

# Union Calendar No. 294

105<sup>TH</sup> CONGRESS  
2D SESSION

# H. R. 2416

[Report No. 105-516]

To provide for the transfer of certain rights and property to the United States Forest Service in exchange for a payment to the occupant of such property, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 5, 1997

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

MAY 7, 1998

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

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## A BILL

To provide for the transfer of certain rights and property to the United States Forest Service in exchange for a payment to the occupant of such property, and for other purposes.

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. AUTHORITY FOR SETTLEMENT.**

2 (a) SETTLEMENT.—If the Rocky Mountain Con-  
3 ference of the United Church of Christ agrees to vacate  
4 the approximately 6.3 acre property located in the Dillon  
5 Ranger District of the White River National Forest in  
6 Summit County, Colorado, as described in subsection (b),  
7 and all buildings on such property and to surrender any  
8 permit to use such property, buildings, and associated  
9 water rights and to transfer to the United States all right,  
10 title, and interest of the United Church of Christ to such  
11 property, buildings and water rights, the Secretary of Ag-  
12 riculture, acting through the Chief of the United States  
13 Forest Service, shall pay the Rocky Mountain Conference  
14 of the United Church of Christ an amount equal to the  
15 sum of—

16 (1) the appraised fair market value of the water  
17 rights decreed in Case NO. W-1319 by the District  
18 Court, Water Division No. 5, State of Colorado; and

19 (2) the replacement value of the two residential  
20 structures constructed by the United Church of  
21 Christ on such property.

22 All costs of appraising such water rights and structures  
23 shall be borne by the United States. The appraisal of such  
24 water rights and of such structures shall be made by an  
25 independent appraiser selected by the Chief of the United  
26 States Forest Service.

1       (b) DESCRIPTION OF LAND.—The property referred  
2 to in subsection (a) is a tract of land being a portion of  
3 Government lot 3, Section 31, Township 5 South, Range  
4 77 West of the 6th principal meridian, Summit County,  
5 Colorado, beginning at a point on the east line of said  
6 Government lot 3; whence the northeast corner of said lot  
7 bears N 00 degrees 06 minutes 30 seconds E 280.00 feet  
8 distant. Said point being a Denver water board brass cap;  
9 thence south 00 degrees 06 minutes 30 seconds W a dis-  
10 tance of 500.00 feet; thence N 89 degrees 53 minutes 30  
11 seconds W a distance of 590.00 feet; thence N 00 degrees  
12 06 minutes 30 seconds E a distance of 440.00 feet; thence  
13 S 89 degrees 53 minutes 30 seconds E a distance of  
14 290.00 feet; thence N 00 degrees 06 minutes 30 seconds  
15 E a distance of 60.00 feet; thence S 89 degrees 53 min-  
16 utes 30 seconds E a distance of 300.00 feet to the point  
17 of beginning. Containing 277,600 sq. ft. or 6.3 acres, to-  
18 gether with a 25.00 foot wide easement for an existing  
19 well and water line serving the above referenced tract.  
20 Said well being located south 56 degrees 15 seconds W  
21 126.00 feet distant from the SW corner of said tract.

22       (c) EXCHANGE AUTHORIZATION.—The Secretary is  
23 authorized to convey the lands described in subsection (b)  
24 to United Church of Christ by exchange.

1 **SECTION 1. AUTHORITY FOR SETTLEMENT.**

2       (a) *SETTLEMENT.*—*If the Rocky Mountain Conference*  
 3 *of the United Church of Christ agrees to vacate the approxi-*  
 4 *mately 6.3 acre property located in the Dillon Ranger Dis-*  
 5 *trict of the White River National Forest in Summit County,*  
 6 *Colorado, as described in subsection (b), and all buildings*  
 7 *on such property and to surrender any permit to use such*  
 8 *property, buildings, and associated water rights and to*  
 9 *transfer to the United States all right, title, and interest*  
 10 *of the United Church of Christ to such property, buildings*  
 11 *and water rights, the Secretary of Agriculture, acting*  
 12 *through the Chief of the United States Forest Service, shall*  
 13 *pay the Rocky Mountain Conference of the United Church*  
 14 *of Christ an amount equal to the sum of—*

15               (1) *the appraised fair market value of the water*  
 16 *rights decreed in Case No. W-1319 by the District*  
 17 *Court, Water Division No. 5, State of Colorado; and*

18               (2) *the appraised fair market value of the two*  
 19 *residential structures constructed by the United*  
 20 *Church of Christ on such property.*

21 *The appraisal of such water rights and of such structures*  
 22 *shall be made by an independent appraiser selected by the*  
 23 *Chief of the United States Forest Service. The costs of such*  
 24 *appraisal shall be divided between the Church and the*  
 25 *United States Forest Service, with each party paying 50*  
 26 *percent.*

1       (b) *DESCRIPTION OF LAND.*—The property referred to  
2   in subsection (a) is a tract of land being a portion of Gov-  
3   ernment lot 3, Section 31, Township 5 South, Range 77  
4   West of the 6th principal meridian, Summit County, Colo-  
5   rado, beginning at a point on the east line of said Govern-  
6   ment lot 3; whence the northeast corner of said lot bears  
7   N 00 degrees 06 minutes 30 seconds E 280.00 feet distant.  
8   Said point being a Denver water board brass cap; thence  
9   south 00 degrees 06 minutes 30 seconds W a distance of  
10   500.00 feet; thence N 89 degrees 53 minutes 30 seconds W  
11   a distance of 590.00 feet; thence N 00 degrees 06 minutes  
12   30 seconds E a distance of 440.00 feet; thence S 89 degrees  
13   53 minutes 30 seconds E a distance of 290.00 feet; thence  
14   N 00 degrees 06 minutes 30 seconds E a distance of 60.00  
15   feet; thence S 89 degrees 53 minutes 30 seconds E a distance  
16   of 300.00 feet to the point of beginning. Containing 277,600  
17   sq. ft. or 6.3 acres, together with a 25.00 foot wide easement  
18   for an existing well and water line serving the above ref-  
19   erenced tract. Said well being located south 56 degrees 15  
20   seconds W 126.00 feet distant from the SW corner of said  
21   tract.

22       (c) *EXCHANGE.*—The Secretary is authorized to convey  
23   the lands described in subsection (b) to the United Church  
24   of Christ by exchange.

1       (d) *SEWAGE TREATMENT.*—*As a condition of the*  
2 *transfer under subsection (a), the permittee shall be re-*  
3 *quired to bring all sewage treatment facilities associated*  
4 *with the property described in subsection (b) into compli-*  
5 *ance with all Federal, State, and local standards.*

6       (e) *FOREST PLAN.*—*The Secretary of Agriculture is*  
7 *authorized to make such modifications in the management*  
8 *plan for the White River National Forest as may be*  
9 *necessary to reflect the enactment of this Act.*



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