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May 12, 2017

Congressman Scott Tipton
U.S. House of Representatives
Third District, Colorado
Durango Office
835 E. 2nd Avenue, Suite 230
Durango, CO 81301

Dear Congressman Tipton,

The Montezuma County Board of County Commissioners would like to strongly express our formal support for the proposed Water Rights Protection Act. The USFS and BLM are gaining increasing notoriety for attempting to subjugate private property rights through coercion and deception. The USFS has relatively recently attempted to coerce water users to apply for water rights in the name of the United States rather than the name of the purchaser as a condition to be permitted to operate on federal lands.

This action is unethical, constitutes a federal taking of private property without just compensation, and is a violation of the Takings Clause of the Fifth Amendment of the United States Constitution. Moreover this is a blatant attempt to subvert longstanding state water laws in the western United States which under the United States Constitution belongs under state authority.

These actions have already had a negative effect on ski areas which are critical to western states economies. Since many of the municipalities and agricultural operations rely upon similar storage facilities they are equally at risk since most of the absolute and conditional water rights in the arid west originate on high altitude federal lands where annual precipitation accumulates as snow fall.

The Water Rights Protection Act (WPA) will protect our western communities, family farms, small business, energy development and other economic activities that rely upon privately held water rights for our livelihood and way of life.

This Bill will assist in establishing clear boundaries for federal jurisdiction and help prevent federal overreaches. The Montezuma County Board of County Commissioners support this bill.

The Montezuma County Board of Commissioners,

Larry Don Suckla

James Lambert

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