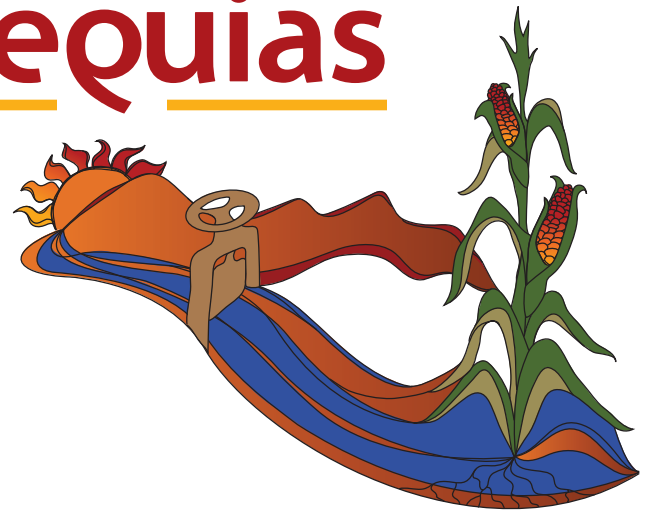


Noticias de las Acequias

New Mexico *Acequia* Association • Summer 2016

El Plan del Movimiento de las Acequias

by Olivia Romo, NMAA Staff



We the people of the acequias,

will gather at the 2016 Congreso de las Acequias in Taos NM to declare our inter-generational plan for the future of acequias in the state of New Mexico, and to continue to counter the economic, social, and political forces that push families away from agriculture. To challenge the transfer of water out of agriculture. To bridge the generational gap and nurture potential acequia leaders and farmers; empowering young people to pick up the pala and plant seeds of resistance and sustainability back into fallow land. To work together through the adjudication of our water rights and ensure that our families have their full duty of water to irrigate their lands and crops justly; feeding and living off the land as we have for centuries. To prevent gentrification that displaces land-based people and families. We the people of the acequias do hereby proclaim our spiritual connection to the water and our profound querencia that makes us dedicated and passionate about the acequia system and the opportunities it gives us to live, grow food, raise families, and continue to be good stewards of the land, water, and air for generations to come!

This initiative was conceived by the Concilio in the Fall of 2015 to address the need for a strategic future plan envisioned by the people of the acequias with the support of the NM Acequia Association. It was then delivered by El Puente Caucus in the form of a resolution that was passed at the 2015 Congreso de las Acequias in Albuquerque. Through this initiative, the NMAA has sought to cultivate a collective process of engagement with farmers, ranchers,

and a variety of community members who share the same land-based ideologies and ethics to cooperatively create a culturally appropriate, socially just, and sustainable plan and call to action for the future of acequias in New Mexico. **What will the next 50-100 years look like for acequias?!**

Please JOIN US. There are many ways to get involved! The methods used for gathering this information will be community-based:

1) Resolana style *platicas* and interviews. Our leaders, members, and youth will engage with someone in their respective acequia community about their hopes, contribution, and plans to better the future for acequias. Interview stations will also be present at our various workshops. **Please contact our office if you would like to volunteer to do an interview in your community, or if you would like to be interviewed by a staff person!**

2) Visitas and Road Trips. The NMAA has committed to up to 5 visitas statewide. These will be short road trips to various regions across the state to meet with acequia leaders, advocates, and other water entities to better understand water issues and to collectively build and maintain relationships for solidarity.

3) Acequia Quilt. We are creating a beautiful acequia quilt that is woven with the hopes, visions and names of acequia communities throughout the state. Acequeros/as are contributing by writing the name of their acequia and what their

vision for the future is on a piece of fabric which will be sewn into the quilt. In 2017 we will let the quilt flow from the rotunda at the NM State Legislature at our Acequia Day as a testimony of the acequias and families that our policy makers and representatives need to protect, recognize, and fight for statewide. **Please add your piece to the quilt by stopping by the NMAA office or calling us for a piece of fabric to write on!**

4) Acequia Survey. Please be on the lookout for our upcoming survey to gather input and feedback on your needs and vision for the future of your acequia! And please help spread the word by sharing the survey with other acequeros/as that you know.

5) #AcequiasRising. Lastly, the NMAA is launching a social media campaign themed #AcequiasRising where we will release short clips of interviews taken, dichos, art, and photos of acequero/as farming, irrigating, planting, and organizing our acequia communities. This social media campaign will bring awareness and engage allies, advocates, youth and people who care for land and water on a national and global scale.

All these different methodologies will give us the material to produce a toolkit for strengthening the acequia movement with educational materials, a video, and action plan to support acequia leaders statewide. *El Plan del Movimiento de las Acequias* will recognize the work of our leadership, articulate the challenges that lie ahead, and proclaim a call to action for emerging acequia leaders. 💧

“Que Vivan las Acequias Por Siempre!”



Regando en Taos con la Acequia del Marrano. Photo taken by Jacinta Chavez.

**NEW MEXICO
ACEQUIA ASSOCIATION**

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del Valle de Mora*

Antonio Medina

*La Asociacion de las Acequias
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*Communications and Outreach
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Toribio Garcia

Acequia Education Coordinator

En Memoria: Remembering Our Acequeros

It is because of the work of our ancestors, elders and maestros that 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.



Seledon Garcia

**Acequia del Barranco, Acequia del Coyote, Abiquiu
April 25, 2016**

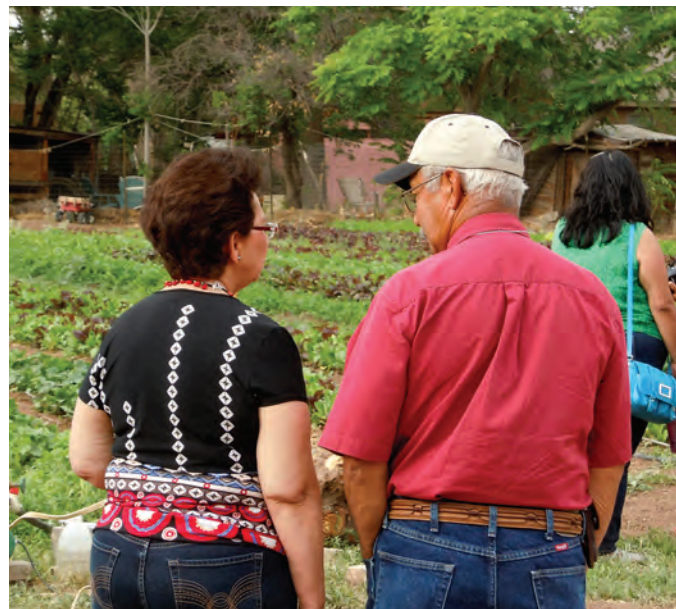
Seledon Garcia, 74, a lifelong resident of Abiquiu, passed away Monday, April 25, 2016 surrounded by his family. Seledon was preceded in death by his parents, Benjamin and Beatrice Garcia; in-laws, JD and Mary Herrera; brothers and sisters, Benjamin Jr., Vita Martinez, Beatrice (Rosalia) Jaramillo; brothers-in-law, Rudy Herrera and Arsenio Martinez. Seledon is survived by his wife, Alice; children, Joseph and Sharon Garcia (David Gallion); grandchildren, Tristin and Mateo Garcia, Anthony Velasquez and Danielle (JC La Fon), great-grandchildren, John and Allena La Fon; sisters, Olivia (Jackie) Suazo and Flora (George) Martinez, brother, Freddie (Isabel) Garcia; brothers and sisters-in-law, Art Herrera, Larry (Mary) Herrera, Connie (Larry) Norris and Antonia Herrera, Ramoncita Garcia, Johnny Jaramillo.

Seledon was a passionate acequero who loved his land and herencia. Both Seledon and his loving wife Alice were participants in NMAA's Escuelita de las Acequias in 2012-2013, where they connected with many other acequia stewards and took on a special tarea to improve their irrigation system. Several times they brought two local youth with them to Escuelita, a testament to the dedication Seledon had to ensuring our acequia traditions survive with the next generation.

We will always hold fond memories of Seledon's warmth, generosity of spirit, and his devotion to land-based living. We are so grateful for the knowledge he carried and shared with all of us about Abiquiu acequias. We extend our heartfelt condolences to his entire family. Que en paz descanse.



Seledon and Alice at Escuelita de las Acequias in late 2012.



Seledon and Alice enjoying an acequia garden tour in the South Valley of Albuquerque, Escuelita de las Acequias, June 2013.

9th Annual Garlic Festival: Community, Food, & Garlic Picking Fun!



(l-r) Charlotte Madueño of Las Comadres de las Acequias shows her garlic braid; Las Mañanitas as the contestants pick garlic; Ana X and Tim keeping the energy high; photos courtesy John T. Denne / NNMC. Far right: Presenting La Reina y El Rey de Ajo: Donne Gonzales and Noberto Armijo. Photo by NMAA Staff.

by Pilar Trujillo, NMAA Staff

The air was fresh and the early morning dew had not yet been burned off by the sun on Saturday June 25th, when the first wave of farmers, community members, and garlic-lovers came out to the 9th annual Sostenga Garlic Harvest Festival in Española bright and early at 7am to pick garlic. The festival is an incredible community event co-hosted by American Friends Service Committee (AFSC) and Northern New Mexico College (NNMC). The day started with a blessing followed by words of encouragement from emcee Roberto Mondragon. The rules for the garlic-picking contest were laid out: 5 members to a team, only shovels and hoes allowed as tools, all garlic must be cleaned before weighing. The garlic contest is serious business with cash prizes totaling \$600 for the top three teams that pick the most garlic! Surely the cash prizes are an incentive, but the real motivating factor behind the garlic fest is to draw the community out early on a Saturday morning to eat, work, laugh and play together, as we honor the agricultural traditions that are the backbone of our culture.

This year there were eight teams who signed up for the picking contest, and they harvested over 800 lbs of garlic in less than 45 minutes- a new record! David Garcia and Jeremiah Martinez sang Las Mañanitas and other songs to the garlic pickers to keep the animo up. As the contestants stepped off the field, there were fresh blue corn pancakes (made from the corn grown there), bacon, juice, coffee, and fruit for everyone to share. The crowds streamed in and the planning staff and dedicated volunteers fed over 200 people all morning long.

Several booths with hands on activities and information were set up, including a print making booth. The NMAA hosted a Comadres de las Acequias booth in which Juliet Garcia-Gonzales taught how to braid garlic. We braided garlic for hours with participants and dished over what remedios are in season, how our gardens are doing, what the kids are up to, and more.

As the morning heated up, we played kid's activities. Dozens of kids took their swing at a garlic-shaped piñata. And when it got really hot, a friendly water balloon fight was started to keep cool!

Meanwhile the music kept the energy going. Roberto Mondragon y su Trio blessed us with their rendering of classic Nuevo Mexicano tunes. Ana X Gutierrez-Sisneros sang the blues while Tim Martinez made the guitar cry. The Imperial Rooster, a feisty local band from Española, had everyone rocking out to their unique sound of porch-swing punk rock.

All of this led up to the culminating moment when the winners of the garlic picking contest were announced, as well as the crowning of this year's Rey y Reina de Ajo. The first prize went to a group of young men from Chimayo, Española and Truchas. Congratulations to all the winners! Finally, La Reina y El Rey de Ajo were crowned. This special award goes to a man and a woman each year who demonstrate commitment to working the land and giving back to the community. This year Donne Gonzales and Noberto "Bobo" Armijo, both of Chamisal, were crowned Queen and King of Garlic. Bobo and Donne are the co-managers at the AFSC-Sostenga Farm. They are long time participants of NMAA's Sembrando Semillas program and have recently taken leadership in AFSC's farmer training program. The training program is located at AFSC-Sostenga Farm in partnership with NNMC for the past 5 years.

NMAA is honored to have taken part in the Garlic Fest this year as part of the planning committee and would like to take this opportunity to thank the long-time organizers of this special event. Thank you: Dr. Patricia Trujillo and Ana X Gutierrez-Sisneros of NNMC; Sayrah Namaste, Don Bustos, Patrick Jaramillo, and Maria Brazil of AFSC. And a special thanks to the farmers and farm trainees who grew and tended the garlic: Donne Gonzales, Bobo Armijo, Manuel Sanchez, Andres Juarez, and Drew Perez.

¡Que Viva el Ajo! See you there next year!! 💧



Río de las Gallinas.

Acequias Plead for End to Litigation

A major turning point was reached recently in Las Vegas in the decades-long conflict between the City of Las Vegas and neighboring acequias. Within hours of her election, the new mayor of Las Vegas, Tonita Gurule-Giron, signaled a positive message about resuming negotiations over water sharing on the Gallinas River. The relations between the city and the acequias are likely to shift in the coming months. A joint complaint motion was filed by City of Las Vegas and acequias to place a stay on any further litigation on the "remand," negotiations will be starting in the next few weeks.

In March, William Gonzales on behalf of the Rio de las Gallinas Acequia Association, which represents over a dozen community acequias along the river they share with the city, pleaded with the Las Vegas City Council to work with acequias to find an equitable solution in the allocation of water.

The long-standing conflict over water rights on the Gallinas River stems from the adjudication and an unconventional claim by the city. In the 1950s the city was granted an expanding water right under a now discredited Pueblo Water Rights Doctrine. In 2004, some 50 years later, the Supreme Court overturned that ruling and remanded the case to District Court with instructions to provide an equitable remedy. This litigation continues and is known as the "remand."

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Our acequia communities are precious because of the common themes and values that we share, but also because of the unique story that every acequia has. In this section we put a spotlight on different acequia communities to encourage our readers, parciantes, and acequeros to reflect on what makes their acequia special and to share their remarkable story.

San Jose de La Cienega: Acequia Blessing Ceremony of San Fidel

Leon Tafoya is a lifelong resident of San Fidel, NM and is currently the Mayor-domo of Acequia San Jose de la Cienega for 7 years and former president. Leon's father was a chef for the Harvey Houses on the Rail Road for 14 years until he opened up his own restaurant in the 1940's called the Acoma Café. Leon grew up on Route 66 and close enough to his grandmothers ranch in San Jose, teaching him the traditional ways of farming and living.

Leon and his family continue to farm on their grandmother's property today and are grateful for work and inheritance of their ancestors. Leon remembers as a child going to his grandma's house, "the corn was so high I could barely see the road but times have changed and now all you see is restaurants and grocery stores. I have lived here my whole life and we still use the water the same way our ancestors did! Our vision and hope for the future is that we can still use it and continue to live this way for decades. We thank God every day!" Leon is supported by his wife of many years, Beverly Tafoya, who regularly attends meetings, workshops and other events with him. Beverly proudly submitted the following summary for the Acequia Community Spotlight.

What is the history of your acequia, as you know it (or as you've been told)?

The earliest record we have on file for our Acequia is 1806. Leon Tafoya, mem-

ber of the San Jose Regional Acequia Association, recalls stories of his great-grandfather, Gorgonio Figueroa and village residents who in the early 1800s were instrumental in establishing the water channel still in use today. One story that Leon's grandmother told was that Gorgonio was a son to a woman who was captured by Apaches from today's town of Ceboyetta. With great struggle she finally escaped and hid in the town of Cubero, whose soldiers finally defeated the Apaches. This woman was the mother of his great grandfather Gorgonio who later moved to San Jose to live and thrive as his ancestors once did in Mexico.

Water was diverted from five springs located at La Cienega atop Mt Taylor into San Jose Canyon. The original dam constructed below the Cienega burst in the early 1900s and was never rebuilt. We now store our water in a smaller reservoir located in San Jose closer to the village of San Fidel.

What traditions and practices does your acequia community maintain?

(Food, spiritual, agricultural, limpia, etc) Some of our traditions include cleaning of the springs, limpia, agriculture, and our Acequia Blessing. Our water flows year round. We are blessed to be stewards of these wonderful springs.

What makes your acequia special?

Communities in New Mexico as well as ours, San Jose De La Cienega Acequia, San Fidel, still follow centuries-old traditions that came from Spain with ceremonial blessings for the waterways that give life to the crops. We honor the May 15 feast of San Ysidro, patron saint of laborers and farmers, with a blessing of our Acequia Madre.

The Blessing reaches all parciantes fields which include a beautiful vineyard, alfalfa fields, lavender fields as well as many orchards and gardens along the way.

Father Alberto Avella bestows the blessing while Parciantes bring rose petals to be blessed and sent down the channel. From the blessing area, the petals flow downstream to the farms providing a blessing for all the fields. It is a cultural tradition and this special event brings the community together.

The community joins together after the blessing for traditional food and fellowship. Green and Red Chile and we cannot forget the chicharrones!

This event is very special and important to all of us sharing this water this is a traditional and cultural event very special to the village community. Nuestras Aguas are life. 💧



All photos taken by Beverly Tafoya.



NEW MEXICO ACEQUIA ASSOCIATION: MISSION & VISION

The New Mexico Acequia Association is a statewide, non-profit organization founded in 1990.

MISSION

Our mission is to protect water and our acequias, grow healthy food for our families and communities, and to honor our cultural heritage.

VISION STATEMENT

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.

4th Annual Statewide Commissioner & Mayordomo Conference

by NMAA Staff

The New Mexico Acequia Association is pleased to announce another successful statewide Acequia Conference that happened on June 16th 2016 at the Santa Fe Community College. This year we focused on the importance of Organizing to Protect Acequias by highlighting some of the proactive ways that acequia leaders are making impacts and positive change in their communities. We want to personally thank and celebrate all of you for making the time and effort to be there and for bringing the knowledge back to your communities. For the morning panel we had 5 leaders from various acequias speak on behalf of the organizing strategies and techniques they are using to help protect their water rights.

Sylvia Rodriguez, Taos Valley Acequia Association board member, spoke to the cultivation of new leadership and reinventing the TVAA while honoring the strenuous work done under the Abeyta settlement. The Taos Valley Acequia Association Leadership & Education Committee formed to aid in educating, informing, advising and assisting Acequias regarding protection and defense of water rights. Equally important are efforts to involving more youth, reviewing TVAA bylaws and articles of incorporation, conduct board trainings, and re-discover the purpose and future of TVAA after the settlement is finalized.

Alfredo Montoya, President of Las Nueve Acequias del Rio Grande, gave an awakenspeech to commissioners regarding how acequias who have not been adjudicated need to engage in pre-adjudication organizing. He focused on the importance of declaring all parciante water rights and water banking to reduce the potential claims of abandonment from the state or other entities that water in acequia communities is undocumented. "We do not know when the adjudication will come but we have learned from our fellow brothers and sisters that it is not a pleasant experience nor is it a win, win" Alfredo shared.

William Mee, President of the Agua Fria Acequia Association, spoke with devotion on behalf of the rest of the acequias surviving in the city of Santa Fe after being strangled by encroaching development and historical annexation. The acequia communities challenged the city and created a historic movement that rekindled all the traditional and spiritual events like Los Pastores, Las Posadas, and Dia de San Ysidro. William exclaimed proudly, "we use prayer and tradition as a way to respond and combat these urban issues and litigation!"

Camilia Trujillo of La Cosecha del Norte Farmers Cooperative, exposed leader-

ship to the successful model of organizing a coop to sell acequia grown produce in an effective and marketable way that not only supports the farmers but feeds children in schools, is sold at grocery stores, and in her own words, "increases food security for our communities while protecting the agriculture use of land for future generations". La Cosecha del Norte will soon be creating their own website, branding, and packaging!

Gilbert Sandoval of the Jemez River Basin Coalition of Acequias, advised leadership on how to use the regional association as a fiscal agent for applying for funds either in adjudication or for infrastructure projects and repairs for a community. Gilbert recalls on the past, "Our first focus was raising funds for a legal defense in the adjudication. However, as a regional association we have been able to submit claims from all the acequias for infrastructure projects. We as board of directors then review the plan, money and distribute them to the acequias by priority of project and according to their needs. This last fiscal year they received \$40,000 for the regional." Not only has Gilbert navigated funding for all the acequias through the regional he survived 2 audits

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A full house at the 2016 Statewide Acequia Conference.



Organizing to Protect Acequias Panel: (l-r) Camilla Trujillo, William Mee, Alfredo Montoya, Sylvia Rodriguez, and Gilbert Sandoval.

Governance Tips: Water Sharing

The ultimate test of the power of custom is drought. Old-timers agreed that everyone suffers from drought when you're on an acequia, some more than others, partly by virtue of their location on the ditch. Every acequia has worked out its own rules and customs for sharing the water during times of plenty, average flow, and scarcity. Some of these may be spelled out in the bylaws or formalized and published through court decrees, but others are maintained only through practice and word of mouth.

Repartimientos de agua is how community acequia systems operate in times of water scarcity. Custom originally arose out of conflict and the ongoing elastic process of negotiation and reconciliation itself, of meeting year after year to divide the water according to agreements forged in crisis long ago. Acequeros believe that water scarcity should be shared equitably among irrigators with decision made locally about distribution. This in contrast to the concept of priority calls which can allocate all available water to the most senior user. Historically, Mayordomos have resorted to daily, ditch-by-ditch repartos. Still, in many cases, no one ever got enough water, and there were days when livestock and crops went thirsty.

It is important that the mayordomo allocate water on a fair and equitable basis in accordance with the agreed upon and established practice of the ditch. Even in the spring, when there is a good runoff and plenty of water the mayordomo may assign water on a first-come-first-serve basis or else on a rotating basis, starting at either the upper or lower end of the ditch, depending on local custom and on how much water is available. The length of time a parciante needs the water depends on the size, type of soil, crops and location of his/her irrigated acreage. ♦

Here are some examples of water sharing practices in many acequia communities:

Auxilio/Arcilio: emergency water assigned by the mayordomo as a special dispensation during a time of extreme scarcity. The customary, general order of priority under such conditions is: gardens for table food, water for livestock, pasture, field, orchard. Non-essential uses like lawns or flower gardens may be sacrificed.

Tiempos: timed shares assigned on a rotating basis. The water in a river or in a long acequia madre may be proportionally divided among two or more subsystems.

Sobrantes: surplus waters usually assigned on a permanent basis when possible. This proportion must also be allocated on a timed, rotational basis. They suffer with everyone when surplus declines.

**Content was referenced from the NMAA Mayordomo Handbook and Sylvia Rodriguez's book, "Acequia: Water Sharing, Sanctity, and Place."*

Help Secure the Future of Acequias SPONSOR A YOUTH TODAY!



Photos taken by Sembrando Semillas participants.

Sembrando Semillas is our inter-generational program created in 2006 to engage younger generations in the continuation of agriculture and land-based traditions associated with acequias. We are cultivating a network of families, youth, mentors, and leaders of all ages that are passionate about their identity as land-based people who express their *querencia* through working the land, sharing water, growing food, and stepping up as service-leaders!

We are connected throughout several different acequia communities: Mora, Chamisal, Abiquiu, Atrisco/South Valley of Albuquerque, Servilleta, Santa Clara, Chimayo, Taos. Youth and participants work on projects in their own communities with a strong focus on acequia traditions and values. We learn from each other by exchanging ideas, visiting each other's projects and communities, and working the land together. Youth develop skills in acequia farming, traditional food processing, marketing, art, media development, service leadership and more!

You can help secure the future of acequias by sponsoring a youth (Semilla) TODAY for an internship or activity!

\$500 will sponsor 1 youth for a 10 week educational internship on acequia farming, leadership, etc.

-OR- \$500 will sponsor 1 youth to attend a 6 day conference on leadership and social justice in Olympia, Washington (Rooted in Community - July 20-25, 2016)

\$100 will sponsor 2 youth to attend our media development trainings

\$50 will sponsor 1 traditional food-processing activity for youth (making posole, chicos, etc.)

\$25 will sponsor 1 youth to attend a learning exchange at another site



All donations are TAX DEDUCTIBLE and will go directly to our youth for stipends or leadership development!
For more information or to donate now, please contact Pilar Trujillo at (505) 995-9644 or email her at pilar@lasacequias.org
THANK YOU FOR SUPPORTING OUR YOUTH, ACEQUIAS, HEALTHY LIVING, HEALTHY EATING, AND HEALTHY FARMS!

Acequias Plead for End to Litigation continued from page 3

Attorneys for the city have argued that the city should be awarded an 1835 priority date for 1200 acre feet of the city's already-adjudicated water rights. The previous mayor, Alfonso Ortiz, long ago acknowledged that the rationale for this was to circumvent the seniority of the acequia water rights which have an earlier priority date than the city's currently adjudicated date of 1881. The acequias opposed the city in their demand for an 1835 priority date. The city offered \$1 million dollars to the acequias in exchange for dropping their opposition but the acequias argued that the water rights were more important and valuable and that the funding was not adequate for the significant improvements needed.

The acequias continue to advocate for a resumption of negotiations to develop an equitable water-sharing agreement. The following is an excerpt from the speech by William Gonzales to the Las Vegas City Council on March 16, 2016:

"For years the acequia leadership has attempted to work with our community to share water. Hundreds of hours at meetings and hearings have been expended toward that effort. We have spent millions of our tax dollars on this litigation without resolution.

The acequias believe a solution includes a withdrawal of the community's claim to bring an end to the litigation. Developing a sharing agreement that meets the needs of all parties is needed. Sharing has been done before and can be done again. Let us not forget that the lawyers work for us and that this is

our community. Together, we can work for the betterment of the entire community if we are included.

The [previous Ortiz] administration had not seen it necessary to involve the acequias, despite the recommendation by the State Engineer to involve all the stakeholders.

The issues and concerns are many. We must trust and continue to seek resolution without litigation and division of our community. Help our community and families develop the agricultural capacities to grow an economic environment that will benefit everyone, while providing water for the community. Let's bring this litigation to an end. Let's do what should have been done in the first place over six decades ago; involve all stakeholders when changes in water management are necessary.

In closing, we thank you for allowing us to address you and we look forward to having meaningful and honest discussions as to how we can work together to solve our water issues. Litigation is not the answer!" 💧



William Gonzales speaking on acequia issues at Congreso de las Acequias November 2015.

Falling Back in Love with the Land

by Savannah Rodriguez

“Daddy was always in the garden, bandana across his forehead, wheelbarrow in hands sweat irrigated his cheeks almost as fast as the maiz in the Rio Lucio sun...”

Growing up in my father’s garden is one of the fondest memories from my childhood. Every morning I would go with him to our ranch just down the road from our home to go pull up the sandbags and compuertas to reroute the acequia into our garden. I would cross the barbed wired fence, careful not to get my jeans cut on them, and walk into this wonderland of corn. The cornstalks were so tall I remember looking up when I was lost in this maze, and following the sun, and the sound of my father’s voice in order to find my way out. While he was turning the soil, I sat in my own little world watching as the little stream of water came my way. I made mud pies with my tiny hands and called out to my dad when “lunch” was ready.



(left) “This acequia is located off Highway 75 in Peñasco (Rio Lucio), New Mexico. It has fed my family’s gardens for many, many years.” (right) Savannah’s grandparents, Juan and Rebecca Pacheco, in Rio Lucio, Peñasco, NM. Photo taken by Leroy Pacheco 1990.

He showed me how to plant. How a life begins. How to provide food. How to survive. How to love my land. But there is a lot I do not remember. I was very young at the time held on to more the beauty side of it instead of the technical side. I hoped to work with my dad again in the garden and relearn all he had once taught me but things changed. Alcohol consumed him in a way that tore him from everything he once held close to his heart. The gardens became naked during planting seasons and the weeds took over the ranch. He became forgetful and never paid our property taxes. He sold a big chunk of our land and does not remember where the money went. We almost lost the whole thing. Now this isn’t meant to be a sad story. Things happen in life. This is meant more to be of a story of hope. The land is now in my name and will always remain within my bloodline. I plan to one day return to my few acres and remove all that is overgrown,

plant again, eat from my own garden, teach my children our customs, and fall back in love with the land.

I believe that it is extremely important for older generations to encourage and teach their children how to live off of the land, how to appreciate it, and how to love it. It is truly a beautiful sight when our youth get involved in local agriculture whether it be with family or with local organizations. This is a tradition that should never be lost.

Savannah P. Rodriguez was raised in Peñasco NM and spent a lot of time farming with her parents and grandparents. She is a bilingual Spoken Word Artist and a Registered Nurse at Holy Cross Hospital in Taos, NM. 💧

Statewide Commissioner & Mayordomo Conference continued from page 5

from the Office of the State Auditor. Gilbert concluded by saying, “It’s a lot of work, but it is very awarding!”

We had a delicious lunch and exciting entertainment. We got to meet with old friends over lunch and clapped along to music performed by David Garcia and Jeremiah Martinez who also sang Las Mananitas to the admired and sought after attorney, Enrique Romero. We all later broke into groups to discuss and engage with one another about the challenges, triumphs, and advice that can be given amongst acequia leaders. It was an exciting time for commissioners as they learned from one another’s different approaches, techniques, and ways of man-

aging or dealing with modern problems facing our traditional ways of life. This networking, exchange, and platicas were fruitful and resulted in the development of questions that were presented to Enrique Romero an attorney with New Mexico Legal Aid.

That afternoon, Enrique approached the podium and responded to legal questions of the group in order to help guide and advise leaders how to handle various situations on their acequias and prevent lawsuits. Ultimately, the legal session helped acequieros/as better understand the powers and regulations acequias have being local governments. This year we were also proud to include youth presentations at the conference. We are ever vigilant of the fact that acequia leadership and agriculture is something that has to be nurtured and passed on to the next generation in an intentional way. Youth from Mora and Abiquiu briefly presented on the work they are doing as part of our Sembrando Semillas Network, keeping acequia traditions and values alive! The youth also conducted short interviews with



Hungry leaders in line for lunch. (l-r) Richard Valencia, President of the Cow Creek Basin Acequia Association and Ernesto Sandoval, President of Acequia Rio de la Vaca in Cow Creek.



Acequia Quilt. Painting by Alejandro Lopez.

participants about the visions for their acequias. Our youth, our future!

It was a beautiful day together and we are grateful for those who traveled and sacrificed time in their fields to be with us. In the meantime, keep calling when questions arise, or when you are in need of assistance and support.

Que Vivan Las Acequias! 💧



Enrique Romero and his son Taiyari entre milpas de maíz. Photo by Rita Topete.

Ask a Water Lawyer: Flooding

by Enrique Romero, New Mexico Legal Aid Land and Water Rights Program

Q: "Part of our acequia is on a pipeline. A valve cover broke and flooded an area that is not irrigable land. Our Mayordomo shut off the water but is the acequia liable when the water floods a home or business?"

The question of acequia liability is multifaceted and complex. As an initial mat-

ter, readers should keep in mind that like most legal issues whether an acequia is subject to liability depends on the unique facts and circumstances giving rise to the allegation of liability. With that being said, acequias and their officers, employees, and volunteers are generally immune from most tort liability. A tort, basically, is a breach of a duty owed by one person or entity to another where the legal remedy is usually in the form of collecting damages, i.e. the money claimed by a person as compensation for the loss or damage resulting from the breach of duty. Typically, a tort includes injury to person or property. There is one important exception to acequias being shielded from tort liability: a tort caused by the negligent use of a motor vehicle while acting within the scope of their duties. In addition to this exception, acequias and their officers or agents may also be responsible for a wide variety of non-tort claims that may give rise to damages, penalties, and other sanctions imposed on them for failure to comply with the law. An acequia that is being sued and is unsure whether the claim is the type of claim covered by the Tort Claims Immunity Act should seek legal counsel.

Taking the example posed in the question above, I'm assuming that there is some financial loss or damage that would form the basis of the homeowner or business owner's claim, whether the claim is against the acequia or some other party. I'm also assuming that the individual can establish that the acequia - not someone else like a neighboring landowner - owed him a duty to not negligently flood his property. Even if the individual can establish that there was damage or loss and that the damage or loss would not have occurred except for the negligence of the acequia, the acequia and its officers are immune from liability unless the individual can

further establish that the valve cover broke as a result of the acequia's negligent use of a motor vehicle. The acequia and its officers may still be sued, but it should raise the immunity defense when it responds to the lawsuit. Although the Tort Claims Immunity Act protects acequias in suits such as this, acequias being sued for a tort should still seek counsel immediately.

This result may seem harsh to the person who has just experienced injury or loss. However, property owners should understand the statutory protections granted to acequias as political subdivisions and should therefore adequately protect their property either through purchasing their own insurance or using common sense when placing property close to an acequia.

In addition, acequias cannot rely on tort immunity for a variety of other legal claims that are not torts including alleged violations of statutes acequias are subject to as political subdivisions like the Open Meetings Act and the Inspection of Public Records Act. Both statutes provide serious sanctions for non-compliance. Besides running afoul of statutory duties, including those under the acequia laws, acequias should be mindful that they may be sued for breach of contract. An acequia should consult an attorney if it has questions about how to comply with the terms of a contract - whether with the state or a private party - to avoid being sued for not fully complying with a contract's terms.

Acequias that anticipate frequent or substantial use of a motor vehicle should contact the Risk Management Division of the State's General Services Department and inquiry about obtaining liability insurance. Acequias may also want to inquire about other types of coverage generally. 💧

Legislative Summit Surfaces Water and Funding Issues

by Paula Garcia

NMAA hosted an Acequia Legislative Summit attended by 54 acequia leaders and several area legislators. The purpose of the summit was to discuss issues of importance to acequias from the 2015 and 2016 legislative sessions and to plan ahead for issues that are anticipated during the 2017 session. Acequia leaders from most of the northern counties as well as from southern NM attended. Legislators who attended included Senators Peter Wirth, Linda Lopez, and Carlos Cisneros and Representatives Jim Trujillo, Carl Trujillo, and Stephanie Garcia-Richard. Several other legislators expressed support and interest and specifically requested follow up meetings and proceedings of the Summit.

The primary policy issue discussed water leasing procedures which was the subject of a bill in the 2015 session (SB 493 - Wirth and Nuñez) which clarified the proper procedure for processing a water lease application such that due process should be followed rather than OSE granting a permit for immediate use of water before there is a hearing on a protest. Senator Wirth gave a debrief of the legislation and provided some analysis as well as a summary of the legislative process. The bill passed the Senate but was never heard in the House as it was pending some compromise between various parties involved in the bill. NMAA provided a brief policy memo to attendees with background information and policy recommendations.

In terms of funding, there was extensive discussion about the Capital Outlay issue and the need for acequia infrastructure funding. Before engaging in some strategy discussion about capital outlay, NMAA and partners provided an overview of var-

(l-r) Paula Garcia, NMAA Executive Director, Representative Carl Trujillo, and Senator Carlos R. Cisneros.



ious funding sources available to acequias in order to provide some context. Norman Vigil and Debbie Hughes were available to share information about the partnership between the NM Association of Conservation Districts (NMACD), the Interstate Stream Commission (ISC), and NMAA to provide access to acequias to funding through the USDA Resource Conservation Partnership Program (RCP). Paula Garcia explained the ISC 90-10 program and how the federal and state programs are leveraged into a package. Norman Vigil explained that there is a bottleneck in getting engineering designs completed and suggested that for some acequias, Capital Outlay is a good option for getting funding to prepare engineering designs in advance of asking for construction funding.

One recommendation from the meeting was to make a special effort to review each of the projects that was vetoed to see where improvements can be made in their overall plan to ensure that each project has a phased approach and appropriate fund-

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Reflections by Las Comadres de las Acequias

Women have had a historical role in the support and survival of acequias for generations, including their role as farmers and irrigators, serving as elected officials in some cases, providing labor and meals for other laborers, and teaching children the values of land-based culture and way of life. Las Comadres Caucus is a group of women in acequia leadership that hope to nurture, empower and bring other women in leadership together. The New Mexico Acequia Association is opening a space for women in the Noticias de las Acequias to reflect on seasonal land based traditions, organizing, and other personal endeavors or struggles they are a part of in order to develop and strengthen support systems for women leaders, particularly in acequia communities. *Acequieras unidas defenden agua, tierra, y familia!*

“Water Dousing” ~ A Family Legacy

“Estamos entre las riquezas del merced Manzano, cada día es un nuevo retrato”

I was looking for gold, and all I found was water, laughs Lenora Lovato-Romero, who at the age of 43 was perhaps one of the last female admiradoras (water dousers) left in Tarrant County. What started out as a favorite pastime at the age of 10 has turned into a small business for Lenora, and today she has more business than she can handle. Although she doesn't do water dousing for a living, her studies at the University of New Mexico, and her husband and four children have taken up most of her time. “However,” says Lenora with a wide smile, “I always have time to visit my old neighbors and have a cup of coffee with them, as well as stop in at the post office and have a chat on, what else but, water dousing.

Growing up on a ranch in Manzano, in a large family of 10 brothers and sisters, there was not much to do and money was scarce. “We always had clean clothes and plenty of good, healthy food, which we grew ourselves,” Lenora said. “Fun and entertainment at the ranch consisted of weed-pulling contests, making up games as you went along, lots of music and singing and story-telling. “Many nights the family would gather around my father, the counselor/historian/story-

teller, and listen to stories about hidden treasures somewhere in the area. He would give each of us a stick and say, “Levantense mañana, y aver acuales de ustedes pueden hallar agua.” For me, it was a fascinating game which I enjoyed immensely, because I really thought I was going to find a treasure, like gold. Little did I realize that searching for water was a big concern for my father, and even though he turned it into a game, I now see how special water is to our livelihood.

“The first time I actually found water on the ranch, I remember asking my father, Are you sure it's not gold? And my father would answer, Yes Lenora, it is gold, and I would get so frustrated because I was looking for gold, the yellow gold, the treasure type gold. However, as the stories circulated about me finding water, I began to get really excited and wanted to spend all my time looking for water.” One of the most famous dousers in Tarrant County once told Lenora that, “Water dousing is a gift and skill only God can give you, just like the water. It is important to use it wisely and sparingly.” He used the same cedar stick every time he went dousing, and carried a Bible with a skeleton key tied to it. Lenora said she

took his advice to heart and looked to him for direction. Lenora is quick to point out that she only does this work in the spring, which is the best time because the melted snow makes the ground softer. Sometimes she will douse in the fall, but never in the winter. “The winter,” Lenora laughs gently, “is a time for peaceful reflection, and for prayer, for restoration of the energy used throughout the year.”

Today, Lenora announces with pride, “We have been water warriors our whole lives! Daddy would have us write letters to attorneys at the Office of the State Engineer declaring our water rights. I strongly believe we are gifted to have all this water and we need to fight for it. It is our time to work back on the land and teach children the importance of the land. God put us here to do this work and we are the generation to either pass it on or let it slip away. What our elders, parents, and community have taught us has stuck in our minds and hearts and we will continue to look and defend our water. Pues como dice mi mama, ‘El poder es la fe.’”

Re-printed from La Herencia del Norte with additions by the NM Acequia Association.

Legislative Summit Surfaces Water and Funding Issues *continued from page 8*

ing for each phase. NMAA committed to doing thorough ICIPs for those acequias and to communicate with legislators about whether those same projects can be funded with other sources (as part of an overall package) and with a recommendation for whether Capital Outlay can be a helpful part of that package. The hope was that those projects could be re-submitted for Capital Outlay in the next legislative session and could possibly earn the support of the Governor if they are well-planned and funded for completion of a phase (i.e. engineering design or completed construction of a functional phase.) Representative Carl Trujillo offered suggestions for improving availability and accessibility of funds for Acequia projects from the Water Trust Board. Participants at the summit emphasized the value of agriculture and acequias to the state in terms of our capacity for local food production and the livelihoods supported by agriculture.

Another major area of discussion was the status of the Irrigation Works Construction Fund (IWCF). NMAA shared a brief policy memo on the IWCF, including fund balance projections that show the principle of the fund will be depleted by FY2018. The fund is being used to cover the cost of the OSE/ISC, including the \$1.9 million recurring appropriation that funds the Acequia 90-10 program. Only \$7 million of recurring revenue comes into the IWCF, and the OSE/ISC budget (including acequia program) is about \$14 million. By FY18, the State Legislature will need to find \$7 million in General Fund money to keep the OSE/ISC budget whole. NMAA strongly recommends adding \$3.5 million General Fund this year and an additional

\$3.5 million next year to fix the gap and protect the solvency of the fund.

Several other issues surfaced at the summit including a review of past legislation to modify the make-up of various boards and commissions including the Water Trust Board, the Interstate Stream Commission, and others. There was also substantial discussion about the issue of mega-water transfers including the St. Augustin Plains and De Baca county applications to move tens of thousands of water rights from one region of the state to another (usually urban) area. The group felt that implications for this type of movement of water are not adequately addressed in the current New Mexico water policy. Some participants mentioned the current regional water planning process and questioned whether the process could adequately address acequias and agriculture because of questions about the methodology used for the common technical platform and the difficulty of sustaining participation from rural farmers and ranchers volunteering their time. NMAA will disseminate proceedings from the summit by the end of July and will make the document available on our website. 💧



Legislative Summit participants enjoy a light-hearted moment.

Climate Change in New Mexico



(l) Effects of 9/15/13 storm on 16,000+ yards of fill located above the Acequia Potrero. (r) Dr. Jason Funk of UCS.

by Paula Garcia and NMAA Staff

On April 27, 2016, Jason Funk, Senior Climate Scientist from the Union of Concerned Scientists, met with acequias in Nambe, NM to discuss the impacts of climate change in New Mexico. The Union of Concerned Scientists is an organization founded by scientists to ensure that science and reason are included in policymaking. In his presentation, Funk covered the highlights of a recent report by the UCS which summarizes scientific data and makes recommendations to respond to a changing climate.

Funk noted that the Southwestern United States is a region experiencing significant changes in climate with New Mexico being the sixth “most affected” state in the country. He added that in recent decades, after thousands of years or relative stability, the average temperature of the planet has been increasing by 0.5 degree per decade. This increase is more extreme in certain areas, with the Southwest affected by intense periods of drought and extreme weather events.

Local acequia officials shared their observations about changing weather patterns. Michael Lamb, Commissioner from Acequia del Potrero, mentioned the challenge of flooding on acequias. “Agencies need to be more flexible so that when we make repairs, we are also able to make improvements to better prepare us for future floods.” Another obvious problem is the drought and water scarcity. Harold Trujillo, President of NMAA, shared his concerns about the uncertainty of water availability and its impact on farming and ranching. “It is difficult to plan for a harvest when you don’t know if you can irrigate. It is getting more difficult to allocate scarce water supplies.” The UCS report also mentions declining reservoir levels, higher wildfire risk, and disease such as the bark beetle outbreak.

What does this mean for acequias?

To be more resilient to a changing climate, NMAA has encouraged acequias to engage dialogue at the local level to come to an understanding about how to share water in times of shortage. In some cases, this involves reaffirming an ancient custom, renewing a commitment to equitably share water, and/or developing new customs and practices to address water scarcity. Additionally, acequias should have an emergency response plan for wildfire or flooding events in coordination with their local county emergency managers.

The UCS report contained useful recommendations for communities affected by

climate change and also for policies that are responsive to climate change. The report included recommendations about being prepared for wildfire including measures landowners can take using EQIP funds to conduct thinning. Local Soil and Water Conservation Districts are a good resource. The report also suggests that large scale thinning through collaboration is needed.

What should policymakers consider?

Policymakers and communities can learn lessons from innovators such as Elephant Butte Irrigation District which had developed a system to monitor precipitation and time their irrigation schedule to make best use of flood waters. Other examples of innovation include collaborative efforts to thin forests on a landscape scale which requires cooperation between multiple agencies and stakeholders, such as the work being done by the Rio Grande Water Fund.

Also, communities need a forum to learn and analyze water management needs at the local and regional level. Regional water planning can provide a good forum with adequate resources. The UCS report makes several recommendations for systemically addressing the human-induced causes of climate change including investment in renewable energy and energy conservation and implementation of the federal clean power plan.

The UCS report is available at www.ucsusa.com. The NMAA wishes to thank the UCS for the time and consideration given to develop a report with a special emphasis on New Mexico. 💧

Federal Legislation Targets Wildfire Risk

The Dog Head Fire in New Mexico reminds us of the vulnerability of communities to catastrophic wildfire. As temperatures hovered around 100 degrees, fire crews battled the Dog Head Fire as local families and businesses were evacuated. The fire-fighting effort was well coordinated with agencies deploying resources with skill and dedication. Everyone impacted by wildfire is mindful of the need to make changes to how our forests are managed.

Wildfire and forest health was the topic of a recent hearing before the Senate Energy and Natural Resources Committee on June 23, 2016. A bipartisan group of Senators has drafted the Wildfire Budgeting, Response, and Management Act of 2016 to address the issue of “forest borrowing” or “fire transfer” which uses agency dollars for fighting wildfires by transferring the funds away from other priorities such as restoration. Wildfire now consumes 50% of the agency budget and is projected to use 2/3 of the agency budget by 2020.

The new legislation proposes to accelerate hazardous fuel reduction (thinning) by streamlining project approvals, builds on the Healthy Forest Restoration Act by expediting environmental reviews of thinning projects, and authorizes \$500 million to at risk communities to invest in proven strategies to reduce wildfire risk. The legislation would also place limitations on fire borrowing.

A draft of the legislation is available at www.energy.senate.gov



Acequia Potrero culvert after severe flooding in 2013.

Forest Service Planning Process



Forests in New Mexico managed by the US Forest Service are under-going Forest Plan revisions. The National Forest Management Act (NFMA) of 1976 requires that Forest Plans be periodically revised—usually every 15 years. A Forest Plan is an important document that provides a general framework to guide managing a forest’s resources, goods, and services. Forest Plans are consistent with and do not override law, regulation, or established policy.

Forest Plan revisions in New Mexico are overdue and a lot has changed in the forests and surrounding areas. Scientific understanding and technology have changed, social and cultural influences and demands have changed, and stressors and threats to sustainability have increased. The Forest Plan revisions in New Mexico are strategic in nature and provide management direction that is broad in scope and covers large geographic areas. Revised plans will set the framework for the fire treatment and ecological restoration work being conducted across the southwestern region. In addition, the guidance in the Forest Service’s 2012 Planning Rule directs forest plans to be science-based and developed with extensive public involvement and collaboration throughout the revision process.

The Forest Service values our partnerships with Acequias in New Mexico and wants acequia communities to be involved. Forests are currently at different stages of plan revision and now is an important time to participate in the collaborative process and ensure the new forest plans meet the needs of New Mexicans and everyone who uses public lands.

Forest specific plan revision information can be found on each forest’s website. For assistance connecting with specific forests, please contact the US Forest Service New Mexico Liaison, Ericka Luna, at elluna@fs.fed.us or 505-506-6951. ♠

2016 Southwestern Region Northern New Mexico Forest Plan Revision Timelines

	Cibola National Forest	Carson National Forest	Santa Fe National Forest
JUL-SEP (Summer)	Release preliminary draft plan to the public mid-July. Collaborative workshops with the public are planned for mid-July through August (45-day public comment period.) In September, Cibola and Landscape Teams review public comments on draft forest plan, and alternatives and make adjustments.	Complete Wilderness evaluation and engage the Cooperating Agencies in the completion of the final evaluation. Continue developing forest plan components and preliminary draft proposed forest plan.	Continue development (with associated public involvement) on the draft proposed plan and its plan components. Continue the Wilderness Process with associated public involvement.
OCT-DEC (Fall)	Begin to prepare draft EIS and draft biological assessment in October. Release Notice of Availability in Winter 2017 for public comment on the draft plan (including draft wilderness recommendations) and alternatives and analyses, and draft biological assessment.	Provide preliminary draft proposed forest plan on website for public comment and engage Cooperating Agencies in the development of the plan and alternatives. The draft forest plan and draft EIS will be available for public comment in late spring 2017 .	Complete Wilderness Process. Develop plan alternatives and begin the EIS analysis for the draft proposed plan.

Southern New Mexico Forest Plan Revision Timelines

	Lincoln National Forest	Gila National Forest
JUL-SEP (Summer)	Deliver draft assessment to the Regional Office for review. Incorporate Regional Office feedback and prepare the document for release to the public. Begin initial development/drafting of the needs for change for the current Forest Plan, based on the assessment results.	Draft assessment report released for public review and input. Conduct internal and external engagement to discuss assessment key findings and collaborate on needs for change. Hold another round of community meetings.
OCT-DEC (Fall)	Draft assessment released for public review and input. Publish Notice of Intent to prepare an Environmental Impact Statement for the plan revision, based on the needs to change the current Forest Plan. Initiate wilderness inventory process and public meetings. Engage the public in developing recommended wilderness inventory and evaluation criteria, and begin identifying potential recommended wilderness areas based on that criteria.	Publish Notice of Intent to begin the plan revision phase based on the needs to change the current Forest Plan. Start drafting the proposed forest plan and associated plan components (e.g. desired conditions). Continue stakeholder engagement. Initiate wilderness inventory process and public meetings. Engage the public in developing recommended wilderness inventory and evaluation criteria.

Please note that these timelines are subject to change.



La Acequia de Punta de Agua

by Lenora Lovato-Romero

When we first looked in the ditch for water, it was a terrible sight
but as we clipped and cut the brush, twigs, and creepy vines we began to see the light.
I could hear and see the water flow right beneath my toes.
My feet and outfit soaked like a child playing in the mud.

As we cleaned and laughed and sang our songs silence crept over our minds.
Our ancestors hard at work were thoughts that arised as the love and respect we have for them brought us here to work.
We listened to our ancestors voices—
deep within our hearts, you can bring the water down; but you must start right at the top.

The roots that bind us to our ancestors is our land
Something that no one can take away!
For without our land and water we will surely fade and go astray.
We know that others think we are wrong, but in our hearts we will always remain very strong.
We are the generation called to stand up and fight for water as one!

We are the protectors, preservers, and cultivators of our sacred water and lands
for the next generations to come.
Sometimes people think of things to do, but we are doing what we know is true.

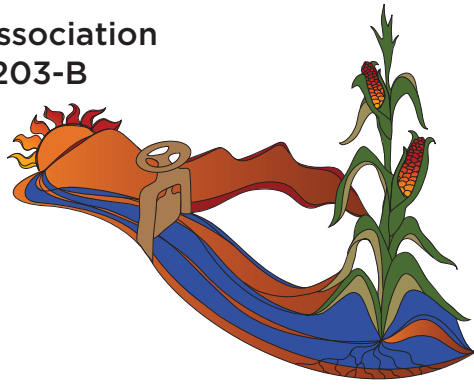
The water will do its work, with gravity the water will surely flow where it must go!
The point of water will surely flow as God already knows.



Manzano Springs. Photo taken by Olivia Romo, NMAA Staff.

Noticias de las Acequias • Summer 2016

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"Compuerta del Movimiento" Painting by Alejandro Lopez.

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17th Annual
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Sagebrush Inn, Taos

Please join us!

- ◆ Agua es Vida:
El Plan del Movimiento
de las Acequias
- ◆ Bendición de las Aguas/
Acequia Water Blessing
- ◆ Acequia Regional Resolutions
- ◆ Music • Community • Food