

NOTICE OF DECISION

TO EXCHANGE LANDS IN GRAND AND SUMMIT COUNTIES, COLORADO

UNITED STATES DEPARTMENT OF THE INTERIOR, Bureau of Land Management (BLM), Kremmling Field Office, 2103 E Park Avenue, P.O. Box 68, Kremmling, Colorado 80459.

Notice is hereby given that on January 16, 2023, Elijah Waters, BLM Colorado Northwest District Manager, issued a decision to approve a land exchange with GALLOWAY, INC. A DELAWARE CORPORATION (owner of Blue Valley Ranch (BVR)). The BLM will convey 9 parcels of Federal lands totaling 1,489 acres to BVR. BVR will convey 9 parcels of non-Federal lands totaling 1,830 acres, subject to existing rights, to the United States. The BLM will also accept BVR's offer to donate a portion of BVR-2 totaling 165.3 acres plus a cash equalization check payable to the United States Treasury for \$5,000 to make up the difference in appraisal values.

The following described Federal land has 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, and the BLM will issue to GALLOWAY, INC. A DELAWARE CORPORATION a United States patent to the surface and mineral estate:

BLM-A T. 1 S., R. 81 W., Sixth Principal Meridian (P.M.)
sec. 9, S½SW¼

BLM-B T. 1 S., R. 81 W., Sixth P.M.
sec. 15, SE¼NW¼, NE¼SW¼, and NW¼SE¼

BLM-C T. 1 S., R. 81 W., Sixth P.M.
sec. 15, SW¼SW ¼,
sec. 21, lots 1-6, inclusive, and NE¼NE¼;
sec. 22, NW¼NW¼

BLM-F T. 1 S., R. 80 W., Sixth P.M.
sec. 26, S½SE¼

BLM-G T. 1 S., R. 80 W., Sixth P.M.
sec. 28, lot 5, SE¼NE¼

BLM-H T. 1 S., R. 80 W.,
sec. 28, lot 11, lot 12, SE¼NW¼, and E¼SW¼;
sec. 33, lot 6, lot 7, SW¼NE¼, and E¼NW¼.

BLM-I T. 1 N., R. 80 W., Sixth P.M.
sec. 29, Lots 1, 4, 5 and 8;
sec. 30, Lot 6;
sec. 31, E½SE¼, SE¼NE¼, Lots 5, 7, 10 and 12,

sec. 32, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NW $\frac{1}{4}$

BLM-J T. 1 N., R. 79 W., Sixth P.M.

sec. 7, Parcel B

sec. 8, Parcel F, Parcel B, and Parcel C.

sec. 17, Parcel B together with 5 cubic feet per second (cfs) of water rights from Sophronia Day Ditch

BLM-K T. 1 S., R. 80 W., Sixth P.M.

sec. 34, SE $\frac{1}{4}$ NW $\frac{1}{4}$

The described lands aggregate approximately 1,489.02 acres.

In exchange for the above Federal land, GALLOWAY, INC. A DELAWARE CORPORATION will issue to the United States a Warranty Deed to the surface and mineral estate in the following-described non-Federal land:

BVR-1 T. 1 N., R. 80 W., Sixth P.M. Grand County

sec. 30, Lot 4

sec. 31, Lots 1 and 2, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Except that portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said sec. 31 conveyed to The County of Grand by deed recorded November 22, 1913 in Book 50 at Page 193

T. 1 N., R. 81 W., Sixth P.M., Grand County

sec. 36, All

Together with 3.0 cfs (50% owned by the Yust family) of water rights on Dry Creek No.1 Ditch; 3.0 cfs of water rights on Dry Creek No. 2 Ditch; and 2.0 cfs of water rights on Dry Creek No. 3 Ditch.

BVR-2A T. 2 S., R. 80 W., Sixth P.M., Summit County

sec. 3, S1/2N1/2N1/2SW1/4SE1/4, S1/2N1/2SW1/4SE1/4, S1/2SW1/4SE1/4, E1/2SW1/4, and SE1/4NW1/4;

sec. 10, E1/2E1/2, NW1/4NE1/4, and NE1/4NW1/4;

sec. 11, W1/2 lot 9; and,

sec. 14, lot 4.

BVR-2B T. 2 S., R. 80 W., Sixth P.M., Summit County (Donation parcel)

sec. 3, Lot 1, Lot 2, SW1/4NE1/4, NW1/4SE1/4, N1/2N1/2N1/2SW1/4SE1/4.

BVR-3 T. 2 S., R. 80 W., Sixth P.M., Summit County

sec.2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and that part of the SE $\frac{1}{4}$ lying Northerly and Easterly of the Right of Way of Colorado State Highway No. 9 as disclosed by Deed recorded September 11, 1958 in Book 153 at Page 14.

BVR-4 T. 1 S., R. 80 W., Sixth P.M., Grand County

sec. 35, SE $\frac{1}{4}$.

BVR-5 T. 1 N., R. 79 W., Sixth P.M., Grand County

sec. 7, that portion of Lot 3 and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying north of U.S. Highway 40, and known as Parcel A, North of 40 Outright Exemption, according to the plat recorded October 31, 2000 at Reception No. 2000-010217.

BVR-7 A perpetual, non-exclusive, 30-foot-wide access easement located in the

N $\frac{1}{2}$ NE $\frac{1}{4}$ of sec. 8, T. 1 S., R. 81 W. of the Sixth P.M., Grand County, for ingress and egress purposes, being further described as follows:

A 30-foot easement, being 15 feet on either side of the centerline of an existing traveled way, lying in sec. 8, T. 1 S., R. 81 W. of the Sixth P.M., and beginning at a point, whence the NW corner of said sec. 8, bears S 89°45'13" E" for a distance of 1333.69 feet;

Thence South 47°51'37" East for a distance of 366.10 feet, to a point;

Thence South 42°59'42" East for a distance of 184.10 feet, to a point;

Thence South 58°25'58" East for a distance of 227.84 feet to the POINT OF TERMINUS.

BVR-8 A tract of land located in the NE $\frac{1}{4}$ of sec. 19, T. 1 N., R. 80 W. of the Sixth P.M.,

Grand County, known as YUST TRACT 1, as shown on the survey plat by Henry Broadhurst, Jr., Professional Land Surveyor 18974, dated June 9, 2002, deposited on January 24, 2006, in Grand County, Colorado, and being more particularly described as follows:

Beginning at the North 1/16 corner between sec. 19 and 20 of said T. 1 N., R. 80 W., from which the $\frac{1}{4}$ corner between said sec. 19 and 20 bears S 02°09'33" W, a distance of 1326.35 feet (basis of bearing);

thence S 02°09'33" W along the section line between said sec. 19 and 20 for 892.00 feet to a point on the right bank of the Blue River;

Thence S 02°09'33" W and continuing along said section line for 79.14 feet to a point on the median line of said Blue River;

Thence along said median line for the following courses:

Thence N 55°01'17" W for 51.42 feet;

Thence N 52°29'02" W for 53.67 feet;

Thence N 47°54'29" W for 60.64 feet;

Thence N 50°46'13" W for 27.23 feet;

Thence N 55°38'44" W for 89.27 feet;

Thence N 58°42'53" W for 32.37 feet;

Thence N 61°03'45" W for 64.01 feet;

Thence N 86°11'19" W for 31.56 feet;

Thence N 80°11'20" W for 18.11 feet;

Thence S 88°35'38" W for 53.11 feet;

Thence S 86°16'54" W for 12.31 feet;

Thence S 86°17'51" W for 55.38 feet;

Thence S 81°31'47" W for 19.08 feet;

Thence S 68°56'55" W for 69.26 feet;

Thence S 44°48'54" W for 65.63 feet;

Thence S 36°20'14" W for 23.15 feet;

Thence S 32°59'38" W for 13.90 feet;
 Thence S 04°21'52" E for 11.71 feet;
 Thence S 08°07'16" E for 60.57 feet;
 Thence S 11°30'04" E for 8.95 feet;
 Thence S 10°36'06" E for 75.23 feet;
 Thence S 15°33'15" E for 43.01 feet;
 Thence S 08°12'53" E for 117.94 feet;
 Thence S 08°37'21" E for 109.00 feet;
 Thence S 02°51'09" E for 34.90 feet to a point on the east-west centerline of said sec. 19;
 Thence N 88°38'12" West along said east-west centerline for 69.07 feet to a point on the right bank of said Blue River;
 Thence N 88°38'12" W and continuing along said east-west centerline for 731.69 feet to the center-east 1/16 corner of said sec. 19 and being a standard U.S.B.L.M. aluminum pipe and cap;
 Thence N 88°42'37" W and continuing along said east-west centerline for 92.90 feet to a point on the right bank of said Blue River;
 Thence N 88°42'37" W for 78.28 feet to a point on the median line of said Blue River;
 Thence along said median line for the following courses:
 Thence N 32°10'41" W for 68.93 feet;
 Thence N 32°52'28" W for 97.07 feet;
 Thence N 31°28'58" W for 55.68 feet;
 Thence N 35°31'14" W for 165.10 feet;
 Thence N 30°29'39" W for 146.44 feet;
 Thence N 28°11'39" W for 34.06 feet;
 Thence N 29°48'17" W for 105.79 feet;
 Thence N 43°12'58" W for 175.37 feet;
 Thence N 42°32'07" W for 48.87 feet;
 Thence N 24°23'45" W for 86.42 feet;
 Thence N 01°31'40" E for 34.73 feet;
 Thence N 02°02'17" W for 76.82 feet;
 Thence N 08°55'41" E for 71.50 feet;
 Thence N 15°33'21" E for 53.96 feet;
 Thence N 22°34'36" E for 61.79 feet;
 Thence N 25°26'34" E for 95.02 feet;
 Thence N 29°31'22" E for 38.94 feet;
 Thence N 34°32'47" E for 47.33 feet;
 Thence N 35°41'05" E for 58.18 feet;
 Thence N 39°38'35" E for 113.71 feet;
 Thence N 47°25'29" E for 86.48 feet;
 Thence N 55°19'51" E for 45.25 feet;
 Thence N 61°10'49" E for 68.71 feet;
 Thence N 64°31'39" E for 61.71 feet;
 Thence N 68°46'54" E for 49.00 feet;
 Thence N 73°53'06" E for 101.69 feet;
 Thence N 78°36'06" E for 162.35 feet;
 Thence N 81°01'47" E for 86.79 feet;

Thence N 89°58'27" E for 79.51 feet;
Thence N 87°39'42" E for 49.59 feet;
Thence N 81°46'26" E for 44.06 feet;
Thence N 75°21'48" E for 68.71 feet;
Thence N 67°49'18" E for 30.91 feet;
Thence N 65°48'11" E for 56.10 feet;
Thence N 39°55'33" E for 25.46 feet;
Thence N 35°46'58" E for 23.07 feet;
Thence S 66°00'47" E for 77.98 feet to a point on the right bank of said Blue River;
Thence S 66°00'47" E for 927.60 feet to a point on the section line between said sec. 19 and 20;
Thence S 02°09'33" W along said section line for 32.67 feet to the point of beginning.

Yust Tract 2:

A tract of land located in the NW¼SW¼ of sec. 20, T. 1 N., R. 80 W. of the Sixth P.M., and being described as follows:

Commencing at the W1/4 corner of said sec. 20, a standard U.S.B.L.M. pipe and brass cap, thence S 84°14'37" E for 1332.99 feet (basis of bearings) to the center-west 1/16 corner of said sec. 20, a standard U.S.B.L.M. aluminum pipe and cap and the point of beginning for this description;

Thence S 04°38'59" W for 630.97 feet to a U.S.B.L.M. Witness Point Marked "WP-3 S20" from which the SW 1/6 corner of said sec. 20 bears S 04°52'14" W for 656.73 feet;

Thence S 04°52'14" W for 50.28 feet to a point on the right bank of the Blue River;

Thence S 04°52'14" W for 192.31 feet to a point on the median line of said Blue River;

Thence along said median line for the following courses:

Thence N 10°30'14" W for 9.03 feet;

Thence N 13°33'20" W for 139.20 feet;

Thence N 17°56'54" W for 56.56 feet;

Thence N 11°46'10" W for 47.01 feet;

Thence N 17°47'32" W for 46.49 feet;

Thence N 30°38'47" W for 16.25 feet;

Thence N 34°20'56" W for 128.13 feet;

Thence N 34°05'57" W for 28.74 feet;

Thence N 42°54'03" W for 68.63 feet;

Thence N 44°40'13" W for 194.32 feet;

Thence N 44°26'36" W for 73.95 feet;

Thence N 40°55'51" W for 24.45 feet;

Thence N 43°19'23" W for 72.17 feet;

Thence N 21°53'05" W for 30.87 feet;

Thence N 40°38'01" W for 39.32 feet;

Thence N 50°11'55" W for 74.98 feet;

Thence N 47°12'44" W for 65.44 feet;

Thence N 56°02'32" W for 94.49 feet to a point on the east-west centerline of said sec. 20;

Thence S 84°14'37" E and leaving said median line for 116.96 feet along said east-west centerline to a point on the right bank of the Blue River;

Thence S 84°14'37" E for 652.60 feet to the point of beginning.

TO BE KNOWN AS THE FOLLOWING:

YUST – BLUE VALLEY RANCH OUTRIGHT EXEMPTION, according to the plat recorded February 14, 2006 at Reception No. 2006-001504.

BVR-9 Township 2 South, Range 80 West, Sixth P.M., Summit County
sec. 3, SE¼NE¼ and E½SE¼

BVR-10 T. 2 S., R. 80 W., Sixth P.M., Summit County
sec. 3, a metes and bounds description of a parcel to be created out of lot 3

The described lands aggregate approximately 1,830.20 acres.

The land exchange has been determined to be in the public interest and in conformance with applicable laws and regulations and will be completed subject to valid existing rights.

BVR will convey water rights associated with BVR-1 and BVR-8 to the United States. The BLM will convey water rights on parcel BLM-J to BVR. In addition, BVR will convey a perpetual, non-exclusive access easement across private land on BVR-7 to the United States. The land exchange includes conveyance of the surface and mineral estates of all of the Federal and non-Federal lands, subject to valid existing rights, to avoid creating split estates. Patents for the described Federal lands will reserve a right-of-way for ditches or canals constructed by the authority of the United States pursuant to the Act of August 30, 1890 (43 U.S.C. 945).

Administrative jurisdiction to approximately 300 acres of the non-Federal lands (southern half of BVR-2) will be transferred to the White River National Forest immediately upon closing of the exchange because it lies within the National Forest administrative boundary. The remainder of lands will be managed by the BLM Kremmling Field Office.

To facilitate the realization of certain opportunities for enhanced public recreation, BVR has proposed a number of Recreation Design Features, which are focused in the following four areas: the Confluence Recreation Area, the Green Mountain Recreation Area, the Spring Creek Bridge Area, and the Pump Station Rest Stop. The BLM has approved these Recreation Design Features because of the public benefits they will provide. Construction of the Recreation Design Features would occur once the exchange closes. Funding for the construction and future management of these features would be provided by BVR; however, future management of these features, once implemented, would be the responsibility of BLM in the case of the Confluence Recreation Area, the BLM in cooperation with the White River National Forest in the case of the Green Mountain Recreation Area, and BLM in conjunction with either an existing governmental entity or a not-for-profit entity in the case of the proposed Spring Creek Bridge Recreation Design Feature and the Pump Station Rest Stop (a perpetual easement located on private lands).

To ensure that the RDFs are implemented, the closing of the land exchange is conditioned on certain measures specific to each RDF being in place. In general, the provision for construction and operation of the RDFs is part of a binding exchange agreement, with the assured construction of the proposed improvements covered by a bond that BVR will provide; and

funding for future management of the proposed improvements set aside in the nature of an endowment funded by BVR.

The Blue Valley Land Exchange will have a net benefit to the public interest because it consolidates public and private land boundaries and disposes of isolated BLM tracts that have little public access, reducing management costs and user conflicts. Additionally, the land exchange increases public access to the lower Blue River and recreation opportunities for people of all abilities. Disposal of the Federal lands is consistent with the considerations for land tenure adjustments outlined in the Kremmling Resource Management Plan.

A copy of the decision can be obtained by writing to the BLM, Kremmling Field Office, 2103 Park Ave., P.O. Box 68, Kremmling, CO 80459, at or by calling 970-724-3000. All of the documents associated with the land exchange can be found on ePlanning at <https://eplanning.blm.gov/eplanning-ui/project/81162/510>.

For a period of 45 days from the date of publication of this notice, interested parties may submit a written protest to Stephen P. Leonard, Acting Field Manager, Kremmling Field Office, at the above address. Before including your address, phone number, e-mail address, or other personal identifying information in your protest, you should be aware that the BLM may make your entire comment – including your personal identifying information – publicly available at any time. While you may include in your comment a request for the BLM to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Elijah Waters
BLM Colorado Northwest District Manager

January 16, 2023