

My turn

Government takings and irrigated land

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The Taos County Commissioners are currently considering implementing a new set of Land Use Regulations totaling 220 pages. Most people, I think, would agree that many rules and regulations need to be updated.

With minor adjustments, probably 90 percent of this document is warranted, but one section results in an egregious taking by a government entity without due compensation to its victims. Section 5.17, a mere four pages long entitled "Irrigated Agricultural Land and Acequias," severely limits the ownership rights for all irrigated land in Taos County and reduces the value of that land.

This section takes away rights of every owner who has one acre or more of irrigated land in Taos County. By mandating that up to 75 percent of irrigated land can only ever be used for agriculture, the Taos County Commissioners would be limiting the pool of potential buyers of this land to only other farmers and ranchers. This will result in a reduction on the value of the land by up to 80 percent.

A rancher who owns land worth \$500,000 will wake up the next morning owning land worth only \$100,000. In addition, the new rules effectively eliminate the financial incentive for a landowner to put his land in a Conservation Easement, taking that value from the owner. We all realize that any law effectively ending conservation easements is ill-conceived.

Deputy County Manager Rick Bellis previously stated that the only people opposed to Section 5.17 were a few greedy real estate agents. This really has nothing to do with real estate agents.

This issue is about Taos County taking the assets and equity from a select group of landowners without paying for it. If the county wants this land, it should buy it.

Alternatively, if it is going to take 75 percent of some people's land rights and value, it should take 75 percent of the rights and value from every property owner in Taos County.

Most of my neighbors have had their land in their families for generations. For most, this is a large portion of their net worth.

The county would be taking the majority of their assets so that people in homes with valley views can look down without seeing homes in the valley. This is governmental takings, pure and simple.

An unintended consequence of this proposed rule is likely to be the severing of water rights from the land. The market value and the pool of buyers would be greater for the water rights than for the land itself.

The economically rational course would be to simply sell the water rights separately.

Good-bye green valleys. Hello brown dirt with prairie dog cities. All of us enjoy seeing Taos' beautiful green valleys. I would like to remind you that these areas are green because the landowners take care of their land. It is important to them.

It is a lot of work to keep a large tract of land well-irrigated and green. This is, after all, land that came down to them from their great-grandfathers.

Taos County and their neighbors on the high, non-irrigated land should be thanking these owners for keeping the land green, rather than punishing them by taking over half of their assets' values.

So Taos County Commissioners have a decision to make. They can put forward this entire document containing an unjust governmental taking section.

They can drop the entire document and leave the regulations the way they are.

Or, they can strike out these four pages, fixing the real problem in the document and putting forth a more reasonable set of rules for the people to consider.

Dan Veirs is a resident who appreciates the mountains, mesas, and valleys of Taos County.