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**APPENDIX D**

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## **APPENDIX D**

### **Categorization of Wellton-Mohawk Division Lands**

This appendix describes the determination of which Wellton-Mohawk Division lands could be transferred to the District at no additional cost and which lands would be made available to the District for purchase at fair market value.

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**APPENDIX D**  
**CATEGORIZATION OF WELLTON-MOHAWK DIVISION LANDS**

Lands included in the proposed Wellton-Mohawk Title Transfer Project would be transferred to the District at no additional cost or made available for purchase by the District, depending on the way the lands were originally acquired by Reclamation. This appendix to the DEIS describes the land acquisition history, the proposed transfer method for each land category, and the basis for determining the transfer method for each land category.

**1 GENERAL HISTORY OF WELLTON-MOHAWK DIVISION LANDS**

This section describes the acquisition process for the federal land administered by Reclamation for the Division that began in the late 1940s and ended in the 1990s. For the purposes of this document, the history of land acquisition is divided into two periods.

**1.1 INITIAL LAND ACQUISITION PERIOD**

In the late 1940s and early 1950s, Reclamation secured land for construction of irrigation facilities, protective dikes, stormwater floodways, and additional farm units in the Division. The land was obtained in the following ways:

- ~~17~~ ~~18~~ ~~19~~ ~~20~~ ~~21~~ ~~22~~ ~~23~~ ~~24~~ ~~25~~ ~~26~~ ~~27~~ ~~28~~ ~~29~~ ~~30~~ ~~31~~ ~~32~~ ~~33~~ ~~34~~ ~~35~~ ~~36~~ ~~37~~ ~~38~~ ~~39~~ ~~40~~ ~~41~~ ~~42~~ ~~43~~ ~~44~~ ~~45~~ ~~46~~ ~~47~~ ~~48~~ ~~49~~ ~~50~~ ~~51~~ ~~52~~ ~~53~~ ~~54~~ ~~55~~ ~~56~~ ~~57~~ ~~58~~ ~~59~~ ~~60~~ ~~61~~ ~~62~~ ~~63~~ ~~64~~ ~~65~~ ~~66~~ ~~67~~ ~~68~~ ~~69~~ ~~70~~ ~~71~~ ~~72~~ ~~73~~ ~~74~~ ~~75~~ ~~76~~ ~~77~~ ~~78~~ ~~79~~ ~~80~~ ~~81~~ ~~82~~ ~~83~~ ~~84~~ ~~85~~ ~~86~~ ~~87~~ ~~88~~ ~~89~~ ~~90~~ ~~91~~ ~~92~~ ~~93~~ ~~94~~ ~~95~~ ~~96~~ ~~97~~ ~~98~~ ~~99~~ ~~100~~ ~~101~~ ~~102~~ ~~103~~ ~~104~~ ~~105~~ ~~106~~ ~~107~~ ~~108~~ ~~109~~ ~~110~~ ~~111~~ ~~112~~ ~~113~~ ~~114~~ ~~115~~ ~~116~~ ~~117~~ ~~118~~ ~~119~~ ~~120~~ ~~121~~ ~~122~~ ~~123~~ ~~124~~ ~~125~~ ~~126~~ ~~127~~ ~~128~~ ~~129~~ ~~130~~ ~~131~~ ~~132~~ ~~133~~ ~~134~~ ~~135~~ ~~136~~ ~~137~~ ~~138~~ ~~139~~ ~~140~~ ~~141~~ ~~142~~ ~~143~~ ~~144~~ ~~145~~ ~~146~~ ~~147~~ ~~148~~ ~~149~~ ~~150~~ ~~151~~ 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## 1.2 ACREAGE ADJUSTMENT PERIOD

Since the 1950s, Reclamation has made acreage adjustments to accommodate additional construction and other federal purposes. Previously acquired land was used as right-of-way for construction of the Main Conveyance Channel, drainage wells, the Gila River Flood Channel, and mitigation areas. Reclamation also exchanged federal land for private land, sold portions of the unused land, and acquired additional private land.

Portions of the acquired GVPD and MMWCD acreage not used for Division uses were exchanged for private lands needed for the Gila River Flood Channel and mitigation areas. Reclamation also sold GVPD lands to private individuals with the proceeds from the sales used to reduce the District's repayment obligation for facilities construction.

Reclamation acquired approximately 8,325 acres from private landowners under the Salinity Control Act of 1974 (P. L. 93-320) and the Salt River Pima-Maricopa Indian Community Water Rights Settlement Act of 1988 (P. L. 100-512). Of this, approximately 486 acres were used as rights-of-way for the Gila River Flood Channel and mitigation areas. The remaining 7,839 acres are currently vacant federal lands under Reclamation's administration. The rescission of the irrigable designation of 3,600 acres in the 1970s under P.L. 93-320 did not change their status as withdrawn lands not used for Division purposes. However, in the 1990s, some of these withdrawn lands were converted to rights-of-way for the Gila River Flood Channel and adjacent mitigation areas.

The net result of the land transactions described above is that Reclamation currently owns approximately 57,418 acres within or adjacent to the Gila Project, which Reclamation proposes to transfer to the District at no additional cost (beyond the cost previously included in the District's repayment obligation) or to make available for purchase by the District.

## 1.3 CURRENT CATEGORIES OF LANDS FOR THE PROPOSED ACTION

To help distinguish between lands to be transferred to the District at no additional cost and lands to be made available for purchase by the District, the lands involved in the Proposed Action/Preferred Alternative are divided into the following three categories:

~~1~~ Rights-of-way and easements for facilities (for transfer to District at no additional cost)

~~2~~ Lands not used for Division purposes and rights-of-way acquired from GVPD and MMWCD and included in District repayment (for transfer to District at no additional cost)

~~3~~ Lands not used for Division purposes that were acquired or withdrawn by Reclamation and not included in District repayment (for purchase by District)

1 Reclamation lands are divided among the first three categories based on the way they were  
2 acquired and their current use. Maps in Appendix C of this DEIS show the locations of these  
3 federal lands.

#### 4 **1.4 RIGHTS-OF -WAY AND EASEMENTS FOR FACILITIES**

5 The rights-of-way and easements included in the Proposed Action/Preferred Alternative are  
6 divided into two groups:

7 ~~1~~ Irrigation and drainage systems rights-of-way, including irrigation and drainage  
8 systems and other facilities associated with irrigation and return flow operations, and

9 ~~2~~ Flood channel rights-of-way, including the Gila River Flood Channel and mitigation  
10 areas.

11 Irrigation and drainage systems rights-of-way include land used to construct the facilities  
12 and provide access for the operation and maintenance of the irrigation system. This also  
13 includes flowage easements on private land along protective dikes and stormwater  
14 floodways. These rights-of-way and easements typically occupy narrow parcels along  
15 canals, dikes, floodways, and other facilities. The rights-of-way and easements were  
16 acquired in the 1940s and 1950s by Reclamation via withdrawals and acquisition of GVPD,  
17 MMWCD, private lands, and flowage easements.

18 The flood channel rights-of-way contain low-lying federal lands used for the Gila River  
19 Flood Channel and the areas developed as mitigation facilities under the Section 404 permit  
20 issued by the U.S. Corps of Engineers. These Reclamation lands consist of (1) withdrawn  
21 lands; (2) acquired GVPD lands and acquired federal lands; and (3) private lands acquired  
22 under P.L. 93-320.

23 The federal rights-of-way and easements comprise approximately 29,091 acres. Except for  
24 rights-of-way on withdrawn lands, the costs associated with rights-of-way acquisition were  
25 included in the District's repayment obligation. The rights-of-way on withdrawn lands were  
26 assigned to their respective facilities. Consequently, the federal rights-of-way and easements  
27 would be transferred to the District without additional cost.

#### 28 **1.5 LANDS AND RIGHTS-OF-WAY ACQUIRED FROM GVPD AND MMWCD** 29 **AND INCLUDED IN DISTRICT REPAYMENT**

30 This category consists of lands that Reclamation acquired from the GVPD and the  
31 MMWCD for Division purposes, but that have not been used for rights-of-way or farm unit  
32 development. These lands comprise approximately 10,563 acres in and adjacent to the  
33 District. Their acquisition costs were included in the District's repayment obligation and,  
34 therefore, would be transferred to the District without additional cost.

1   **1.6   LANDS ACQUIRED OR WITHDRAWN BY RECLAMATION AND NOT**  
2   **INCLUDED IN DISTRICT REPAYMENT**

3   This category includes approximately 7,839 acres of land acquired by Reclamation from  
4   private landowners under the Salinity Control Act of 1974 (P.L. 93-320) and the Salt River  
5   Pima-Maricopa Indian Community Water Rights Settlement Act of 1988 (P.L. 100-512), as  
6   described in Section 1.7.3. A portion of this land was used as right-of-way for the Gila River  
7   Flood Channel and mitigation areas. Thus, the acquired acreage in this category is less than  
8   the amount purchased under the two actions cited.

9   Additionally, this category includes 9,925 acres of land withdrawn from the public domain  
10   in the 1940s for Division purposes but not used for rights-of-way or development of farm  
11   units. Some of these withdrawn lands had their irrigable classification rescinded under P.L.  
12   93-320.

13   The total amount of land in this category is approximately 17,764 acres. This land is currently  
14   under Reclamation's administration within and adjacent to the Gila Project. The acquisition  
15   cost of the lands in this category was not included in the District's repayment obligation.  
16   Therefore, under the Proposed Action, the land would be made available for purchase at fair  
17   market value.

18   **2   SUMMARY**

19   Table D-1 lists the lands and acreages in the categories described in Section 2. The location  
20   of the land in each category is shown on maps in Appendix C of the DEIS. Descriptions of  
21   individual parcels of land comprising each category are on file at Reclamation's Yuma Area  
22   Office, in Yuma, Arizona, and the District's administrative office in Wellton, Arizona.

1 **TABLE D-1 LANDS INCLUDED IN WELLTON-MOHAWK TITLE TRANSFER**

<b>Land Category and Type</b>	<b>Type of Transfer</b>	<b>Approximate Acreage</b>
<b><i>Rights-of-Way and Easements for Facilities</i></b>		
Land for irrigation and drainage systems, including protective dikes, floodways, the administrative complex, and employee housing.	Transfer at no additional cost	18,437
Gila River Flood Channel lands and adjacent mitigation areas.	Transfer at no additional cost	10,654
<i>Subtotal for Category</i>		<i>29,091</i>
<b><i>Lands and Rights-of-Way Acquired from GVPD and MMWCD</i></b>		
GVPD and MMWCD lands and rights-of-way acquired by Reclamation but not used for Division purposes.	Transfer at no additional cost	10,563
<i>Subtotal for Category</i>		<i>10,563</i>
<b><i>Other Lands Acquired or Withdrawn by Reclamation</i></b>		
Lands acquired under P.L. 93-320 and P.L. 100-512 that were not used for Gila River Flood Channel rights-of-way.	Purchase	7,839
Withdrawn lands that were not used as rights-of-way or for development of farm units.	Purchase	9,925
<i>Subtotal for Category</i>		<i>17,764</i>
<b><i>Total</i></b>		<b><i>57,418</i></b>

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