

Calendar No. 600

114TH CONGRESS
2^D SESSION

S. 2524

[Report No. 114–327]

To insure adequate use and access to the existing Bolts Ditch headgate and ditch segment within the Holy Cross Wilderness in Eagle County, Colorado, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 9, 2016

Mr. GARDNER (for himself and Mr. BENNET) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

SEPTEMBER 6, 2016

Reported by Ms. MURKOWSKI, with an amendment

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To insure adequate use and access to the existing Bolts Ditch headgate and ditch segment within the Holy Cross Wilderness in Eagle County, Colorado, 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. SHORT TITLE.**

2 This Act may be cited as the “Bolts Ditch Access
3 and Use Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds as follows:

6 (1) Since about 1882, the existing Bolts Ditch
7 headgate and ditch have been used to fill Bolts Lake
8 near Minturn, Colorado, by gravitational means,
9 without need for pumping and the attendant cost
10 and energy use of pumping.

11 (2) When the Holy Cross Wilderness was des-
12 ignated by Congress in 1980, the Bolts Ditch
13 headgate, and an approximate 450-foot segment of
14 the Bolts Ditch, were inadvertently included inside
15 the Wilderness boundary.

16 (3) The town of Minturn seeks to use its mu-
17 nicipal water rights to store water in Bolts Lake.

18 (4) Questions have arisen with respect to con-
19 tinued use, maintenance, and repair of the headgate
20 and ditch segment within the Wilderness.

21 (5) Legislation is warranted to correct this situ-
22 ation and authorize the continued use, access to, and
23 maintenance and repair of the Bolts Ditch headgate
24 and small portion of the Bolts Ditch that lie within
25 the Wilderness boundary.

1 **SEC. 3. BOLTS DITCH ACCESS.**

2 **SEC. 2. BOLTS DITCH ACCESS.**

3 (a) *ACCESS GRANTED.*—*The Secretary of Agriculture*
4 *shall permit by special use authorization nonmotorized ac-*
5 *cess and use, in accordance with section 293.6 of title 36,*
6 *Code of Federal Regulations, of the Bolts Ditch Headgate*
7 *and the Bolts Ditch within the Holy Cross Wilderness, Colo-*
8 *rado, as designated by Public Law 96–560, for the purposes*
9 *of the diversion of water and use, maintenance, and repair*
10 *of such ditch and headgate by the Town of Minturn, Colo-*
11 *rado, a Colorado Home Rule Municipality.*

12 (b) *LOCATION OF FACILITIES.*—*The Bolts Ditch*
13 *headgate and ditch segment referenced in subsection (a) are*
14 *as generally depicted on the map entitled “Bolts Ditch*
15 *headgate and Ditch Segment”, dated November, 2015.*

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