

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

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**H. R. 434**

**AN ACT**

To provide for the conveyance of small parcels of land in the Carson National Forest and the Santa Fe National Forest, New Mexico, to the village of El Rito and the town of Jemez Springs, New Mexico.

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## AN ACT

To provide for the conveyance of small parcels of land in the Carson National Forest and the Santa Fe National Forest, New Mexico, to the village of El Rito and the town of Jemez Springs, New Mexico.

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

1 **SECTION 1. LAND CONVEYANCE, CARSON NATIONAL FOR-**  
2 **EST, NEW MEXICO.**

3 (a) CONVEYANCE REQUIRED.—The Secretary of Ag-  
4 riculture shall convey through sale or exchange to the  
5 County of Rio Arriba for the benefit of the village of El  
6 Rito, New Mexico (in this section referred to as “El  
7 Rito”), all right, title, and interest of the United States  
8 in and to a parcel of real property, together with any im-  
9 provements thereon, consisting of approximately 5 acres  
10 located in the Carson National Forest in the State of New  
11 Mexico.

12 (b) DESCRIPTION OF PROPERTY.—The exact acreage  
13 and legal description of the real property conveyed under  
14 subsection (a) shall be determined by a survey satisfactory  
15 to the Secretary. The cost of the survey shall be borne  
16 by the Forest Service.

17 (c) LANDS ACQUIRED IN EXCHANGE FROM RIO  
18 ARRIBA COUNTY.—Except as provided in this Act, any ex-  
19 change of lands under subsection (a) shall be processed  
20 in accordance with the rules of the Secretary of Agri-  
21 culture setting forth the procedures for conducting ex-  
22 changes of National Forest System lands (36 CFR part  
23 254). Any lands to be conveyed to the United States in  
24 such an exchange shall be acceptable to the Secretary and  
25 shall be subject to such valid existing rights or record as  
26 may be acceptable to the Secretary. Title to such land

1 shall conform with the title approval standards applicable  
2 to Federal land acquisitions.

3 (d) VALUATION AND APPRAISALS.—Values of any  
4 lands exchanged pursuant to subsection (a) shall be equal  
5 as determined by the Secretary. If, due to size, location,  
6 or use of lands exchanged under subsection (a), the values  
7 are not exactly equal, they shall be equalized by the pay-  
8 ment of cash. The Secretary may accept cash equalization  
9 payments in excess of 25 per centum of the total value  
10 of the Federal lands exchanged. Value of any lands sold  
11 to the County of Rio Arriba shall be on the basis of fair  
12 market value as determined by the Secretary.

13 (e) DISPOSITION OF FUNDS.—Payments from a sale  
14 under subsection (a) or cash equalization payments may  
15 be made in equal installments for a period not to exceed  
16 10 years. Any funds received by the Secretary through the  
17 sale or by cash equalization shall be deposited into the  
18 fund established by the Act of December 4, 1967 (16  
19 U.S.C. 484a), known as the Sisk Act, and shall be avail-  
20 able for expenditure, upon appropriation, for the acquisi-  
21 tion of lands and interests in lands in the State of New  
22 Mexico.

23 (f) STATUS OF LANDS.—Upon approval and accept-  
24 ance of title by the Secretary, any lands acquired by the  
25 United States pursuant to subsection (a) shall become

1 part of the Carson National Forest and the boundaries  
2 of the National Forest shall be adjusted to encompass  
3 such lands. Such lands shall be managed in accordance  
4 with the Act of March 1, 1911 (commonly known as the  
5 “Weeks Law”) (36 Stat. 961), and shall be administered  
6 by the Secretary of Agriculture in accordance with the  
7 laws and regulations pertaining to the National Forest  
8 System. This section shall not limit the Secretary’s au-  
9 thority to adjust the boundaries of the Carson National  
10 Forest pursuant to section 11 of the Act of March 1, 1911  
11 (“Weeks Act”). For the purposes of section 7 of the Land  
12 and Water Conservation Fund Act of 1965 (16 U.S.C.  
13 4601–9), the boundaries of the Carson National Forest,  
14 as adjusted by this Act, shall be considered to be bound-  
15 aries of the Forest as of January 1, 1965.

16 **SEC. 2. LAND CONVEYANCE, SANTA FE NATIONAL FOREST,**  
17 **NEW MEXICO.**

18 (a) CONVEYANCE REQUIRED.—The Secretary of Ag-  
19 riculture shall convey, through exchange, to the town of  
20 Jemez Springs, New Mexico (in this section referred to  
21 as “Jemez Springs”), all right, title, and interest of the  
22 United States in and to a parcel of real property, together  
23 with any improvements thereon, consisting of approxi-  
24 mately 1 acre located in the Santa Fe National Forest  
25 in the State of New Mexico.

1           (b) DESCRIPTION OF PROPERTY.—The exact acreage  
2 and legal description of the real property conveyed under  
3 subsection (a) shall be determined by a survey satisfactory  
4 to the Secretary. The cost of the survey shall be borne  
5 by the Forest Service.

6           (c) LANDS ACQUIRED IN EXCHANGE FROM THE  
7 TOWN OF JEMEZ SPRINGS.—Except as provided in this  
8 Act, any exchange of lands under subsection (a) shall be  
9 processed in accordance with the rules of the Secretary  
10 of Agriculture setting forth the procedures for conducting  
11 exchanges of National Forest System lands (36 CFR part  
12 254). Any lands conveyed to the United States in such  
13 an exchange shall be acceptable to the Secretary and shall  
14 be subject to such valid existing rights or record as may  
15 be acceptable to the Secretary. Title to such land shall  
16 conform with the title approval standards applicable to  
17 Federal land acquisitions.

18           (d) VALUATION AND APPRAISALS.—Values of any  
19 lands to be exchanged pursuant to subsection (a) shall be  
20 equal as determined by the Secretary. If, due to size, loca-  
21 tion, or use of lands exchanged under section 1(a), the  
22 values are not exactly equal, they shall be equalized by  
23 the payment of cash. The Secretary may accept cash  
24 equalization payments in excess of 25 per centum of the  
25 total value of the involved Federal lands exchanged.

1           (e) DISPOSITION OF FUNDS.—Payments for any cash  
2 equalization for the exchange under subsection (a) may  
3 be made in equal installments for a period of not to exceed  
4 10 years. Any funds received by the Secretary through the  
5 cash equalization shall be deposited into the fund estab-  
6 lished by the Act of December 4, 1967 (16 U.S.C. 484a),  
7 known as the Sisk Act, and shall be available for expendi-  
8 ture, upon appropriation, for the acquisition of lands and  
9 interests in lands in the State of New Mexico.

10          (f) STATUS OF LANDS.—Upon approval and accept-  
11 ance of title by the Secretary, any lands acquired by the  
12 United States pursuant to subsection (a) shall become  
13 part of the Santa Fe National Forest and the boundaries  
14 of the National Forest shall be adjusted to encompass  
15 such lands. Such lands shall be managed in accordance  
16 with the Act of March 1, 1911 (commonly known as the  
17 “Weeks Law”) (36 Stat. 961), and shall be administered  
18 by the Secretary of Agriculture in accordance with the  
19 laws and regulations pertaining to the National Forest  
20 System. This section does not limit the Secretary’s author-  
21 ity to adjust the boundaries of the Carson National Forest  
22 pursuant to section 11 of the Act of March 1, 1911  
23 (“Weeks Act”). For the purposes of section 7 of the Land  
24 and Water Conservation Fund Act of 1965 (16 U.S.C.  
25 4601–9), the boundaries of the Santa Fe National Forest,

1 as adjusted by this Act, shall be considered to be bound-  
2 aries of the Forest as of January 1, 1965.

Passed the House of Representatives November 4,  
1997.

Attest:

*Clerk.*