

United States Senate

WASHINGTON, DC 20510

December 1, 2011

Chief Tom Tidwell
U.S. Forest Service
201 14th Street, S.W.
Washington, D.C. 20024

Dear Chief Tidwell:

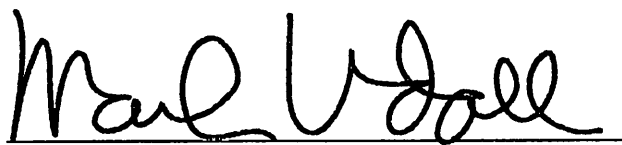
We write to urge you to place a moratorium on the implementation of the water clause released November 8, 2011.

Collectively, we have heard concerns from ski area constituents in our three states regarding the Forest Service's new water clause for ski area permittees released on November 8, 2011. The concerns raised have focused on the immediate and practical implications of the 2011 clause on ski area operations and the significant differences between the previous 2004 water clause and the new 2011 clause. Additionally, the ski areas have raised concerns about the complexity of the 2011 clause and how it will be applied in the field. Without going into the merits of the water clause itself, it is apparent to us that a careful review of the practical implications of the clause to ski area operations and the changes that would occur under this new clause would prove beneficial to all parties involved.

We would recommend that the agency consider issuing a moratorium on the implementation of this water clause in the field until further review and analysis can be completed. Such a moratorium would provide the agency the opportunity to assess the practical impacts of this clause, allow ski areas to avoid immediate impacts to water rights until the review is completed, and undoubtedly benefit your longstanding and model public-private partnership with the ski industry.

We hope that you will give serious consideration to our suggestion of a moratorium and further review. The health and success of the ski industry is important to our respective states, as are the natural resources that support the public's continued recreational use of the National Forests. Thank you for your consideration.

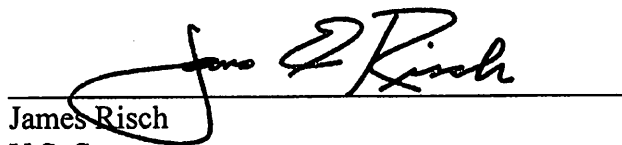
Sincerely,



Mark Udall
U.S. Senator



John Barrasso
U.S. Senator



James Risch
U.S. Senator



Michael F. Bennet
U.S. Senator