

Noticias de las Acequias

New Mexico *Acequia* Association • Fall 2017



Enduring Farmers: The Legacy of the Martinez Apple Orchards



4th Generation farmer Paul Martinez. Photo by Juliet Garcia-Gonzales, NMAA Staff.

Interview with Paul Martinez
by Olivia Romo, NMAA Staff

Paul Martinez is a 4th generation farmer from Canoñito, NM a couple miles east of Dixon who has now taken over the Martinez Apple Orchard in the recent passing of his father Chris Martinez. Paul is twenty-six years old and is accompanying his grandmother while managing the day to day apple operation. Paul comes from a long lineage of recognized farmers and ranchers of the Embudo Valley. Fred Martinez, Paul's grandfather, was awarded "Acequia Farmer of the Year" for the 9th Annual Congreso de las Acequias and received the "NM Family Farm Award" in 2009. Fred, his son Chris, and now Paul have spent their lives and raised their family in the orchard, and sell their delicious fruit all over the Southwest.

The Martinez Apple Orchard is an 18-acre farm and sustains 3,500 trees with multiple varieties of fruit; 100 peach trees, 50 cherry, and of course, apples. The orchard is located at the mouth of the Embudo canyon and fed by Acequia de los Martinez off the Rio Embudo. "We haven't lost a crop in 50 plus

"Until the day they put me in the ground, I am going to work the land and do whatever it takes to keep the orchard going! I was meant to be on the farm and I am incredibly proud of being part of this family and to carry on the tradition!"

—Paul Martinez

years" says Paul proudly, "because of our use of smudge pots, a wind machine, and the protection of the valley."

Paul remembers as a child, "picking hundreds of bushels of apples a day alongside his grandparents." Although he was young, he would still drive the tractor, "inching along while my family loaded the trailer up with apples." Later, they would sort the apples by grades, "all night long and sometimes into the early mornings then load thousands of boxes into a trailer and hit the road to Albuquerque or Texas, to market the fruit." Many young people are intimidated by the work load of running a farm or ranching operation but Paul remembers that "my family never once complained about running the farm, they were always smiling no matter how hard they worked to maintain the trees!" One of Paul's favorite times of year is fall when his family prepared for the Dixon art tour, "we would go up to Taos and use the Taos Economic Development Center's commercial kitchen to make over 80 apple pies and hundreds of gallons of cider. Nothing is more rewarding than seeing people's eyes light up as they sink their teeth into the apples I put my whole heart and devotion into, sharing the fruit of my labor is the ultimate reward!"

When I asked Paul what was the most special thing about growing up in Dixon or working in the orchard he replied with conviction, "there is NO place like Northern New Mexico and this lifestyle is disappearing along with the farmland and water that is being sold off



Paul preparing for market, always with a smile. Photo by Juliet Garcia-Gonzales, NMAA Staff.

for development! As farmers we need to continue to protect our resources, participate and enjoy this way of life. I still have lots of learning to do to ensure that the operation continues, but I wouldn't want to do anything else!"

You can find Paul at the farmers market in Santa Fe, Taos, Los Alamos, or his family fruit stand in Embudo. Here at NMAA we want to uplift upcoming farmers like Paul as a testimony of the next generation of acequia leaders and farmers who contribute to our legacy of enduring acequias. 💧

Healthy Watersheds = Healthy Communities

by Olivia Romo, NMAA Staff

In a time when Taos is undergoing huge transitions including the administration of the Abeyta Water Rights settlement, rapid population and development growth, and a hungry tourist economy you sometimes begin to wonder where are the strong initiatives to protect agricultural land and water in the once acclaimed bread basket of the Southwest. Contrary to popular belief, there is a lot of positive movement in the valley regarding the protection of water, land, and cultural heritage of Taoseños. Like

many rural communities in New Mexico, Taos is facing changing demographics, drought, economic downturns, and a growing population with all natural resources at risk of being depleted. The time is now, for local leaders to come together in rehabilitating our communities' strengths (land, water, and culture) creating a sustainable future for our valleys.

The Rio Fernando Revitalization Project is an innovative partnership with multiple organizations that are trying to strategically address the environmental and ecological impacts of the Rio Fernando

de Taos. The revitalization group is made up of the Town of Taos, Amigos Bravos, Taos Land Trust, Taos Soil and Water Conservation District, Taos Valley Acequia Association, and the Acequias of the Rio Fernando de Taos. The ultimate goal is to revitalize the river by addressing water quality, quantity, aquifer recharge, and natural habitat. Currently, the health of this particular stream is in jeopardy as contaminants including unacceptable levels of e.coli have been detected in the water from the seepage of

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“Mayordomo”
by Donna Clair,
Southwest Contemporary Artist,
Arroyo Hondo, NM.
www.donnaclairart.com



18th Annual
**Congreso
de las Acequias**
La Sabiduría del Agua:
Stories of Enduring Acequias
Saturday,
November 4th 2017
8:00am–4:00pm
Santa Maria de la Paz Parish Hall
11 College Ave., Santa Fe, NM

*please join
NMAA!*

- ◆ Bendición del las Aguas
- ◆ Stories of Enduring Acequias
- ◆ Testimonies in Defense of Water
- ◆ Community • Food • Music



\$25 registration at the door
\$20 Early-bird registration fee before October 27, 2017

Please call (505) 995-9644 or visit www.lasacequias.org to register today!

The Congreso de las Acequias is a dynamic and vibrant gathering that celebrates the acequias as part of our way of life and our livelihood. Our theme this year is “La Sabiduría del Agua” or “Wisdom of the Water,” followed by “Stories of Enduring Acequias.” We celebrate the people who keep our acequias flowing and the deep connection to land, family, and community.

The NMAA convenes the Congreso, which is our statewide governing body, to learn about current issues affecting acequias, to pass resolutions that guide our policy positions and strategic direction, and to elect leadership. Each year, the Congreso contributes to our ongoing history by honoring community leaders and collectively identifying organizational priorities for the coming year. NMAA works to continue building the acequia movement by protecting our land and water resources for future generations of acequia farmers and ranchers.

Healthy Watersheds = Healthy Communities

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raw sewage, acequias have dried up from development and exhausted infrastructure, and the forest is clogged with invasive species and overgrowth slowing down the delivery of water to farms.

According to Town Councilman Fritz Hahn, “Revitalizing our acequias will lay the groundwork for future kitchen gardens (land) which will spring up

(farmer’s market/culture) & our surface water delivery system will be refurbished; urban waters will drain to the parched lands and the upper aquifer will be recharged; Ag land & its tax status will be protected. Long term sustainability enhanced”. When Fritz was asked about the Town of Taos vision for the collaboration he replied proudly, “The water will bring us back together and offer gifts to our future generations in the face of climate change and adjudications, the sustainability of our aquifer, buffalo pasture, tree canopy, park lands and, more importantly, education to

newcomers about the importance of the acequia system. We hope our grandchildren will appreciate the hard work we’ve done to retain our trees, water, acequias, and agricultural lands that we hope will not be too adversely affected”.

In a political climate where legislative funding for acequias in the state of New Mexico is scarce and scrutinized, is more important now than ever for acequias to enter collaborations with county governments, local soil and water conservations

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La Cosecha de los Sembradores



Nicanor Ortega proudly shows off his pea harvest. Photo by Joanna Ortega.

by Nicanor Ortega, NMAA Farmer Apprentice

This 2017 Los Sembradores farm apprenticeship has been a blessed and challenging experience. I have learned so much about farming and what I want to do with the knowledge I now carry with me. It has been such a blessing to be at Chicoyole Farm. What I like about Chicoyole farm is La Familia Gonzales y Garcia, y los vecinos de Chamisal cuando nos juntamos we enjoy our day and every unique insight we all have to offer. The laughter we share has been my most favorite blessing and it has also been therapeutic for me. On any day you can count on someone to visit, help, or share their professional advice on how to keep the 48x106 ft high tunnel hoop house we built from the ground up. None-the-less el carino/affection y respeto/respect de La Familia Gonzales/Garcia y Los Vecinos has been the very equation to overcome the challenges of learning and building a farm. I couldn't have asked for better mentors y consejos to help me grow into the acequero y sembrador that I desire to be.

This apprenticeship has been challenging, and I have gained a solid platform for how to sustainably farm and work in community. We have covered so much material and had the opportunity to really get our hands and boots dirty. These different areas of practice will definitely help my farm prosper. The list of activities this year is long and broad. Look at all this apprenticeship has to offer a beginner farmer: We learned different acequia systems and yes, we even cleaned La Acequia del Monte en Chamisal "VUELTA!!" We put together and understood drip system irrigation systems. We rototilled the ground and prepared it with new and old tools such as el cabador, finger hoe, and hula hoe. We were able to do some early season planting where all our cucumbers, tomatoes, and melons were started. General planting techniques, pest control, and weeding was a lot of our daily work. It was most rewarding to be able to harvest and prepare for wholesale markets. As I mentioned before, we built a 48x106 ft high tunnel / hoop-house. This took a lot of hard work, sweat, and pounding of at least 20, 5ft posts into the ground. Not to mention the beneficial skills we gained with a variety of hand and power tools. Self tapping screws into metal is no joke. We learned so much in this challenging and rewarding experience. It's exciting and inspiring to think of the NMAA apprenticeship and Chicoyole farm in the years to come.

As I mentioned in our first newsletter bio, as a Sembrador I want to farm my acequia land full time and to contribute by supporting the children of our community. With all the life skills and mentorship I gained this year, I am ready for my next step. I have a better outlook on how I can accomplish my goals. This year in Arroyo Hondo con la Acequia Atalaya I was able to cultivate my property. I was blessed and able to make a few thousand dollars with the arbejon/sweat peas I produced. With all the support and knowledge passed down through NMAA farmer training apprenticeship I look forward for the years to come farming my land and developing an option para nuestra juventud, our children.

Thank you all for the support and interest in nuestra agua, gente, y tradiciones.

Que viva las acequias y que viva el amor sobre nosotros. Que Dios te bendiga! 💧

Los Sembradores Farmer Training Opportunity!



Los Sembradores working rows in Ortega Orchard in Arroyo Hondo. Photo by Donne Gonzales, NMAA Farmer Training Coordinator.

Are you interested in learning how to be an organic acequia farmer in northern New Mexico?

Do you want to learn how to increase your production to sell commercially?

Are you looking for ways to put your agricultural land and water rights to use?

Are you interested in learning best practices and techniques from other local farmers?

NMAA is pleased to announce that we will be starting the second year of our Farmer-to-Farmer training program, Los Sembradores, based in northern NM in 2018! The program uses a hands-on approach and an 18-point curriculum created by our partners American Friends Service Committee, based on the successful farm model pioneered by Don Bustos.

Training includes: farm planning, business planning, season extension, fertility and soil health, maintenance of equipment and usage, planting and harvesting techniques, organic pest management, marketing, value added processing, community meals and an emphasis on network development/aggregation of food.

Applications are due January 3, 2018.

2018 Program dates:

Mid February - Mid December 2018

Participation is limited to three trainees and trainees must commit to 3 days a week for the full term of the training!

If you are interested in applying for this program, please contact Serafina Lombardi at Serafina@lasacequias.org or (505) 995-9644.



Los Sembradores Farmer Trainees working in the high tunnel. Photo by Donne Gonzales, NMAA Farmer Training Coordinator.

Acequias Major Topic for Legislative Committee

by Paula Garcia, Executive Director of NMAA

During a recent meeting of the Water and Natural Resources Legislative Interim Committee, the NMAA gave a presentation on Acequia Infrastructure Funding and Water Rights Issues along with Ralph Vigil of the New Mexico Acequia Commission. Paula Garcia, NMAA Executive Director, gave an overview of acequias and agricultural statistics demonstrating the economic value of acequia agriculture to the rural economy of New Mexico. Her presentation also included an overview of acequia infrastructure funding and some broad policy recommendations. In his presentation, Vigil mentioned that the Commission is working to build its capacity to serve its advisory role to the Legislature.

“Acequia agriculture makes a valuable contribution to their respective rural economies. Therefore, investment in acequia infrastructure is good for New Mexico’s economy,” said Garcia. She went on to provide county by county data on the market value of livestock and crops in acequia-rich counties. Agriculture as a whole contributes \$2.5 million to the state’s economy with acequias contributing about \$200 million of that total. For example, Rio Arriba County produced about \$19 million per year in market value and Mora County had about \$12 million per year. For those counties with acequia agriculture, the contribution of \$8 million to \$70 million per county is a significant driver in local and regional rural economies.

Committee members were interested in learning how acequia projects are funded. At the request of the Chairman, Senator Joseph Cervantes, NMAA prepared a detailed presentation about the funding sources available for acequia infrastructure. Other partners present to provide support during the presentation included Debbie Hughes from the NM Association of Conservation Districts, Xavier Montoya from the Natural Resource Conservation Service, and Kim Abeyta from the Interstate Stream Commission.

Paula Garcia, NMAA Executive Director, explained the ISC 90-10 Program, which is funded by the Irrigation Works Construction Fund (IWCF). The IWCF receives about \$7 million in recurring revenue from the permanent fund each year. It was created in statute for the purpose of funding the design and construction of irrigation projects. Since around 2008, the expenditures out of the fund have exceeded revenue mainly because the fund was tapped to fund the operations of the Office of the State Engineer and the Interstate Stream Commission. The result is that the fund is projected to be depleted in FY18 or FY19.

“We’ve anticipated the depletion of the Irrigation Works Construction Fund for years. Now that we are there, the Legislature will be faced with the decision of how to fund the OSE and ISC as well as how to maintain the existing level of funding for the ISC Acequia Program,” Garcia said as she pointed out that the upcoming legislation session may involve difficult budget decisions. She expressed her hope a solution could be found that would fund the OSE/ISC while also retaining the ISC acequia funding for the 90-10 Program. The solution may involve use of the General Fund to cover agency operations rather than the IWCF. Representative Paul Bandy presented more detailed information about the history and statutory context of the fund and explained that he has been raising concern about this in past years.

Legislators asked several questions about ongoing acequia issues. Senator Carlos Cisneros expressed that there may be a need to improve notice procedures. In her presentation, Garcia noted that the Governor had vetoed SB 86 (Cisneros) to require that applications for water appropriations or water transfers be posted online. Garcia went on to explain that the existing online notice provided by the OSE is informal and a lack of posting by the agency does not have a legal remedy. She explained that entities that rely on notice to protect their water rights are in favor of improved notice procedures while applicants tend to prefer the status quo.

Senator Pat Woods mentioned that he had received complaints about the time taken to approve acequia engineering designs. Debbie Hughes, Executive Director of the NM Association of Conservation Districts (NMACD), explained that several acequias have experienced delays and increased costs due to archeological clearances required by the State Historic Preservation Division (SHPO). Hughes explained that her organization created a partnership to bring federal Farm Bill dollars to New Mexico for acequia projects. Partners include local SWCDs, the ISC, and the NMAA whose program has resulted in over \$3 million for acequia projects. Hughes stated, “We have worked hard to make federal funding available for acequia projects but we are experiencing delays because of the SHPO reviews.” She went on to say that this is a relatively recent issue with archeological clearances in the past being more expedient.

Other questions or comments concerned adjudication and other related issues. Some legislators, including Representative Randall

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Marching to the Roundhouse for Acequia Day at the Legislature, February, 2017.

Judge Rules on Budget Reporting Bill

by Paula Garcia, NMAA Executive Director

The New Mexico State Legislature passed SB 222, sponsored by Senator Liz Stefanics, with strong bipartisan support in both the House and Senate. The proposed legislation refers to a section of the statute that requires political subdivisions to report their budgets to the Department of Finance and Administration (DFA), the state agency that provides oversight over local governments.

The purpose of the bill was to amend statute and change the definition of “local public body” such that governmental entities with less than \$50,000 would be exempt from budget reporting requirements. The current threshold is \$10,000, which means that any local government over \$10,000 is required to provide budget reports to DFA. According to bill analysts during the session, the

threshold to define “local public body” for purposes of budget reporting had not been updated since the 1950s.

Although the bill was passed with broad support, Governor Martinez vetoed the bill. Since it was one of several bills she vetoed without a message, she was sued by the State Legislature. In a recent decision, Judge Sarah Singleton ruled that the vetoes were invalid and that the bills should become law. It is uncertain whether the Governor will appeal the judge’s decision.

In the meantime, acequias should continue to follow the current statutory requirement of reporting if your revenues are more than \$10,000 during your fiscal year. NMAA will keep acequias statewide updated on the status of the litigation whether the bill becomes law at some point. If you have any questions, call our office at 505-995-9644. 💧

Healthy Watersheds = Healthy Communities

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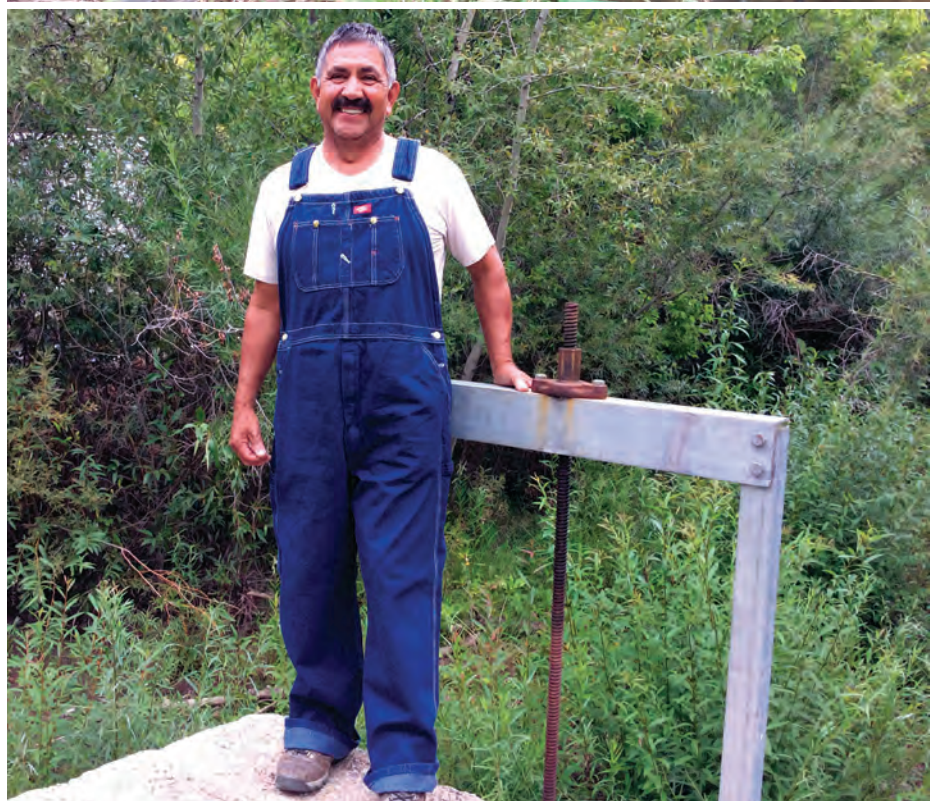
districts, and other non-profits whose focus is land and water to mobilize resources and staff to bring acequias and agricultural land back to their natural order.

When speaking with Kristina Ortez de Jones, Executive Director of Taos Land Trust, she also expressed the importance of the collaboration stemming from a drive to “protect our water and cultural resources in Taos for the continuation of healthy habitats not just for farmers but birds, elk and the aquifer.” The Taos Land Trust is focused on conserving and restoring wetlands that are hydrologically connected to the Rio Fernando de Taos. Additionally, the newly purchased property that the organization now sits on is 6 acres of irrigable land that haven’t been irrigated due to the fact that the Vigil y Romo acequia has gone dry because of eroding infrastructure and obstructions preventing water flow. A part of the initiative is to resurrect this acequia which will feed farms that were historically served by this ditch and irrigate the property of the Taos Land Trust who will engage in demonstration and educational workshops around irrigation, farming, and conservation techniques. Taos Land Trust would like to see trails and the historic Fred Baca Park flourish with the help of the Rio Fernando pushing clean water into the wet lands that have existed for centuries nurturing an ecology for wildlife, farmers, and visitors of Taos.

A special contribution to the group has been the involvement of Amigos Bravos who has been monitoring the quality of the water on the Rio Fernando. After discoveries of e-coli in the water, acequia farmers are concerned about their crops, livestock, and soil nutrients. Critical partners like this are mobilizing the group to look at funding watershed cleanup in the hope of remedying the situation, cleaning the water from contaminants. With help from the Taos Soil and Water Conservation District the Vigil y Romo ditch and the acequias off the Rio Fernando are going to design and prioritize infrastructure projects to help increase flow and prevent seepage especially during those tough summer months.

Last, but not least one of the most critical partners has been the Taos Valley Acequia Association and the Acequias of the Rio Fernando de Taos who represent the farmers and water users. Judy Torrez, Executive Director of the TVAA said “the voice of the acequias is important for environmentalists to hear so they can learn about the traditional practices of farming and water rights. Acequia irrigation practices recharge the aquifer, provide agriculture, and more importantly are the people who are actively putting the water to beneficial use which if not utilized can be lost from our valley completely.” When on a tour of the Acequia Madre del Sur de Cañon, Vicente Martinez, Mayordomo of the association, showed partners problem areas including access, where the forest needs to be thinned, acequias widened, the dam and other infrastructure replaced. “You can see where the dam is filled with sediment and the compuerta is aging so once the infrastructure is replaced we can deliver water to acequias further downstream like the Vigil y Romo.” If the river is cleaned and the forest thinned more water will be brought down to the acequias and the river itself creating a healthy habitat for all those depending on the Rio. Vicente reflected on the importance of the collaborative, “The great thing about it is that you see all these groups coming together, as one, this is not about individual gain but the health of the stream and community, the watershed and a whole. If we don’t have a clean water shed the acequias will cease to exist. This is the first time in my lifetime to see the city becoming aware and taking responsibility for acequias in their jurisdiction, this is a giant step for our people!”

Although these types of partnerships and funding opportunities take years to cultivate it is a strong model for water projects that can build local leadership capacity, utilize funding resources and engage in strategic restoration projects that can transform rural communities in New Mexico. The NMAA is excited to see the positive strike of many shovels hitting the earth in Taos for the betterment of the community and future generation of acequeros, farmers and advocates. 💧



Top to bottom: Rio Fernando Revitalization Group (Left to Right: TVAA Board Members John Gonzales and Gabriel Olguin, Judy Torrez, Executive Director of TVAA, and Town of Taos Councilman Fritz Hahn) visiting the atarque of the Rio Fernando Acequias. Rio Fernando de Taos. Vicente Fernandez, Mayordomo of Acequia Madre de Cañon de Sur. All photos by Olivia Romo, NMAA Staff.

Recipe for a Good Acequia Meeting

– even if you would rather be baking brownies

by Serafina Lombardi, NMAA Staff

The acequia meeting is a time to visit with friends, a stage to quarrel with neighbors. Will anyone show? Will everyone show?! Whether you look forward to meetings, or can't wait for them to be over, we can agree on one thing: Acequia meetings are a cornerstone of our democratic institutions and important decisions are made there. So let's get it right.

Whether you're an expert at Roberts Rules or a novice to community meetings, there are some steps you can take to achieve your goals of holding transparent, productive meetings that comply with state statute; and why does state statute matter? Because acequias are political subdivisions of the state—local governments (I know you knew that already, but it is my job to repeat this whenever I can).

RECIPE FOR A GOOD MEETING

Preparation Before Cooking

Like calibrating your oven to ensure things cook evenly and at the right temperature, adopt the Open Meetings Act Resolution. This will support the acequia in being prepared with the right ingredients. See our webpage or contact the office for the template and guidance.

1 Good Agenda

Like a good sourdough this takes some preparation. The Commission should create an agenda including any topics that need to be voted on, this is your guide to what you want to accomplish, get input on controversial issues, approve changes to bylaws, get buy-in for a new infrastructure project etc. Any items added at the meeting (by a vote of members eligible to vote) can be discussed but NOT voted on.

10 Days Public Notice

Letting the dough rise. The agenda must be posted (in accordance with bylaws and the Open Meetings Act). This means, at a minimum, posting in a public place – often at the local post office 10 days in advance of the meeting. The commission may opt, or your bylaws may direct you to snail mail email or call participants to give them notice (if the acequia has a website you MUST also post there). You can always go above and beyond what the bylaws call for, like adding shredded coconut or rosemary when it's not called for (yum).



San Mateo Acequia Association Meeting. Photo by Serafina Lombardi.

1 heaping cup of Quorum

This means a majority of participants according to your bylaws – this could mean only counting those members current with their dues (this can be like sorting beans – you don't have to count the non-conforming ones). Also, only 1 person is counted per household (or co-tenancy). Quorum could be tallied using proportional votes based on acreage, or one vote per participant – again, see your bylaws and/or call NMAA if you have questions. OJO: the public – anyone can attend the meeting and have comments – but do not count towards quorum, only members can vote. If you cannot obtain a quorum you can still discuss the agenda without voting on items. You could also repost the meeting and do more outreach, or you may need to revise your bylaws to determine an attainable quorum. You may find this to be a very special ingredient that acts differently according to altitude/attitude.



Chile Caribe in the Making. Photo by Quita Ortiz.

1 Generous Tablespoon Decorum

Let's all be on our best behavior and listen to each other – at the end of the day this is what most of us want, to be heard. The acequia has the right to conduct business and no one should obstruct or disrupt that. Many people are not accustomed to formal meetings and need to be open to learning and kindly being coached on the norms and practices of the acequia. All participants can model this. This is the sugar that makes the medicine go down.



TVAA Annual Meeting. Photo by Taos News.

Options for making it exceptional

- Consider sprinkling some celebration in your meeting, food, music, social time . . .
- Do you have special traditions that could be revived? Could a meeting be paired with a celebration of el Primer Agua or something else that engages youth and families?
- Can you make time to ask bigger picture questions?
- Is there a guest speaker who would add useful information or inspiration to the meeting?
- Can you invite local youth to share about their relationship with the acequia?
- Any room for forgiveness? Any grudges we can let go of? Hugs that can be shared rather than withheld?



Troja in the family trastero. Photo by Deborah Rivera.

Regardless of how past meetings have gone—or what you envision for future meetings of the acequia—NMAA is here to offer technical support and advice to achieving meetings that bring life to the community and support the acequia in moving forward—because before and after the meeting there is a whole lotta work to do—in our fields, families and along the bordos.

Good luck and God bless! We hope it turns out delicious. 💧

Protecting Farmland & Water Rights: Tools for Land Restoration

by Olivia Romo, NMAA Staff

On August 18th 2017 over one hundred acequia farmers and ranchers joined the NM Acequia Association in a dynamic workshop that energized participants to continue exercising their water rights and take concrete steps in restoring fallow lands to productive fields. Up until two generations ago, many of our families made most of their livelihood from their ranchitos, or



Out in the fields of Los Luceros Historic Ranch. Photo by Enrique Romero, NMAA Staff Attorney.

small scale farms. However, with the advent of a global food system that favors agribusiness (and a host of other factors), our families adapted with a combination of wage work and part-time or subsistence

farming and ranching. Today, our acequia communities face commodification of water and land, gentrification, and the challenges of keeping land-based livelihoods economically viable for low-income families. This workshop was led by experts and community leaders from Northern New Mexico to demonstrate and share best practices, resources, and testimonies of land restoration to empower landowners to come back to the land and reap the benefits of engaging in agriculture. The workshop was held at the Historic Los Luceros Ranch in Alcalde, NM where abundant apple trees grow, the Acequia Madre de Alcalde runs full and functional, healthy pasture and livestock thrive.

The morning began with music by David Garcia and Jeremiah Martinez as newly hatched peacocks roamed the ranch and greeted participants. Opening remarks were given Paula Garcia, Executive Director of NMAA who acknowledged the hard work and dedication of acequia farmers who continue to exercise their water rights, cultivate land, and preserve our cultural heritage.

Enrique Romero, NMAA's new Staff Attorney, gave an insightful legal presentation on how to protect your water rights from non-use and some of the tax benefits of having and maintaining agricultural land. **"The legal benefits of active irrigation include the prevention of the loss of water rights under state law, due to forfeiture or abandonment."** Enrique then reviewed concepts of abandonment and forfeiture and emphasized that abandonment requires proof of intent to give up water rights. Although showing intent is difficult, it is not impossible. Also, the longer irrigable land is fallow, the more difficult it becomes to rebut a presumption of intent. **"Essentially, the burden shifts to the landowner after long periods of non-use to show there is no intent to give up your water rights."** Enrique briefly discussed the benefits and limitations of water banking. **"While water banking is a temporary measure to protect against claims of non-use, the best way to legally protect water rights is to irrigate every few years at least."**



Enrique Romero discussing the legal protections of water rights. Photo by Serafina Lombardi, NMAA Staff.

Enrique then discussed the property tax benefits of having irrigable land valued as agricultural rather than residential or some other classification. County assessors value agricultural land at a lower rate than residential land and will therefore impose lower taxes. There are statutory and regulatory limitations on what counts as ag land, which Enrique briefly discussed. While county assessors have the duty to accurately assess and re-

assess property values to ensure the agricultural valuation is allowed for those engaged in bonafide agriculture, assessors should not be overly strict in interpreting the statute or regs. **"The agricultural valuation statute clearly says that a land should be valued as ag based on its capacity to produce agricultural products. You shouldn't have to be a successful farmer or a commercial farmer to qualify for the ag valuation."**

Afterward, we had a beautiful testimony by Patricia Quintana, farmer/rancher and vice president of the Taos Valley Acequia Association presented on the challenges and spirit it takes to restore fallow land. As a single woman, Patricia has taken on a 20 acre restoration project with the struggle of finding little to no skilled labor, evicting prairie dogs, and moving water on land that had not been quenched in decades. **"The earth is a grandmother, and when we work the land she sighs in relief, giving thanks!"** Patricia reminded us to recognize the divine feminine when we are working mother earth and sister water. Only with respect, love, and dedication to all our women can we be good stewards of la madre tierra! After a full morning, the group broke out into outside demonstrational workshops.



Patricia presents on the struggles of land restoration. Photo by Paula Garcia, NMAA Executive Director.



Paul Romero educates farmers on best techniques in preparing the field. Photo by Seth Roffman, Green Fire Times.

Paul Romero, local Alcalde farmer led a group on preparing the field, where he discussed techniques in removal of invasive species, nurturing the soil, and disking. **"If chile, green beans, and corn were as strong as bind weed we would be marketing our produce rapidly and have strong healthy fields. Generally, you need to begin by burning weeds or using a rotor tiller. To keep your place weed free and you will have a great garden, harvest, and a good time! After removal of any noxious weeds you can plant a cover crop that suits your goal providing nutrients to your soil. When you're ready plow it back into the soil and plant the three sisters! If your land can produce strong alfalfa or grass, this is a testimony that you can grow anything and don't forget to analyze your soil!"**

Del Jimenez, Agricultural Specialist at the Alcalde Science Center, and Mykel Diaz, Farmer and Farming Consultant, led a Cover Crops and Elm Tree Removal group. From personal restoration experience, Mykel discussed his techniques in restoring land by first removing thicket, cactus, elm trees and other invasive species by cutting them down with a chainsaw, burning, and then using rippers to turn and contour the earth. **"Trees such as elms, cottonwoods and willows are water hungry so removing these will help you irrigate crops instead of the noxious competition. Once that is done, you level, till and lay down your cover crop (oats or buckwheat are just some examples) and continue to be diligent in removing weeds or using techniques such as flood irrigation or green manure to keep invasives out!"**



Mykel Diaz discussing his experience restoring his property with a focus on elm tree removal. Photo by Enrique Romero, NMAA Staff Attorney.

Del Jimenez reminded us that **"the real philosophy behind cover crop is laying it down after a cash crop to give nutrients, stabilize, and stop erosion of the earth. Sorghum or Buckwheat are the first cover crops to plant when restoring a field because it grows really high and strong, building bio-mass with little maintenance. Before you**

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Del Jimenez reveals his secret of eradicating invasive species and the philosophy of cover crops. Photo by Enrique Romero, NMAA Staff Attorney.

plant buckwheat you need to irrigate so that when you lay it on the ground, you will stimulate the seed to give a crop. For winter cover crops like oats, rye, and wheat they can germinate in 10 days so when you approach the fall months like October and November your livestock can graze. By the spring, you should be ready to disk it up and plant again."

The third session was led by Donald Martinez, Rio Arriba County Extension Agent who spoke about irrigation methods for pasture and crops. *"Before irrigating or having access to the*

water it is important to be in good standing with your Mayordomo. My most important technique is using a really flat shovel to move water; you want to begin from the back of your field moving the water forward. My favorite irrigation method is using bright colored 5x7 tarps to help navigate the water from the banks of your acequia. Set up your tarps first by laying down dirt on top of them so when you



Donald Martinez presenting on irrigation methods for pasture and row crops. Photo by Enrique Romero, NMAA Staff Attorney.

open the compuerta, you can easily direct the water to the portion of your field that needs irrigation. However, irrigating doesn't just have to be with the shovel and tarps you can use sprinklers, pvc pipe, drip, and contour ditches. The most important thing about irrigating is responsibly watching the water so that you are not over irrigating which can lead to root damage. You could use a 4-6 inch probe to see if the water has penetrated the land effectively." Another great technique that Donald recommended was irrigating at night to prevent evaporation. He highly encourages parciantes to send soil samples to FSA or your local Soil and Conservation district office to begin understanding the science of soil health and restoration. He also recommended a no till method for field production because tilling turns the soil too deep and you lose lots of the organic organisms.

After wonderful outdoor demonstrations, a delicious local lunch was prepared by Sofia's Kitchen. NMAA Staff also worked diligently to hold a zero waste event, assisting participants in composting food waste and recycling to reduce the impact on our sacred earth.



Antonio Medina moves farmers with prayer before lunch. Photo by Enrique Romero, NMAA Staff Attorney.

The afternoon had informational presentations by Kris Graham, USDA Natural Resource Conservation Service, David Griego, Rio Arriba's NRCS Consultant and Commissioner, Bill Page of Acequia de la Cueva who talked about the services available for acequias: cost share programs for high tunnel installation, acequia infrastructure projects, and efficient irrigation installations.

Anthony Chavez and Allen Mckrain from USDA Farm Service Agency discussed financing for farm improvements, equipment, and assistant programs. NMAA can also assist with FSA/NRCS applications. The day wrapped up with Enrique Romero answering any governance and legal questions regarding water rights.



Patricia Quintana networking with farmers. Photo by Enrique Romero, NMAA Staff Attorney.

NMAA is incredibly grateful for everyone who took a day during the busy irrigation and market season to be with us in Alcalde to learn, reinforce, and contribute to a day of celebrating and protecting water rights and agricultural land here in New Mexico. We look forward to seeing you this fall at our 18th Annual Congreso de las Acequias, November 4th in Santa Fe! 💧



Acequeros declaring their status as elected officials. Photo by Enrique Romero, NMAA Staff Attorney.

El Agua no se Vende, El Agua se Defiende!

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.

2017 Acequia Photo & Youth Art Contests!



l to r: Chicos drying under the portal. Photo by Jacinta Chavez; Ethan Vigil enjoying an apple from Casa de Vigil Farms in San Fidel, NM while sitting in front of Acequia de San Jose de la Cienega. Photo by Marty Vigil; Bailing hay at sunset. Photo by Daniel Sonis.

Acequia Photo Contest

Enter your photograph and you could win cash prizes!
1st Place \$150.00 | 2nd Place \$100.00 | 3rd Place \$50.00
 Your photo could be featured in NMAA Publications
 Winners will be recognized at the 2017 Congreso de las Acequias

PHOTO CATEGORIES:

Acequias or Landscape

Photos in this category include photos of your limpia, unique infrastructure, first opening of the acequia in spring, picturesque winter photos, etc. 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.

This category also includes, 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.

Digitally Altered Imagery

This is an opportunity to showcase your artistic ability in manipulating imagery through apps and programs like photoshop. This category allows you to create creative shots, colors, and style of your favorite photos or drawings related to your acequias, culture, and the other categories.

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.

PHOTOS MUST BE SUBMITTED BY OCTOBER 13, 2017

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.

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.

Youth Acequia Art Contest

For ages 4 - 18 years

“What does acequia culture mean to you?”

“Why are acequias important to your family, culture, or community?”
 Get Creative! Submit photos, poems, videos, paintings, sketches, mixed media, models, and MORE!

You could win the following prizes:

1st Place \$75.00 | 2nd Place \$50.00 | 3rd Place \$25.00

All winners receive an NMAA T-Shirt

Winners will be recognized at the 2017 Congreso de las Acequias

ART CATEGORIES:

Acequias & Irrigation

This category will give artists an opportunity to depict the beauty, ingenuity and operation of acequia and irrigation techniques in your family or community. Use this category to display the beautiful water flowing through a headgate or field.

Cultural Traditions

This category can allow artists to highlight the planting of seeds, the harvest, spiritual or community gatherings around food and agriculture. Seasonal activities that celebrate food, water, and land.

Food Preservation

Get inspired by your taste buds and food staples. Use art to highlight special crops, food and preservation techniques used in your community! Matanzas, canning, making chicos, ristras or grinding atole! The options are endless!

Animals, Gardens, & Family

Honor your garden, livestock, and family working hard in their field. Use this category to depict beautiful landscapes or people working the land.

ART MUST BE SUBMITTED BY OCTOBER 13, 2017

Submissions must be submitted either by mail, electronically, in high resolution jpeg format or hand delivered to NM Acequia Association, 805 Early Street Bldg. B, Suite 203 Santa Fe, NM 87505, or email to olivia@lasacequias.org along with the following information:

- Name of Artist
- Acequia Name
- Region (if applicable)
- Town • County
- Art Description or Title

Participants are limited to one entry per category.

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.

Los Sembradores : Cold storage and safe food handling workshop continued from page 14

reviewed how to package in food grade bags and where to find them for purchase. For us harvesting always happens early morning and delivery as well.

The Sembradores Group did a quick demonstration on how to set up wash bins, we triple wash the produce, we have 1 wash bin with a unscented bleach, 1 capful to 15 gallons of water, and two rinse stations after that. Next we get rid of excess water through the commercial salad spinner and lastly we weigh produce, bunch with twist ties if needed, and place into food grade bags. Then it goes into cold storage and we will make delivery as soon as possible.

Despite being on the verge of information overload we all had a lot of fun and learned from each other. Now as harvest season is in full swing our imagines drift to next season - now is the time to plan to build a cold storage unit or create a food safety plan. We wish you luck in all your farming endeavors. 💧



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, parcientes, and acequeros to reflect on what makes their acequia special and to share their remarkable story.

Acequias off the Gila River in South West NM



Map of Gila River - Google Maps.



High waters at headgate. Photo by Linda Stailey.



Repaired Diversion of Fort West Ditch. Photo by Linda Stailey.

Interview with Linda Stailey written by Serafina Lombardi, NMAA Staff

The Gila acequias are lucky to have Linda Stailey as their unofficial spokeswoman. In late 2016, NMAA paid a visit to the Gila basin to meet with leaders of local community ditches in the town of Cliff at a warm and friendly local restaurant. NMAA made a visita to the Gila and then representatives from the Gila Basin Irrigation Commission came to the NMAA Congreso in Taos. In learning about the Gila acequias, we have a renewed appreciation for what we have in common which is passion and dedication for water and community and our deep inclination to defend and protect this way of life.

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

The original charter for the Fort West Ditch was issued in 1875. There were about 12-15 irrigators who proposed the charter, signed it and filed with the treasurer of the territory - in Santa Fe. Fort West Ditch, Gila Farm Ditch, and the Upper Gila Ditch are the only acequias still in operation in the valley, but at one time as many as 10 ditches in operation. The men who signed the Fort West charter had lands on some of the other ditches.

The area was settled by Mormons early on, and they brought irrigation practices from Utah that had been successful there in the mid 1850s. The original irrigators were Maldonados (still on the acequia) and Guerreros, the other 50% was primarily anglo. The acequias still have minutes going back to the 1920s. It was in the last 12 years that we organized a regional, the Gila Basin Irrigation Commission, around the AZ settlement act which we see having long lasting impacts on acequias.

What kinds of crops does your acequia community grow?

Primarily alfalfa, permanent pasture, a few small irrigators have home gardens, one irrigator in the valley is very involved in the Silver City farmers market. What is grown is mostly for local consumption. Three wire bales is about as big as we can manage about 60-80 lbs a piece. We buy new equipment to keep older equipment going... and every piece of metal has a story.

What traditions and practices does your acequia community maintain? (Food and agriculture, limpia, etc.)

Before the Regional, we were not really communicating with other ditches, but we have learned to coordinate repairs to reduce transport costs of equipment.

Our Ditch is about 13-15 miles long. We used to have an annual cleaning - in our original charter there was a section outlining the kinds of equipment recognized and how labor would be valued, a Fresno, 2 boys and four horses could work off entire assessment - a shovel and one man, could not work off as much... now we have a fellow in the valley with a track hoe, he cleans the ditch and sends us a bill. It's easier and faster. We always have problems over right-of-way - tractor guys is not a landscaper - but we let folks know they have to move the mud if they don't like it. It is difficult that so many pieces of property have been sold and the water rights sold to someone else - and people just don't understand the importance of easements.

A lawyer once told us to respond to those who want to move the ditch with: "you'll come closer to asking God to change the length of day than to move a ditch."

What is your irrigation season? (Time frame)

The water will run year round if we have a need for it and if there is water in the river. There are times when the river goes dry and when there is not enough for the 3 ditches - then we create a schedule to share. Fort West catches a lot of the Gila Farm Ditch wastewater, this helps a lot... We meet the end of January / early February and have water in by the first of April. Sometimes we irrigate into October - first frost is in November. In the high desert we usually get 6 inches of rain per year - this year we just got 6 inches in August.

What are your commissioners and mayordomos doing this time of year?

Not much this time of year - most of our work is in the spring. We don't anticipate other meetings unless we have a major high water event and we need to get together and discuss repairs. Right now folks are sitting back and enjoying the green hills, and full water tanks. Big high water events are usually in winter months that can damage diversions.

Gila farm ditch is working with engineers to design a permanent diversion structure. At any given time we can have a 100 year flood, we can have 100 year flood every 5 years. But we can only take water during high water events. The San Francisco River can also be flooding at the same time below Clifton, then Commissioners come together. This is when commissioners call a special meeting to discuss repairs - we usually wait until the worst of the winter weather is over. We have repaired a diversion and had it washed out the next month.

What makes your acequia special?

I can tell you what I have told critics of the settlement - historically and culturally. This valley has fed the entire SW corner of NM, including Catron, Grants, Luna and Hidalgo Counties. If we did not have the water here this community, this country would dry up and blow away. We are fortunate to have the ditches maintained as well as they are to have the water when they need it. My husband's family used to deliver food to Conservation Corp camps, they had a dairy and a truck farm - that is how they survived. Our kids had milk cows age 7 through high school. Our daughter bought her first car and paid college tuition with her milk money. When we find someplace better to go we'll move, but money can't buy this - this is home.

This history, the culture, it's priceless. Our youngest son just moved back... families are moving back to the valley. When the water came back the number of irrigators doubled. We are nowhere near dead. Other people would have you think this valley has had it, but no way - we're here. But if we didn't have the water it would not be possible. I have a view of the Mogollon mountain range from the far west end to just about the headwaters of the Gila river. That mountain range is what feeds our river, river feeds ditches, and our ditches feed the valley. It's important that the water stays in this valley. 💧

Who is Liable for Flood Damage?

by Serafina Lombardi, NMAA Staff

It is 7pm on a Saturday night; you get a call from a frantic and upset homeowner along the ditch: “My home is on the verge of being flooded by the acequia - I’ll sue your pants off if there is any property damage!”

What comes next?

Ideally the Mayordomo/a checks out the situation, and does what they can to divert the flow of water to the proper place, or stop the flow of water and access the situation. Headgates get opened or closed, repairs may be made or scheduled, possibly a parciante is warned to not let the water go onto a neighbor’s property . . . The homeowner is coached on how to manage the situation.

If there has been damage to someone’s property what is the acequia to do?

Despite all the care we give to the acequia, a plethora of mishaps can cause unintended damage and drama. We can attempt to play peacemaker and apologize to the person who is affected, but at the end of the day all parties must understand that under NM law the acequia will not be held liable. Any homeowner who could be affected by acequia flooding should take precautions (this could mean building a berm etc.) and avoid building in an area that would be vulnerable to flooding.

All of us who move the water must exercise caution and wisdom when irrigating but if a parciante is willfully or intentionally flooding a neighbor’s property, this is a separate matter.

Back to the acequia’s liability. If someone threatens a tort claim against the acequia here is what you should know: A tort means a breach of a duty owed by

one person or entity (the acequia) to another. The legal way of addressing the claim is usually collecting damages, i.e. the money claimed by a person as compensation for the loss or damage resulting from the breach of duty.

Acequias and their officers, employees, and volunteers are generally immune from most tort liability (though there are many circumstances and facts of the situation to be considered). Even if damages or injury can be proven, and even if the acequia was negligent, the **Tort Claims Immunity Act** prevents the acequia from being held liable.

What should the Acequia do when we are being sued?

Anyone can sue, but can they win? If the acequia is being sued, consult with a lawyer immediately and raise the tort claims immunity defense.

When are acequias Liable? Negligent motor vehicle use

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.



Flooding in Chimayo 2015, Acequia de Cañada Ancha. Photo by Pilar Trujillo.



Flooding in Dixon. Photographer unknown.

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 inquire about obtaining liability insurance. Acequias may also want to ask about other types of coverage generally.

If a landowner raises concerns about being flooded, it is important to inform them of their need to protect their own property, while still doing everything possible to ensure the acequia is functioning smoothly. 💧

Acequias Major Topic for Legislative Committee

continued from page 4

Crowder, wanted more information about whether water rights settlements included funding for acequia infrastructure. Representative Carl Trujillo commented that he was concerned that, while some settlements have funding for acequia-related infrastructure, the Aamodt settlement did not. He went on to say that he was concerned that there has not been enough education to the acequias in the Nambe-Pojoaque-Tesuque Basin about acequia-related provisions in the settlement such as conditions on Section 4 protection on beneficial use of water and the reporting requirements of mayordomos.

Representative Tomas Salazar, who was chairing the meeting, acknowledged the local acequia officials from the Rio de las Gallinas Acequia Association, including William Gonzales and Gabe Estrada. He invited Gonzales to give some brief remarks about ongoing water issues in the Rio Gallinas basin which includes sev-

eral acequias and the City of Las Vegas. Gonzales gave a brief history of decades long litigation over what is known as the Pueblo Water Rights Doctrine, an obscure theory that cities have expanding water rights. The Supreme Court recognized the doctrine in the 1950s only to have it overturned in the 2000s. However, their ruling remanded the issue of the city’s water right back to district court where it dovetailed with the ongoing re-adjudication of water rights in the Upper Pecos Basin.

Gonzales noted that years of frustration and litigation could have been saved if the City and the acequias could equitably share water from the river. He pointed out that acequias have the senior water rights but that the City of Las Vegas depends on surface water for their municipal supply. His opinion was that the state should encourage a sharing agreement that recognizes acequia seniority but also recognizes the obvious need to serve the city. He said he was hopeful that a new administration at the City of Las Vegas would result in more productive negotiations but that he was uncertain whether that would happen. 💧



Palas at the Roundhouse! Acequia Day 2017.

Dedication to Dia de San Antonio June 13th

by Sylvia Ernestina Vergara

Dia de San Antonio has continued to be celebrated in the Embudo Valley. My favorite part is the long procession through the valley with the singing of alabados to San Antonio on his special day. No money is exchanged, it is a more contemplative celebration and prayerful with past velorios and hermanos there to give important blessings. One year, in the past, La Academia created an important cultural awareness for that day with an art show of local artists most of which were Spanish Colonial descendants of the Embudo Valley--descendants of the acequia culture, a small procession and spiritual contemplation.

This feast day (Dia de San Antonio) has a strong agricultural flavor and is deeply inspired by the beauty of the Embudo Valley and the milagroso flow of the waters that we have grown to depend on for our physical and spiritual well-being.

San Antonio Returns What is Lost

It almost didn't happen
It was an effort to get the children to go.
At the last moment I had convinced them
that processions still are important—
that San Antonio still was important—
not only is it important that he pass through the valley,
but in strange ways, he must pass through one's heart.

Soon the children were walking, praying and singing too.
I was glad. It made me happy to see them be peregrinos
one more year.

In procession, his songs drift like a mysterious
holy fog into the brain.
In procession, he traverses thoughts
and in a boat made of incense and flowers,
he floats across subconscious lakes.

This santo helps you find things that are lost.
Do you lose a lot of things?
I lose a lot of things all the time along life's way.
I lose dreams, reality, cultural values.
I lose my sense of connectedness with the fabric of life.
San Antonio seems to know.

The little statue starts to make a path
as people take him across the valley.
I follow him in a cloud of prayers said by the peregrinos

When I follow him, he shows me the Embudo Valley,
and points out the casas and the fields.
He teaches me all over again how to listen.
He teaches me prayers that have no words—
an emotional language that only my insides can understand.

I begin to find whatever it is,
that something that makes life feel worthwhile again.

When you walk with this santo on his day,
he will lead you.

In a moment, pieces of life's puzzle
are lost and found.

Walking—
discovering—
Praying—
Uncovering—
Singing—
Recovering—

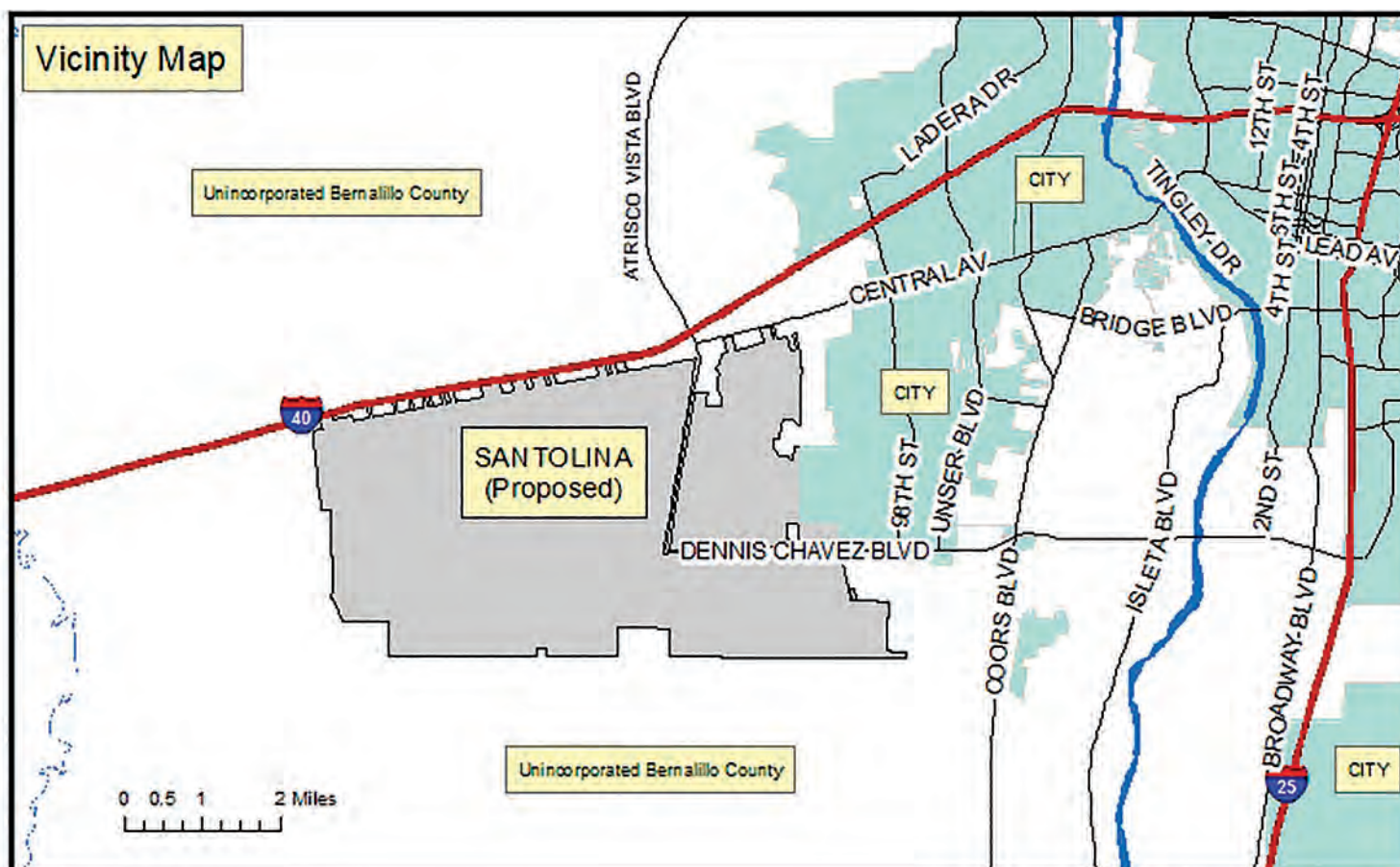
He pulls me into his boat with his net made of rosaries—

Opening up, reaching—
his hands that touch me are made of hope....
hope....
hope....



San Antonio y su cosecha. Santo carved by Horacio Valdez, photographed by Sylvia Ernestian Vergara.

Santolina Decision Overlooks Water Scarcity



Map of Santolina shows area for future development on land lacking water or sufficient water rights.

by Paula Garcia, NMAA Executive Director

Santolina cleared another hurdle on August 30, 2017 when the Bernalillo County Commission approved the Level B master plan on a 3-2 vote. The development has been controversial with opponents mounting a years-long campaign against approval of the master plan over questions about water, taxes, and infrastructure. Along with the South Valley Regional Acequia Associations, local neighborhood associations, and other community organizations, the NMAA has expressed concern about the Santolina development because of the potential impacts to the water resources of the Middle Rio Grande and historic acequias.

1) The Commission is not adhering to their policy in the county's Planned Communities Criteria that applicants for new developments demonstrate the availability of physical water and legal rights to that water. The Albuquerque Bernalillo County Water Use Authority (ABCWUA) has not been required to provide details of the water rights available to supply the new development.

2) By not diligently confirming the availability of water rights, the county is deferring the impacts of water rights acquisition and transfer. They are approving land use without being certain that the water rights can and will be required and instead they are assuming that the water rights can be obtained at some point in the future. This can be referred to as "kicking the can down the road."

3) Delayed impacts are still impacts. In a fully appropriated basin, which means all the known water rights are owned by someone, any new uses of water must come at the expense of existing uses. This is referred to as a "zero sum game." In the western United States, water rights for new development are usually transferred out of agriculture, eroding the greenbelt and farmland. This is one way that acequias will be negatively impacted. Water transfers threaten to un-

ravel acequias through a piecemeal dismantling of the water and members that comprise the community-based systems.

4) Santolina, and developments like it, will exacerbate the long-term depletion of the aquifer of the Middle Rio Grande Valley. Since aquifers are connected to their rivers, the Rio Grande will be affected by groundwater depletion and will also suffer depletion. Less water in the river will affect all agriculture in the Middle Rio Grande Valley. Pueblos with prior and paramount rights and acequias next in line in seniority will be impaired.

Each individual water right that is transferred to the ABCWUA is required to go through a statutory approval process in which impairment of water rights should be considered. The State Engineer assesses impairment. And while the transfer of one surface water right to an ABCWUA well may not be deemed impairment by the state, it is undeniable that the cumulative impact of transferring 14,000 acre feet of additional water rights to the ABCWUA wells would have an impact on agriculture, farmland, acequias, and the river.

Rio Rancho and Albuquerque are drawing down the aquifer beneath them. The San Juan Chama project serves to provide the City of Albuquerque with a surface source of water to prevent overdependence on the aquifer. But that surface water diversion is only supplying a fraction of the needs of the city and the pumping of groundwater is ongoing.

The facts surrounding water rights, groundwater depletion, and impairment of water rights are inconvenient to policymakers who are pressured to approve new developments. In last night's Santolina hearing, proponents hailed "planning" as their hallmark and urged commissioners to reward their efforts by approving their "plan." Thankfully, two of the commissioners, O'Malley and Hart-Stebbins, withheld their support. There is no thoughtful plan for how to acquire the

water rights. Developers simply expect the ABCWUA to go out and buy water rights from irrigated land without consideration of the impacts to the broader community and the historic farmlands and irrigation systems of the acequias and the Pueblos.

Without a thorough plan, land use decisions are happening based on undisclosed impacts and insufficient information. Before approving a new development, policymakers should be presented with data to show the costs of a new development in terms of aquifer depletion and agricultural acres and greenbelt lost. With better information about these impacts, policymakers would undoubtedly make better decisions and our cities, towns, and villages would be more equitable and sustainable. 💧



Los Sembradores :

Cold storage and safe food handling workshop

Keep your produce fresh for market and safe for public consumption

By Donne Gonzales, NMAA Farmer Trainer and Manager

The NMAA Sembradores Farmer Training prepares participants with the skills they need to be market gardeners. This year we hosted a series of workshops to share this knowledge with the wider community. On the beautiful day of May 17, 2017 we facilitated a workshop at the Chicoyole farm site in Chamisal, NM. The gathering had approximately 20 participants from the surrounding communities, Taos, Espanola, and even Albuquerque. Our sister organization, the American Friend Service Committee played an important role in this workshop and we are very grateful for their help.

We started our afternoon off with a farm prayer and blessing, as well as personal introductions on where we come from and what we are hoping to learn. This is one of my favorite parts of the day, as everyone has interesting stories and backgrounds. We immediately jumped into discussing the importance of a cold storage and shared stories on pros vs. challenges of having an available cold storage/

fridge unit. Many of our participants were just starting a farm business and wanted to gain knowledge on how to build one, how it works, and the best practices on keeping it running well. Unfortunately, some of the members of the group have had some horror stories of losing good produce due to the lack of a cold storage. We all agreed that it is a key component of having a well running and self-sustaining farm. Many times we share our vegetables and goods with family and neighbors to avoid our produce going to waste. Others have lucky animals that get to eat the goods, while some are compost masters and believe that it will benefit the soil later down the line.

A member of the group that has an apple orchard preserves her apples in a semi-trailer that has ventilation. She discussed her process and how the trailer runs. She shared with the group how it takes time to sort apples into different box's as some are Grade A (the prettiest with very little damage), Grade B (may have been bruised, damaged by bugs), Grade C (is most likely used as soon as possible because they will not last as long). We went over older methods such as a soterano - root cellar. Not many people are aware at how well these actually work or how they would build/ dig one out and possibly line with rocks, wood, and mud to keep cold. Our ancestors were very self-sufficient in using these for many goods such as roots crops, fruits, vegetables, and keeping foods available throughout the winter when no fresh goods were available.

Toribio Garcia covered some of the logistics of building a cold storage unit on the property and getting electricity to the piece of land. It was much more work than was originally estimated. We had to make sure the cold storage building was no larger than 12 x10 and could be moved if ever needed to avoid the need of a building permit from Taos County. Therefore, we built ours on skid beams, so it is considered detached, without a foundation. In order to get electricity he had to contact the County Assessor's office and apply for an address. Once an address is in place, an electrical surveyor from Kit Carson was scheduled to



Top: Patrick Jaramillo of AFSC stands in the door of the newly constructed cold storage unit and explains how the Coolbot works. Photo by Donne Gonzales, NMAA. Bottom: Donne reviews with participants safe food handling practices and setting up your own wash station. Photo by Serafina Lombardi, NMAA Staff.

come to the property and see exactly where the pole would be placed and what neighbor is closest for a hook up. Next, we had to fill out paperwork and get easement from the neighbor or anyone that would be affected by the power line.

The Sembradores group, along with Edward, Crestino, Toribio and I went over how we built the Cold storage from the ground up. We were able to find an online material list that we followed and used for a blue print. We started with setting out skid beams, attaching the floor, putting up walls, putting up plywood, and lastly moving onto the roof and the type we would choose because we do have a good snowfall every winter. We covered the insulation process and the importance of holding in the cold air, and keeping out the heat.

Patrick Jaramillo from the American Friends Service Committee demonstrated how to install the coolbot unit and air conditioning unit which will work together to make a fridge unit for the building. The coolbot unit cost \$350 and the air conditioning unit \$175. He went over good tips on keeping the unit in best running condition and covered important things such as, keeping the unit of north side of building so it's always out of the sun, using reflective material on the roof to keep heat out, and making sure the unit is not being over worked. Examples included do not open door more than 6xs per hour. The American Friends Service Committee didn't only purchase the coolbot unit and AC unit, but also building materials for the cold storage. We greatly appreciate all the help you have provided us with. Thank you ☺

I had the opportunity to cover the importance of keeping the cold storage clean at all times, sweeping, mopping, wiping down walls, disinfecting, and making sure no pests or rodents are inside. Also tracking inventory and moving it as quickly as possible so nothing goes bad. Serafina shared a handout and discussed vegetables and fruits that cannot be stored together due to gasses that may be produced, taste and odor transferring to one another.

Donald Martinez from the Rio Arriba County extension office covered the Food Safety Modernization Act (FSMA) and Good Agricultural Practices (GAP). He provided and went over a very informative Fact sheet. How to reduce harmful bacteria's, viruses, and microorganism that could contaminate produce, and make someone sick or even worse death. He shared many good and bad stories with us to give us examples on how important this information is.

Sayrah of AFSC, and I went over the AFSC food safety manual that they put together. It covered many similar things but is a little simpler and easier to follow. There is a traceability program we have in place that covers various topics such as a harvest log. What product is harvested, by whom, date, washer of produce, packer of produce and where the product is going, as well as storing, and a safe/clean transportation. We covered the importance of the washing process such as sanitizing harvesting bins, washing bins, knives, scale, salad spinner, and table. Making sure hands of harvesters are clean at all times, hair up, clothes clean, no open wounds, or feeling ill. We also

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NEW MEXICO ACEQUIA ASSOCIATION

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Toribio Garcia

Acequia Education Coordinator

Enrique Romero

Staff Attorney

Welcome Staff Attorney Enrique Romero

Enrique is from Nambe, New Mexico and grew up on Acequia la Nueva. He received his bachelor's degree from New Mexico State University and his law degree from Notre Dame Law School. After graduating in 2014, Enrique received a public interest fellowship from Notre Dame to work at New Mexico Legal Aid, a close partner of NMAA, on acequia water right issues. When Enrique is not busy consulting with acequias he enjoys fishing and the outdoors, especially spending time with his son Tayari and wife Rita. Enrique is excited to continue working with acequias throughout New Mexico. 💧



Enrique Romero with his son Tayari.
Photo by Rita Topete.

Ask a Water Lawyer: Aamodt Rules & Regulations

by Enrique Romero, NMAA Staff Attorney

What should I expect as a Nambe-Pojoaque-Tesuque (NPT) mayordomo and farmer now that the Aamodt Settlement is in place and the NPT Water Master Rules are just about final?

As a farmer and mayordomo, you can expect some changes next irrigation season and in the years to come. Although the changes are significant, they are not insurmountable. Acequias have persisted and thrived for hundreds of years in New Mexico and endured changes in law and water management. NPT acequias will continue to thrive, and during this new era the small- to medium-scale farm may see a renaissance. Water use will be scrutinized, but with the right tools – including access to acequia and farm infrastructure improvements, farm-to-market initiatives, and creative match making between would-be farmers and landowners – acequias and parciantes in the NPT basin may see a net gain from the new layer of administration. Pardon the early digression. Now, let's discuss the law and how to protect what may be the community's most precious natural resource.

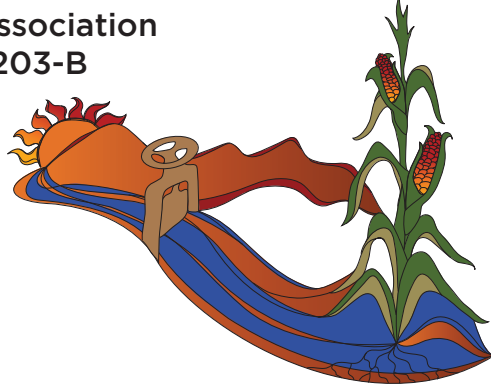
Probably the most relevant concept to understand as a parciante and mayordomo is "Section 4 Protection." Section 4 refers to that section of the Aamodt Settlement Agreement that provides exceptions to priority enforcement of the Pueblos first priority rights. In the event that the Pueblos request priority enforcement of their "Future Basin Use Rights," parciantes are protected against that particular type of priority enforcement. However, the protection is lost if a water right is not "beneficially used for more than five consecutive years after [March 23, 2016]." The current proposed water master rules require that the water master provide notice after four consecutive years of non-use to the water right owner indicating that Section 4 protection may be lost if water is not placed to beneficial use within one year. The Settlement provides two defenses against claims of non-use: non-use due to circumstances beyond the control of the water right owner or that water could not be placed to beneficial use by the owner's diligent efforts.

As a mayordomo – and a parciante – you should also know about the new yearly reporting of acres "to be irrigated," or the TBI report. By March 1 of each year, the mayordomo must notify the water master of all the acreage that will be irrigated that year. Start early in the calendar year, or at the end of the prior year's irrigation season, putting together the information needed to fill out the TBI report. As a mayordomo, you can expect more requests for water, perhaps from members that have not irrigated in a while. Those requests need to be memorialized in the TBI reports since the total number of irrigated acres will establish the yearly maximum diversion rate for the acequia. With the new TBI reporting requirement, mayordomos will know – if you didn't already – who is not irrigating for extended periods of time. Using this information, the acequia could inform those members about the loss of Section 4 protection after five years of non-use and send those members to local resources, including NMAA, for information on infrastructure or cover crops to revitalize soil. The key will be getting inactive parciantes interested in irrigating prior to receiving the four year non-use notice, and in time to install or replace headgates and irrigation systems, or to contract with local equipment operators to get land ready to receive water.

There are still some unknowns and there are likely to be disagreements among the various parties concerning implementation of the Settlement. Despite potential ambiguities and the bumps along the way that may arise from them, beneficial use of water is still the law of the land and affords the maximum protection of your water rights. Parciantes, let you mayordomos know before March 1 if you plan on irrigating, and once you've been assigned a time for irrigation, make sure you, or someone you trust with a shovel, is ready to open your headgate. 💧

Noticias de las Acequias • Fall 2017

New Mexico Acequia Association
805 Early Street Suite 203-B
Santa Fe, NM 87505
(505) 995-9644
www.lasacequias.org



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1 Fall Events:



Horno in Chamisal. Photo by Toribio Garcia.

NMAA PATHWAYS TO FUNDING:

FINANCIAL COMPLIANCE WORKSHOPS • TBA

TBA. Check the NMAA e-newsletter for dates and locations.
Every Acequia is required to be in Financial Compliance with the State -
please send a commissioner. Call NMAA for more info 505-995-9644

NEW MEXICO ACEQUIA COMMISSION MEETINGS

USUALLY EVERY 3RD FRIDAY OF THE MONTH, 10AM

Location varies

For details contact Chairman Ralph Vigil 505 603-2879,
molinodelaisla@gmail.com

GATHERING FOR MOTHER EARTH

SEPTEMBER 20-24, 10AM-1PM

Locations changes daily: Abiquiu to Pojoaque

<http://tewawomenunited.org/gathering-for-mother-earth-summit/>
or call 505-747-3259

TAOS VALLEY ACEQUIA ASSOCIATION RIO LUCERO ENCUENTRO

OCTOBER 15, 2-4PM

Quail Ridge Inn, Taos NM

TVAA: (575) 758-9461, TVAA@kitcarson.net

CONGRESO DE LAS ACEQUIAS

NOVEMBER 4, 9AM-3PM

Santa Maria de la Paz Parish Hall, 11 College Ave Santa Fe
Pre-Register 505-995-9644 or lasacequias.org

QUIVIRA COALITION: RANCHING AND FARMING

AT THE RADICAL CENTER

NOVEMBER 15-16

Embassy Suites by Hilton, Albuquerque

Fee and Registration info:

<https://quiviracoalition.org/conference-registration/>

TAOS VALLEY ACEQUIA ASSOCIATION RIO HONDO ENCUENTRO

DECEMBER 3, 2-4PM

Taos area - TBA

TVAA: (575) 758-9461, TVAA@kitcarson.net

REGISTER WITH THE FARM SERVICE AGENCY

ONGOING Visit your local FSA Office

Become eligible for USDA programs and get counted in the Ag Census

SIGN UP FOR NATURAL CONSERVATION RESOURCE SERVICE ON FARM IMPROVEMENTS PROGRAMS

ONGOING Visit the NMAA office

Call Serafina at NMAA 505-995-9644 for assistance