mule deer, elk, turkey and bear and two properly functioning riparian areas. The lands to be acquired in Boulder County possess important resource values, including elk calving areas, potential lynx habitat and wetland areas.

Upon acquisition of the non-federal parcels by the United States, the Teller County parcel will be managed by BLM in accordance with the land use prescriptions established for adjacent public lands in the Royal Gorge RMP. Management of the Boulder County parcel, Caribou Flats, will be by the U. S. Forest Service in accordance with the Arapaho and Roosevelt National Forests and Pawnee National Grassland 1997 Revision of the Land and Resource Management Plan

The federal and non-federal lands to be exchanged were listed in Notice of Exchange Proposal, published in September 2000. The lands to be acquired by the United States and the public lands to be disposed of were evaluated and impacts associated with the exchange addressed in the environmental assessment prepared for the land exchange. The values of the lands to be exchanged are approximately equal; full equalization of values will be achieved by a cash equalization payment to Boulder County.

The public interest will be served by making the exchange. A copy of the decision to approve the exchange and other information concerning the exchange may be obtained

from the Royal Gorge Field Office, 3170 E. Main St., Canon City, Colorado, 81212,  
(719) 269-8525.

Dated: December 11, 2002

Roy L. Masinton  
Field Manager