

HONORING THE ST. JOHN BOSCO
HIGH SCHOOL FOOTBALL TEAM

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 21, 2014

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, today I rise to congratulate the St. John Bosco High School varsity football team on their numerous accomplishments during their 2013–2014 football season. The St. John Bosco Braves are an outstanding football team from Bellflower, CA. The Braves were named the 2013 California Interscholastic Federation (CIF) Pac5 Division Champions, CIF Southern Regional Champions, CIF State Champions, and National Champions by Max Preps.

The historic season for the St. John Bosco Braves began with the school's second ever CIF Finals appearance against their longtime rival, Mater Dei High School. After an uncharacteristically slow first half, the Braves came out firing in the second half and ended up beating the Mater Dei Monarchs 34–7, thus crowning the Braves CIF Pac–5 champions, the first football title in the school's seventy-three (73) year history. A week later, St. John Bosco routed the Corona Centennial Huskies 70–49, thus giving the Braves yet another award to add to the season, CIF Southern Regional Champions. The next and last game on the schedule had the entire Bosco community on edge as it was not only the State Championship game, but that it was against the De La Salle High School Spartans who headed into the State Championship game with a 40 game winning streak. After four grueling quarters of football, the Braves came out on top 20–14, ending the Spartans' winning streak and crowning the Braves 2013 CIF State Champions; the first in school history.

The St. John Bosco Braves finished their season 16–0, which propelled them to the top of the national football rankings along with Allen High School from Allen, Texas and Washington High School out of Miami, Florida. On January 27th, the ninth annual MaxPreps Football Tour of Champions arrived in Bellflower, CA to award the Braves with the National Championship trophy. This award came with the nation's number one ranking out of 15,000 schools and is a feat never accomplished by any sport in the school's history.

Due to such a successful season, Head Coach Jason Negro was awarded various accolades, including the MaxPreps High School National Coach of the Year award, the Press-Telegram Dream Team Coach of the Year, the American Football Monthly Magazine National Coach of the Year, and CIF Southern Section Pac–5 Coach of the Year. In addition, earlier in the year Coach Negro was selected to coach the West Team at the 2013 U.S. Army All-American Game and was awarded the Xenith/Bill Yoast National Coach of the Year presented by the Army All-American Bowl.

As a result of the hard work and dedication displayed by the Braves in the 2013–2014 football season, made evident by their list of accomplishments, it was no surprise that several varsity football players received full rides to study and compete at the college level. On February 5th, 2014, the following players committed and signed their National Letters of Intent to their respective universities: Brett Bald-

win (Air Force Academy), Malik Dorton (University of Southern California), Shay Fields (University of Colorado), Naiijel Hale (University of Washington), Chandler Hawkins (Naval Academy), Chandler Leniu (University of California, Berkeley), Damien Mama (University of Southern California), Jacob Tuioti-Mariner (University of California, Los Angeles), and Jaleel Wadood (University of California, Los Angeles).

I once again would like to recognize and congratulate the St. John Bosco Braves and Coach Negro on their historic season and numerous accomplishments. I wish all of the players continued success as they pursue their goals in athletics, academics, and their careers.

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:

MONTEZUMA VALLEY IRRIGATION
COMPANY,
Cortez, CO 81321

TO WHOM IT MAY CONCERN: At their regularly scheduled meeting on October 8, 2013, the Board of Directors of Montezuma Valley Irrigation Company voted unanimously to support the proposed House Resolution 3189 introduced by Representative Scott Tipton and others.

We believe that this Bill is critical to protect water rights held by citizens and entities such as ours from usurpation by Federal agencies. In doing so, it preserves the water rights long held by, and essential to the survival of, agribusinesses, recreational businesses, municipalities, and individuals throughout our state and all states that receive water from rivers and streams originating in the state of Colorado.

Regards,

GERALD KOPPENHAFFER,
MVIC Board President.

MONTEZUMA COUNTY,
October 15, 2013.

Congressman SCOTT TIPTON,
House of Representatives,
Third District, Durango, CO.

DEAR REPRESENTATIVE TIPTON: The Montezuma County Board of County Commissioners would like to strongly express our formal support for the proposed House H.R. 3189, the Water Rights Protection Act.

The USFS and BLM are notorious for attempting to subjugate private property rights through coercion and deception. Recently the USFS has 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, House H.R. 3189, 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

STEVE D. CHAPPELL,
KEENAN G. ERTEL,
LARRY DON SUCKLA.

MESA COUNTY,

Grand Junction, CO, December 19, 2013.

Re House Resolution 3189—Water Rights Protection Act of 2013

Hon. MARK UDALL,
U.S. Senate,
Grand Junction, CO.

DEAR SENATOR UDALL: As you know, Representative Tipton has authored House Resolution 3189, The Water Rights Protection Act of 2013. H.R. 3189 protects privately held water rights, prohibits federal taking of water rights and upholds state water law.

It is within your power to circumvent these future problems through legislative intervention. The bill would prohibit agencies from implementing a permit condition that requires the transfer of privately held water rights to the federal government in order to receive or renew a permit for the use of land. In addition the bill prohibits the Secretary of the Interior and the Secretary of Agriculture from requiring water users to acquire rights for the United States rather than for the water user themselves. This bill upholds longstanding federal deference to state water law and has no cost to the American taxpayer.

On behalf of the 150,000 constituents of Mesa County, the Board of Commissioners asks for you to support this legislation, not simply through non-binding administrative action but rather by making this action law. The Commissioners fear that without supporting this bill to law, any temporary administrative "patch" will lead to future crisis of water rights in Mesa County.

Thank you.

Sincerely,

Board of County Commissioners.
STEVE ACQUAFRESCA,
Chair,
ROSE PUGLIESE,
Commissioner,
JOHN JUSTMAN,
Commissioner.

MESA COUNTY BOARD
OF COUNTY COMMISSIONERS,

Grand Junction, CO, December 19, 2013.

Re House Resolution 3189—Water Rights Protection Act of 2013

Hon. MICHAEL BENNET,
U.S. Senate,
Grand Junction, CO.

DEAR SENATOR BENNET: As you know, Representative Tipton has authored House Resolution 3189, The Water Rights Protection Act of 2013. HR 3189 protects privately held water rights, prohibits federal taking of water rights and upholds state water law.

It is within your power to circumvent these future problems through legislative intervention. The bill would prohibit agencies from implementing a permit condition that requires the transfer of privately held water rights to the federal government in

order to receive or renew a permit for the use of land. In addition the bill prohibits the Secretary of the Interior and the Secretary of Agriculture from requiring water users to acquire rights for the United States rather than for the water user themselves. This bill upholds longstanding federal deference to state water law and has no cost to the American taxpayer.

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Thank you.

Sincerely,

STEVE ACQUAFRESCA,
Chair,
ROSE PUGLIESE,
Commissioner,
JOHN JUSTMAN,
Commissioner.

MESA COUNTY, COUNTY
COMMISSIONER, DISTRICT 2,

Grand Junction, CO, October 10, 2013.

Re H.R. 3189

Hon. SCOTT TIPTON,
Washington, DC.

DEAR CONGRESSMAN TIPTON: I sincerely appreciate your leadership in Colorado and Western water matters. H.R. 3189 exemplifies that leadership. I lend my full support to H.R. 3189 with the consensus amendments developed by your staff, the national ski areas and the Colorado River Water Conservation District.

With the clarifying amendments, H.R. 3189 provides responsible side boards to agency actions when permitting allowable activities and uses on federal lands. It prohibits the transfer of ownership of privately held water rights in exchange for required permits. I am also pleased that your staff will prepare a sponsor's statement to confirm that the bill will not change existing law that allows reasonable permit conditions that can protect both the natural environment and present and future downstream water users dependent on the public lands for critical water supplies.

I want to express my genuine appreciation for you and your staff's willingness to develop legislation that accomplishes our mutual goals of protecting private property interests in western water while maintaining the authority to condition permits to ensure responsible exercise of those rights.

Sincerely,

STEVEN ACQUAFRESCA,
Chairman, Board of Commissioners.

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, DC, March 10, 2014.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, strongly supports H.R. 3189, the "Water Rights Protection Act." This bipartisan bill would protect water supplies and property rights from federal agency overreach by ensuring that the federal government cannot condition its approval of permits, leases, and other use agreements on the restriction or loss of applicable state water rights.

While eastern states typically apply riparian law to water rights questions, western states generally use the prior appropriation doctrine, which is "first in time, first in right." State laws protecting waters for multiple uses in western states have been in existence for over a century. Water rights are obtained by diverting water for "beneficial use," which can include domestic use, irrigation, manufacturing, mining, hydropower, municipal use, agriculture, and others depending on state law.

Recent federal actions have threatened this longstanding federal-state water rights relationship. Agencies increasingly require unnecessary and restrictive use conditions that must be met before land owners can receive or renew a permit. H.R. 3189 would prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture.

H.R. 3189 would protect water uses while ensuring that state water laws are upheld by prohibiting federal agencies from imposing permit conditions that requires privately held water rights to be transferred to the federal government in exchange for a new or renewed permit to operate on federal land.

This bill would ensure that the longstanding federal-state water relationship is maintained and not compromised by the placement of unreasonable permit conditions. The Chamber strongly supports H.R. 3189.

Sincerely,

R. BRUCE JOSTEN,
Executive vice president,
Government Affairs.

GUNNISON COUNTY, CO,
October 22, 2013.

Hon. SCOTT TIPTON,
Washington, DC.

Hon. JARED POLIS,
Washington, DC.

HONORABLE REPRESENTATIVES: The Board of County Commissioners of Gunnison County, Colorado commend you for sponsoring "The Water Rights Protection Act." The Board will work closely with you to broaden bipartisan support for this measure and to gain its consideration and approval.

The Water Rights Protection Act would protect privately held water rights, prohibits federal takings, and upholds state water law by:

Prohibiting agencies from implementing a permit condition that requires the transfer of privately held water rights to the federal government in order to receive or renew a permit for the use of land;

Prohibiting the Secretary of the Interior and the Secretary of Agriculture from requiring water users to acquire water rights for the United States rather than for the water user themselves;

Upholds longstanding federal deference to state water law;

Has no cost to the American taxpayer.

Note: We are informed that you are diligently working to address the concern that the bill, as introduced, would not provide for the opportunity to condition relevant federal permits regarding transbasin diversion of water to require appropriate "by-pass" flows. We support this clarification and this issue can be addressed—perhaps through a combination of additional language, a well crafted "legislative history", and a "savings clause."

In the main, 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. This legislation sim-

ply reaffirms what has been existing law for generations and which is expressed in numerous places in federal law, including the Mining Act of 1872; 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 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 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,

The Board of County Commissioners of the
County of Gunnison, Colorado.

PAULA SWENSON,
Chairperson.

PHIL CHAMBERLAND,
Vice-Chairperson.

JONATHAN HOUCK,
Commissioner.

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:

RIO GRANDE COUNTY,
BOARD OF COUNTY COMMISSIONERS,
Del Norte, Colorado, October 16, 2013.

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

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

Hon. JARED POLIS,
*Longworth House Office Building, Washington,
DC.*

DEAR REPS. TIPTON AND POLIS: The Board of County Commissioners of Rio Grande County supports your efforts through H.R. 3189 to protect the privately owned water rights within the State of Colorado.

The control of water within the State of Colorado and any other state in this nation has been controlled and regulated by the State. The Constitution of the United States does not allow the federal government to regulate private water rights.

There is no provision in federal law authorizing or permitting the Forest Services 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 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 thank you for your attention to this crucial issue, and for supporting our rural communities and our public lands.

Sincerely,

KARLA L. SHRIVER,
Chair, Board of County Commissioners.