

House to debate USFS, ski resort water rights

By Jason Blevins, Denver Post

The Water Rights Protection Act – which would prohibit the federal government from seizing privately-acquired water rights used on federal lands – arrives for debate on the House floor Thursday.

HR3189 – sponsored by Rep. Scott Tipton, R-Colo., and co-sponsored by 15 Western members of Congress – stems from the ski industry's now 3-year-old fight with the agency, which sought in 2011 to revise permit regulations to require ski areas to transfer water rights used on public lands over to the Forest Service.

The ski industry – which sued to stop implementation of the new water-rights clause – argues the permit change amounts to illegal takings of private property. The Forest Service says the water regulation is a return to original policy outlined by the 1986 National Forest Service Ski Area Permit Act and keeps water resources connected to public land.

A U.S. District Court judge in December 2012 overturned the water clause and required the Forest Service to gather public input on the change to federal permitting.

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