



**National Cattlemen's  
Beef Association**

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October 3, 2013

The Honorable Doc Hastings  
Chairman  
1203 Longworth House Office Building  
Washington, D.C. 20515

The Honorable Peter DeFazio  
Ranking Member  
2134 Rayburn House Office Building  
Washington, D.C. 20515

**Re: Support of the Water Rights Protection Act H.R. 3189**

Dear Chairman Hastings and Ranking Member DeFazio:

The Public Lands Council (PLC) and the National Cattlemen's Beef Association (NCBA) strongly support the *Water Rights Protection Act* (WRPA), (H.R. 3189). PLC is the only national organization dedicated solely to representing the roughly 22,000 ranchers who operate on federal lands, some of which are U.S. Forest Service (USFS) lands. NCBA is the beef industry's largest and oldest national marketing and trade association, representing American cattlemen and women who provide much of the nation's supply of food and own or manage a large portion of America's private property. Many of our members also hold private water rights on federal lands, which serve as an integral part of their operations; thus, these water rights keep our members in business and rural communities thriving. However, landowners face an unprecedented threat to the future of their water rights on lands managed by the USFS.

The USFS has been notorious for violating private property rights, as they have recently attempted to require the transfer of privately owned water rights to the federal government. The USFS has not provided adequate compensation as required by Article V of the Constitution; instead, they have attempted to acquire these rights in exchange for special use permits, likely in violation of a recent Supreme Court ruling in *Koontz*. Furthermore, the USFS has repeatedly ignored established state water laws in order to perform these takes, which amounts to a vast overreach by the federal government.

H.R. 3189, introduced by Congressmen: Scott Tipton (R-Colo.), Mark Amodei (R-Nev.), Rob Bishop (R-Utah), Tom McClintock (R-Calif.), and Jared Polis (D-Colo.) comes as a means to combat the recent directive that allows the USFS to execute the seizure of these water rights without just compensation. The language in the directive is applicable to ski areas specifically; however, this issue is a threat to all water users, including ranchers, as they depend on these rights to keep their business viable.

This legislation would prohibit the Secretary of the Interior and the Secretary of Agriculture from, requiring the transfer of water rights without adequate compensation. Additionally, the bill supports long-established state water laws, clarifying that the federal government does not have jurisdiction.

We strongly encourage the Natural Resource Committee to support this important legislation. We thank you for your attention to this crucial issue, and for supporting our members as they continue to be an essential part of rural communities and stewards of our public lands.

Sincerely,

Scott George  
NCBA President

Brice Lee  
PLC President