

104TH CONGRESS
2D SESSION

H. R. 3258

To direct the Secretary of the Interior to convey certain real property located within the Carlsbad Project in New Mexico to Carlsbad Irrigation District.

IN THE HOUSE OF REPRESENTATIVES

APRIL 17, 1996

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

A BILL

To direct the Secretary of the Interior to convey certain real property located within the Carlsbad Project in New Mexico to Carlsbad Irrigation District.

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. CONVEYANCE.**

4 (a) REQUIREMENT.—

5 (1) IN GENERAL.—The Secretary of the Inte-
6 rior shall, without consideration and subject to para-
7 graph (2), convey all right, title, and interest of the
8 United States in and to the lands described in sub-
9 section (b) (in this Act referred to as the “Acquired
10 Lands”) to the Carlsbad Irrigation District (a quasi-

1 municipal corporation formed under the laws of the
2 State of New Mexico; in this Act referred to as the
3 “District”), by not later than 90 days after the date
4 of the enactment of this Act.

5 (2) LIMITATION.—In the case of land on which
6 is located any dam, reservoir high water elevation,
7 canal, or head gate, the Secretary shall convey under
8 this subsection only the right, title, and interest of
9 the United States in and to the mineral estate.

10 (b) ACQUIRED LANDS DESCRIBED.—The lands re-
11 ferred to in subsection (a) are those lands (including the
12 surface and mineral estate) in Eddy County, New Mexico,
13 described as the Acquired Lands in section 7 of the Bu-
14 reau of Reclamation’s 1978 “Status of Lands and Title
15 Report”.

16 (c) TERMS AND CONDITIONS OF CONVEYANCE.—Any
17 conveyance of the Acquired Lands under this Act shall be
18 subject to the following terms and conditions:

19 (1) After conveyance under this Act, the Ac-
20 quired Lands shall continue to be managed and used
21 by the District for purposes for which the Carlsbad
22 Project was authorized and those uses allowed under
23 the Federal reclamation laws (the Act of June 17,
24 1902 (32 Stat. 388), and Acts supplementary there-
25 to and amendatory thereof).

1 (2) Upon conveyance of the Acquired Lands
2 under this Act, the District is obligated to fulfill the
3 duties and obligations of the United States under
4 the lease dated December 15, 1983, between the Bu-
5 reau of Reclamation and the Director, New Mexico
6 Department of Game and Fish (Document No. 4-
7 LM-57-02900), relating to management of certain
8 lands near Brantley Reservoir for fish and wildlife
9 purposes.

10 (d) NATIONAL ENVIRONMENTAL POLICY ACT OF
11 1969.—Conveyance of the Acquired Lands under this Act
12 does not constitute a major Federal action for purposes
13 of the National Environmental Policy Act of 1969 (42
14 U.S.C. 4321 et seq.).

15 **SEC. 2. LEASE MANAGEMENT AND PAST REVENUES COL-**
16 **LECTED FROM THE ACQUIRED LANDS.**

17 (a) IDENTIFICATION AND NOTIFICATION OF LEASE-
18 HOLDERS.—Within 45 days after the date of enactment
19 of this Act, the Secretary of the Interior shall provide a
20 written identification of all oil and gas leases on the Ac-
21 quired Lands in effect on the date of enactment of this
22 Act. The Secretary of the Interior shall notify all lease-
23 holders of the changes required by this Act before imple-
24 menting this Act.

1 (b) MANAGEMENT OF LEASES.—The District, upon
2 conveyance of the Acquired Lands under this Act, shall
3 be entitled to immediately assume the management of all
4 leases on the Acquired Lands, including leases entered
5 into before the date of the enactment of this Act, and shall
6 be entitled to any revenues from such leases accruing after
7 the date of such conveyance.

8 (c) AVAILABILITY OF AMOUNTS PAID INTO
9 RECLAMATION FUND.—Revenues collected before the date
10 of the conveyance of the Acquired Lands under this Act
11 from the Acquired Lands which have been paid into the
12 reclamation fund on behalf of the Carlsbad Project under
13 the Mineral Leasing Act, shall be made immediately avail-
14 able to the District under the distribution scheme set forth
15 in subsection I of section 4 of the Act of December 5,
16 1924 (43 U.S.C. 501; commonly referred to as the “Fact
17 Finders Act of 1924”).

○