

104TH CONGRESS
1ST SESSION

H. R. 1838

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 1995

Mr. HANSEN introduced the following bill; which was referred to the Committee on Resources

A BILL

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
9 County, Utah, offers to transfer to the United States all
10 right, title, and interest of the District in and to the

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

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

14 (c) WITHDRAWAL OF MINERAL INTERESTS.—Subject
15 to valid existing rights, the mineral interests underlying
16 the Sand Hollow Site, the Quail Creek Reservoir, and the
17 Quail Creek Pipeline are hereby withdrawn from disposi-
18 tion under the public land laws and from location, entry,
19 and patent under the mining laws of the United States,
20 from the operation of the mineral leasing laws of the Unit-
21 ed States, from the operation of the Geothermal Steam
22 Act of 1970, and from the operation of the Act of July
23 31, 1947, commonly known as the “Materials Act of
24 1947” (30 U.S.C. 601 et seq.).

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

9 **SEC. 2. EQUALIZATION OF VALUES.**

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

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

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

24 (3) the payment of money of the Secretary, to
25 the extent that lands and rights transferred under

1 paragraphs (1) and (2) are not sufficient to equalize
2 the values of the lands exchanged under section 1.

3 **SEC. 3. MANAGEMENT OF LANDS ACQUIRED BY UNITED**
4 **STATES.**

5 Lands acquired by the Secretary under this Act shall
6 be administered by the Secretary, acting through the Di-
7 rector of the Bureau of Land Management, in accordance
8 with the provisions of law generally applicable to the pub-
9 lic lands, including the Federal Land Policy and Manage-
10 ment Act of 1976 (43 U.S.C. 1701 et seq.).

11 **SEC. 4. NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.**

12 The exchange of lands under this Act is not subject
13 to section 102 of the National Environmental Policy Act
14 of 1969 (42 U.S.C. 4332).

15 **SEC. 5. DEFINITIONS.**

16 As used in this Act:

17 (1) DISTRICT.—The term “District” means the
18 Water Conservancy District of Washington County,
19 Utah.

20 (2) SECRETARY.—The term “Secretary” means
21 the Secretary of the Interior.

22 (3) BULLOCH SITE.—The term “Bulloch Site”
23 means the lands located in Kane County, Utah, ad-
24 jacent to Zion National Park, more particularly de-
25 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

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

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

QUAIL CREEK PIPELINE

	Section	Acres
T 41 S R 12 W	30 NW $\frac{1}{4}$ NW $\frac{1}{4}$	40
River-pipeline		
	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 ¹ / ₂ SW ¹ / ₄ , SE ¹ / ₄ NW ¹ / ₄
	6 Lot 1, S ¹ / ₂ , NE ¹ / ₄ 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 ¹ / ₂ NW ¹ / ₄ , E ¹ / ₂ SW ¹ / ₄ and lots 1 & 2 excepting the south 1200 feet of the SE ¹ / ₄ SW ¹ / ₄
T 39 S R 11 W	30 W ¹ / ₂ NE ¹ / ₄ , W ¹ / ₂ SE ¹ / ₄ , SE ¹ / ₄ SW ¹ / ₄ , W ¹ / ₂ SE ¹ / ₄ NE ¹ / ₄ , W ¹ / ₂ E ¹ / ₂ SE ¹ / ₄
	31 E ¹ / ₂ , E ¹ / ₂ SW ¹ / ₄ and lots 3 & 4
	32 SW ¹ / ₄
	Containing 1,550 acres more or less

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