



Bolts Lake and portions of Battle Mountain development area.

Letters to Vail

VAIL HOMEOWNERS ASSOCIATION

September 1, 2023

Vail Town Council Election: Water Supply – Part 3 of 3.

The proposed [Bolts Lake Reservoir](#) would be built by the [Eagle River Water and Sanitation District](#) south of the Town of Minturn. It will be large enough to provide adequate supplies for future inhabitants of the upper valley below Vail. The reservoir is to be paid for by the district's customers. Vail and Eagle County water right's reserves are needed for the project. Why are Vail water customers helping pay for a reservoir from which it receives limited benefits? There are larger issues at play. ([See VHA research of development related issue in the Upper Eagle River Valley.](#))

The reservoir, now under review by authorities, is scheduled to be completed in 10 years. The site of the reservoir is located within the Gilman zinc mine EPA superfund cleanup site.

The Battle Mountain Company acquired the mine holdings in a bankruptcy. Minturn annexed the mine land prior to the bankruptcy. Land use disputes and litigation lasting for years ensued between the development company and the Town of Minturn. Battle Mountain scaled back the mega resort planned by its bankrupt predecessor. Development of a resort in this location is possible if Eagle River Water and Sanitation District can provide water through the construction of the Bolts Lake Reservoir.

The settlement is in the process of being negotiated. The EPA has begun releasing areas where the clean-up has been completed. The plan for the land surrounding the proposed reservoir sets aside open spaces, some that are pristine habitat and others that are contaminated with mine waste.

The surface water to supply the reservoir is to come from the Eagle River and possibly some from Cross Creek. Cross Creek is a pristine, free flowing wilderness stream. Minturn, for its part, is considering a more economical approach by augmenting its aging ground water pumping system, which provides higher quality water, rather than using seasonally cloudy surface water from Cross Creek and Eagle River. Vail also largely relies on pumping ground water.

Even so as ongoing drought continue, isn't it likely that the supply of ground water will diminish. If so the projections are not realistic in the long term.

The Minturn/Battle Mountain Company legal settlement provides for a new suburb of 250 units, a spa and 50,000 sq. ft. of commercial space to be built. Nearby, the Eagle County School District, on its land in Maloit Park, wants to build 120 housing units for its workforce.

The Upper Eagle Valley water district will provide the Battle Mountain landowner enough water equivalent to 700 single-family units at 3000 sq. ft. each which is far and above the amount cited in the settlement agreement with the Town of Minturn. The district has already paid Battle Mountain \$7.5 million for the Bolts Lake site and expects to spend nearly \$100 million on building the reservoir.

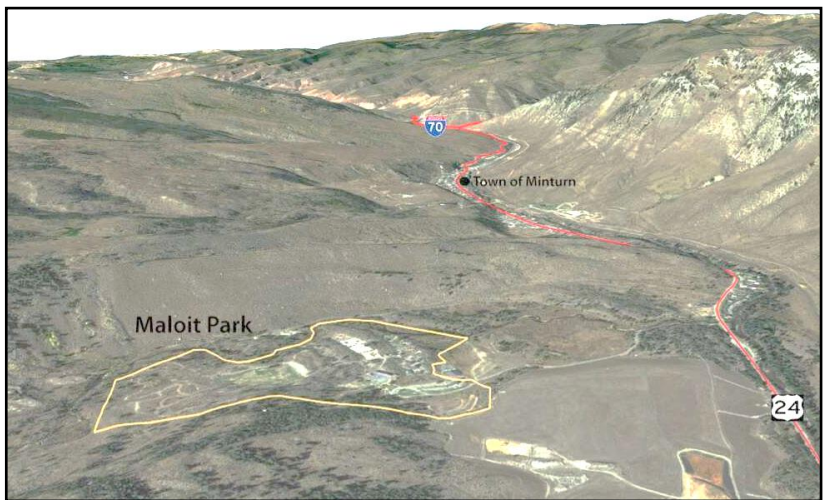
The area near these sites may yield indications of having been the site of a prehistoric human settlement, similar to those found by archaeologists near Camp Hale. Preservation of such sites figured into the 1980s Eagle County Homestake II decision.

Since then, the developers of the Homestake II trans-mountain diversion proposal have proposed the Whitney trans-mountain diversion reservoir upstream on Homestake Creek, a tributary of the Eagle River. The Whitney Reservoir is to maintain Front Range cities' diversion rights on tributaries of the Eagle River. Near the Whitney Reservoir site, at Camp Hale on the Eagle River, the creation of the Camp Hale WWII National Monument in 2022 set in motion a comprehensive USFS planning process for the area.

Reports indicate that the planning may involve issues of Federal and Indian Nation water rights claims. The Indian Nation holds senior water rights in areas it claims as ancestral lands. The Federal Government has yet to exercise powers it has to divert water flowing through its territories for its own purposes. USFS uses could maintain in-stream flows on behalf of downstream users and other pressing environmental needs.



Cross Creek flows a glacial valley from the Holy Cross Wilderness



School District site at Maloit Park south of Minturn.

Is the proposed Bolt Lake Reservoir to add more urban density in the upper Eagle Valley an effort to thwart the water rights claims of the Federal Government and the Indian Nation? It would be unfortunate if the proposal mushroomed into a larger issue, instigating retaliatory actions beyond the control of the Upper Eagle Water and Sanitation District and the communities it serves. Western water rights are a high stakes poker game; calling a bluff can result in big losses for modest gains.

Over the course of the Town Council election VHA's role intends to stimulate discussion of important issues and to provide insight into the candidates' qualifications and perspectives. VHA is hosting a series of interviews and mentoring sessions with candidates and community leaders. Contact VHA for times and locations.

The election is mail-in balloting. [Access TOV Town Clerk Election and Registration Information.](#)

The questions raised by VHA should be asked of the Candidates for the Vail Town Council. The candidates include the following:

Jack Bergey: jackbergey@yahoo.com
Samantha Biszantz: sbiszantz@gmail.com
Dave Chapin: vaildc@comcast.net
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Dave Tucker: Tucker81@gmail.com

VHA provides clear and concise discussions of matters affecting the Vail community in the belief that an informed citizenry will be an engaged citizenry. Our intent is to promote more citizen involvement and community discussions of issues facing the Town. If these are issues that concerns you, please make your views known to candidates and [town officials](#). By joining with VHA, as a member, paid-subscriber or reader, you can add your voice to sustain what is good about our community and to shine a spotlight on important issues. See back editions of VHA communications on the Association's website.

To receive VHA letters and reports as a Reader, Paid-Subscriber or Member.

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