

The Division of Conservation Easement Conservation Easement Tax Credit Application

(last updated 9/9/2022)

Please refer to The Division of Conservation Easement website for the most up to date version of this application. <https://conservation.colorado.gov/tax-credit-certificates>

Landowner

Name
Please enter the name of the donor(s) of the conservation easement

Your answer _____

SSN/Tax ID #

Your answer _____

Qualified Taxpayer Status
Taxpayers eligible for the conservation easement credit include the categories below. Please choose all applicable categories for the donor(s) of the conservation easement.

- Person or entity filing a state income tax return
- C Corporation
- Partnership
- S Corporation
- LLC or similar Pass-through Entity
- Estate
- Trust
- Nonprofit corporation that does not have a state governmental entity as a shareholder
- Entity that has authority to conduct water activities, such as a ditch or reservoir company

Is the landowner a pass-through entity?

- Yes
- No

Mailing Address

Your answer

City

Your answer

State

Your answer

Zipcode

Your answer

E-mail Address

Your answer

Phone

Your answer

In addition to the landowner, who else can we contact if we have questions about your application? NOTE: this means the landowner/applicant authorizes us to discuss financial details and share the tax credit certificate with these contacts, should it be issued. Check all that apply.

- No one else, just the applicant (landowner)
- Attorney
- Tax Credit Broker
- Other individual

Name, telephone and email address for other authorized contacts:

Please include contact info below if not already provided above

Your answer _____

Property

Property Name

Your answer

County

Your answer

Acres

Please enter the total acres of the property.

Your answer

	Yes	No
Are water rights associated with the property?	<input type="radio"/>	<input type="radio"/>
Does the landowner or a family member own other property contiguous to the conservation easement property?	<input type="radio"/>	<input type="radio"/>
Does the landowner or a related person/legal entity own an interest in any nearby property?	<input type="radio"/>	<input type="radio"/>
Is there a mortgage or similar deed of trust associated with the property?	<input type="radio"/>	<input type="radio"/>

Documentation

Deed of Conservation Easement

The deed of conservation must constitute a qualified conservation contribution

Date

Please enter the date the conservation easement was recorded in public records

Date

mm/dd/yyyy

Holder

Please enter the name of the certified organization that holds the conservation easement

Your answer

Acres

Please enter the acreage protected by the conservation easement

Your answer

Purpose

Please indicate the conservation purpose(s) of the easement. Check all that apply.

- Public Education or Recreation
- Natural Habitat
- Open Space - Scenic
- Open Space - Agriculture
- Historical Importance

Transaction Structure

	Yes	No
Is the conservation easement associated with any prior conservation easements or anticipated future conservation easements?	<input type="radio"/>	<input type="radio"/>
Was the conservation easement acquired via a bargain sale?	<input type="radio"/>	<input type="radio"/>

Deed of Conservation Easement

Please upload a PDF copy of the recorded deed of conservation easement

 [Add file](#)

Qualified Appraisal Report

The conservation easement must be supported by a qualified appraisal report by a qualified appraiser

Appraiser(s) Name(s)

Your answer

Appraiser(s) License Number(s)

Your answer

Effective Date

Date

mm/dd/yyyy

Report Date

Date

mm/dd/yyyy

Acres

Please enter the total acres of the appraised property. This may be a greater acreage than what is protected by the conservation easement.

Your answer _____

Qualified Appraisal Report

 [Add file](#)

Baseline Documentation Report

The conservation values protected by the easement must be documented by a report that includes a statement acknowledging that the report accurately reflects the conservation value and condition of the property at the time of the donation

Baseline Documentation Report

 [Add file](#)

Title Work

Title Policy and Exceptions

 [Add file](#)

Vesting Deed(s)

 [Add file](#)

If applicable, please provide the following:

Proof of Signatory Authority

Please provide documentation that grants authority to a designated person to sign on behalf of the legal entity, estate, or joint ownership. For example, if the donor of the CE is a legal entity, please provide a Statement of Authority for the person submitting the application; if the donor is an estate, please provide Letters Testamentary or a similar document issued by the court clerk; and if the donors are joint owners, please provide a document signed by all the joint owners designating one joint owner to sign the application. Proof of signatory authority is not necessary for an individual or for husband-and-wife joint owners.

 [Add file](#)

Mineral Assessment Report

If the mineral rights have been severed from the surface estate, please provide a geologist's assessment of the likelihood of surface mining

 [Add file](#)

Subordination Agreement(s)

If the property is subject to a mortgage, please provide an agreement with the mortgage holder which subordinates the mortgage to the conservation easement

 [Add file](#)

Settlement Statement

If the conservation easement was purchased via a bargain sale, please provide a seller's settlement statement with an accounting of the gross bargain sale proceeds

 [Add file](#)

Disclosure of Perpetuity

If the conservation easement was granted on or after January 1, 2020, please provide a copy of the signed Disclosure of Perpetuity that was executed prior to creating the conservation easement

 [Add file](#)

Other

Please provide other documentation that you would like considered as part of the tax credit application. (This field is not required.)

 [Add file](#)

Tax Credit

Appraised Fair Market Value

Please enter the fair market value of the conservation easement as determined by the appraisal

Your answer _____

Bargain Sale, if any

If applicable, please enter the gross bargain sale proceeds

Your answer _____

Enhancement, if any

If applicable, please enter the amount of enhancement to other properties as determined by the appraisal

Your answer _____

Charitable Deduction

Please enter the amount of the charitable deduction as calculated by subtracting any bargain sale proceeds from the appraised fair market value of the conservation easement

Your answer _____

Tax Credit Certificate Amount

Please enter the requested tax credit amount as calculated pursuant to section 39-22-522(4)(a). For conservation easements donated on or after January 1, 2015, but prior to January 1, 2021, the credit shall be an amount equal to 75% of the first \$100,000 of the fair market value, and 50% of all amounts of the donation in excess of \$100,000, up to a maximum of \$5,000,000. For conservation easements donated on or after January 1, 2021, the credit is an amount equal to 90% of the fair market value, up to a maximum of \$5,000,000.

Your answer _____

Signature and Affidavit

*

	Yes	No
I understand the application fee is nonrefundable	<input type="radio"/>	<input type="radio"/>
I understand the DCO may request additional info	<input type="radio"/>	<input type="radio"/>
Except as detailed in this application, I received nothing of value from the donee organization (no quid pro quo)	<input type="radio"/>	<input type="radio"/>
I understand the DCO may discuss the application with the holder, appraiser, and other professionals	<input type="radio"/>	<input type="radio"/>
I understand the issuance of a tax credit certificate by DCO has no bearing on any IRS review	<input type="radio"/>	<input type="radio"/>
I understand that tax credit certificates may not used for years prior to the year indicated by the tax credit certificate number	<input type="radio"/>	<input type="radio"/>
I understand the DCO shall not issue tax credit certificates that exceed \$45 million in aggregate for 2014 and each year thereafter	<input type="radio"/>	<input type="radio"/>
I understand that in reviewing the appraisal, the DCO is not making an opinion of value	<input type="radio"/>	<input type="radio"/>

By entering your name below, you are providing your signature, indicating that, to the best of your knowledge, all the information on this form is true and accurate. You may want to obtain advice from a competent attorney before completing this application form. *

Your answer _____

Status

Please indicate the status of your application. Note that your responses are automatically saved and that you may return to the application at your convenience to make changes and provide additional answers and/or documentation. Review of your application will begin only after the application form is final.

Choose 

Fee

The tax credit certificate application fee for conservation easements donated on or after January 1, 2014 is \$2,400. Please make payment via check payable to the Division of Conservation. Currently, online electronic payments are not accepted. No cash is accepted. The fee is non-refundable. Mail checks to:

Division of Conservation
ATTN: Aaron Welch
1560 Broadway, Suite 1550
Denver, CO 80202