

EXHIBIT A

Scope of Work

GRANTEE and FISCAL AGENT (if different) – Rio Grande Headwaters Land Trust (RiGT)

PROJECT NAME – North Rio Grande River Ranch Conservation Easement

GRANT AMOUNT – \$70,000

INTRODUCTION AND BACKGROUND

Provide a brief description of the project. (Please limit to half a page)

The requested funds will be used to providing matching funds toward a bargain-sale acquisition of a conservation easement on an important 320-acre Rio Grande river corridor ranch in Alamosa County, including securing the senior water rights to the property. It is a continuation of the successful *Rio Grande Initiative*, which benefits *both* consumptive and non-consumptive water needs in the Rio Grande Basin. As an element of an on going, collaborative, community-based project, this conservation opportunity will directly protect senior surface water rights in order to help sustain the historic water use patterns along the Rio Grande river corridor by linking the water rights to the land through a permanent conservation easement. This is accomplished through a willing-seller/willing-buyer process for a voluntary conservation easement, which is purchased through a bargain sale and includes a substantial charitable donation of value by the landowner.

The permanent protection of this ranch will: **help secure the viability of agriculture** by insuring that land and water resources are available for agriculture for the long term; **protect key wildlife habitat** for many species including waterfowl, water birds, shore birds, songbirds, the migrating Sandhill Cranes as well as large game species such as elk and deer, and many smaller species, all of which make extensive use of the river corridor; **continue historic water use patterns** to insure that historic water use is sustained in ways that help the CDWR administer the waters of the Rio Grande to meet Colorado's Rio Grande Compact obligations; **contribute to public safety in four counties** through maintaining the flood mitigation function of large portions of the river's flood plain; and **contribute to the overall water sustainability of the SLV** by helping to keep the river corridor "whole."

OBJECTIVES

List the objectives of the project. Please include objectives for all aspects of the project whether funded by the CWCB or not.

The permanent protection of a 320 acre ranch in the Rio Grande river corridor in Alamosa County (the "Property") through a conservation easement to be held by the Rio Grande Headwaters Land Trust.

TASKS

Provide a detailed description of each task using the following format. Detailed descriptions are only required for CWCB funded tasks. Other tasks should be identified but do not require details beyond a brief description.

TASK 1 – Title Work (not funded by CWCB)

Description of Task – obtain a title commitment on the Property to a) document ownership of the property and b) review the exceptions to the title.

Method/Procedure - work with a title company to obtain an initial title commitment. Both RiGHT staff and our legal counsel reviews the commitment to determine if the title exceptions noted are acceptable or need to be addressed in some fashion (i.e. if the commitment reveals a Deed of Trust, it would need to be subordinated to the conservation easement; or if the commitment reveals that the surface minerals estate have been severed from fee ownership of the land, a mineral remoteness letter needs to be prepared). We also encourage the landowner to have their legal counsel review the commitment. This process usually includes several iteration of the commitment with the title company.

Deliverable – a title policy.

TASK 2 – Mineral Remoteness Letter (not funded by CWCB)

Description of Task – assess the likelihood of mining on the property. If the likelihood is small the geologist will write a report referred to as “Mineral Remoteness Letter” stating that “the likelihood of mining is so remote as to be negligible”. If the likelihood isn’t small, we cannot go forward with the project.

Method/Procedure – contact a qualified geologist.

Deliverable – a Mineral Remoteness Letter.

TASK 3 – Environmental Hazards Assessment (not funded by CWCB)

Description of Task – Determine if there are any existing environmental hazards on the property that need to be addressed.

Method/Procedure – due to the USFWS funding on the project, a federal employee will conduct contact an environmental engineer competent in environmental hazards assessments/Phase I Environmental Site Assessments an environmental hazards assessment at the expense of the USFWS.

Deliverable – An environmental hazards assessment that states the property is free and clear of environmental hazards.

TASK 4 – Baseline Documentation (not funded by CWCB)

Description of Task – A report that documents the present condition of the property through a narrative description and a series of photo points.

Method/Procedure – contact a biologist familiar with the preparation of Baseline documents for conservation easements.

Deliverable – A Baseline document (also known as a Present Condition Report)

TASK 5 – Water Rights Due Diligence (not funded by CWCB)

Description of Task – research and document that the landowner actually owns the water rights he says he does and that they can be tied to the land with a conservation easement.

Method/Procedure – contact the Division of Water Resources and the Ditch rider to confirm water ownership and use. If the water rights are held by a mutual ditch association – contact them to notify that the water rights will be tied to the land pursuant to C.R.S. 38-30.5-104(5).

Deliverable – clear documentation of water rights.

TASK 6 – Survey (if needed) (not funded by CWCB)

Description of Task – have a professional survey of the property completed to establish the legal description of the property and resolve any ingress and egress issues.

Method/Procedure – contact a surveyor

Deliverable – a survey.

TASK 7 – Appraisal (not funded by CWCB)

Description of Task – Obtain a conservation easement appraisal to determine the monetary value of the conservation easement.

Method/Procedure – contact a qualified appraiser who will produce an appraisal that follows the Uniform Standards of Professional Appraisal Practice (USPAP).

Deliverable – an appraisal.

TASK 8 – Negotiate the Deed of Conservation Easement (not funded by CWCB)

Description of Task – Drafting the Deed of Conservation Easement

Method/Procedure – start with an already developed template and discuss with the landowner what reserved rights and restrictions they want. Draft the Deed of Conservation Easement which will go back and forth numerous times between the landowner, RiGHT and each parties legal counsel.

Deliverable – an agreed upon Deed of Conservation Easement.

TASK 9 – Review of Due Diligence packet (involves but not funded by CWCB)

Description of Task – Thorough review of Due Diligence packet by funders

Method/Procedure – send entire due diligence packet (with all documentation mentioned above) to funders (~~GOCO~~USFWS/CWCB) for their review.

Deliverable – funders sign off on project

TASK 10 – Closing (partially funded by CWCB)

Description of Task – Close on the bargain sale purchase of the conservation easement.

Method/Procedure – Work with the title company on closing instructions and a buyer's settlement statement, which will show income coming in from funders, including CWCB and ~~USFWS-GOCO~~USFWS, to purchase the conservation easement. RiGHT will also obtain the Stewardship Endowment funds at this time from the landowner. Once the purchase funds have been disbursed, the title company will record the conservation easement in Alamosa County.

Deliverable – funders sign off on project

REPORTING AND FINAL DELIVERABLE

Reporting: The applicant shall provide the CWCB a progress report every 6 months, beginning from the date of the executed contract. The progress report shall describe the completion or partial completion of the tasks identified in the statement of work including a description of any major issues that have occurred and any corrective action taken to address these issues.

Final Deliverable: At completion of the project, the applicant shall provide the CWCB a final report that summarizes the project and documents how the project was completed. This report may contain photographs, summaries of meetings and engineering reports/designs.