

The Pueblo Chieftain

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Worth Protecting

Ranchers say conservation easements don't deserve a black eye

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THE PUEBLO CHIEFTAIN

Given the care they have taken with their land for the last quarter century, it seems odd that Reeves and Betsy Brown, owners of the 3R ranch at Beulah, have no grand plan for saving water in the Arkansas Valley.

Instead, it's just a gut instinct that made them decide to speak out on the value of conservation easements at a time when many others are running for cover.

"This conversation needs to start so that water rights holders stop selling to the highest bidders," Brown said on a recent morning, taking a break from a project on the ranch. "Lately, the talk about conservation easements has been full of fear and mistrust. But it's the only way we have to assure that we'll be able to keep water in the valley."

Mrs. Brown echoed those sentiments.



Reeves and Betsy Brown, taking a break at the 3R Ranch near Beulah, say conservation easements are an effective way to protect water and agriculture in the Arkansas Valley.



CHIEFTAIN PHOTOS/JOHN JAQUES -- Reeves and Betsy Brown check irrigation sprinklers on the 3R Ranch. The Browns bought the ranch in 1981 and have pushed for conservation ever since.

"It seems such a shame to me if we fail to preserve our water," she said. "It's so necessary that the United States follows the patterns in Japan and Europe to preserve open space and agricultural land. We need to keep ag lands close to the city."

Beyond that, there's not a timeline or plan, just an expression of hope. Brown said he didn't have a plan or a program, but just wants to get people talking about conservation easements in a positive way again.

"There needs to be a fresh approach to them, looking beyond the remuneration you can receive," Brown said. "More than money, is it the right thing to do for the valley? We need to come up with some tools. We need an attitude change

and ways to maximize the value of water in the valley.”

Brown is a member of the Arkansas Basin Roundtable and joined the water transfers committee, which has developed a template for water transfers. The template suggests routes to arrive at mitigation for a sale or lease of water from ag communities to municipal users.

Brown said the committee’s work isn’t done, however, and the discussion about why the water needs to move in the first place needs to continue.

“There’s value in the committee,” Brown said. “We’ve gotten diverse membership to work on common ground. We’ve spent time and built trust. But where do we go from here?”

The Browns’ own course is certain.

They bought the 10,000-acre 3-R Ranch, part of one of the oldest ranches in Pueblo County, in 1981. Early on, according to Chieftain Archives, they successfully petitioned county commissioners to close a road on the ranch. For years, they worked diligently to improve the cattle and land on the ranch.

“We really cherish this ranch and we don’t want to see it cut up,” Mrs. Brown said.

In the 1990s, the Browns and others in Pueblo County began thinking about the value of conservation easements in preserving agriculture and open space.

So did their neighbors.

As of early September, 12 landowners had put 11,081 acres into conservation easements into the Colorado Open Lands project to protect the area.

The Browns have three separate easements totaling 2,000 acres in an effort to stem the land development that is occurring, literally, just down the road. The Signal Mountain and Twin Buttes developments in Beulah have begun to carve up nearby ranches. The Browns field about a phone call per month from developers who would love to have a piece of their land.

“One young man said he had a divine vision that he had to build a camp for kids,” Brown laughed. “He didn’t give up. I still don’t know if he’s given up.”

While they acknowledge that tax credits play a part - they sat down with former state House Speaker Lola Spradley when the legislation was being written - they said they would have donated the easements without the credits.

“It’s our passion,” Brown said. “It just fit our goals.”



The Browns, owners of 3R Ranch near Beulah, stand next to a ditch running through their land. They’ve made improvements over the years to the land and livestock, but say only conservation easements can provide long-term protection.

Both said they want the land preserved for future generations, whether that means their own son, Kelly, who lives in Anchorage, Alaska, or simply the next owners of the ranch.

The problem is that with the changes in state tax laws, the number of easements in the state grew, particularly in Southeastern Colorado where there were historically few easements. It attracted the attention of the Internal Revenue Service and brokers began to get spooked by conservation easements from Southeastern Colorado.

A conservation easement is a perpetual property restriction, and the value of the donation is derived from the development that might have otherwise occurred. Critics have said appraisals were inflated and some appraisers have lost their licenses in the fallout. The state has formed a committee to examine conservation easements after the Colorado Division of Real Estate identified as much as \$100 million in questionable conservation easements.

“The easements came under scrutiny by the state government and the IRS,” said Dan Pike, director of Colorado Open Lands. “While these things are going on, it has cast a cloud. We’re doing about 75 percent of the business we were doing, and it’s still going on.”

There is still a huge need for conservation easements, Pike said.

“Fundamentally, easements have changed at all. The most recent farm bill extended the credits for farmers,” Pike said. “They are good at doing what they intended to do.”

For the Browns, it’s a hurdle that needs to be overcome.

“The challenge in the Arkansas Valley is how many people will step forward,” Brown said. “The state needs to be able to grease the slopes. It’s hard to persuade public opinion that the goal is to protect water in the Arkansas Valley.”



CHIEFTAIN PHOTO/JOHN JAQUES -- Reeves and Betsy Brown walk under irrigation sprinklers at the 3R Ranch.