



Colorado Water Congress EST 1958  
THE LEADING VOICE OF COLORADO'S WATER COMMUNITY

January 15, 2019

The Honorable Scott Tipton  
218 Cannon House Office Building  
Washington, D.C. 20515

Re: Water Rights Protection Act Legislation

Dear Congressman Tipton:

On behalf of the Colorado Water Congress (CWC), we are writing in support of successor legislation in the 116<sup>th</sup> Congress to H.R. 2939 from the 115<sup>th</sup>. The CWC is a membership organization consisting of over 400 members, serving as the principal voice of Colorado's water community. The CWC's members represent the municipal, agricultural, industrial, commercial, recreation, and environmental sectors. As an organization, we have consistently listed both protection of the existing Colorado water rights system as well as "ski area water rights" as Federal priorities, and the passage of your legislation would further that objective.

The Water Rights Protection Act would affirm and maintain the ability of the states to protect and implement water rights procedures that provide the most benefit for the state and the Inter-Mountain West regions. By allowing the State of Colorado to remain in exclusive control of the water rights development, control, permitting, and other fundamental processes in allocating water, you further strengthen the existing infrastructure that continues to drive water use, development and protection in the State of Colorado.

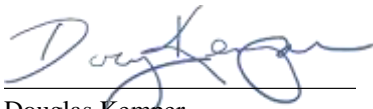
Colorado, among other western states, has retained control of its ability to designate, permit, and control the state's water right system. In recent years, we have seen attempts by the Forest Service to force ski areas to relinquish their water rights just to make administrative modifications to special use permits. Such agency overreach is contrary to Colorado and federal water law and respect for states' rights.

Allowing the Forest Services to circumvent the existing state process, would create inequity and confusion of the water right system in Colorado which, in our view, is an excessive overreach of the Forest Service's administrative power. If the Forest Service and other Federal Land management agencies create a process where individuals are forced to transfer their water rights to the federal government, a situation will arise where the federal government will destroy the flexibility within the existing water rights framework to allocate and use water rights in areas that are willing and able to meet the existing requirements of water right ownership.

The CWC appreciates your effort to educate others on the importance of privately held water rights to the West's economy and culture. If the existing water right infrastructure of Colorado is not protected, Colorado's citizens and economies will suffer. The reduction or complete taking of existing water rights, will result in extensive and protracted litigation for both the State of Colorado and the Federal government. Furthermore, a federal takings of water rights would chill the desire for investment in the free market, thus diminishing a substantial sector of the Colorado economy. The recreation sector of Colorado's economy has been developing at a rapid rate, in part, due to the availability of water, and the existing water rights framework. If private water rights holders were coerced into transferring rights to federal agencies, the recreation sector would also be negatively impacted.

Protecting privately held water rights is a top priority for the CWC, and we support any effort on the federal level to do so. The Colorado Water Congress looks forward to continuing to work with you and your staff by supporting sound legislation protecting western water and water rights' holders. The CWC thanks you for sponsoring this legislation and continuing the effort to protect Colorado's water.

Sincerely,




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Douglas Kemper  
Executive Director



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Andy Colosimo  
Federal Affairs Committee Chair



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Chris Treese  
Federal Affairs Committee Vice Chair