

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5911
OFFERED BY MR. HURD OF COLORADO**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Crystal Reservoir Con-
3 veyance Act”.

**4 SEC. 2. CONVEYANCE OF FEDERAL LAND TO OURAY, COLO-
5 RADO.**

6 (a) DEFINITIONS.—In this section:

7 (1) CITY.—The term “City” means the City of
8 Ouray, Colorado.

9 (2) FEDERAL LAND.—The term “Federal land”
10 means—

11 (A) the site known as “Crystal Reservoir”
12 in Ouray County, Colorado, including—

13 (i) the lake associated with that res-
14 ervoir;

15 (ii) Full Moon Dam and associated fa-
16 cilities, including the spillway and outlet;

17 (iii) Full Moon Ditch and Reservoir
18 Number 10; and

1 (iv) all infrastructure associated with
2 the reservoir; and

3 (B) the parcel comprising approximately
4 45 acres of land underlying and surrounding
5 Crystal Reservoir, as depicted on the Map,
6 managed by the Forest Service as necessary for
7 access for repair, operation, and maintenance of
8 Crystal Reservoir and the features described in
9 clauses (i) through (iv) of subparagraph (A).

10 (3) MAP.—The term “Map” means the map
11 prepared by the Forest Service entitled “Crystal
12 Reservoir Conveyance” and dated June 23, 2025.

13 (4) SECRETARY.—The term “Secretary” means
14 the Secretary of Agriculture, acting through the
15 Chief of the Forest Service.

16 (b) CONVEYANCE.—As soon as practicable after the
17 date of enactment of this Act, the Secretary shall convey
18 to the City—

19 (1) except as otherwise provided in this Act, all
20 right, title, and interest of the United States in and
21 to the Federal land; and

22 (2) all right, title and interest of the United
23 States in and to any water rights held for use on,
24 appurtenant to, or otherwise associated with the
25 Federal land, including the Full Moon Ditch and

1 Reservoir Number 10 water rights described in the
2 decree of the State of Colorado in Civil Action No.
3 1959, dated May 11, 1942.

4 (c) REQUIREMENTS.—The conveyance under sub-
5 section (b) shall—

6 (1) convey fee simple title to the Federal land;

7 (2) be subject to—

8 (A) valid existing rights;

9 (B) the reservation to the United States,
10 in the deed conveying the Federal land, of ease-
11 ments for each road, trail, and trailhead in ex-
12 istence on the date of the conveyance, together
13 with such additional rights as are reasonably
14 necessary for access, administration, operation,
15 maintenance, repair, and replacement of those
16 improvements; and

17 (C) the reversionary interest described in
18 subsection (e)(3); and

19 (3) except as provided in subsection (d)(2), be
20 completed at no cost to the City.

21 (d) COSTS.—

22 (1) IN GENERAL.—Except as provided in para-
23 graph (2), the Secretary shall pay all costs associ-
24 ated with the conveyance under subsection (b).

1 (2) SURVEY.—The City shall pay all costs asso-
2 ciated with any surveys conducted for the purpose of
3 accomplishing the conveyance under subsection (b).

4 (e) TERMS AND CONDITIONS.—

5 (1) IN GENERAL.—As a condition of the con-
6 veyance of the Federal land under subsection (b),
7 the City shall agree—

8 (A) effective beginning on the date of the
9 conveyance, to assume responsibility for the
10 costs of all repairs, operations, maintenance, re-
11 placement, rehabilitation, and regulatory com-
12 pliance relating to Full Moon Dam and related
13 infrastructure, including Full Moon Ditch and
14 Reservoir Number 10;

15 (B) to maintain the Federal land in per-
16 petuity as open space, to be held open—

17 (i) for public access for recreational
18 activities, including fishing, except as rea-
19 sonably necessary for public safety, re-
20 source protection, emergency response, or
21 the operation, maintenance, repair, re-
22 placement, or rehabilitation of Full Moon
23 Dam, Crystal Reservoir, or related infra-
24 structure; and

1 (ii) not subject to any fee for rec-
2 reational access;

3 (C) not to conduct on the Federal land any
4 development, commercial operations, or con-
5 struction, other than as needed for the oper-
6 ation, maintenance, repair, replacement, reha-
7 bilitation, public safety, and regulatory compli-
8 ance for dam safety of Full Moon Dam, Crystal
9 Reservoir, and related infrastructure, including
10 Full Moon Ditch and Reservoir Number 10;
11 and

12 (D) not to expand the surface footprint of
13 Crystal Reservoir at normal operating levels (as
14 depicted on the Map) in a manner that would
15 flood, impair, or harm any wetlands located up-
16 stream of the Federal land, subject to the con-
17 dition that deepening Crystal Reservoir in a
18 manner consistent with the water rights of the
19 City shall otherwise be allowed.

20 (2) NECESSARY ACTION AGREEMENT.—The
21 conveyance under subsection (b) shall be made sub-
22 ject to terms agreed to by the Secretary and the
23 City that authorize the City to take such action on
24 the easements described in subsection (c)(2)(B) as

1 the City determines is reasonable and necessary
2 for—

3 (A) public safety;

4 (B) emergency response; or

5 (C) the operation, maintenance, repair, re-
6 placement, or rehabilitation by the City of Full
7 Moon Dam, Crystal Reservoir, or related infra-
8 structure.

9 (3) OTHER TERMS AND CONDITIONS.—The con-
10 veyance under subsection (b) shall be subject to such
11 other terms and conditions as the Secretary deter-
12 mines to be appropriate.

13 (4) REVERSIONARY INTEREST.—

14 (A) WRITTEN NOTICE.—If the Federal
15 land conveyed under subsection (b) ceases to be
16 used in accordance with the terms and condi-
17 tions under this subsection the Secretary shall
18 submit to the City written notice with respect
19 to such use.

20 (B) REVERSION.—After the 90-day period
21 beginning on the date written notice is sub-
22 mitted to the City under subparagraph (A), if
23 the Federal land conveyed under subsection (b)
24 continues to be used in a manner not in accord-
25 ance with the terms and conditions under this

1 subsection during such period, the Federal land
2 shall revert to the United States, at the discre-
3 tion of the Secretary, if the Secretary deter-
4 mines that reversion is in the best interest of
5 the United States.

6 (f) EASEMENT.—

7 (1) IN GENERAL.—After the conveyance under
8 subsection (b), the Secretary—

9 (A) shall recognize a perpetual easement
10 for the Red Mountain Ditch for use by the
11 City—

12 (i) for the purposes relating to the
13 Ditch specified in the decrees entitled
14 “Case No. 1751-B” and “Case No.
15 2013CW3040” for the State of Colorado,
16 including the diversion and delivery of
17 water (not to exceed 6 cubic feet per sec-
18 ond) for storage in Crystal Reservoir and
19 subsequent beneficial use; and

20 (ii) to access, operate, maintain, re-
21 pair, replace, or improve the Ditch and its
22 appurtenances for such purposes; and

23 (B) may require special use authorizations
24 for non-routine maintenance and repairs of Red

1 Mountain Ditch or for the replacement or im-
2 provement of the Ditch.

3 (2) RED MOUNTAIN DITCH DEFINED.—In this
4 subsection, the term “Red Mountain Ditch” means
5 the Ditch known as Red Mountain Ditch constructed
6 in or about 1945 located, as of the date of the enact-
7 ment of this Act, on lands administered by the San
8 Juan National Forest and the Grand Mesa,
9 Uncompahgre, and Gunnison National Forest, in
10 Section 14, Township 42 North, Range 8 West, New
11 Mexico Principal Meridian.

12 (g) WATER RIGHTS.—After the conveyance under
13 subsection (b), the City may use water in Crystal Res-
14 ervoir for any beneficial use, subject to applicable water
15 laws of the State of Colorado.

16 (h) MAP AND LEGAL DESCRIPTION.—

17 (1) IN GENERAL.—As soon as practicable after
18 the date of enactment of this Act, the Secretary
19 shall finalize the Map and a legal description of the
20 Federal land to be conveyed under subsection (b).

21 (2) CORRECTIONS.—The Secretary and the
22 City, by mutual agreement, may correct any clerical
23 or typographical errors in the Map or legal descrip-
24 tion under paragraph (1).

1 (3) MAP ON FILE.—The Map and legal descrip-
2 tion under paragraph (1) shall be on file and avail-
3 able for public inspection in each appropriate office
4 of the Forest Service.

