

The Honorable Martin Heinrich
United States Senate

The proposed M.H. Dutch Salmon Greater Gila Wild and Scenic River Act is not acceptable in any form.

It is an additional attempt to allow the Federal Government to limit/restrict/ and control private property rights of land owners along the Gila River which is neither warranted nor needed. It will have an adverse impact on irrigation and water rights, and set the stage for numerous law suits, from the same activist groups that have utilized the Endangered Species Act to do the same.

It is clear that the effort to enact this bill is a joint effort between these activist groups and legislators to gain power and control over the River, and to preclude securing the 14,000 acre feet of water and funding authorized by the Arizona Water Settlements Act for the four southwestern New Mexico counties of Luna, Catron, Grant, and Hidalgo, allowing that water to be lost to New Mexico and flow to Arizona.

Land owners, who have a vested and economic interest in property along the river who would be adversely affected by the legislation, which has been under consideration for the last 3 to 5 years, have been excluded from providing input on the proposed bill until they forced it recently. It is unbelievable that legislators would select an activist group that has no economic or vested interest in the land to draft the bill that would impact land users along the river.

Information about the recent “meetings” was not widely publicized and information provided by legislative representatives was limited to how great this legislation would be and did not address any of the limitations or restrictions that would/could be imposed by the act. There are a significant number of “unintended consequences” that landowners/irrigators will face including lawsuits, condemnation of property, loss of water rights, limits on availability of water as well as others.

Further, there were attempts to control who could have input by sending a limited number of “invitations” to a select few landowners along the river to meet with legislative staff, even though all landowners along the river would be impacted by the legislation. Staff concentrated on how to “wordsmith” the draft legislation to overcome concerns expressed by opponents to the legislation.

The bottom line is that this is terrible and unneeded legislation that reflects a union between legislators and activist groups without regard for the property rights of the only true environmentalists, those who have a vested and economic interest in the land and utilize the land and water rights along the Gila River for all or part of their income.

Attempts to pass this bill must be abandoned.

Topper and Leeann Thorpe, Shelley Farm & Livestock, LLC, Gila, NM—March 4, 2020