

The Pueblo Chieftain

SLV farmers battle man, elements

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DENVER — Already stressed by a five-year drought, water use in the Rio Grande basin could be affected by legal action from downstream states.

The U.S. Supreme Court this week agreed to hear a lawsuit brought by Texas against New Mexico and Colorado over groundwater pumping, primarily in New Mexico.

“Colorado’s belief is that this is not a compact issue,” said Craig Cotten, Water Division 3 engineer.

That decision came just days after Wild Earth Guardians filed its 60-day notice of intent to sue the state of Colorado in federal court over depletions of water in reaches of the Rio Grande in New Mexico considered critical to endangered species.

The group charges that Colorado water administration has endangered habitat for the Rio Grande silvery minnow and the Southwestern willow flycatcher.

The Colorado Water Conservation Board met with the attorney general’s office and other state agencies in executive session this week to discuss a state response.

The actions come at a time of advanced drought in the Upper Rio Grande in Colorado, Cotten said.

Water supply for ditches and wells has suffered through 12 years of drought, including the last five where moisture has been less than 70 percent of normal.

About 75 percent of the 6,000 high-capacity wells in the San Luis Valley are active, but farmers are voluntarily cutting back production in hopes of reaching sustainable groundwater levels in 20 years, Cotten said.

The state is attempting to draft groundwater rules for the Rio Grande after efforts failed during the 1980s. For farmers there is little choice.

“They can obtain groundwater augmentation plans, join a groundwater management subdistrict or shut off the wells,” Cotten explained.