



STATE OF ARIZONA LIVESTOCK LOSS BOARD

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GOVERNOR

Douglas A. Ducey

BOARD MEMBERS

Larry D. Voyles - Chair
Stephen Clark
Sarahmarge Crigler
Mark W. Killian
Jim F. O'Haco
Clay Parsons
Dr. George Ruyle
James H. Unmacht II
Ken Van De Graaff

November 3, 2016

Honorable Mark Brnovich
Arizona Attorney General
1275 West Washington
Phoenix, AZ 85007

RE: Livestock Loss Board Request for Formal Legal Opinion
Fifth Amendment Takings Clause Issue

Dear General Brnovich,

The Arizona Livestock Loss Board was established by the Legislature in its 2015 regular session for the purpose of addressing the economic loss from the depredation of wolves on livestock operations. The Board has been meeting to establish protocols and has begun the planning process that will allow us to begin distributing available funds to our constituents who have suffered depredations to their livestock.

The goal of the Board is to focus on our statutory mission of providing funding and support to these constituents. However, some members of the Board have expressed a strongly held concern with the broader issue of the Fifth Amendment Takings Clause as it relates to livestock depredations from wolves reintroduced into Arizona by the U.S. Fish and Wildlife Service.

Generally, when a government takes private property for public use the government must pay "just compensation" to the property's former owners. Many types of government action infringe on private property rights. The government must compensate not only when it seizes private property, but also for government regulations that cause economic loss.

Members of the Board believe strongly that this is a major area of concern for Arizona's stockmen (and women), as well as for all Arizonans. Based on this concern, The Livestock Loss Board is asking that the Attorney General's Office provide a formal legal opinion with regard to the question whether the federal government is liable for compensation under the Fifth Amendment when a Mexican wolf released into the wild kills livestock.

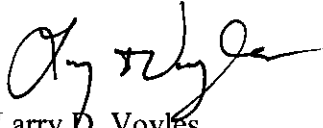
Honorable Mark Brnovich

November 3, 2016

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We would be happy to meet with you and your staff at any time to discuss this in more depth. I also thank you for the work you do to protect Arizona's authorities and look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry D. Voyles", written in a cursive style.

Larry D. Voyles
Chairman