



My Turn

On the larger issues of water

Kay Mat thews

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In the April 12 online *Taos News* article “Taos County farm transfer a paper-water loss, but a wet-water gain,” J.R. Logan quotes New Mexico Tech hydrologist Peggy Johnson on the pending water rights transfer from Top of the World (TOW) to the Pojoaque Valley: “I’ve never really understood what the drama was over transferring those water rights out of the county ... it ultimately goes back in the river, it just means a healthier river corridor.”

This statement begs a response that addresses the larger issues that are in play: local autonomy; the commodification and marketing of water; and the integrity of the commons.

As a journalist I’ve covered the promulgation of both the Aamodt water adjudication settlement in the Pojoaque Valley and the Taos Valley Abeyta settlement.

Initially, I thought the Abeyta the better of the two agreements, as it seemed to adhere to a philosophy that with proper management Taos Valley could meet its present and future water needs without the movement of water from watershed to watershed.

The Aamodt, on the other hand, proposed to move 1,700 acre feet of water from TOW to the Pojoaque Valley for a water delivery system that many of its parties — there are over 700 objectors to the terms of the settlement — didn’t want in the first place.

Then we found out about the backroom deals that propose to move water from watersheds that were not parties to the Abeyta, outside the Taos Valley, to watersheds within the valley and into the hands of the water brokers who have leveraged millions of dollars from the state of New Mexico to underwrite this movement of water.

It’s not only a sweet deal for Taos Pueblo, whose first priority standing has largely dictated the terms of the settlement, but for the longtime power brokers in the Valley who will determine how these waters are put to beneficial use: to lease downstream; to underwrite the expansion of the Taos Airport; to support policies that encourage the growth of more houses, more resorts, and more amenities whose economic contribution to the community is poor paying service jobs and ultimately more people whose inherited wealth does not trickle down.

As far back as 2004 Santa Fe County told the protestants of the county’s original application to transfer 588 acre-feet of TOW water that if the second application to transfer the remaining 1,100 acre feet per year was protested, the county would try to acquire the San Juan/Chama

water rights that were slated for the Abeyta Settlement.

As Logan reported in last week's *Taos News*, when Santa Fe County proposed trading TOW water rights for the San Juan/Chama water rights, the Abeyta water brokers turned it down.

Why? San Juan/Chama water is more marketable, particularly below Otowi Gauge (which separates the upper Rio Grande basin from the middle and lower basins), and Taos Pueblo, along with the other Abeyta parties, want to be able to market the water.

Santa Fe County's interests are really no different; in the late 1990s, when it acquired the first installment of TOW water, the plan was to pipe it across the Otowi Gauge directly to the city and county of Santa Fe.

There is a profound difference between economic growth and economic development.

Elinor Ostrom, a much admired professor of economics at Indiana University, was an influential voice who explicated this difference in the language of the commons: shared resources can be managed by the people whose lives are directly affected at the local level by the management of our land and water, not dictated to by the state or the market. Those who believe in the integrity of the commons work to keep water in its area of origin, where its ecological integrity is maintained by its connection to geography, climate, and relationship to those who value it as a resource, not a property right.

Those who believe that market forces should dictate the movement of water, which has been defined by the state as private property, don't want any regulatory or public oversight to get in the way of development.

Allowing natural resources to help determine sustainable growth and development patterns is not the way things work in a market economy.

The Water Advisory Committee did its due diligence at the April 6 hearing and unanimously recommended that the county commission protest the proposed transfer of the TOW water rights based on criteria that help define the public welfare of the citizens of Taos County, i.e., the integrity of the commons.

Kay Matthews, of El Valle, is the editor of La Jicarita.