



THE TAOS NEWS

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Water rights protest

Staff report

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The Taos County Board of Commissioners voted 4-0 to move \$150,000 within the 2017-18 budget to pay for upcoming costs associated with the county's ongoing protest of a controversial transfer of water rights out of the basin.

In July, the state engineer, the top water rights administrator in New Mexico, approved a transfer of 1,752 acre-feet of groundwater rights from Top of the World Farm in Costilla to a domestic water project in Santa Fe. Those water rights account for nearly half of the water rights needed to satisfy the Aamodt Settlement, a comprehensive and complex agreement to a water rights dispute involving four pueblos, the state and non-Native American water rights holders in the Pojoaque Valley, which is south of Taos.

The commission voted in August to appeal the transfer in a district court, especially because transferring such a large number of water rights out of the county could set a dangerous precedent – for the legal rights to use water in Northern New Mexico to be sold to governments or corporations downstream.

Taos County intends to secure a contract with Robles, Rael and Anaya, an Albuquerque law firm, to pursue the litigation, Taos County Manager Leandro Cordova said. The \$150,000 – the upper limit of money the commission has committed to spend on the litigation – had to be moved from the general fund to the capital fund (for one-time, but long-term building projects) because the litigation is budgeted as a one-time expense and could extend past the fiscal year.