

CALIFORNIA SKI

INDUSTRY ASSOCIATION,

Mill Valley, CA, October 4, 2013.

Re Support for H.R. 3189

Hon. DOC HASTINGS,

Chairman, House Natural Resources Committee, Washington, DC.

DEAR CHAIRMAN HASTINGS: On behalf of the members and directors of the California Ski Industry Association I am writing to add our support to H.R. 3189, the Water Rights Protection Act.

This narrowly focused bill is designed to resolve an unfair regulation requiring Forest Service permittees to cede, without compensation, their water rights to the agency. Nineteen of California's twenty-six ski areas operate on Forest Service lands. We have a long history of working with the agency and will continue to do so in the future. However, our winter sports facilities on federal lands are strongly opposed to the clauses that would require California permittees to cede their valuable water rights to the agency without compensation. Such clauses represent a taking and carry far-reaching legal and economic implications, not only for our industry but also for all other permittees operating on Forest Service lands.

A recent study by San Francisco State University reported that California's winter sports resorts generate \$1.3 billion in economic activity and over 16,000 jobs in our mountain communities. Our resorts have millions of dollars invested in their water rights. In many cases the source of these rights are located outside of the permit boundaries.

We appreciate your scheduling a hearing on H.R. 3189 and thank you and the sponsors of this important legislation.

Yours truly,

BOB ROBERTS,
President & CEO.

RECOGNIZING JOHN AND NANCY LOVE

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 21, 2014

Mr. MORAN. Mr. Speaker, I rise today to recognize one of my constituents John Love, and the marriage of over 50 years to his recently departed wife Nancy.

John is a retired Air Force officer who served his country proudly in Vietnam. He and Nancy met first met on January 6, 1962, at a restaurant in Marquette, Michigan. She was sitting with her mother when John approached the striking brunette to ask her to dance. The rest, as they say, is history.

They got engaged 6 weeks later and were married on May 5, 1962, simply following their hearts.

In May of 2012, they celebrated their 50th wedding anniversary by watching their beloved Detroit Tigers after renewing their vows.

Sadly, Nancy's health deteriorated in the months that followed, passing away in her loving husband's arms in December of that same year. She is buried in Section 66 of Arlington National Cemetery, in a spot next to where John will one day be laid to rest.

The Love family had two sons and five grandchildren, shared and continue to share a close personal relationship, cherishing each other deeply.

While she has left this Earth in physical form, Nancy will always live in John's heart

until they are reunited once more. John has written a love song to Nancy, entitled "My Love Song Forever," produced with John White and D.B. Rielly of WhiteWater Sound Studios in New York.

Mr. Speaker, I am honored to recognize the kind of love we can all connect with, and appreciate for its intensity and durability over many years. May we all be so lucky to find that special someone.

CELEBRATING THE CENTENNIAL OF THE HEATH BROTHERS CONFECTIONARY IN ROBINSON, ILLINOIS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 21, 2014

Mr. SHIMKUS. Mr. Speaker, I rise today to recognize the centennial of the Heath Brothers Confectionary in Robinson, Illinois. Founded one hundred years ago by L.S. Heath and his sons Bayard and Everett, this once small business has expanded to become a global franchise. Over the past 100 years, the Heath Confectionary has produced many successful products, chief among them the Heath Bar, a delicious toffee candy covered in milk chocolate and almonds.

Made by hand until 1942, production of Heath Bars was eventually ramped up to commercial scale to supply American troops during World War II. Throughout the conflict, Heath Bars were a staple of soldiers' rations, providing them with a small taste of home during their long deployments.

Known as "America's Finest," popularity for the candy grew steadily after the war. Recognizing the potential of the Heath Confectionary, the company was eventually acquired by Leif, Inc. in 1989, itself acquired by Hershey in 1996.

Today, Hershey maintains a plant in Robinson, Illinois, producing iconic candies such as Heath Bars, Paydays, Whoppers and Milk Duds. I applaud Hershey for maintaining the plant's roots in Robinson and for their contribution to the community through the creation of jobs and their generous corporate giving.

I invite all members to stop by my office to try a Heath Bar and all of the various other Hershey products produced in our district for themselves.

IN SUPPORT OF H.R. 3189

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, March 21, 2014

Mr. TIPTON. Mr. Speaker, I would like to submit the following:

NATIONAL WATER RESOURCES

ASSOCIATION,

Washington, DC, March 10, 2014.

Hon. SCOTT TIPTON,
Cannon House Office Building, Washington, DC.

DEAR CONGRESSMAN TIPTON: On behalf of the Board of Directors and the members of the National Water Resources Association (NWRA), I write in support of H.R. 3189, the Water Rights Protection Act. The NWRA is a

nonprofit federation made up of agricultural and municipal water providers, state associations, and individuals dedicated to the conservation, enhancement and efficient management of our nation's most important natural resource, water. Our members provide clean water to millions of individuals, families, agricultural producers and other businesses throughout the western United States.

Collectively, NWRA members have spent billions of dollars investing in the development of state issued water rights and the associated infrastructure in order to provide a safe and reliable water supply to their customers. Their ability to continue meeting the nation's growing demand for clean water is dependent upon access to this vital resource. The Water Rights Protection Act would protect NWRA members' water rights and those who depend on the water they deliver by preventing federal agencies from making a permit, permit renewal or other action conditional upon surrendering a water right. The protection of water rights is of the utmost importance to our members. Water rights constitute a valuable property right and as such are valuable assets that are often irreplaceable.

For more than eighty years NWRA members have helped finance, maintain and manage some of the most valuable and iconic water systems in the world and have turned virtual deserts into some of the most productive agricultural land on the planet. To accomplish this irrigators have worked collaboratively with federal agency partners at the Bureau of Reclamation and Army Corps of Engineers. That collaborative partnership, formed through contracts and other agreements, is protected by this bill. Our members are gravely concerned by recent efforts by the U.S. Forest Service (USFS) and the Bureau of Land Management (BLM) that have made agency actions contingent upon the relinquishment or modification of a water right. These efforts go counter to the principle foundations of western water law, fly in the face of state law and set a dangerous precedent. Our members count on federal infrastructure to deliver both project and non-project water. Non-project water is privately owned; it has not been appropriated, acquired by, or apportioned to, the United States. In addition, many of our members deliver water through facilities that cross USFS or BLM land. The creation of a process through which water deliveries could be made contingent on the modification, relinquishment or surrender of a water right is unacceptable. Moreover, allowing such a precedent would cause this assault on state water rights to spread in various forms to other agencies within the Agriculture and Interior Departments. Congress, needs to provide the respective Secretaries with clear guidance on this subject, H.R. 3189 provides this guidance.

The USFS and BLM efforts to curtail water rights have been focused on western states, but the implementation of this kind of policy would have ramifications throughout the nation. According to the United States Geological Survey, nearly seventy five percent of the irrigated agriculture in the U.S. is found in the seventeen western states. These states on average receive less than twenty inches of rain each year, making the reliable delivery of irrigation water vital. In order to protect our members' water rights, assure the continued delivery of clean water to millions of people and protect the integrity of western water law the NWRA supports the Water Rights Protection Act.

On behalf of NWRA's members I thank you for your attention to the critical water supply issues facing our nation, and for supporting our members as they continue to be

stewards of our nation's water supply and a critical part of the economy.

Sincerely,

ROBERT W. JOHNSON,
Executive Vice Presi-
dent, National
Water Resources As-
sociation, Wash-
ington, DC.

WHITE RIVER AND DOUGLAS CREEK
CONSERVATION DISTRICTS,
Meeker, CO, January 17, 2014.

Re White River and Douglas Creek Conserva-
tion Districts' Support for the Water
Rights Protection Act

Representative SCOTT TIPTON,
Cannon House Office Building,
Washington, DC.

DEAR REPRESENTATIVE TIPTON: The White River and Douglas Creek Conservation Districts have been following the efforts of the U.S. Forest Service (USFS) to acquire private water rights from individuals and businesses by holding them hostage through permit issuance and/or renewals.

Our Executive Director joined Club 20 in meetings with USFS Associate Deputy Chief, Jim Pena, in Washington D.C. last May. He adamantly argued that it was the USFS responsibility and right to acquire the private water rights from the ski industry and grazing permittees in order to protect the industries and the economies they support. This is not a role of our federal government or agencies. The purpose and only role of the USFS and Bureau of Land Management (BLM) is to manage the land for multiple uses based on the best available science.

It is our opinion that the federal government has neither right nor role to interfere with the individual states' water rights laws and the federal government's efforts as stated above are absolute takings of private property rights.

We applaud you and your colleagues' efforts to ensure the states' and individual's rights are respected by the federal government. The White River and Douglas Creek Conservation Districts strongly support H.R. 3189, the Water Rights Protection Act, which would provide federal legislation to protect Colorado's private water rights holders from any takings by federal land management agencies.

Please let us know if we can be of any assistance in your efforts to protect Colorado's water rights which ensure conservation of our many natural resources, food supply, and thriving economies.

Sincerely,

LEONARD THOMPSON,
President, White River
Conservation District.
SCOTT ROBERTSON,
President, Douglas Creek
Conservation District.

UPPER ARKANSAS WATER CONSER-
VANCY DISTRICT,
Salida, CO, November 7, 2013.

Re H.R. 3189 Water Rights Protection Act
Representative SCOTT TIPTON,
N. Main St.,
Pueblo, CO.

DEAR CONGRESSMAN TIPTON: The Upper Arkansas Water Conservancy District is a local governmental entity charged through the State of Colorado's Conservancy Statutes to develop water works to optimize the beneficial use of water in Colorado and protect water rights. Charged with this duty, the District owns for the benefit of its constituents within the more than 3000 square miles of the Upper Arkansas River Basin, water rights, storage facilities and other water infrastructure. Many of these facilities are lo-

cated with the United States Forest Service (USFS) and require special use permits.

The cost of the permits undeniably exceeds the benefits provided by these structures and District owned water rights to the citizens of the United States and the forest. However, the USFS continues to charge excessive fees. Repermitting facilities has been expensive and onerous and often comes with conditions that are confiscatory.

For the above reasons and others this district and board fully supports your legislation H.R. 3189. Further it is vital for Colorado's future that more storage be developed and often the best locations are on public lands. Thus the future of our water resources, the lifeblood of an arid climate, is the construction and maintenance of water storage. We support your legislation that helps achieve the goals of water protection and storage in Colorado and the West.

Sincerely,

ROBERT M. SENDERHAUF,
Chairman.

THE SOUTHWESTERN WATER
CONSERVATION DISTRICT,
Durango, CO, October 10, 2013.

Hon. SCOTT TIPTON,
House of Representatives, Cannon House Office
Building, Washington, DC.

DEAR CONGRESSMAN TIPTON: On behalf of the Southwestern Water Conservation District ("District"), we thank you for sponsoring the Water Rights Protection Act, H.R. 3189. This vital bipartisan bill would prohibit the conditioning of any permit, lease, or other use agreement on the transfer, relinquishment, or other impairment of any water right to the United States by the Secretaries of the Interior or Agriculture.

The Southwestern Water Conservation District (SWCD) was established by the Colorado legislature to conserve and protect the waters of the San Juan and Dolores Rivers and their tributaries. Therefore, we see it as our statutory obligation to safeguard privately held water rights in the region and uphold the primacy of state water law, as H.R. 3189 would do.

The U.S. Forest Service has recently attempted to require the transfer of privately held water rights to the federal government as a condition of acquiring a National Forest System lands permit. The District considers such requirements tantamount to a federal taking, and applauds H.R. 3189's prohibition of such conditions.

The District encourages the House of Representatives to pass this legislation without delay.

We thank you for introducing the Water Rights Protection Act and for your leadership on this issue of great consequence.

Sincerely,

BRUCE WHITEHEAD,
Executive Director.

SAN LUIS VALLEY
WATER CONSERVANCY DISTRICT,
Alamosa, CO, October 28, 2013.

Hon. SCOTT TIPTON,
Cannon House Office Building,
Washington, DC.
Hon. JARED POLIS,
Longworth House Office Building,
Washington, DC.

DEAR REPRESENTATIVES TIPTON AND POLIS: On behalf of the Board of Directors of the San Luis Valley Water Conservancy District, thank you for your introduction of H.R. 3189, the Water Rights Protection Act. The District endorses this Bill, and will work to broaden bipartisan support for this measure and to gain its swift consideration and approval by the House of Representatives.

H.R. 3189 grants no new rights to any party, nor does it in any way infringe on ex-

isting rights of individuals, states or the federal government. This legislation simply reaffirms what has been existing law for generations and which is expressed in numerous places in federal law, including the Mining Act of 1866; the 1897 Organic Act establishing the U.S. Forest Service; the Taylor Grazing Act; and the Federal Land Policy and Management Act of 1976.

There is no provision in federal law authorizing or permitting the U.S. Forest Service or the Bureau of Land Management to compel owners of lawfully acquired water rights to surrender those rights or to acquire them in the name of the United States. Thus, H.R. 3189 does nothing more than assure holders of BLM or U.S. Forest Service permits that their lawfully acquired rights will not be abridged and that federal agencies may not unlawfully use the permit process to acquire rights they do not currently possess.

We look forward to working with you on this important legislation and again commend you for your leadership in this important area.

Sincerely,

M. DEE GREEMAN,
President.

SAN LUIS VALLEY COUNTY
COMMISSIONERS ASSOCIATION,
Alamosa, CO, November 4, 2013.

Hon. Representative SCOTT TIPTON,
Main Street,
Alamosa, CO.

DEAR HONORABLE REPRESENTATIVE TIPTON: On behalf of the San Luis Valley County Commissioners Association, this letter is being written in support of H.R. 3189.

The San Luis Valley County Commissioners Association fully supports your efforts in the passage of H.R. 3189. Water Rights are very important to the people of the entire San Luis Valley and any effort made to preserve our precious mineral is important because this is an essential part of rural communities.

This proposed legislation would prohibit the Secretary of the Interior and Secretary of Agriculture from requiring the transfer of water rights without adequate compensation. This bill supports the state water laws that have been established long term and clarifies that the government does not have the jurisdiction.

The San Luis Valley County Commissioners Association strongly urges the Natural Resource Committee to support this essential legislation. Your attention to this matter is very much appreciated.

Sincerely,

MICHAEL YOHN,
Chairman.

ROUTT COUNTY BOARD
OF COUNTY COMMISSIONERS,
Steamboat Springs, CO, March 11, 2014.

Re H.R. 3189
Congressman SCOTT TIPTON,
Cannon House Office Building,
Washington, DC.

DEAR CONGRESSMAN TIPTON: On behalf of the people of Routt County, Colorado, we are hereby expressing our earnest support for H.R. 3189 aka the "Water Rights Protection Act". This is a timely and necessary piece of legislation. This bill represents no cost to the public and provides needed protection of lawfully held water rights.

Water is an essential property right for business operators ranging from agriculture to ski areas. No operator or property owner should be coerced into surrendering a privately held water right. The opportunity for beneficial use of public lands is a separate right. Federal agencies are charged only with administering permitting and other processes related to public lands. These

agencies should have no authority to use these processes as a mechanism to strip rights from lawful water users.

We urge Congress to pass H.R. 3189 and we are happy to provide further support for this effort as necessary.

Cordially,

TIMOTHY V. CORRIGAN,
DOUGLAS B. MONGER,
STEPHEN K. IVANCIE.

RIO GRANDE WATERSHED—ASSOCIATION OF CONSERVATION DISTRICTS,
North Center, CO, October 25, 2013.

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

Hon. DOC HASTINGS,
Chairman, Longworth House Office Building,
Washington, DC.

Hon. PETER DEFAZIO,
Ranking Member, Rayburn House Office Building,
Washington, DC.

DEAR CHAIRMAN HASTINGS AND RANKING MEMBER DEFAZIO: The Rio Grande Watershed Association of Conservation Districts (RGWACD) strongly support the Water Rights Protection Act (WRPA), (H.R. 3189). RGWACD is dedicated solely to representing the roughly 2,000 ranchers who operate on federal lands, some of which are U.S. Forest Service (USFS) lands. Here in the San Luis Valley of Colorado, RGWACD is one of the most active conservation district—watershed groups in Colorado. We represent all faction of agriculture producer and landowner 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,

HAROLD ANDERSON,
President.

RIO GRANDE WATER CONSERVATION DISTRICT,
Alamosa, CO, October 15, 2013.

Hon. SCOTT TIPTON,
Cannon House Office Building,
Washington, DC.

DEAR REPRESENTATIVE TIPTON: One of the Rio Grande Water Conservation District's purposes is "for the conservation, use and development of the water of the Rio Grande". We understand that there has been an attempt by certain federal agencies to require federal permittees to assign their private water rights to the federal government as a condition of the permit. If this policy continues it will create a great risk to the water users both in the San Luis Valley and statewide. The Rio Grande Water Conservation District supports H.R. 3189, The Water Rights Protection Act, and will work with you to garner support for this bill to ensure protection of privately owned water rights from claims by federal agencies.

As we understand, H.R. 3189 was introduced as a means to protect water users from the seizure of privately owned water rights without just compensation. We believe that H.R. 3189 grants no new rights to any party, nor does it in any way infringe on existing rights of individuals, states or the federal government. It appears to us that this legislation simply reaffirms what has been existing law for generations and which is expressed in numerous places in federal law, including the Mining Act of 1866; the 1897 Organic Act establishing the U.S. Forest Service; the Taylor Grazing Act; and the Federal Land Policy and Management Act of 1976. The bill supports long-established recognition of the primacy of state water law and the title to water rights that are established thereunder.

We are aware of no provision in federal statutory law authorizing or permitting the Forest Service or the Bureau of Land Management to compel owners of lawfully acquired water rights to surrender those rights or to require that they be in the name of the United States. H.R. 3189 does nothing more than assure holders of BLM or Forest Service permits that their lawfully acquired water rights will not be abridged and that federal agencies may not use the permit process to acquire water rights that are owned by non-federal entities.

We thank you for taking a leadership role in addressing this crucial issue and look forward to working with you on this important legislation.

Sincerely,

STEVEN VANDIVER,
General Manager.

TRIBUTE TO THE CITY OF LAKEWOOD, CALIFORNIA ON THE OCCASION OF THE CITY'S 60TH YEAR ANNIVERSARY OF INCORPORATION

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 21, 2014

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to recognize the City of Lakewood, CA and ask my colleagues to join me in congratulating its residents on the city's 60th Anniversary of Incorporation. I am proud

to represent this prospering city—aptly characterized by its motto, "Times Change, Values Don't"—as part of the 38th Congressional District of California.

The City of Lakewood incorporated in 1954, and was the largest planned community in America in the early 1950s. Lakewood was designed to be a livable residential community, with parkways along major roadways to protect children from traffic, a regional shopping center in the middle of the town, and convenient neighborhood shopping places at major intersections.

The City of Lakewood has been known for its careful fiscal management and prudent budgeting. In 1954, the City began to utilize innovative partnerships in contracting for city services. Lakewood's "contract plan" for local government was soon copied in a wave of incorporation movements in Los Angeles County, and later throughout the state. Today, Lakewood is known as a "contract city" and currently contracts for a broad range of services from the County, other agencies, and private firms; including law enforcement, street repairs, fire protections, library services, trash collection and others. This allows the city to provide more efficient and cost-effective services to its residents.

Prioritizing the best interests of its residents, in 2013 Lakewood was able to complete a 12-year street repaving program in which 100% of the city's 143 miles of residential streets were resurfaced with long-lasting rubberized asphalt. The 100 percent completed program—almost unheard of among cities—earned a "Project of the Year" award from the American Public Works Association.

The City of Lakewood thrives on customer service and strives to ensure all resident requests are responded to in a timely manner. In addition, Lakewood takes pride in the fact that city staff has deep roots in the community; many employees were raised here and continue to live in the city. The average employee has worked for the city for many years, maintaining a valuable level of experience and loyalty to the residents of Lakewood.

A top quality recreation service for residents of all ages is a core Lakewood value. In the 1950s, to deal with the surge of young children needing play opportunities after school, the city developed the Lakewood Youth Sports (LYS) program staffed by an army of volunteer coaches. LYS and its volunteer coaches provided the supervised play activities that the new families of Lakewood needed. LYS continues to be a key way that Lakewood residents work with their city government to give their children great recreational opportunities. In 2013, for the fourth year in a row, Lakewood was named "Playful City USA" by the national recreation advocacy group KaBoom! in recognition of the city's top quality parks, playgrounds, and programs to encourage youth and family play.

The City of Lakewood was recently considered one of the safest communities in the region, and has seen many innovations and notable achievements in public safety over the years. In the 1980s, Lakewood developed one of the largest Neighborhood Watch programs in California. The city continues to have a prospering program with currently over 400 block captains. Lakewood residents have a tradition of volunteering to help their community and their neighbors in need. Lakewood is the home of many charitable efforts that support a caring community and enhance the