



THE TAOS NEWS

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Abeyta parties make case for approving settlement



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New Mexico water issues

By J. R. Logan

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Representatives of Taos Pueblo, the town of Taos and several domestic water providers spoke at a meeting Tuesday (Sept. 18) arguing that a water settlement hashed out over decades isn't perfect, but it's the best deal anyone is going to get.

"My feeling is that this settlement has set the foundation for continuing communication into the future," said Nelson Cordova, a negotiator from Taos Pueblo.

The Taos Pueblo Water Rights Settlement — also known as the Abeyta Settlement — is an agreement meant to acknowledge that Pueblo's senior right to nearly all of the surface water in the valley while protecting non-Indian irrigators and ensuring that domestic water systems can keep faucets flowing as development continues.

The plan has already been approved by Congress, but a federal judge needs to give the final OK before it is finalized.

Tuesday's meeting was part of a federal court order meant to notify Taos Valley residents of the settlement terms. Several attendees received letters from the court explaining that they had until Oct. 28 to protest. Those on the panel of settlement parties argued if the deal fell through, the issue would wind up mired in litigation, creating much more adversarial process.

The Pueblo claims a right to 7,884 acre-feet of water every year based on its historic use. While other water rights holders in the valley could have fought that claim in court, the parties instead agreed to negotiate a deal.

As part of the deal, the Pueblo has agreed not to exercise its full water right. In return, other parties agree to make concessions to appease the Pueblo. State and federal authorities helped the process by providing up to \$150 million in funding to build infrastructure and purchase water rights.

In the end, the parties agreed to a complex plan that would include storing some water 1,000 feet underground, relocating wells owned by the town and El Prado Water and Sanitation District to limit depletions of the Pueblo's wetlands, and drilling deep wells at the mouth of several canyons in the Taos Valley to feed streams that may be impacted by shallow pumping in the future.

While the settlement parties are hoping to see decades of work clear these final hurdles, the deal is not without its critics, some of whom argue that the deal satisfies settlement parties without considering the well-being of the community as a whole.

Questa Mayor Esther García asked why El Prado Water and Sanitation District would see its water rights go from about 25 acre-feet per year to 575 acre-feet per year. She also noted that an acequia in Arroyo Seco would use \$500,000 from the settlement to buy 180 acre-feet of water off an acequia in Questa.

El Prado Water and Sanitation District Board President Telesfor Gonzáles responded by saying that those water rights were meant to ensure a supply of water to meet the projected growth of the area north of Taos.

Palemón Martínez, president of the Taos Valley Acequia Association and a commissioner on the acequia looking to buy the Questa water rights, has said the purchase is needed to resolve a long-standing conflict between Arroyo Seco irrigators and the Pueblo.

Online court records show that at least 12 people had protested the settlement so far. Another meeting on the settlement is set for Oct. 8, 6 p.m. in Río Grande Hall.

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