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Mile Hi Times

March 2012

ISSUE 03

**this issue**

- President's Message **P.2**
- Monthly Dinner Program **P.3**
- 2012 Spring Forum **P.4**
- Legislative Update **P.6**
- New Members/Tidbits **P.8**
- IRWA Regions & Local Chapters P.9**
- Upcoming IRWA Classes **P.12**

Monthly Dinner Program

DoubleTree Hotel

3203 Quebec Street, Denver, Colorado

Tuesday, March 13, 2012

Board Meeting 5:00PM / Cocktails 6:00PM

Dinner 6:30PM / Program 7:30PM (approx.)

FOR RESERVATIONS CONTACT:

Nicole Eberhard at Nicole.R.Eberhard@xcelenergy.com

By Friday, March 9, 2012

Cost: \$25.00 (Checks payable to IRWA)

**2011-2012
Committees
education**

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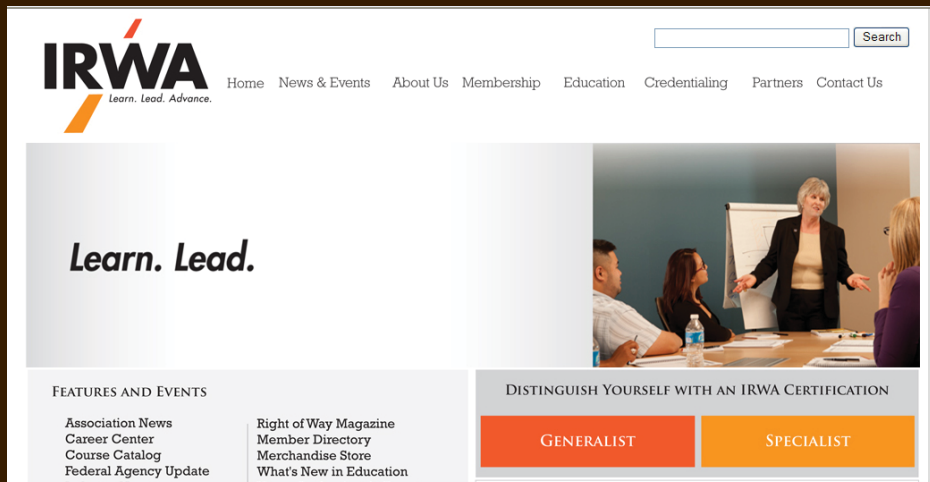
bylaws

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President's Message



Okay, we are into March already and things are still white! I'm sure all you skiers are happy, but I'm having a hard time playing golf through the snow!!!

Some of you may have seen this already, but I participated in a PIPA webinar and wanted to share the link in case anyone else wanted to see it. It was a very informative session and had a lot of good information contained in it. The link is <http://www.ingaa.org/17767.aspx>

Don't forget to **check out the IRWA website**. There is a lot of information on it which could be very useful to you as a resource. And, if you don't find something which would be useful, let headquarters or me know and we can check on getting it put on. For those of you who attended our bosses' luncheon on February 14th, you should have caught Daniel's passion for the IRWA organization and for helping chapters be the best they can be. If there is anything we can think of to make us better, Daniel will be more than happy to help us figure out how to do it!

Please let me know if there is anything I can do to make this chapter better for you. Together, we can maintain what we have and improve it even more so our membership in the IRWA and Chapter 6 is the most important tool in your Right of Way arsenal!!!

See you on March 13th!

Dinner Program



Bill James

Bill James is President of James Real Estate Services, a commercial and residential real estate appraisal and consulting firm based in the Denver. JRES provides real estate decision support to lenders, attorneys, governments and property owners throughout the State of Colorado and in surrounding states with emphasis on transportation oriented development, and relying in part on Bill's designation as an MAI appraiser by the Appraisal Institute.

In 1997 Bill assisted in establishment of Transportation Solutions a transportation management association based in the Cherry Creek area of Denver and remains on its Board of Directors. Bill was appointed to the Colorado Board of Real Estate Appraisers in 2000 and elected to the Board of Directors of the Regional Transportation District in 2008.

Bill grew up in Seattle and earned his undergraduate degree from the University of Washington. After that he managed real estate while in the US Army in Stuttgart, Germany and began his appraisal career with a leading firm in Seattle. After opening an office for the firm in Anchorage, Alaska, Bill settled in Denver in 1976, earned his MBA at the University of Denver and started JRES. Bill lives in the Cherry Creek North area of Denver with his wife Donna James.

2011-2012 Committee Chairpersons installation banquet

Chicks in ROW

membership

Virginia Messick, SR/WA (303) 623-4908

valuation

Charles Nelson (303) 292-0348

pipeline

Tim Atwater (303) 243-3578

relocation

Charlene Burge, SR/WA Universal Field Service (303) 513-1501

environment

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transportation

Mike Anders, SR/WA (303) 623-6112 x204 (303) 304-1043-cell

nominations

Kevin Shea, SR/WA Shea Appraisal Company (303) 424-1616

survey

Fred Easton, PLS Farnsworth Group (303)692-8838 feaston@f-w.com



You're Invited...



Chapter 6 welcomes you to the 2012 Spring Forum! March 9-10, 2012

Lady Luck Casino
Black Hawk, CO
303-582-2116

Friday, March 9th:

5:30-7:30 pm - Dinner at the Calypso's Buffet in Isle of Capri
7:30 pm-??? - Gambling on your own!

Saturday, March 10th:

8:00-8:30 am – Continental Breakfast in meeting room
(or full breakfast on your own)
8:30-11:30 am – Meetings
11:30 am-12:30 pm – Lunch on your own
12:30-4:00 pm – Meetings

See the attached info sheets for hotel reservation information.

Any questions, please call Darrel Vanhooser at 303-875-4768.

To reserve your overnight accommodations or modify an existing reservation, please complete this form and fax or mail it by **03/06/12**

PHONE RESERVATIONS WILL NOT BE ACCEPTED

*Please mail to: Isle Casino Hotel / Lady Luck PO Box 777 Blackhawk, CO 80422
Attn: Chanda Johnson, Fax to: 303-582-3463, or email chanda.johnson@islecorp.com. For questions please call: 303-998.7890.*

Thank you!

Arrive: 03/09/12 - Depart: 03/11/12

**IRWA Group
Lady Luck Tower**

Name of guest(s) occupying the room: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: Daytime () _____ Fax #: () _____

Arrival Date: _____ Departure Date: _____

Player's Club Number _____ E-Mail Address: _____

- **Please indicate the room type you would prefer**
- Smoking and Non-Smoking rooms are available; however, we cannot guarantee which type you will receive. We will do our best to accommodate all of your requests.

_____ (\$119.00) Friday - Standard Class Room – 1 King Bed or 2 Queen Beds

_____ (\$119.00) Saturday - Standard Class Room – 1 King Bed or 2 Queen Beds

****Rates quoted above are per room per night before tax.****

With the following requests:

_____ Smoking _____ Non-Smoking

All reservations must be guaranteed with a credit card for one night's lodging.

Credit Card Number: _____ (Discover/Diners Club)

Expiration Date: _____ Type of Card (MC/Visa/Amer Exp): _____

Name of Cardholder: _____

Signature: _____

You will receive a confirmation letter within 7-10 business days at the address listed above. If you would like your confirmation letter faxed to you instead, please list the appropriate fax number and check the box next to it. You should receive your faxed confirmation letter within 72 hours.

Please make sure your reservation request reaches the Resort by the date listed above to apply for a room that is held by the Group Block. After the date listed above, or should the Group Block be filled, rooms will be reserved based on availability. Group rates cannot be guaranteed. Reservations cancelled by 6:00 p.m., 3 days prior to arrival, will receive a full refund.

Check-In time is after 4:00 p.m.

Check-Out time is 11:00 a.m.

*****Please, One (1) room reservation per Group Reservation Request Form**

Legislative Update

The 2012 Regular Session of the Colorado Legislature convened on January 11, 2012 and is scheduled to adjourn on May 9, 2012. This article provides a short summary of some of the approximately 475 bills introduced in the Colorado Legislature this session that may be of interest to the right-of-way community.

By: By Evan L. Randall, Esq., LEED AP BD+C, Holland & Hart LLP

Please note that by the time of publication of this summary, the session will be approximately half over and many of these bills may already be dead or may be subject to amendments that are not reflected here. As noted below, many of the bills have been “postponed indefinitely,” which means that the bills are probably not going to become law this year and may not be considered further. This update, however, will provide summaries of those bills postponed indefinitely in case of further consideration by the Colorado Legislature. Additional information about the scope and current status of a bill can be found at the Colorado Legislature’s home page at www.leg.state.co.us.

House Bill 12-1012. This bill concerns state agencies that have projects that cause displacement of farms, small businesses, and non-profit organizations. It increases the amount of payment by the applicable state agency for relocation expenses from \$10,000 to \$50,000.

House Bill 12-1082. If enacted into law, this bill would require that a contractor undertaking a public works project for a state agency pay a minimum of prevailing wages and benefits to workers as required of federal projects under federal law. As of March 1, 2012, the legislature has postponed this bill indefinitely.

House Bill 12-1105. This bill concerns wind energy property rights. The bill would prohibit the severance of the wind energy rights from the surface estate. Those familiar with mineral rights know that the mineral rights are commonly severed from the surface estate, and this bill would treat wind energy differently. Leases, licenses, easements, and similar agreements concerning wind energy production (which the bill would still allow) would need to be recorded in the applicable county’s real property records (and include a legal description of the property). This bill also states that new easements for wind energy after July 1, 2012 would automatically terminate following 10 years of non-production of energy or failure to commence generation within 10 years of signing the easement (unless the landowner and the wind energy developer agree otherwise).

House Bill 12-1148. This bill allows municipalities to designate an area within the municipality as a revitalization area. This is to encourage the rehabilitation and revitalization of the area. The municipality can provide real estate tax rebates to help declining neighborhood areas by designating communities as “neighborhood revitalization areas” to encourage redevelopment and revitalization. As of March 1, 2012, the legislature has postponed this bill indefinitely.

House Bill 12-1164. This bill requires that real estate contracts and related forms provide a notice to the buyer if the mineral rights are severed from the surface estate. As of March 1, 2012, the legislature has postponed this bill indefinitely.

House Bill 12-1312. This bill would change an existing statute regarding public electric utilities and the issuance of certificates of public convenience and necessity. With this change, the public utilities commission would not need to consider land use rights or siting issues where local governments would address such issues for proposed electric transmission lines and related facilities in issuing certificates of public convenience and necessity.

Fracking-Related Bills. There are several bills in the current legislative session regarding fracking (hydraulic fracturing) in the oil and gas production industry. The remainder of this legislative update summary will focus on the bills related to the issue of fracking.

House Bill 12-1173. House Bill 12-1173 prohibits the use of open pits for the storage or disposal of hydraulic fracturing fluids. Instead, the operator must use a closed loop system. The bill provides an exception if the Colorado Oil and Gas Conservation Commission determines that the open pit will not provide any risk to nearby occupied structures or water. As of March 1, 2012, the legislature has postponed this bill indefinitely.

House Bill 12-1176. Pursuant to this proposed law, the Colorado Oil and Gas Conservation Commission would increase the minimum setbacks for wells that will utilize hydraulic fracturing. These types of wells cannot be within 1,000 feet of residences and schools unless the surface owner requests and receives permission for a smaller setback from the commission. As of March 1, 2012, the legislature has postponed this bill indefinitely.

House Bill 12-1277 and Senate Bill 12-088. These two bills are contradictory. House Bill 12-1277 states that local governments may regulate land use and zoning for oil and gas operations in addition to the Colorado Oil and Gas Conservation Commission. Senate Bill 12-088 states that the Colorado Oil and Gas Conservation Commission has exclusive jurisdiction for regulation of oil and gas activities and preempts local government regulation. As of March 1, 2012, the legislature has postponed these two bills indefinitely.

Senate Bill 12-107. Pursuant to this proposed law, the Colorado Oil and Gas Conservation Commission is to establish rules to protect water sources. These rules must include prohibiting the introduction of chemicals into the ground that cause cancer, requiring environmental bonds to cover environmental damage to water from operations, requiring automatic shut off of hydraulic fracturing operations if pressure drops, and creating a presumption that an operator has created pollution to water sources if problems develop near wells. Operators would also have to prepare water quality reports.

Welcome New Members

James
Simmonds

Stephen
Bacon

Tidbits



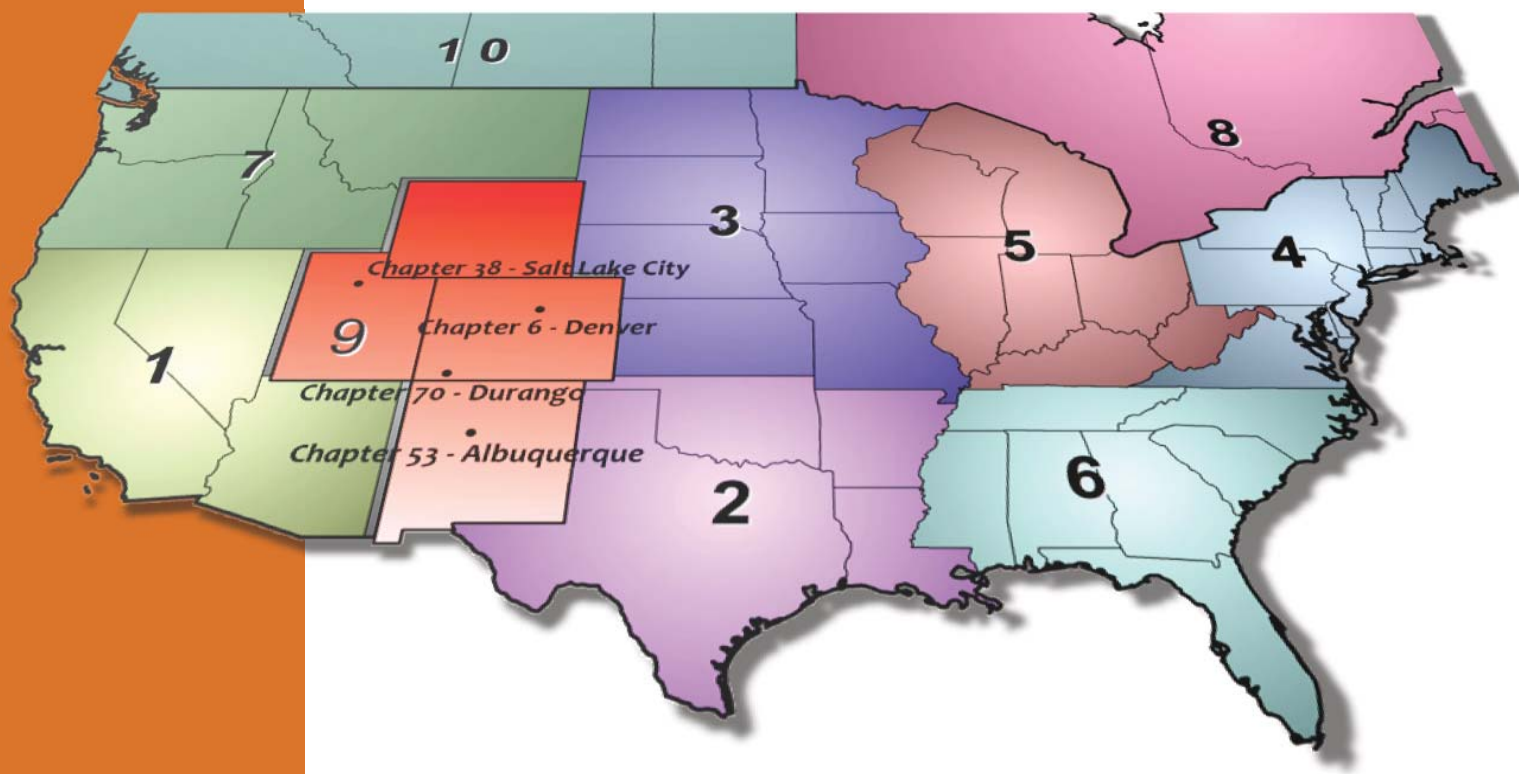
Awards from
Boss's
Luncheon
2012



ATTENTION MEMBERS...

If you have any interesting news you would like to share, or would like a project spotlighted in an upcoming newsletter, please contact Melinda Miller (mmiller@f-w.com).

IRWA Regions & Local Chapters



CONSULTING vanhooser

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16795 E Napa Dr
Aurora, CO 80013
P.303.875.4768

darrel@vanhooserconsulting.com

Don't miss the boat!
Advertise in the IRWA newsletter.



Please contact Melinda Miller at
303.692.8838 for more information.



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 **Farnsworth**
GROUP

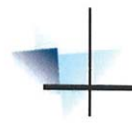
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Denver, Colorado 80222-4359

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Fax: 303-757-8835
E-mail: bonnie@coloradoappraiser.net

Upcoming IRWA Classes

March 8 & 9, 2012 - Only 10 spots left!

C200 - Principles of R.E. Negotiation

Facilitator: Kevin Winner (also corresponds with the Region 9 Spring Forum)

Link to Course Description:

<http://www.irwaonline.org/eweb/dynamicpage.aspx?site=IRWA2010&webcode=200>

Link to Register:

https://www.irwaonline.org/eweb/ProfilePage.aspx?WebCode=CSCEventInfoSC&evt_key=f34c4023-a62d-475c-aed2-ac6e7beb9e00

April 12 & 13, 2012

C400 - Principles of Real Estate Appraisal

Facilitator: Mark Weston

Link to Course Description:

<http://www.irwaonline.org/eweb/dynamicpage.aspx?site=IRWA2010&webcode=400>

Link to Register:

https://www.irwaonline.org/eweb/ProfilePage.aspx?WebCode=CSCEventInfoSC&evt_key=ebbd84e7-c9fb-4c38-8be7-9e79a4411cda

**Please note: This course has been approved
by DORA for Appraisal and Real Estate Continuing Education Credit.**

May 23, 2012

Course 603 – Understanding Environmental Contamination in Real Estate

Facilitator: Fred Walasavage

Link to Course Description:

<http://www.irwaonline.org/eweb/dynamicpage.aspx?site=IRWA2010&webcode=603>

Link to Register:

https://www.irwaonline.org/eweb/ProfilePage.aspx?WebCode=CSCEventInfoSC&evt_key=2e0c8b8d-dee2-4729-87c3-c28ed73a950e

**Please note: This course has been approved for
16 Hours of Real Estate Continuing Education.**

May 24 & 25, 2012

Course 417 – The Valuation of Environmentally Contaminated Real Estate

Facilitator: Orell Anderson

Link to Course Description:

<http://www.irwaonline.org/eweb/dynamicpage.aspx?site=IRWA2010&webcode=417>

Link to Register:

https://www.irwaonline.org/eweb/ProfilePage.aspx?WebCode=CSCEventInfoSC&evt_key=52683810-a551-40e8-b624-2c5339179b20

**Please note: This course has been approved for
13.5 hours of Appraisal Continuing Education**

Upcoming IRWA Classes (continued)

August 23 & 24 , 2012

Course 502 – Business Relocation

Facilitator: Lee Satterfield Hamre

Link to Course Description:

<http://www.irwaonline.org/eweb/dynamicpage.aspx?site=IRWA2010&webcode=502>

Link to Register:

https://www.irwaonline.org/eweb/ProfilePage.aspx?WebCode=CSCEventInfoSC&evt_key=793aee34-3fb3-4e52-8749-68ef5bc18ccb

Please note: This course is currently being revamped and the revised course materials should be available for this course

September 2012

C207 - Practical Negotiations for U.S. Federal Funded Land Acquisitions

Facilitator: Faith Roland

Link to Course Description:

<http://www.irwaonline.org/eweb/dynamicpage.aspx?site=IRWA2010&webcode=207>

September 2012 -

C506 - Advanced Business Relocation

Link to Course Description:

<http://www.irwaonline.org/eweb/dynamicpage.aspx?site=IRWA2010&webcode=506>

Please note: This course is a current “maybe”.
Please let Richard Pittenridge know if you are interested in this course.

October 24, 2012

C800 - Principles of Real Estate Law

Facilitator: Tim Knapp

Link to Course Description:

<http://www.irwaonline.org/eweb/dynamicpage.aspx?site=IRWA2010&webcode=800>

Link to Register:

https://www.irwaonline.org/eweb/ProfilePage.aspx?WebCode=CSCEventInfoSC&evt_key=e9fab4b4-f822-4b56-89ca-62e8ba11fe7f

Please note: This course is being held in downtown Denver at the Anadarko Building