

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

H. R. 1838

---

**AN ACT**

To provide for an exchange of lands with the Water Conservancy District of Washington County, Utah.

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1838

---

## AN ACT

To provide for an exchange of lands with the Water Conservancy District of Washington County, Utah.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EXCHANGE OF LANDS WITH THE WATER CON-**  
4 **SERVANCY DISTRICT OF WASHINGTON COUN-**  
5 **TY, UTAH.**

6 (a) IN GENERAL.—Subject to the provisions of this  
7 Act, if within 18 months after the date of the enactment  
8 of this Act, the Water Conservancy District of Washington

1 County, Utah, offers to transfer to the United States all  
2 right, title, and interest of the District in and to the  
3 Bulloch Site, the Secretary of the Interior shall, in ex-  
4 change, transfer to the District all right, title, and interest  
5 of the United States in and to the Sand Hollow Site, the  
6 Quail Creek Pipeline and Quail Creek Reservoir, subject  
7 to valid existing rights.

8 (b) WATER RIGHTS ASSOCIATED WITH THE  
9 BULLOCH SITE.—The water rights associated with the  
10 Bulloch Site shall not be included in the transfer under  
11 subsection (a) but shall be subject to an agreement be-  
12 tween the District and the Secretary that the water re-  
13 main in the Virgin River as an instream flow from the  
14 Bulloch Site to the diversion point of the District at the  
15 Quail Creek Reservoir.

16 (c) WITHDRAWAL OF MINERAL INTERESTS.—Subject  
17 to valid existing rights, the mineral interests underlying  
18 the Sand Hollow Site, the Quail Creek Reservoir, and the  
19 Quail Creek Pipeline are hereby withdrawn from disposi-  
20 tion under the public land laws and from location, entry,  
21 and patent under the mining laws of the United States,  
22 from the operation of the mineral leasing laws of the  
23 United States, from the operation of the Geothermal  
24 Steam Act of 1970, and from the operation of the Act

1 of July 31, 1947, commonly known as the “Materials Act  
2 of 1947” (30 U.S.C. 601 et seq.).

3 (d) GRAZING.—The exchange of lands under sub-  
4 section (a) shall be subject to agreement by the District  
5 to continue to permit the grazing of domestic livestock on  
6 the Sand Hollow Site under the terms and conditions of  
7 existing Federal grazing leases or permits, except that the  
8 District, upon terminating any such lease or permit, shall  
9 fully compensate the holder of the terminated lease or per-  
10 mit.

11 **SEC. 2. EQUALIZATION OF VALUES.**

12 The value of the lands transferred out of Federal  
13 ownership under section 1 either shall be equal to the  
14 value of the lands received by the Secretary under section  
15 1 or, if not, shall be equalized by—

16 (1) to the extent possible, transfer of all right,  
17 title, and interest of the District in and to lands in  
18 Washington County, Utah, and water rights of the  
19 District associated thereto, which are within the  
20 area providing habitat for the desert tortoise, as de-  
21 termined by the Director of the Bureau of Land  
22 Management;

23 (2) transfer of all right, title, and interest of  
24 the District in and to lands in the Smith Site and  
25 water rights of the District associated thereto; and



1       jacent to Zion National Park, more particularly de-  
2       scribed as follows:

**BULLOCH SITE**

	Section	Acres
T 39 S R 9 W (Private)	32 S $\frac{1}{2}$	320
	33 SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	180
	Total	500
T 40 S R 9 W (State)	5 S $\frac{1}{2}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$	400
	6 S $\frac{1}{2}$ , NE $\frac{1}{4}$	480
	Total	880
GRAND TOTAL		1,380

3           (4) SAND HOLLOW SITE.—The term “Sand  
4       Hollow Site” means the lands located in Washington  
5       County, Utah, more particularly described as fol-  
6       lows:

**SAND HOLLOW RESERVOIR SITE**

	Section	Acres
T 42 S R 14 W	13 SW $\frac{1}{4}$	160
	23 E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$	480
	24 All	640
	26 NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{2}$	320
	25 All	640
T 42 S R 13 W	19 W $\frac{1}{2}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$	360
	30 W $\frac{1}{2}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$	400
GRAND TOTAL		3,000

7           (5) QUAIL CREEK PIPELINE.—The term “Quail  
8       Creek Pipeline” means the lands located in Wash-  
9       ington County, Utah, more particularly described as  
10       follows:

**QUAIL CREEK PIPELINE**

	Section	Acres
T 41 S R 12 W River-pipeline	30 NW $\frac{1}{4}$ NW $\frac{1}{4}$	40
	Total	<hr/> 40

1           (6) QUAIL CREEK RESERVOIR.—The term  
2           “Quail Creek Reservoir” means the lands located in  
3           Washington County, Utah, more particularly de-  
4           scribed as follows:

**QUAIL CREEK RESERVOIR**

	Section	Acres
T 41 S R 14 W	23 Tract 38	9.51
	23 Lot 2	40.00
	23 SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	2.50
	Total	<hr/> 52.01
	25 W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	20
	25 SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	10
	25 W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	5
	25 NW $\frac{1}{4}$ SW $\frac{1}{4}$	40
	25 W $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$	10
	Total	<hr/> 85
	26 Lot 1	15.97
	26 Lot 8	40.00
	26 Lot 12	17.45
	26 Lot 15	42.23
	26 Lot 16	42.39
	26 SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
	Total	<hr/> 198.04
	35 E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$	40.00
	35 SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
	35 W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	20.00
	35 NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	10.00
	35 N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	20.00
	35 NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	10.00
	35 N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	5.00

**QUAIL CREEK RESERVOIR**—Continued

Section	Acres
Total	145.00
Grand Total	480.05

1           (7) SMITH SITE.—The term “Smith Site”  
2           means the lands located in Washington County,  
3           Utah, adjacent to Zion National Park and more par-  
4           ticularly described as follows:

**SMITH PROPERTY**

Section	
T 40 S R 11 W	5 Lots 3, 4, 5, 6, 7, 8, 9, 10, & 11 E <sup>1</sup> / <sub>2</sub> SW <sup>1</sup> / <sub>4</sub> , SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>
	6 Lot 1, S <sup>1</sup> / <sub>2</sub> , NE <sup>1</sup> / <sub>4</sub> and beginning at a point 2 rods west of the northeast corner of the northeast quarter of the southeast quarter; thence east 2 rods; thence south 80 rods; thence west 16 rods; thence in a northeasterly direction to the point of beginning
	8 E <sup>1</sup> / <sub>2</sub> NW <sup>1</sup> / <sub>4</sub> , E <sup>1</sup> / <sub>2</sub> SW <sup>1</sup> / <sub>4</sub> and lots 1 & 2 excepting the south 1200 feet of the SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>
T 39 S R 11 W	30 W <sup>1</sup> / <sub>2</sub> NE <sup>1</sup> / <sub>4</sub> , W <sup>1</sup> / <sub>2</sub> SE <sup>1</sup> / <sub>4</sub> , SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> , W <sup>1</sup> / <sub>2</sub> SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> , W <sup>1</sup> / <sub>2</sub> E <sup>1</sup> / <sub>2</sub> SE <sup>1</sup> / <sub>4</sub>
	31 E <sup>1</sup> / <sub>2</sub> , E <sup>1</sup> / <sub>2</sub> SW <sup>1</sup> / <sub>4</sub> and lots 3 & 4
	32 SW <sup>1</sup> / <sub>4</sub>
	Containing 1,550 acres more or less

Passed the House of Representatives November 7,  
1995.

Attest:

*Clerk.*