

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO**

RESOLUTION IN OPPOSITION TO PUBLIC TRUST DOCTRINE INITIATIVES.

WHEREAS, several initiatives have been proposed in recent years that would amend the Colorado Constitution to impose a public trust doctrine on Colorado water; and

WHEREAS, it appears likely that such an initiative will again be proposed; and

WHEREAS, the main users of Colorado water are agriculture, farms and ranches and these initiatives could take away their rights to use their water and will hurt agriculture; and

WHEREAS, this resolution is adopted in response to previously introduced public trust initiatives; and

WHEREAS, Colorado cities have acquired critical water supplies for their residents and these initiatives will put cities' use of water for local residents in jeopardy; and

WHEREAS, secure and reliable water rights are essential to business, jobs and the economy. These initiatives will create uncertainty and hurt the economy; and

WHEREAS, this initiative attacks people's private property rights in their water and land, it would be a mistake to wipe out historical ownership of water and turn it over to the uncertainty of courts, lawyers and lawsuits. These initiatives will increase frivolous lawsuits; and

WHEREAS, it would be a mistake to shift control of our water supply from local water providers; and

WHEREAS, allowing uncontrolled access to streams and rivers across private land will damage sensitive streambeds and banks, could lead to dangerous and unsafe conditions and cause conflict with property owners; and

WHEREAS, these initiatives may undermine Colorado's existing environmental protections, which require an amount of water flow in streams and rivers maintaining certain lake levels; and

WHEREAS, we need to protect Colorado water supplies and in many years, these initiatives will allow more of Colorado's water to go to downstream states than interstate compacts require; and

WHEREAS, Coloradans have built water projects and managed our water for more than 150 years, which has maintained our economy and improved our quality of life. These initiatives will jeopardize the historical operation of those projects and make improvements impossible; and

WHEREAS, Coloradans need to store water to use during drought and these initiatives will stop projects to store water; and

WHEREAS, Justice Hobbs stated in his dissenting opinion - *In re Title, Ballot Title and Submission Clause for 2011-12#3*, that such an initiative "would drop what amounts to a nuclear bomb on Colorado water rights and land rights," and "would strip members of the public, cities, farms and families throughout this state of their most valuable economic interests";

NOW THEREFORE, BE IT RESOLVED, that Board of County Commissioners of the County of Douglas opposes adoption of a public trust doctrine as unwise, unnecessary, and

disruptive to the fair and responsible allocation and stewardship of Colorado's scarce water resources, and an unwarranted taking of vested property interest.

PASSED AND ADOPTED this 24th day of February, 2014, in Castle Rock, Douglas County, State of Colorado.

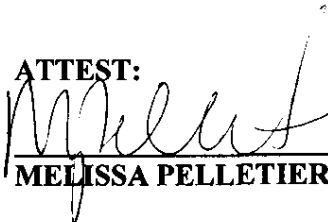
**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO**

BY:



ROGER A. PARTRIDGE, Chair

ATTEST:



MELISSA PELLETIER, Deputy Clerk

