

118TH CONGRESS  
1ST SESSION

# H. R. 3049

To provide for the exchange of certain Federal land and State land in  
the State of Utah.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 2, 2023

Mr. CURTIS (for himself, Mr. STEWART, Mr. MOORE of Utah, and Mr. OWENS) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To provide for the exchange of certain Federal land and  
State land in the State of 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. SHORT TITLE.**

4 This Act may be cited as the “Utah School and Insti-  
5 tutional Trust Lands Administration Exchange Act of  
6 2023”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

1           (1) ADMINISTRATION.—The term “Administra-  
2           tion” means the Utah School and Institutional Trust  
3           Lands Administration.

4           (2) AGREEMENT.—The term “Agreement”  
5           means the agreement between the Administration,  
6           the State, and the Secretary to exchange certain  
7           Federal land and interests in Federal land for cer-  
8           tain State land and interests in State land managed  
9           by the Administration entitled “Memorandum of  
10          Understanding—Exchange of Lands” and dated  
11          March 17, 2023.

12          (3) LEGAL DESCRIPTION.—The term “Legal  
13          Description” means a legal description that is in-  
14          cluded in Exhibit A to the Agreement and that is  
15          part of the Agreement as of the date of the convey-  
16          ance of the applicable land under this Act.

17          (4) MAP.—The term “Map” means the map de-  
18          scribed in the Agreement.

19          (5) SECRETARY.—The term “Secretary” means  
20          the Secretary of the Interior.

21          (6) STATE.—The term “State” means the State  
22          of Utah.

1 **SEC. 3. RATIFICATION OF AGREEMENT BETWEEN THE AD-**  
2 **MINISTRATION, THE STATE OF UTAH, AND**  
3 **THE SECRETARY OF THE INTERIOR.**

4 (a) **RATIFICATION.**—All terms, conditions, proce-  
5 dures, covenants, reservations, and other provisions in-  
6 cluded in the Agreement—

7 (1) shall be considered to be in the public inter-  
8 est;

9 (2) are incorporated by reference into this Act;

10 (3) are ratified and confirmed by Congress; and

11 (4) set forth the obligations of the United  
12 States, the State, and the Administration under the  
13 Agreement as a matter of Federal law.

14 (b) **IMPLEMENTATION.**—The Secretary shall imple-  
15 ment the Agreement.

16 **SEC. 4. CONVEYANCES.**

17 (a) **PUBLIC INTEREST DETERMINATION.**—The land  
18 exchange directed by the Agreement shall be considered  
19 to be in the public interest.

20 (b) **AUTHORIZATION.**—

21 (1) **CONVEYANCES.**—Notwithstanding any other  
22 provision of law, the conveyances of land and inter-  
23 ests in land described in paragraphs (2), (3), and  
24 (5) of the Agreement shall be executed in accordance  
25 with this Act and the Agreement.

1           (2) DEADLINE FOR CERTAIN CONVEYANCES.—

2           The conveyances of land and interests in land de-  
3           scribed in paragraphs (2) and (3) of the Agreement  
4           shall be completed not later than 45 days after the  
5           date of enactment of this Act.

6           (3) REQUIREMENT.—If necessary, the convey-  
7           ances of land and interests in land described in the  
8           Agreement shall be equalized in accordance with sec-  
9           tion 5(b).

10          (c) MAP AND LEGAL DESCRIPTIONS.—

11           (1) PUBLIC AVAILABILITY.—The Map and  
12           Legal Descriptions shall be on file and available for  
13           public inspection in the offices of the Secretary and  
14           the State Director of the Bureau of Land Manage-  
15           ment.

16           (2) CONFLICT.—In the case of any conflict be-  
17           tween the Map and the Legal Descriptions, the  
18           Legal Descriptions shall control.

19           (3) TECHNICAL CORRECTIONS.—Nothing in this  
20           Act prevents the Secretary and the Administration  
21           from agreeing to the correction of technical errors or  
22           omissions in the Map or Legal Descriptions.

23          (d) ADEQUACY OF APPLICABLE PLANS.—A convey-  
24          ance of Federal land or an interest in Federal land to the  
25          State under the Agreement shall be considered to comply

1 with any applicable land use plan developed under section  
2 202 of the Federal Land Policy and Management Act of  
3 1976 (43 U.S.C. 1712).

4 **SEC. 5. EQUALIZATION OF THE EXCHANGE.**

5 (a) APPRAISAL.—

6 (1) IN GENERAL.—Not later than 18 months  
7 after the date of execution of the exchange under  
8 section 4, the total value of the land exchanged shall  
9 be determined by an appraisal in accordance with  
10 paragraph (5) of the Agreement, that shall—

11 (A) be based on land and mineral values  
12 determined as of the date of enactment of this  
13 Act;

14 (B) be conducted in accordance with sec-  
15 tion 206(d) of the Federal Land Policy and  
16 Management Act of 1976 (43 U.S.C. 1716(d));  
17 and

18 (C) use nationally recognized appraisal  
19 standards, including—

20 (i) the Uniform Appraisal Standards  
21 for Federal Land Acquisitions; and

22 (ii) the Uniform Standards of Profes-  
23 sional Appraisal Practice.

24 (2) MINERALS.—

1 (A) MINERAL REPORTS.—The appraisals  
2 conducted under paragraph (1) may take into  
3 account mineral and technical reports provided  
4 by the Secretary and the Administration in the  
5 evaluation of mineral deposits in the land and  
6 interests in land exchanged under the Agree-  
7 ment.

8 (B) MINING CLAIMS.—The appraisal of  
9 any parcel of Federal land or interest in Fed-  
10 eral land that is encumbered by a mining claim,  
11 mill site, or tunnel site located under the min-  
12 ing laws shall be conducted in accordance with  
13 standard appraisal practices, including, as ap-  
14 propriate, the Uniform Appraisal Standards for  
15 Federal Land Acquisition.

16 (C) VALIDITY EXAMINATIONS.—Nothing in  
17 this paragraph requires the United States to  
18 conduct a mineral examination for any mining  
19 claim on the Federal land or interest in Federal  
20 land conveyed under the Agreement.

21 (3) ADJUSTMENT.—

22 (A) IN GENERAL.—If value is attributed to  
23 any parcel of Federal land or interest in Fed-  
24 eral land through an appraisal under paragraph  
25 (1) based on the presence of minerals subject to

1 leasing under the Mineral Leasing Act (30  
2 U.S.C. 181 et seq.), the value of the parcel or  
3 interest in Federal land (as otherwise estab-  
4 lished under this subsection) shall be reduced  
5 by the percentage of the applicable Federal rev-  
6 enue sharing obligation under section 35(a) of  
7 the Mineral Leasing Act (30 U.S.C. 191(a)).

8 (B) LIMITATION.—Any adjustment under  
9 subparagraph (A) shall not be considered to be  
10 a property right of the State.

11 (4) APPROVAL; DURATION.—An appraisal con-  
12 ducted under paragraph (1) shall—

13 (A) be submitted to the Secretary and the  
14 Administration for approval; and

15 (B) remain valid for 3 years after the date  
16 on which the appraisal is approved by the Sec-  
17 retary and the Administration under subpara-  
18 graph (A).

19 (5) DISPUTE RESOLUTION.—If, by the date  
20 that is 90 days after the date of submission of an  
21 appraisal for review and approval under paragraph  
22 (4)(A), the Secretary and the Administration do not  
23 agree to accept the findings of the appraisal with re-  
24 spect to any parcel of land or interest in land to be  
25 exchanged, the dispute shall be resolved in accord-

1       ance with section 206(d)(2) of the Federal Land  
2       Policy and Management Act of 1976 (43 U.S.C.  
3       1716(d)(2)).

4       (b) EQUALIZATION OF VALUES.—If the total value  
5       of the State land described in paragraph (2) of the Agree-  
6       ment and the total value of the Federal land and interests  
7       in Federal land described in paragraph (3) of the Agree-  
8       ment, as determined under subsection (a), are not equal—

9               (1) the value shall be equalized in accordance  
10       with paragraph (5) of the Agreement; and

11              (2) the conveyance of equalization parcels, in  
12       accordance with paragraph (5) of the Agreement,  
13       shall occur not later than 45 days after the date of  
14       the identification of the appraised equalization par-  
15       cels or portions of parcels to be conveyed to ensure  
16       that the exchange is of equal value.

17 **SEC. 6. WITHDRAWALS.**

18       (a) WITHDRAWAL OF FEDERAL LAND FROM MIN-  
19       ERAL ENTRY PRIOR TO EXCHANGE.—Subject to valid ex-  
20       isting rights, the Federal land and interests in Federal  
21       land to be conveyed to the State under section 4(b) are  
22       withdrawn from mineral location, entry, and patent under  
23       the mining laws pending conveyance of the Federal land  
24       and interests in Federal land to the State.



1 (b) WITHDRAWAL OF STATE LAND CONVEYED TO  
2 THE UNITED STATES.—Subject to valid existing rights,  
3 on the date of acquisition by the United States, the State  
4 land described in paragraph (2) of the Agreement acquired  
5 by the United States under section 4(b), to the extent not  
6 subject to previous withdrawals, is permanently withdrawn  
7 from all forms of appropriation and disposal under—

8 (1) the public land laws (including the mining  
9 and mineral leasing laws); and

10 (2) the Geothermal Steam Act of 1970 (30  
11 U.S.C. 1001 et seq.).

12 (c) WITHDRAWAL REVOCATION.—Any withdrawal of  
13 the parcels of Federal land and interests in Federal land  
14 described in paragraph (3) of the Agreement to be con-  
15 veyed to the State under section 4(b) from appropriation  
16 or disposal under a public land law shall be revoked to  
17 the extent necessary to permit the conveyance of the Fed-  
18 eral land parcel to the State free of any encumbrances  
19 associated with power site reserves or classifications.

20 **SEC. 7. SUNNYSIDE, UTAH, WATER SUPPLY PROVISIONS.**

21 The Act of January 7, 1921 (41 Stat. 1087, chapter  
22 13), is amended by adding at the end the following:

23 **“SEC. 5. CERTAIN EXCLUSIONS.**

24 “Notwithstanding any other provision of this Act, the  
25 provisions of this Act of shall not apply to the following:

1           “(1) S<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub> sec 34, T. 13 S., R. 14 E., of  
2 the Salt Lake Meridian.

3           “(2) Lots 1–4, T. 14 S., R. 14 E., sec. 11,  
4 S<sup>1</sup>/<sub>2</sub>N<sup>1</sup>/<sub>2</sub> and S<sup>1</sup>/<sub>2</sub>, of the Salt Lake Meridian.

5           “(3) Lots 3 and 4, T. 14 S., R. 14 E., sec. 12,  
6 S<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub> and SW<sup>1</sup>/<sub>4</sub>, of the Salt Lake Meridian.

7           “(4) Lots 1 and 2, T. 14 S., R. 14 E., sec. 13,  
8 NE<sup>1</sup>/<sub>4</sub>, W<sup>1</sup>/<sub>2</sub>, and N<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>, of the Salt Lake Merid-  
9 ian.

10           “(5) T. 14 S., R. 14 E., sec. 14, of the Salt  
11 Lake Meridian.”.

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