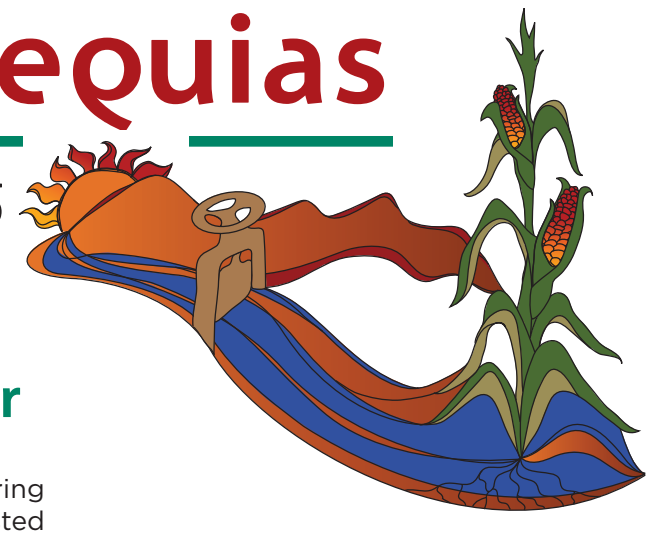
Noticias de las Acequias

New Mexico Acequia Association • Summer 2015



From Flood to Drought: Building Buffers to Conserve Soil and Water

by Jan-Willem Jansens

Soil and water are two of the natural basic elements of growing food. Yet, we either have too little or too much of it, and in both cases that is not good for growing food, not good for business, and not good for the sustainability of land and farms.

An overabundance of soil causes sediment plugs and increased costs to clean up or dig out the dirt, and perhaps also to stabilize erosion somewhere else; too little soil means that we have to spend time and money to add dirt, compost, mulch or other soil enhancing supplies. Too much water often comes in the form of flooding, bringing also an abundance of dirt and debris that tend to clog acequias or cause erosion. Too little water means drought; and that problem does not need any further explanation.

The question is: what do we do about these fluctuations between too much and too little? What do we do about not knowing in advance whether we'll have an overwhelming year or a year with scarcity? Can something be done anyway?

Experience has taught us that something can be done. Both applied science and practical experience are offering new insights every year (see suggested readings at the end). In the bigger picture of things, it's perhaps worrisome to realize that in the last 200 years we have lost much of the natural topsoil and plant cover that used to serve as a sponge for the absorption of water and as a buffer to water's erosive energy. However, we can build up that sponge again, and thus rebuild a greater, landscape-wide buffer to future erosion, sedimentation, and flooding. In the last 25 years, a large toolkit of locally appropriate soil and water conservation techniques has been developed, tested and disseminated in the Southwest that could be of help on farms and in Acequia communities. We can distinguish five categories of solutions (see also Table 1, below):

Five Categories of Solutions and their Key Practices and Benefits:

(1) Changing upstream land use and land management practices: collaboration with federal and state land management agencies and Native communities in order to leverage jobs, fuel wood sales, improved roads, better grazing management practices, or the protection of riparian areas to prevent erosion and retain more water.

(2) Restoring upstream and upland terrain conditions: healing of forests, woodlands and watersheds to prevent wildfire and to keep soil and water from washing downstream.

continued on page 5

Examples of small rock structures (One-Rock Dams and Rock Bowls) during construction to stabilize a small gully.

Celebrating San Isidro in Agua Fria and Atrisco

The Estandarte for Iglesia de San Isidro.

Editor's Note: *San Isidro is the patron saint of farmers. His feast day is celebrated every year on May 15th and coincides with the first planting of the season for many farmers in the north. The tradition of "pasando los santos" and blessing the fields and acequia still occurs in many communities. We asked the organizers of two different San Isidro blessings to elaborate on why they maintain the practices of dia de San Isidro.*

William & Lois Mee, Village of Agua Fria

What does El Dia de San Isidro mean to you?

El Dia de San Isidro and River Blessing represents the life that comes with spring and the help that we all have through San Isidro for fertile seeds, rich soil and enough water to produce food for all living creatures. It gives you that feeling of taking a deep breath and exhaling with a sense of peace and happiness for the months to come and the life that we will see in the plants and animals.

In 2015 we are celebrating our 375th anniversary as a place of settlement. San Isidro Church was started in 1835 and took the name San Isidro because he was the patron saint of farmers. Our San Isidro and River Blessing has only been in existence for 16 years now and was a rekindling of past traditions that had died out. Most families had stopped irrigating in 1945 when the acequia was diverted for use and most of the men were in the War Effort. The City of Santa Fe cut off the effluent water to us in 1971 to meet the future requirements of the Clean Air and Water Act of 1970, and we took them to court. This is now the nation's longest running lawsuit surpassing Aamodt filed in 1966.

Why do you organize this event?

I help organize the event because it gives me a good feeling to see generations of Village members together on a day that means so much to everyone. Residents reminisce about how important el Dia de San Isidro was for everyone in our Village. Visperas (vespers) would take place on the evening of May 14th, with prayers, music, a procession and luminarias, followed by a huge feast day celebration (mass, food, sometimes a dance or games) on May 15th. The entire community would get together before the feast day to ready the church, the yards, cook food, etc. (These traditions were ended by the parish over 30 years ago and replaced with a Family Day celebration in October.) I am hope-

continued on page 4

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En Memoria: Remembering Our Acequieros

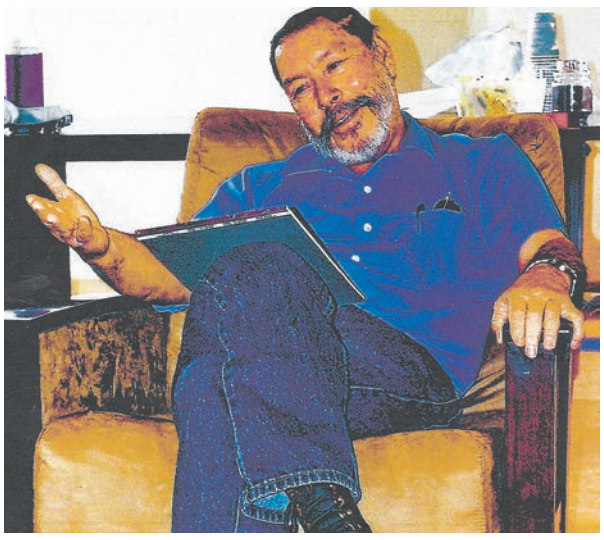
Because of the work of our ancestors, elders and maestros we now stand on the shoulders of giants taking steps to ensure that our acequias and way-of-life will never be erased from this landscape. We pause to reflect on and honor the lives of the men and women who worked tirelessly for our acequias out of love and querencia.

En Memoria:
Lorenzo "Lencho" Valdez
Acequia Del Pueblo,
Ohkay Owingeh
Canoñes
December 11, 1947—May 3, 2015

"No todo los dias puedes ser pala, en veces tienes que ser cabador"

Lorenzo Valdez, born and raised in Canoñes, came from a family rooted in the land-based traditions of New Mexico. Alfredo Montoya who was a longtime colleague, County Commissioner, and friend wrote a heartfelt eulogy that stressed the impact Lorenzo's family had on his life and career.

"Lorenzo began his education in humanity, at the feet of his mother, Ramona Valdez. A truly beautiful soul, she had many lessons to teach him about taking care of other people, respect, and love. Lorenzo also idolized his grandfather, Belarmino Valdez, who Lorenzo felt was one of the greatest men he ever knew. Belarmino was a philosopher in his own right, an organic intellectual, who taught Lorenzo about community, the land, culture, history, family, courage, faith and humility. It was during this period with his grandfather that Lorenzo's family were part time migrant workers in Colorado. Lorenzo had many stories to tell about his days picking potatoes, and beets, buckin bales, hoeing long rows of beans, tying cauliflower and harvesting other crops. He talked about living in tar paper shacks and about starting school late in the fall because they had to work. His grandfather, Belarmino, provided an upbringing that strongly influenced Lorenzo's sense of hard work and commitment to justice and change and it had a great impact on him as he grew up to be a successful rancher, farmer, community activist, social worker, county manager, scholar and family man."



Lorenzo was one of the most progressive County Managers Rio Arriba ever had, "dozens of new buildings were built to serve the residents and many initiatives in the form of ordinances and laws were adopted to protect our quality of life and to protect our residents. Lorenzo worked with a passion on issues that would protect our rights to the forests for grazing, hunting, gathering wood and generally access to what were once our ancestral lands. To the day of his death he was serving on the Forest Service Advisory Committee advocating for our traditional people and our access to federally managed land. He also served on the Planning and Zoning Commission for the county until this past December and provided guidance on the latest Comprehensive Plan that we adopted in December."

In addition to this, he was a profound story teller, mentor, and advisor who blessed his family with the gifts of their history, genealogy, ranching, and every day consejos. Lorenzo was a very intellectual man who spent his time "En la Resolana" engaging friends, family, y la gente in politics, land-grants, our country, and forests. He raised his children to love the land and taught us all how to stay connected to our roots, la tierra, and our ancestors.

We would like to thank the family of Lorenzo—his loving wife Maria Lourdes, and children Mariano and Cristella Valdez—for suggesting that donations be made to the NMAA in lieu of flowers for his services. We are honored to be able to continue the work that Lorenzo so deeply believed in by protecting our land and water.

Que en Paz Descanse, Lorenzo, you will be greatly missed!

Water-Sharing Between Communities: El Llano Ditch Company

by Ralph Vigil

In December 2014, Chairman Ralph Vigil, NM Acequia Commission (NMAC), and State Representative David Gallegos (District 61, Lea County), attended the Nuestro Rio Regional Water Caucus meeting in Las Vegas, Nevada. Nuestro Río is a network of Latinos in the West that use our collective voice to educate our communities about the history of Latinos and the Colorado River and its tributaries in the West. Nuestro Rio works with Latino local elected officials in NM, CO, AZ, NV and California to ensure that Latinos are engaged in the decision making process on western water policy at the Federal, State and Local levels of government.

During the 2015 Regular Session of the New Mexico State Legislature, Acequia Commission Chairman Ralph Vigil worked closely with Senator Carlos Cisneros, the NM Acequia Association, Representative Paul Bandy and Representative David Gallegos on Senate Joint Memorial 18 "which recognized the importance of acequias to New Mexico's culture and economy, and requested that the NM Legislative Council Service assign the appropriate interim committee to dedicate one or more days in the interim to address acequia issues".

During the 2015 Regular Session of the NM State Legislature, Representative David Gallegos, requested that the Parciantes of the El Llano Ditch Company be allowed to present at the February 2015 Acequia Commission meeting to address concerns that had been brought to his attention by the acequia users.

The El Llano Ditch Company is an acequia that shares water between Northern New Mexico and Southern Colorado jurisdictions. Water disputes over water allocation to the various users have been an issue of contention for many years. Members from Southern Colorado and Northern NM presented their perspectives on the acequia issues in their respective area.

After the NMAC meeting, Representative David Gallegos, requested that the NM Acequia Commission accompany him to Antonito, Colorado to meet with the acequia members of Northern NM and Southern Colorado to see if there would be a way to address the disputes between the various acequia users.

Representative David Gallegos, Chairman Ralph Vigil, Members of El Llano Ditch Company, Acequia users Northern NM and Southern Colorado, and Colorado Interstate Commission Staff.

A meeting was held In Antonito, Colorado between the Parciantes of the "El Llano Ditch Company", NM and Colorado acequia members, Representative David Gallegos, NMAC Chairman Ralph Vigil, Colorado State Inter-stream Commission staff and Robert Apodaca. After taking a tour of the area and listening to the concerns of the users, it was agreed upon by both New Mexico and Colorado acequia users to install two meter stations in Northern NM to monitor the flows that are being delivered to the acequias in the area.

El Llano Ditch Company – Located between Northern NM and Southern Colorado – Antonito, Colorado.

As a result, Representative David Gallegos and The New Mexico Acequia Commission met with the NM Interstate Commission and NM State Engineer staff to identify funding for installation of the flow meters. Staff from the Office of the State Engineer have been very responsive and are optimistic in identifying funding for this project. NMAC will continue to work with the El Llano Ditch Company, acequia members, NM ISC and NM OSE to identify solutions and resolve issues identified in Antonito, Colorado and other areas of NM.

Santolina Master Plan: The Water Battle Continues

by Dr. Virginia Necochea, Director, Center for Social Sustainable Systems (CESOSS)

Despite the growing and continued community opposition to the massive Santolina development being proposed for the West Side of Albuquerque, the Master Plan Level A was approved on June 16th by the Bernalillo County Commission (BCC). Voting in favor of Santolina were Commissioners Art De La Cruz, Lonnie Talbert, and Wayne Johnson. Voting against the plan - Chairwoman Maggie Hart Stebbins and Commissioner Debbie O'Malley. The BCC is scheduled to continue discussion and vote on the Development Agreement (the contract between developers and the County) on Wednesday, June 24th at 1:30 pm. Although the public has every right to engage in a discussion regarding what is and is not included in the Development Agreement, there will be no public comment opportunity during this specific hearing.

The entire state of New Mexico should be concerned about what the Santolina Master Plan represents - a disenfranchising of the larger public in issues that will directly impact them. Almost two years have passed in this process and it has been evident at every hearing that the community, especially those connected to agricultural and acequia traditions have remained largely opposed to this development. One of the main reasons is and will continue to be regarding the question of water.

The Santolina developers, the Albuquerque Bernalillo County Water Utility Authority (ABCWUA), and including some of the commissioners themselves have publicly stated that the 14,380 acre feet per year of water that would be required to support Santolina is not a concern.

continued on page 9

Celebrating San Isidro in Agua Fria and Atrisco

continued from page 1

ful that we will be able to go back to that celebration soon; many community members have been asking if we thought that could happen, and I believe we could do it! The Blessing of the River, in conjunction with the feast day, is special because it reminds me that we are all here in the Village of Agua Fria because the river existed so many years ago and allowed there to be life. I can't even explain how happy it makes everyone to see the river run now!

For the last couple of years Deacon Michael Salazar has presided over the ceremonies and he has provided some wonderful "agriculturist prayers and spiritual reflection" that you cannot hear in any other mass. He blesses the river water, the flowers we throw into the Santa Fe River asking for abundant water and the seeds that we present to all those in attendance.

Organizing the event can sometimes be quite a lot of work, but we always look forward to the celebration, which makes it all worth it. It is so well received by our community and the greater Santa Fe area. People say: "this is a great tradition."

Why is it important to your community?

It is important to our Village that we continue to honor and celebrate the traditions that have existed for close to 200 years. Celebrating the feast day of San Isidro and River Blessing is one of the most special events for our community, bringing in our elders who might not be able to make it to many events, as well as families who have been here for generations and those who might be new to the Village or have partnered with us on many projects and love and appreciate what we work so hard every day to preserve.

Spiritually, many in the community are thirsting for a connection to the faith and traditions of our past. One leader, Mel "Rubel" Gallegos, not only coordinates the musicians for our celebration, but also takes our Coro de Agua Fria to provide the music for the spring and fall processions of San Isidro into and back from the fields at the Rancho de Los Golondrinas Living History Museum.

Sayrah Namaste, South Valley/Atrisco

Celebrating San Ysidro Day is a way of keeping the tradition alive in our communities for each generation. My daughter has been raised with this tradition and it impresses on her the importance of being thankful for our water, our farms, and our acequias. We feel a sense of familia each year when we process together as a community to the farm. She delights in placing the flower petals in the acequia alongside the other children and seeing everyone stop and admire the beauty of the flower filled acequia as we pray together.I am honored to be part of organizing this for the last 6 years alongside my elders like Santiago Maestas, Pablo Lopez, Albino Garcia, Mr. Lucero of the Isleta Pueblo, the Pentitente Brothers, the danzantes, and Deacon Leroy Sanchez. I am so glad that we as the younger generation can continue the thread that connects us to our ancestors, our land and water, and each other, respecting both the Catholic and indigenous spirituality of our community.

Celebrating el Dia de San Isidro and River Blessing in the Village of Agua Fria.

Dropping rose petals into the acequia for the water blessing in Atrisco.

Danza Azteca ceremonial dancers.

The Priest and community come together to open the blessing.

From Flood to Drought: Building Buffers to Conserve Soil and Water

continued from page 1

(3) Changing farming and land and water use practices: keeping the soil covered at all times, maintaining buffer strips of grass, shrubs and trees, reducing slope length and steepness by creating terraces or rough vegetation strips along contour lines, and rehabilitating burn scars.

(4) Adjusting maintenance of farm and Acequia practices: not cutting or burning of all unwanted native plants, maintaining vegetative buffer strips along roads and on terrace contours in fields, and always keeping fields and pastures covered (refrain from plowing or burning) in order to maintain the protective cover of beneficial, native plants and to protect the soil from the forces of wind, water, animals, people, and vehicles.

(5) Conducting local soil and water conservation and land restoration work: keeping the soil covered at all times, capturing all precipitation as much as possible, and allowing it to sink into the soil right there, or to spread it across the land to soils that are more stable, well vegetated, and more absorbent.

In the last few decades we have gradually grown to some consensus in the Southwest about the most effective techniques for the stabilization and restoration of eroded channels, protection of headcuts, flood management, spreading storm water, steep slope protection, and sediment interception or diversion. In many cases, we have to adapt the techniques creatively to local circumstances. Farms and acequia communities may benefit from cross-pollination with the growing network of land restoration professionals and the literature that has been generated (see some references below) to develop effective soil and water conservation buffers across the landscape.

Jan-Willem Jansens is an ecological landscape planner and Owner/Principal of Ecotone, a Santa Fe business that specializes in conservation planning for landscapes in transition. Mr. Jansens has lived and worked for 22 years in northern New Mexico and has 8 years of prior experience working in traditional farm and irrigation communities in The Netherlands, Kenya and Niger. His professional work focused on planning and design of projects for forest and watershed restoration, stream channel stabilization, agroforestry, terrain management, soil and water conservation, & trail stewardship.

All photographs by Jan-Willem Jansens/Ecotone.

Examples of large One-Rock-Dams (foreground) and a Filter dam (background) in a stabilized rehabilitated arroyo and restored forest meadow.

An Example: How to restore degraded, compacted and burnt soil

Soil that has been compacted or hardened and depleted by severe burns could be treated in the following way: (1) scarify the soil by raking or lightly tilling the top crust of the soil, (2) spread the ashes from burn sites and the crusted elements from hard pan soils, and (3) mix in soil from elsewhere. Steps 1-3 help loosen and improve the mineral soil component and prepare it for infiltration of moisture and plant regeneration. In a final step, (4) a combination of seeding, light mulching with straw, compost or wood chip mulch, raking in seed and mulch, and covering the treated soil with a new layer of mulch (for instance branches from lop & scatter practices, compost, or wood chip mulch) will help to suppress weeds, allow water to sink into the soil (rather than to run off and remove soil particles), and sown crops or native plants to recolonize the area.

Table 1. Comparison of Categories of Solutions: Key Practices, Benefits, and Obstacles

Solutions	Opportunities/Benefits	Challenges/Obstacles	Examples and Literature References
(1) Changing upstream land use and land management practices	"Taking back the commons": Acequia communities can play a major role in upstream land management policies and practices	Acceptance of historical changes, cultural divides, and power structures	Atencio (2, 3); Sayre (10)
(2) Restoring upstream and upland terrain conditions	USFS Collaborative Forest Restoration Program and NMED watershed protection programs	Engaging in partnership projects with federal and state grants, which can be difficult	Arid Lands Institute (1); Forest Guild (4)
(3) Changing farming and land and water use practices	Participating in grant or service programs, getting outside tech assistance, establishing partnerships or lease agreements	Lack of funds, physical strength, time, labor, equipment, know-how, and information	Bishop, Curtis, and Emm (5); Lancaster (6, 7, 8); Mollison (9);
(4) Adjusting maintenance of farm and Acequia practices	Local control: you can do it yourself if you are willing to change some practices and habits	Terrain management/ maintenance practices are site specific; there is no silver bullet	Lancaster (6, 7, 8); Mollison (9)
(5) Conducting local soil and water conservation and land restoration work	Many techniques exist for restoring the land to natural ecological conditions	Sometimes some technical guidance (expertise) is needed	See inset; Zeedyk and Clothier (11); Zeedyk and Jansens (12); Zeedyk, Walton, and Gadzia (13)

Example of rock dam holding back sediment in a steep arroyo (the arroyo crosses an Acequia lower down the slope).

SUGGESTED READINGS:

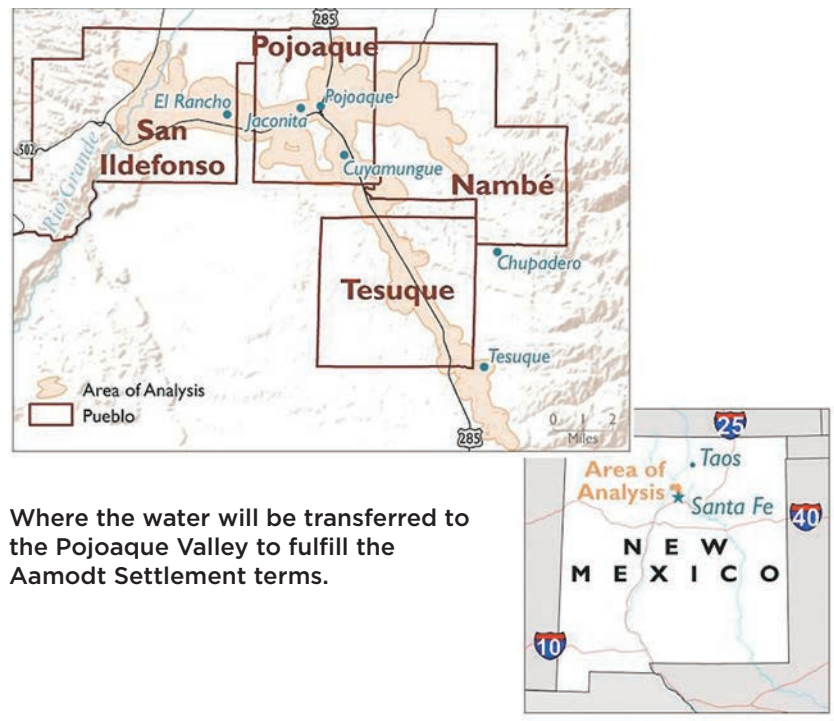
1) Arid Lands Institute: A Updated Watershed-Based Plan for the Lower Embudo Valley: http://aridlands.org/project/updated-watershed-based-plan-lower-embudo-watershed-new-mexico
2) Atencio, Ernest. 2004. La Vida Floresta –Ecology, Justice, and Community-Based Forestry in Northern New Mexico. Northern New Mexico Group of the Sierra Club
3) Atencio, Ernest. 2001. Of Land and Culture: Environmental Justice and Public Lands Ranching in Nothern New Mexico. A Report by The Quivira Coalition and the Santa Fe Group of the Sierra Club.
4) Bishop, Carol, Kyndra Curtis, and Staci Emm. 2010. Evaluating Alternative Low0Water-Use Crops for the Great Basin. University of Nevada.

continued on page 7

Santa Fe County and Bureau of Indian Affairs File Application to Transfer Top of the World Water

by Kay Matthews

The Taos County Board of Commissioners voted unanimously to protest the application by Santa Fe County and the Bureau of Indian Affairs (BIA) to transfer Top of the World Farm (TOW) groundwater rights to the Pojoaque Valley in April of this year, 2015. The 1,700 acre feet per year (afy) of water rights, formally used at TOW to grow an abundant array of crops and supply grazing for cattle and sheep, are slated to meet the terms of the Aamodt Settlement's yet-to-be-built regional delivery system that will pipe water to the four Pojoaque Valley pueblos—Pojoaque, Tesuque, Nambe, and San Ildefonso—and the non-pueblo residents of the valley. Taos County will argue that the transfer is not in the public welfare interests of the citizens of Taos County, based on the recommendation of the Taos County Public Welfare Advisory Committee. Public welfare is one of the three criteria that can be used in a hearing before the Office of the State Engineer (OSE) to protest a water transfer.



Where the water will be transferred to the Pojoaque Valley to fulfill the Aamodt Settlement terms.

Taos County's protest could be precedent setting: there has never been case law established under that criterion. Just before this article went to press, the applicants published notice in the *Santa Fe New Mexican* and *Taos News* on June 18, 25, and July 2 that they had applied to transfer the TOW water rights with the Office of the State Engineer (OSE) on January 12 (amended on June 8). Written protests to the OSE must be filed within 10 days of the last publication on July 2. Other affected parties have already expressed their intent to protest the TOW application as well (Cabresto Lake Community Ditch Association and the Costilla County Commission in southern Colorado have said they will support Taos County's attempt to keep the water in the county).

The 2015 application to transfer the TOW water rights is actually the second time Santa Fe County submitted an application for the water rights it owns at the Farm. The county originally filed an application in 1997 to transfer 588 afy of these TOW water rights. At that time, the city and county of Santa Fe planned to build an infiltration gallery on San Ildefonso Pueblo to divert water from the Rio Grande above Otowi Gauge (where the Otowi Bridge crosses the Rio Grande between Pojoaque and Los Alamos) and pipe it to the Buckman Well Field, Santa Fe's main source of water, which lies below the Otowi Gauge. The Rio Grande Compact—which governs the distribution of water from the Rio Grande within Colorado, New Mexico, and Texas—divides New Mexico into three basins: from the Colorado state line to the Otowi Gauge; from the Otowi Gauge to Elephant Butte Reservoir; and from the Reservoir to the Texas state line. The Otowi Gauge is so named because it is the location of the gauge indexing the river flow and determining how much water must be delivered to Elephant Butte Reservoir to satisfy New Mexico's obligation to Texas. The OSE has traditionally declined

continued on page 13

JOIN & SUPPORT THE WORK OF THE New Mexico Acequia Association

Acequia water is the lifeblood that feeds New Mexico's farms and ranches, replenishes our aquifers, and sustains the green ribbons of life along our rivers. Our families and spiritual traditions have taught us that water is life, *el agua es la vida.* However, a different worldview treats water as a commodity and that "water flows uphill to money." ***Regional water plans estimate that as much as half of agricultural lands and water rights will be converted to development in the next 40 years unless something is done to protect them.***

NMAA has a plan to protect our water and our acequias for our children and grandchildren:

- Protect and defend water and farmland.
- Continue our customs and traditions for water sharing in our communities.
- Keep our acequias flowing with good infrastructure.
- Revitalize food and agriculture traditions including the participation of youth.
- Build a strong membership based organization with leadership from throughout New Mexico

NMAA needs your involvement and support. It has never been more important to have a united front to protect our acequias and strengthen our food and agriculture traditions.

Please join us today and make a contribution to el movimiento en defensa del agua:

❑ Heritage Contributor $500
❑ Honor Contributor $250
❑ Sustainer $100
❑ Acequia $40
❑ Member/Supporter $20

Parciante or Supporter Membership is $20 per year and includes a newsletter subscription. Membership for an Acequia is $40 per year including a newsletter subscription for all four officers. ***Note: Donations to NMAA are tax deductible.***

For more information on how to join or donate, contact the New Mexico Acequia Association at 805 Early Street Suite 203-B, Santa Fe, NM 87505, (505) 995-9644, visit www.lasacequias.org, or email Juliet@lasacequias.org

Poesia de las Acequias

Las Acequias Viven!
en nuestras manos
enseniando estar con ante-pasados,

Sigue Hoy-

No dejen tirar
lo que no es limpio
a las aguas de ayer,

Sigue Hoy-

Lo limpio es lo mejor
para el cuerpo yhados-yhitos
aprendan ser los ejemplos
que vienen del querer!

Sigue Hoy-

No hay como el amor
Den se el perdon
Ni el Oro tiene mas valor
Mantengan el color de
la sangre del Mundo

—Escrito por Isabel Trujillo

Acequia caño in Las Trampas

From Flood to Drought: Building Buffers to Conserve Soil and Water

continued from page 5

SUGGESTED READINGS: (cont.)

5) Forest Guild: Rio de las Trampas Forest and Watershed Restoration Project: http://www.forestguild.org/Documents/CFRP/RioTrampasWatershed/20141010_CoverLetter_ProposedAction.pdf
6) Lancaster, Brad – website: http://www.harvestingrainwater.com/
7) Lancaster, Brad. 2006. Rainwater Harvesting for Drylands: Guiding Principles to Welcome Rain Into Your Life and Landscape.
8) Lancaster, Brad. 2013. Rainwater Harvesting for Drylands and Beyond, Volume 1, 2nd Edition: Guiding Principles to Welcome Rain Into Your Life and Landscape
9) Mollison, Bill. 1990. Permaculture. A Pracical Guide for a Sustainable Future. Island Press.
10) Sayre, Nathan F. 2013. The New Ranch Handbook: A Guide to Restoring Western Rangelands. Quivira Coalition, Santa Fe, NM.
11) Zeedyk, Bill, & Van Clothier. 2009. Let the Water do the Work. Induced Meandering, an Evolving Method for Restoring Incised Channels. The Quivira Coalition.
12) Zeedyk, Bill, and Jan-Willem Jansens. 2006. An Introduction to Erosion Control – Second Edition. A Joint Publication from Earth Works Institute, The Quivira Coalition, and Zeedyk Ecological Consulting.
13) Zeedyk, Bill, Mollie Walton, and Tamara Gadzia. 2014. Characterization and Restoration of Slope Wetlands in New Mexico – A Guide for Understanding Slope Wetlands, Causes of Degradation and Treatment Options. New Mexico Environment Department, The Quivira Coalition, and Zeedyk Ecological Consulting.

State Auditor Tim Keller presents to acequia leaders in Jemez Springs on June 5, 2015.

Ready to Receive Funding! Understand your Acequia's Financial Responsibilities

This spring we offered four workshops from Jemez Springs to Taos on Audits and Budgets for Acequias. Thanks to all the Commissioners and Mayordomos who made the time to participate! Representatives from the Department of Finance Administration, Office of the State Auditor and NMAA got together to provide all of the information acequias need in order to be ready to receive funding or to account for it once they have it. Some major points covered include:

- All acequias are political sub-divisions of the state, and are thus public bodies and must comply with applicable state statutes (73-2-28).
- All acequias with annual revenue of $10,000 or less must file a Tier Certification form annually with the Office of the State Auditor (OSE).
- All acequias with annual revenue of $10,000 to $50,000 must also file the Tier Certification form with the OSE as well as submit an annual budget and quarterly budget reports to the Department of Finance Administration.

  Go to: http://nmdfa.state.nm.us/Forms_and_Pilot_Project_Forms_1.aspx Then scroll down to "Special Districts" and click on the "Acequia Budget & Qtrly rpt forms" this will open a pre-programmed excel sheet to help you with the budget and report – save this to your computer.
- Once an acequia has spent 50% or the remainder of Capital Outlay you become a Tier 3 acequia and have additional compliance requirements (Call NMAA for more info).
- Federal funds or any money that was managed by a fiscal agent does not affect your acequia's Tier determination.

Please do not hesitate to call the NMAA for technical assistance in understanding your acequia's financial compliance requirements.

Be on the lookout for a series of workshops across the state in 2016 on Financial Compliance and Funding Options for Acequias!

ASK DON

ADVICE COLUMN FOR FARMERS

Have a question for Don? Email questions to: pilar@lasacequias.org

Don Bustos is a certified-organic farmer in Santa Cruz de la Cañada. He has over 35 years of professional farming experience, including traditional and commercial methods. He is the Co-Director of American Friends Service Committee where he helps oversee a statewide farmer training program. He also serves on the Concilio/Board of Directors for NMAA as Secretary. He is the recipient of numerous awards, including the most recent James Beard Leadership Award for 2015. In this column, Don will answer some of the most common and challenging questions related to farming.

What should I grow?
That's a good question! There's a lot of different answers for that. It depends on what you want to do with the product. My dad always told me: "Grow what you want to eat." Because if you don't sell it, at least you will eat it! So ask yourself - Is it for a home garden? Do I want to sell it at the farmer's market? Think about it and go from there. I also advise people to grow what grows well in your region... you might love avocados, but it's going to cost a lot of money and infrastructure to grow them.

What's the best way to control the weeds?
Timely weed management! Instead of letting the weeds get very big or using chemical sprays or even a weed eater, focus on cleaning the soil as the weeds germinate and you won't work as hard. A really good, sharp hoe at the appropriate scale for what you want to weed is really helpful too! So you don't want to use a large hoe for baby weeds, and vice versa.

Don's Tip: "Walk the fields every morning to see what needs to be done and see where everything is in its growth. Watch the crops grow every day. I call this "management by walking the field."

¡Unidos, Defendemos Nuestras Aguas!

Celebrating Acequias and the movement in defense of water!

FOOD • MUSIC • POETRY
CULTURE • YOUTH ACTIVITIES

Please join us as we celebrate our 26th year of advocacy for New Mexico's acequias! The Congreso de las Acequias is the annual membership meeting of the New Mexico Acequia Association (NMAA). It's the largest gathering of acequia members and supporters in New Mexico. People are joined together from around the state to rally in support of our work to protect our precious water, inspire people to grow food, and to celebrate our cultural heritage. The event will be co-hosted by the NMAA and South Valley Regional Association of Acequias.

TO REGISTER visit lasacequias.org/congreso-de-las-acequias or call (505) 995-9644 for more info. Register now to take advantage of $20 early bird registration fee (available until Nov. 6th). Student registration fee $15 with ID. Children 12 & under, free.

Santolina Master Plan: The Water Battle Continues

continued from page 3

First of all let's put this amount of water into perspective. The amount of water needed by Santolina at build-out would be the equivalent to a new Rio Rancho, 150% of Santa Fe's water supply for an equivalent population, or 300% of Intel's water supply during its peak period.[1]

During the May 28th hearing, Norm Gaume testified and submitted an insightful report regarding continued water concerns with Santolina. In his report Mr. Gaume states, "Santolina's additional depletions would substantially increase the difficulties of New Mexico's Rio Grande Compact compliance, the risk of non-compliance, the ABCWUA's associated risk of curtailment of its junior water rights, and the impact of such a curtailment on ABCWUA's existing customers. Others in the Middle Rio Grande also would be adversely affected." It doesn't take a water expert to realize that the impacts from Santolina would be greatly felt by especially those whose livelihoods depend on water.

In stark contradiction to this, the editorial board of the Albuquerque Journal wrote a piece entitled "Water worries overblown concern for Santolina." What we have repeatedly witnessed during this process is a continuous dismissal of the arguments over water brought forth by the community, researchers, and experts. But many, especially the acequieros in the South Valley and across the state, can attest to the fact that water should not only be a concern regarding Santolina, but beyond.

Reports featured in *Science Advances* have stated that the Southwest region is experiencing one of the worst droughts in the last 1,000 year period.[2] We only need to look at California, the San Juan Chama, and current conditions in Southern New Mexico to understand that drought is real and brings with it many impacts felt across the state and Southwest.

For the last several years, many of our local farmers, acequieros, and irrigators have experienced the realities of shortened water supplies and thus when they are told that there is plenty of water, especially for a development that would take from the current struggling water system, their expressions of disbelief say it all.

Although many constituents, organizations, ally lawmakers, the Albuquerque Public School Board, and most recently the Pueblo of Isleta, had requested that the Santolina Master Plan be denied or at least delayed, it has made its way through the supposed democratic process at the local level. The many lessons we have learned from it should serve as a catalyst to further unify communities across the entire state who understand that water is sacred and something that should be protected, defended, and preserved. Like our elders have taught us—*el agua no se vende, el agua se defiende!* We will continue our battle to protect the most important things in our communities—our water, our land, and our people.

1 This information was taken from Norm Gaume's presentation and report to the BCC. Contact info@cesoss.org for an electronic copy of Norm Gaume's report.
2 http://advances.sciencemag.org/content/1/1/e1400082 for full article.

Entre mas manos el trabajo es menos:

New Mexico Acequia Association

Third Annual

2015 Acequia Mayordomo and Commissioner Conference

Tues., July 21, 2015 • 9am—4:30pm

Santa Fe Community College, Jemez Room

6401 Richards Ave, Santa Fe, NM 87508

Please join us for this special conference for acequia commissioners and mayordomos. This year we will focus on the following topics:

- 21st Century Acequias: Infrastructure Designs and Funding Availability
- Overview of Acequia Governance - Challenges and Opportunities
- Cultivating Leadership to Serve as Commissioners and Mayordomos
- Conflicts and Legal Challenges: Question and Answer Session

Please call 505-995-9644 for more information or to RSVP. $10 registration fee.

New culvert and parciante headgate at a place where the acequia used to leak a lot. Acequia de la Apodaca, Embudo. Photo by Estevan Arellano.

RCPP: New Source of Funding and Technical Assistance for Acequias

Over 60 acequias have applied for the first funding opportunity through the Regional Conservation Partnership Program and over 80 have received technical assistance. This new funding for acequias (via the Farm Bill) is administered by the New Mexico Association of Conservation Districts, through a partnership with the New Mexico Acequia Association, Interstate Stream Commission, Natural Resource Conservation Service, and local Conservation Districts. Through a ranked application process some acequias will receive a design for needed improvements or repairs, and others will receive funding to implement a design. Many acequias have already received technical assistance through the program through a comprehensive needs assessment and support in becoming eligible for funding. If all goes well this funding source will be receiving new applications next year. Keep a look out in NMAA publications for notice of the application period!

Legislature Funds Acequia Projects

Legislators gathered for a Special Legislative Session after Governor Susana issued an Executive Order calling a special legislative session. The Governor decided to call the session after House, Senate, and Executive leaders reached a deal on a capital outlay package, as well as some tax cuts and vital spending increases for the Department Of Health and the Administrative Office of the Courts.

The capital outlay package enacted by the legislature was a compromise that incorporated elements from the Senate and House versions of the Capital Outlay bills during the recent regular session which ended in March. A total of 25 acequias received a altogether $1,024,050 with project funding ranging from $10,000 to $100,000 depending on the size and scope of individual acequia projects. The list of funded projects is available at the legislative website www.nmlegis.gov under the Capital Outlay heading.

Acequias who were funded by the legislature were required to complete a questionnaire for the Board of Finance to be eligible for the bond sale of severance tax bonds that fund capital projects. These questionnaires were due on June 19th for the current bond sale. Those acequias who did not complete the questionnaire will have another opportunity to qualify for the December bond sale. Additionally, the acequias who were appropriated capital outlay funds will be required to be compliant with Executive Order 2013-06 which provides that local governmental entities have to be current with budget and audit requirements in state law.

The NMAA provides technical assistance in meeting the various requirements of capital outlay funding. Any acequias who have received funding or plan to apply for funding should contact NMAA staff with any questions about the application process and the audit and financial reporting requirements. NMAA staff can be reached at 505-995-9644.

Governance Tips:

Automatic Water Banking: Protect Your Acequia One Water Right at a Time

As most everyone knows, the best way to protect your water rights is to irrigate your land. Often times, however, irrigating is not an option. Maybe a family member out of state is ill and an extended stay away from your property is looming. Or maybe time has marched on and opening your headgate just isn't as easy as it used to be. In any case, when irrigating or getting someone to irrigate your land for you is not an option, the next best solution is to place your water right in your acequia's water bank.

In 2003, the New Mexico legislature passed a law (73-2-55.1 NMSA 1978) that allows acequias to create a water bank for the purpose of protecting water rights. Water rights placed in the "bank" are considered "in-use" under the statute. The practical effect of the water bank is not only to protect the landowner's water rights placed in the bank, but also to reallocate water to other parciantes while the water rights are in the bank. Essentially, the statute validates the custom and practice of water allocation that already exists on most acequias: when one parciante doesn't irrigate, the water he would've used to irrigate his land is shared among all the other parciantes in the water rotation.

Taking advantage of water banking will help keep water attached to the land, saving it for future generations to use.

Acequias should adopt a water banking provision in their bylaws in order to ensure that they get the full benefit and protection of the law. The New Mexico Acequia Association and New Mexico Legal Aid have created a water banking system that makes it easy for acequias to implement this important tool to protect water rights. The new and improved version of the water banking provision allows for automatic deposits. When a landowner has not irrigated for two consecutive years, his water rights are automatically deposited in the water bank and his water is reallocated until he is ready to once again begin to irrigate. Please contact NMAA for assistance implementing the latest version of the water bank!

James Beard Foundation Honors Don Bustos' Fight for Rights, Education of Farmers

Photo by AFSC.

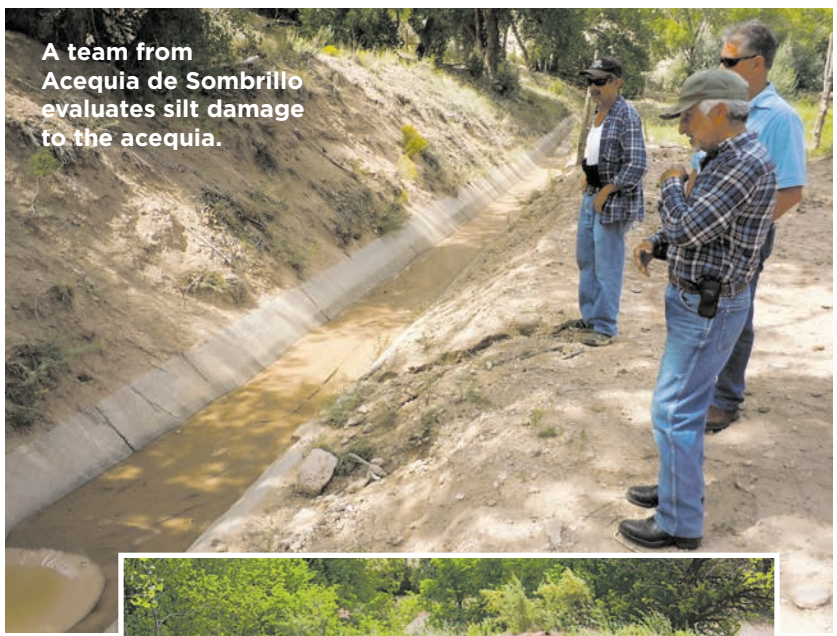
Our very own Don Bustos, local farmer, acequia leader, and co-director of American Friends Service Committee (AFSC), is being honored for his work in support of farmers' rights and education, and efforts to include farmers of color in the national food movement. In early June, Don was named as one of five recipients of the fifth annual James Beard Foundation Leadership Awards, which recognize those "who influence how, why and what we eat."

Through AFSC Don has implemented a statewide farmer-to-farmer training program that has helped train local farmers in the South Valley of Albuquerque, Anthony, and Española in business planning, farm development and marketing in order to increase their economic livelihood. In addition to his work through AFSC and his professional farming career, Don is a steadfast advocate for acequias and land and water justice in general. He sits on the board of the Rio Quemado, Rio en Medio, Rio Frijoles, Rio Santa Cruz Acequia Association, and also serves as the Secretary for NMAA's Concilio.

We wish to extend heartfelt congratulations to Don for this recognition of his tireless work and advocacy! ¡Que viva!

The Seasonal Cycle of Acequia Management: A Mayordomo's Work During the Summer

The following is an excerpt from The Mayordomía Handbook and Field Guide, developed by the NMAA to help serve as a practical guide for a new mayordomo or mayordoma in training.



A team from Acequia de Sombrillo evaluates silt damage to the acequia.

A mayordomo's most critical job is to keep the acequia flowing regardless of the challenges.

MAY through OCTOBER

This is the work period when you must regularly walk the acequia; the birds are coming for the summer, the trees begin to blossom, cultivation and planting are beginning; plants are growing and irrigation is in full swing. This is time to reflect on the beauty and bounty of nature; hopefully to enjoy the comforting feeling of friendly relationships with parciantes; to savor those quiet moments under the shade listening to the water flow. Remember the acequia is now alive; it reflects a living, nurturing, life-giving entity. If you look around you will see life teeming from the atarque to the desagüe, the fields are green, wildlife abounds along the acequia, maybe you can catch a fish or two, watch for the water snakes and usually a sleeping rattlesnake or two. Several fights with beavers and muskrats keep you on your toes fixing holes on the acequia bank, removing beaver dams, cussing etc.

Water distribution is usually spelled out in your bylaws. The most popular among old mayordomos is the repartimiento system developed and implemented by years of experience. It works for you and for the parciantes, and it's a fair and accepted sharing practice. The mayordomo's duty in implementing repartimiento is critical during drought years. Remember priorities of irrigation (vegetable gardens growing food for direct human consumption, first priority, pastures and livestock, indirect human consumption second priority) which are usually spelled out in your bylaws. Times of water shortage are very challenging to the mayordomo and patience is of the utmost importance.

a. Make daily rounds to sand traps and culverts where debris can plug an acequia. Exercise extreme care when removing debris—there can be sharp and/or heavy objects. These are part of a mayordomo's continuous duty of keeping water flowing without obstruction and in enough quantity.
b. Keep a daily log of water usage (see Section VI).
c. Collection of acequia fees is continuous, as is keeping an eye out for thunder storms and arroyo damage.
d. Mayordomo enforcement issues: Never deal with an irate parciante by yourself. If need be, ask a law enforcement officer to accompany you when paying a visit to this person.
e. Report infrastructure damage and need for repairs on the acequia to the commission on a continual basis.
f. Determine, in advance if possible, last day for watering.
g. Prepare acequia for winter conditions.

Then comes the main harvest, probably after many trips to the siembra to pick calabacitas, tomatoes, chile, cebollitas, pepinos, corn on the cob and the vegetables used and enjoyed from the jardín during the summer months. The main harvest can also include the last cut of hay or alfalfa and the last watering of the orchard. The main harvest means the beginning of the rest period for the mayordomo and the acequia. The need to irrigate is slowing down and you want to plan for closing the compuerta to the main source of water.

Check with parciantes who have livestock and need water before closing the ditch.

Mayordomo's Seasonal Checklist

MAY THROUGH OCTOBER

- ☑ 1. Irrigation Season - Evaluate snowpack
- ☑ 2. Make daily rounds to check for sand traps, remove debris from culverts
- ☑ 3. Distribute water according to acequia bylaws and custom
- ☑ 4. Keep daily log of water usage
- ☑ 5. Monitor weather changes that affect flow and condition of ditches
- ☑ 6. Report infrastructure damage & need for repairs to commission on continual basis
- ☑ 7. Enforcement of ditch regulations, settlement of disputes over water, in consultation with commission as needed
- ☑ 8. Determine in advance (if possible) the last day for watering
- ☑ 9. Close main headgate and prepare acequias for winter conditions

New Mexico Acequia Association

NMAA: OUR MISSION

The mission of the New Mexico Acequia Association is to protect water and our acequias, grow healthy food for our families and communities, and to honor our cultural heritage.

OUR VISION

In our vision, acequias flow with clean water, people work together to grow food, and communities celebrate cultural and spiritual traditions. People honor acequias as part of our heritage and express *querencia* through a strong connection to land and community. Knowledge and experience about growing food, sharing water, and saving seed are passed on from generation to generation.

Guided by our core values, the New Mexico Acequia Association grows a movement of people of all ages and walks of life to defend and protect our precious water by resisting its commodification and contamination. Through involvement in NMAA, families and youth are inspired to cultivate the land, care for our acequias, and heal past injustices. Communities have an abundance of healthy, locally-grown food because we recognize agriculture as a respected and dignified livelihood and way of life.

NMAA Supports Parciantes in Defending Ag Tax Status

Enrique Romero giving his presentation to a full house at the Nambe Community Center.

by Serafina Lombardi, NMAA Staff

In the modern world acequias and parciantes have a slew of new challenges to face – one of these is counties reviewing properties that receive official agricultural status from the county for purposes of receiving a lower tax evaluation. State Statute and Regulations often define agriculture in ways that do not jive with what every day folk would consider "agricultural use" (for example, row cropping or veggie gardens must be at least one acre). Any land with an acequia water right is land that has historically been in agricultural use. As we all know the best way to protect a water right is by putting that water to beneficial use on the land it is connected to. The second best way to protect a water right is via a water bank – check your acequia bylaws or with a commissioner to ensure this is an option on your acequia. Every acequia would like to see all parciantes retain their water rights to protect the overall flow in the ditch. Land that is putting water to beneficial use and receives agricultural status supports all parties involved.

The mission of the New Mexico Acequia Association is to protect water and our acequias, grow healthy food for our families and communities, and to honor our cultural heritage. To that end the NMAA is working closely with the New Mexico Legal Aid (NMLA) to support parciantes in understanding how to defend and protect the Agricultural Tax Valuation. We encourage anyone whose agricultural status is being questioned to defend it even if the use is slightly outside of the statutes. Every county has different interpretations of the statutes. It is important to work closely with the County Assessor's office to get a clear understanding of their particular application of the special method of tax evaluation.

On May 7th, 2015 NMAA and NMLA hosted a workshop at the Nambe Community Center called "Protecting our Agricultural Land" which focused on how this issue is affecting Santa Fe County. The large turnout and eager participation of the group demonstrated that Agricultural Land Valuation is an important issue.

During the course of the workshop, NMLA Attorney Enrique Romero developed our understanding of the statutes and regulations that determine the parameters of the Special Method of Valuation applied to agricultural and grazing land. He also discussed what every landowner must do to acquire or defend the valuation, and provided an overview of the protest process when land has received an inaccurate valuation. Various staff from the Santa Fe County Assessor's Office, including County Assessor Gus Martinez, answered a variety of detailed questions, greatly contributing to our understanding of the process. The Assessor's Office also did a great job reviewing the numerous resources on its website santafecountynm.gov/assessor (call 505- 986-6300 for those of you without internet).

Tony Valdez of the Taos County Extension office reviewed a variety of scenarios that might support gaining and maintaining the agricultural valuation. We encourage everyone to contact your local County Extension office with specific agricultural questions and to access many informational resources. We also heard from Sharon Elias of the Natural Resource Conservation Service (NRCS). Sharon explained "Conservation Plans" for your property and distributed information to help create a sustainable farming operation. Additionally, NRCS has a variety of cost-share programs that may support you in implementing on-farm improvements. Both of these offerings can be used as credentials in defending your ag valuation. We also encouraged participants to first sign up with the Farm Service Agency (FSA) and to explore their numerous programs that include crop insurance and low interest micro loans. Serafina Lombardi of the NMAA is available to support you in signing up for their programs – now is a good time to get started!

Enrique Romero also clarified the legislative changes NMAA achieved, in concert with other organizations, during the last legislative session. The changes to the ag valuation statute now require county assessors to consider drought when assessing land for the agricultural valuation when landowners are resting land due to at least eight consecutive weeks of drought. Finally, Serafina Lombardi discussed some creative solutions including the NMAA Land-Share project where landowners are connected with folks to farm and shared a list of contractors to be utilized by participants to find support in working the land. Participants were encouraged to defend any sort of agricultural practices on their land and to be diligent in documenting them.

NMAA encourages all parciantes and acequia communities to support one another in maintaining agricultural practices and to call on the NMAA and NMLA to support you as you defend your agricultural valuation status with your county assessor.

Even with decreasing parcel size, there are ways to demonstrate agricultural use of land.

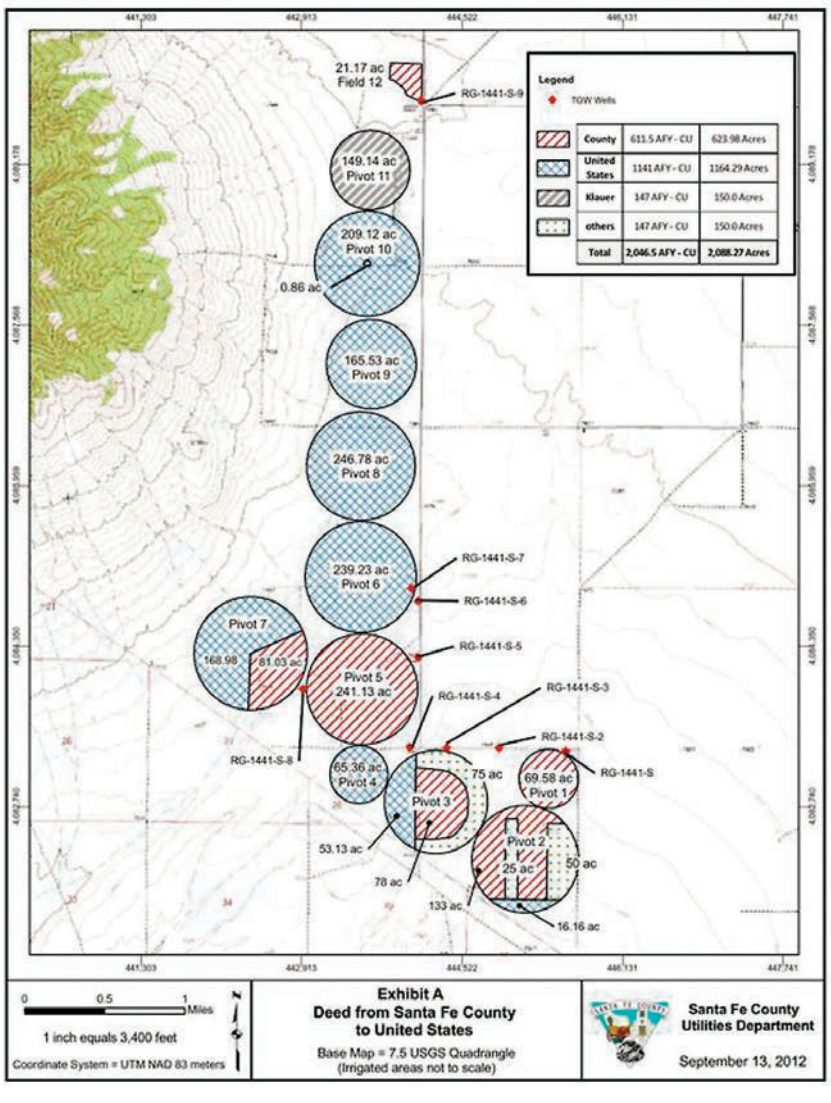
Santa Fe County and Bureau of Indian Affairs File Application to Transfer Top of the World Water *continued from page 6*

to transfer water from one basin to another because it could subvert the terms of the Rio Grande Compact.
A group of 19 individuals and acequias represented by attorneys Doug Wolf and Peter White (disclosure: I am one of the original protestants), working with the New Mexico Acequia Association and New Mexico Legal Aid, protested the application, claiming it was an attempt to circumvent the terms of the Rio Grande Compact, which acts as de facto protection against the transfer of norteño water. The protestants' overriding concern was that allowing such a diversion would open a loophole for developers, municipalities, and others to transfer norteño water rights below the gauge. They also questioned whether the groundwater being transferred has a direct hydrological connection to the Rio Grande, and whether the infiltration gallery would negatively affect surface water flows in the river or groundwater levels in the vicinity of the diversion.

Pursuing a protest is like participating in a trial: there is a pre-hearing conference to set a schedule; both protestants and applicants must provide a witness list, proceed with discovery, call witnesses, etc.; and finally there's a hearing before an officer of the OSE, the agency that approves or disapproves transfers.

Several pre-hearings were held to raise what were called "threshold" issues, including who actually owned the water rights. There was a dispute between then owners, Wrangler Properties, and the four individuals who were applying to transfer TOW Farm rights, along with Santa Fe County, which had a contract to purchase the water rights. In the summer of 1999, Taos developer Tom Worrell's company, Macho Grande de Rio Grande, based in the Virgin Islands, purchased the entire 3,000-plus acres of TOW Farm from Wrangler Properties. Worrell claimed his intent was to "keep the water rights in Taos County." Soon after that, however, Macho Grande signed a quitclaim deed to the disputed water rights, opening the door for the transfer to Santa Fe County. A second threshold issue, whether these water rights that would be accessed by the diversion gallery were ground or surface rights, was never adequately addressed during the pre-hearings. The case never went to a full hearing, and significantly, the city and county determined that the single infiltration gallery at San Ildefonso was not a cost-effective way of diverting the water.

The situation changed dramatically in August of 2000 when parties to the Aamodt adjudication suit began mediation with an Arizona state court judge to try to reach a settlement agreement. The more than 40-year old Aamodt case is one of the



County Commissioners and a few supporters who passed the Taos County Public Welfare Ordinance in 2010.

longest in federal court history. The suit, filed by the OSE, sought to force the federal courts to decide how to allocate water among pueblos and non-Indians in the Pojoaque Valley. After previous court rulings had severely limited the pueblos' water rights, they were anxious to enter into negotiations that would provide them with a better outcome. Senator Pete Domenici also got involved in the settlement negotiations and promoted the concept of a regional water delivery system, which could potentially supply all domestic water needs within the valley. Santa Fe County, one of the participants in settlement talks, committed to help acquire water rights for the water system for both the non-pueblo residents (750 afy) and the pueblos (2,500 afy), and decided that some of that water would come from TOW. The diversion for the water system is again on San Ildefonso Pueblo.

An initial iteration of the settlement called for non-pueblo defendants to cap their domestic wells and hook up to the proposed $280 million water delivery system, while guaranteeing the four pueblos first priority water rights and future development rights. This elicited a firestorm of opposition from non-pueblo residents, and in 2004 negotiators went back to the table and released a proposal that did not require non-pueblo residents to cap their domestic wells. Hook-ups to the system remain voluntary.

In negotiations with the protestants to the TOW transfer, Santa Fe County agreed to limit the use of TOW water to the Upper Basin above Otowi Gauge. In 2006, the county began preparations to transfer the remaining 1,164 afy of TOW water rights it owned to the pueblos. The county eventually sold these water rights to the federal government, specifically the BIA, which will officially transfer them to the pueblos.

As final approval of and subsequent changes to the Aamodt Settlement dragged on into the mid to late 2000s (at one point Santa Fe County proposed trading TOW water rights for the San Juan/Chama water rights slated for the Abeyta Settlement Adjudication, but Taos Pueblo turned it down), Taos County officials and citizens began to take a closer look at the criterion of public welfare that could be raised against the transfer of TOW water rights to the Pojoaque Valley. The Taos Regional Water Plan promulgated a Public Welfare Statement that included a Public Welfare Implementation Program that would analyze all proposed water transfers from and within Taos County and make a recommendation to the OSE whether the transfer was in the best interests of the citizens of Taos County.

The Regional Water Plan ultimately failed to include the proviso for the implementation committee but Taos County stepped up and enacted a Public Welfare Ordinance in 2010 that set up the Taos County Public Welfare Advisory Committee to review transfers based on criteria that define the public welfare: cultural protection, agrarian character, ecological health of watersheds, long-term economic development potential, recreational tourism, public information, water supply management, conservation, conjunctive management, and minimizing water contamination. The committee then makes a recommendation to the Taos County Board of Commissioners as to whether it should protest the transfer.

One of the requirements of the Taos County Public Welfare Ordinance is that when anyone files an application with the OSE to transfer water within or from Taos County they must concurrently file a copy of the application with the Taos County Clerk. This notification allows the Public Welfare Advisory Committee to then start the process of analyzing the application using the Ordinance's public welfare criteria to determine whether the county commission should protest the transfer. On January 12 of

continued on page 14

Santa Fe County and Bureau of Indian Affairs File Application to Transfer Top of the World Water

continued from page 13

this year Santa Fe County and the BIA, unbeknownst to anyone in Taos County, filed an application with the OSE to transfer the TOW water rights. Santa Neither Santa Fe County or the BIA ever filed the application (it is a joint application) with the clerk's office. (According to Santa Fe County attorney John Utton, this new application will replace the original 1999 application.)

If the Public Welfare Advisory Committee had found out that the application was filed with the OSE in March, it could have been doing due diligence on the TOW transfer application. There are many questions to ask and much information to gather regarding the hydrological basis of this transfer. The Aamodt Settlement's rationale for the transfer, based on OSE modeling, is that because the deep irrigation wells at the TOW Farm will be shut down—the area has been farmed over many years, by many different owners—the water in the underground aquifer will migrate to the Rio Grande and flow downstream to the takeout on San Ildefonso Pueblo to supply the water deliver system to the pueblos and non-pueblo parties in the Pojoaque Valley.

The County of Santa Fe and the Bureau of Indian Affairs published notice in the Santa Fe New Mexican and Taos News on June 18, 25, and July 2 that they had applied to transfer Top of the World water rights with the Office of the State Engineer (OSE) on January 12 (amended on June 8). Written protests to the OSE must be filed within 10 days of the last publication on July 2. Protests must be based on: (1) Impairment; if impairment, you must specifically identify your water rights; and/or (2) Public welfare/conservation of water; if public welfare or conservation of water within the state of New Mexico, you must show you will be substantially affected.

In a very unusual move, Taos County residents and philanthropists Trudy and Ed Healy bought what is now the dry land acreage of Top of the World Farm. On March 17, the New Mexico Board of Finance approved the sale of 3,166 acres for $1.17 million to the Healys. The board also approved an annual lease of 611.5 afy to the Healys for a minimum of $30,000 per year. The Healys plan to employ the holistic grazing concepts that Allan Savory developed in their management of the Farm.

Kay Matthews is a parciante in El Valle and editor of the online journal of environmental politics, La Jicarita.

Water Transfers Major Topic of Legislative Hearing

On June 1, 2015, the Water and Natural Resource Legislative Interim Committee met for their annual organizational meeting. It included a presentation entitled "Introduction to New Mexico Water Law" given by Reed Benson, UNM Law Professor, and David Benavides, NM Legal Aid. The other presenter was Tom Blaine, who was appointed as State Engineer in late 2014.

The committee has numerous members from both the House and Senate, which is an indication of the high degree of interest among legislators in the subject of water policy. The overview of NM water law was covered comprehensively by Professor Benson and David Benavides focused his comments on the significance of water transfers in New Mexico water policy. State Engineer Tom Blaine addressed several questions from the committee on a range of topics.

David prefaced his presentation with a fundamental explanation of water law as a code aimed at protecting and enforcing existing water rights:

1) By not allowing water right owners to exceed their water rights
2) By not allowing new rights when a stream or basin is fully appropriated
3) By curtailing junior water rights when senior water rights are not getting enough water
4) By not allowing water rights to be changed in a way that is detrimental to existing water rights

David Benavides focused on the subject of water transfers by framing the issue in a historical perspective. He noted that many of the water rights in New Mexico originated before statehood, particularly those of Pueblos, tribes, and acequias. He also noted that New Mexico is in an era in which all water rights are appropriated and can be characterized as an "era of reallocation" in which new uses of water can come about through the transfer of existing water rights. He noted that this is one of the great water policy challenges of our time.

He added that New Mexico enacted protections from water rights to protect other wealthier and water-hungry states from acquiring New Mexico's water through an unfettered market. Courts have ruled that criteria that apply to out-of-state transfers also apply to in-state transfers of water rights. These criteria are that the change in water right would not 1) impair existing water rights, 2) be contrary to conservation of water, or 3) be detrimental to the public welfare.

He added that local and regional community leaders would argue that the same concerns of moving water out of state are also applicable to the community level. Specifically that the

water rights base of a community is essential to its future and should not be subject to an unfettered water market.

State Engineer Tom Blaine later remarked the sentiment that water transfers are a major policy issue and noted that his goal in the agency is to process applications in a timely and efficient manner. He pointed to a goal of reducing backlog of pending applications.

However, partly in response to earlier comments by Benavides, Blaine suggested that his primary concern with regard to public welfare is to consider the "public welfare of the state" and implied it was an overriding concern over local or regional issues. His comments were covered briefly in an article in the *Albuquerque Journal* (http://www.abqjournal.com/592841/news-around-the-region/official-new-mexico-water-debate-to-be-shaped-by-transfers.html).

The presentations were informative and surfaced some of the underlying and fundamental issues shaping water policy debates that may take place in the water committee. Senator Peter Wirth, who chairs the committee, noted that his goal was to present any issues that are controversial with both sides (or multiple sides) given the opportunity to share their views.

The interim committee will meet on four additional dates during the legislative interim:

Taos – July 27 and 28
Silver City – August 31–September 1
Ruidoso – October 15–16
Santa Fe – November 5–6

More information about agendas and meetings times is on the legislative website: www.nmlegis.gov

USDA can help you with a hoophouse for season extension on your property. Photo of tomatoes grown at Cornelio Candelaria Organics in Atrisco/South Valley.

Farm Service Agency Announces Nomination Period for County Committee

The U.S. Department of Agriculture announced that the nomination period for local Farm Service Agency (FSA) county committees began on June 15, 2015.

It is important for county committees to reflect America's diversity, all eligible farmers and ranchers, including beginning farmers are encouraged to get involved in this year's elections. FSA has seen an increase in the number of nominations for qualified candidates, especially among women and minorities – a trend the Agency would like to see continue.

To be eligible to serve on a FSA county committee, a person must participate or cooperate in an agency administered program, be eligible to vote in a county committee election and reside in the local administrative area where they are nominated.

Farmers and ranchers may nominate themselves or others. Organizations representing minorities and women also may nominate candidates. To become a candidate, an eligible individual must sign an FSA-669A nomination form. The form and other information about FSA county committee elections are available at www.fsa.usda.gov/elections. Nomination forms for the 2015 election must be postmarked or received in the local USDA Service Center by close of business on Aug. 3, 2015.

FSA will mail election ballots to eligible voters beginning Nov. 9, 2015. Ballots will be due back to the local county office either via mail or in person by Dec. 7, 2015. Newly elected committee members and alternates will take office on Jan. 1, 2016.

While FSA county committees do not approve or deny farm ownership or operating loans, they make decisions on disaster and conservation programs, emergency programs, commodity price support loan programs and other agricultural issues. Members serve three-year terms. Nationwide, there are about 7,800 farmers and ranchers serving on FSA county committees. Committees consist of three to 11 members that are elected by eligible producers.

Farmer Rancher Team Available to Assist (with USDA Programs)

The Farmer-Rancher Team is pleased to announce that we are available once again to support Acequieros in accessing a variety of United States Department of Agriculture Programs. NMAA tries to look at how we can support our acequias from every angle. Supporting farmers and ranchers in any way possible is key to maintaining our acequias as the life blood of our culture and our communities.

Please call on the team to support you to take advantage of these financial assistance, loan, crop insurance, infrastructure, and technical assistance programs that can support your operation! We can walk you through the requirements, programs, what to expect, how to apply, and what to do once your application is successful. Don't hesitate to be in touch—call for Serafina or Juliet at 505-995-9644.

Some key USDA programs:

FARM SERVICE AGENCY:
All farmers & ranchers are encouraged to sign up with FSA.

Register your farm land with FSA.
Grants you access to various USDA programs. Anytime.

NATURAL RESOURCE CONSERVATIONS SERVICE:
EQIP Initiative
Various programs to increase farm and ranch practices: Seasonal high tunnel, organic transition and certification, improvements to irrigation, farmstead energy, tillage management, and more.
Accepting Applications - Apply now.

Summer/Fall Events:

✿NEW MEXICO PRESCRIBED BURNING WORKSHOP
(hosted by The New Mexico Prescribed Fire Council) for the benefit of anyone interested in using fire as a management tool on their private land.
Thursday, July 16 • 10am-4pm
Wagon Mound Public School (575-405-2387)

✿3RD ANNUAL COMMISSIONER/MAYORDOMO CONFERENCE
Tuesday, July 21 • 9am-4:30pm
Santa Fe Community College 6401 Richards Ave, Santa Fe, NM 87508, Jemez Room

✿NEW MEXICO ACEQUIA COMMISSION MEETING
Friday, July 24 (4th Friday of Every month) • 10am-12pm
Bataan Memorial Bldg. Old Senate Chambers
Rm. 238, 407 Galisteo St. Santa Fe 87501

✿HOME COMPOSTING WORKSHOP HOSTED BY BERNALILLO COUNTY EXTENSION
Saturday, July 25 • 10:30am–12:30pm
Highland Senior Center, 131 Monroe NE, ABQ, 505-256-2000

✿SANDOVAL COUNTY FAIR
July 29 – August 2
For more information, contact Nicole Lujan at 505-867-2582

✿WATER BATH CANNING CLASS - SALSA HOSTED BY NMSU AG EXTENSION. $20 FEE
Thursday, August 20 • 9am–12pm
El Buen Samaritano Methodist Church, 700 Granite Ave. NW, Albuquerque. Please call 505-243-1386 to reserve your spot.

✿NEW MEXICO ACEQUIA COMMISSION MEETING
Friday, August 26 (4th Friday of Every month) • 10am-12pm
Bataan Memorial Bldg. Old Senate Chambers
Rm. 238, 407 Galisteo St. Santa Fe 87501

✿NEW MEXICO ACEQUIA COMMISSION MEETING
Friday, Friday, September 25 (4th Friday of Every month) • 10am-12pm
Bataan Memorial Bldg. Old Senate Chambers
Rm. 238, 407 Galisteo St. Santa Fe 87501

✿CONGRESO DE LAS ACEQUIAS
Saturday, November 21 • 9am-4:30pm
National Hispanic Cultural Center, 1701 4th Street SW, Albuquerque, NM 87102

Noticias de las Acequias • Summer 2015

New Mexico Acequia Association
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Santa Fe, NM 87505
(505) 995-9644
www.lasacequias.org

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Acequia Photo Contest Winner from 2013: "Nieve en la presa" by Irene Cordova, La Placita Northside Ditch, Vadito, Taos County

PHOTOS MUST BE SUBMITTED BY OCTOBER 2nd, 2015

Submissions must be sent electronically, in high resolution jpeg format.
Please email photos to olivia@lasacequias.org along with the following information:

• Name of photographer • Acequia Name • Region (if applicable)
• Town • County • Photo Description

Participants are limited to one photo per category.

Acequia Photo Contest

Enter your photograph and you could win a $250 prize and your photo will be featured in our 2016 acequia calendar!

PHOTO CATEGORIES:

• Acequia Landscape
Photos in this category include the acequia landscape that show off your farm or ranch, including but not limited to scenic photos of your crops and/or animals, or photos of family working in the field.

• Acequias
This is an opportunity to capture the unique acequia features that show off the ingenuity of our ancestors' traditional engineering. This category includes anything and everything about your acequia - some examples include photos of your limpia, unique infrastructure, first opening of the acequia in spring, picturesque winter photos, etc.

• Regando
Photos in this category include photos of parciantes irrigating fields, and other photos related to irrigating.

• Food and Seed Traditions
Photos in this category should cover acequia food traditions. Examples include making chicos, food preservation, harvesting, close-up photos of your produce, seed saving, and traditional family activities, etc.

Terms and conditions: Upon photo submission, you agree to the use of your photo(s) in NMAA materials including, but not limited to, publications, calendar, website pages, and outreach materials. Photo credit will be given where appropriate.