

ASSOCIATED GOVERNMENTS OF NORTHWEST COLORADO

Resolution no. ____

Resolution to Support the Water Rights Protection Act H.R. 3189

WHEREAS, The United States Forest Service (USFS) recently attempted to condition the issuance of a use permit on the permit applicant's transfer of privately held water rights to the USFS; and

WHEREAS, Federal land management agencies are using coercion to acquire private water rights by requiring that water users seeking to operate on federal land apply for water rights under the name of the United States rather than the name of the purchaser; and

WHEREAS, These and related actions constitute a federal taking of private property without just compensation, in violation of the Takings Clause of the Fifth Amendment of the United States Constitution; and

WHEREAS, These actions are also in violation of long established state water laws; and

WHEREAS, These actions have already had a negative impact on local ski businesses, which are important contributors to our regional economy; and

WHEREAS, Many municipalities and agricultural operations in our region have water storage facilities similar to those owned by the ski resorts, and could therefore be subject to a similar taking; and

WHEREAS, These and similar actions could be used against other important industries in our region, including, but not limited to, agriculture and energy development; and

WHEREAS, The majority of Colorado's absolute and conditional water rights originate on federally-controlled land, and could be subject to a similar taking at any point in the future; and

WHEREAS, The Water Rights Protection Act, H.R. 3189, would protect communities, businesses, family farms, and other stakeholders in northwest Colorado that rely on privately held water rights from having these property rights taken by any agency of the federal government,

BE IT THEREFORE RESOLVED, that the Associated Governments of Northwest Colorado (AGNC) fully support H.R. 3189, the Water Rights Protection Act; and

BE IT FURTHER RESOLVED, that the AGNC will furnish a letter to any and all interested parties, attesting to our support of this Act.