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April 1, 2015

Congressman Scott Tipton  
218 Cannon House Office  
Washington, DC 20515  
Re: Support of the Water Rights Protection Act H.R. 3189

Dear Congressman Tipton:

The need for a permanent legislative solution to protect private water rights from federal taking and interference cannot be overstated. The Water Rights Protection Act (WRPA) provides this solution. Therefore, the Hinsdale Board of County Commissioners supports the WRPA introduced by Congressmen Scott Tipton (R- Colorado).

In recent years the federal government has attempted to circumvent long-established state water law in order to seize private water rights. The US Forest Service (USFS) is currently pushing the federal government's latest attempt to ignore state law and take private water rights, despite objections from elected officials, business owners, private property advocates and a U.S. District Court ruling. They have recently attempted to require the transfer of privately owned water rights to the Federal Government without providing adequate compensation as required by Article V of the Constitution. Instead, they have attempted to acquire these rights in exchange for special use permits. The USFS has repeatedly ignored established state water law in order to perform these takings.

The Water Rights Protection Act would protect communities, businesses, recreation opportunities, farmers and ranchers as well as other individuals that rely on privately held water rights for their livelihood from federal takings. It would do so by prohibiting federal agencies from extorting water rights through the use of permits, leases, and other land management arrangements, for which it would otherwise have to pay just compensation under the 5<sup>th</sup> Amendment of the Constitution. The bill also prohibits the implementation of the Groundwater Resource Management Directive recently promulgated by the USFS, as well as any similar directives or regulations they may consider in the future. The WRPA would protect privately held water rights, prohibit federal takings, prohibit the Federal Government from requiring water users to relinquish rights to the United States rather than for the water user themselves, and uphold state water law.

We strongly support, and encourage the Natural Resource Committee to support this important legislation. Thank you for your attention to this crucial matter.

Sincerely,

Hinsdale Board of County Commissioners

Susan Thompson, Chair

Cindy Dozier, Commissioner

Stan Whinnery, Commissioner