

Noticias de las Acequias

New Mexico *Acequia* Association • Spring 2017



Lorenzo Candelaria opening the compuerta to teach young farmers how to irrigate. Photo by Travis Mckenzie.

Call to Action: Involve Youth in Acequias!! El Primer Agua—1st Day of Water Spring Acequia Meetings

Find out soon when your annual acequia membership meeting will take place and ask the Commissioners to include an agenda item recognizing local youth. Think about which youth in your area who you would like to be involved in your acequia and invite them to the meeting. Request that the youth be recognized and welcomed at the beginning of the agenda. Some acequias may want to create an advisory position on the commission for one or more youth. This is a way to give young people more experience in acequia matters and to encourage them to play a leadership role now or in the future.

2) El Primer Agua: Create a Community Celebration.

Coordinate youth and families to celebrate “el primer agua,” which is the first day that water is diverted from the river into the acequia and available for use by the parciantes. In many communities, this is a significant day and we are encouraging more communities to make “el primer agua” a festive occasion to involve youth. Festivities may be a picnic, a walk in the acequia being followed by the water, open-air poetry, etc. Ask

youth to present along with others. Take lots of photos and ask youth to write a brief reflection of the experience in a letter, poem or song letting the world know how they feel about the acequias and water. Key elements of our movimiento en defensa del agua are celebration and encouraging youth involvement, the blessing and excitement of our first water flows is the perfect moment to come together!

Let’s make 2017 a celebration of youth, a time for nurturing souls to allow for an educational experience for the next generation... and only you can get this done! Adelante y con ánimo!

For more information or ideas, please feel free to reach out to one of the following Comadres de las Acequias:

Isabel Trujillo, Comadre:
(505) 927-0737;
Charlotte Madueño, Comadres Delegate: charlotte.madueno@gmail.com;
Lupita Salazar, Comadres Delegate: justlupitasalazar@gmail.com;
María Gallegos, NMAA Staff:
505-995-9644. ♡

Beloved Parciantes,

Las Comadres de las Acequias is a group of women leaders with the New Mexico Acequia Association that works to strengthen our acequias through more engagement of women and youth. In many families, youth are involved in “sacando la acequia,” a long-standing tradition which will only continue if we keep our youth and young children actively involved in acequia activities. We are announcing a “Call to Action” urging all acequias to invite youth to their Spring meetings and to your “primer agua,” or the opening day with the first water on your acequia.

1) Involve youth in your annual membership meeting.

Legislative Report on Water and Acequias

by Paula Garcia, NMAA Executive Director

At press time, the 2017 Legislative session is in the final stretch as the legislature deliberates and votes on hundreds of bills and works on balancing the state budget. Among the many bills, there were several substantive pieces of legislation dealing with water, agriculture, rural development, and, of course, acequias. NMAA focused on priority bills addressing specific needs of the statewide acequia community but also monitored numerous bills that were relevant to acequias. NMAA was also attentive to the

budget process since funding for acequia capital outlay and infrastructure programs was at stake.

Although NMAA was tracking a relatively small number of bills, they all had important implications for water policy and an analysis of the reaction from various stakeholders and policymakers points to certain trends in water policy. Several water-related bills originated from grassroots advocacy in response to a significant issue at the local level. Some of the water bills that fell in this category were as follows: improving notice of water

transfers (SB 86), clarifying that the OSE cannot authorize immediate use of water in a water lease application that is pending (SB 435), adding criteria for OSE consideration in inter-basin transfers of water (HB 418), and seeking to democratize a board that governs water in the Middle Rio Grande (HB 468).

The common thread with these bills was an intent to make water governance more democratic, transparent, and considerate of impacts to water right owners affected

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l-r: Jonathan Martinez, ISC, receives recognition for his outstanding contribution to Acequias. Beata Pena and son marching to the Round House for Acequia Day. Alicia Chavez with CESOSS speaks at Acequia Day about the importance of Acequias to her community. Photos by Seth Roffman, *Green Fire Times*.

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by water transfers or other decisions regarding water supply and management. These bills tend to have broad support from local community leaders, agricultural water users, and, in general, advocates of sustainable water policy. However, the other common thread was a predictable set of opponents. In our experience, bills that improve transparency and protection of existing rights tend to garner opposition from industry groups, developers, water brokers, and the attorneys who work for them.

The geopolitics of water in New Mexico have been shaped by conflicts over scarce water supplies. While often these conflicts play out in the courts, the legislative process also provides an open forum to debate the merits of legislation considering who is affected by decisions about water policy. NMAA's approach over the past two decades of policy advocacy has been to make incremental changes to protect the interests of rural, agricultural communities. Occasionally, a bill will pass where multiple groups collaborate for a common purpose. But, perhaps more often, bills that do not pass the legislature result in a stalemate between the supporters and the opponents of a policy change. In any case, it is always a learning experience.

The following is a summary of legislation affecting water. A more comprehensive list of water legislation, including memorials, is posted at www.lasacequias.org.

NMAA Priority Bills

SB 86 (Cisneros/T. Salazar) Online Notice of Water Transfers:

This legislation promotes transparency relating to water right applications before the State Engineer. The bill amends existing statute, which currently requires newspaper publication, by requiring that the same notices be posted online on the State Engineer's website. The bill would improve access to information about water right applications to the public. This bill passed the House and Senate and at press time was waiting on approval from the Governor.



Youth in awe of Acequia Quilt. Photo by Travis Mckenzie.

SB 222 (Stefanics) Exemption from "Local Public Body":

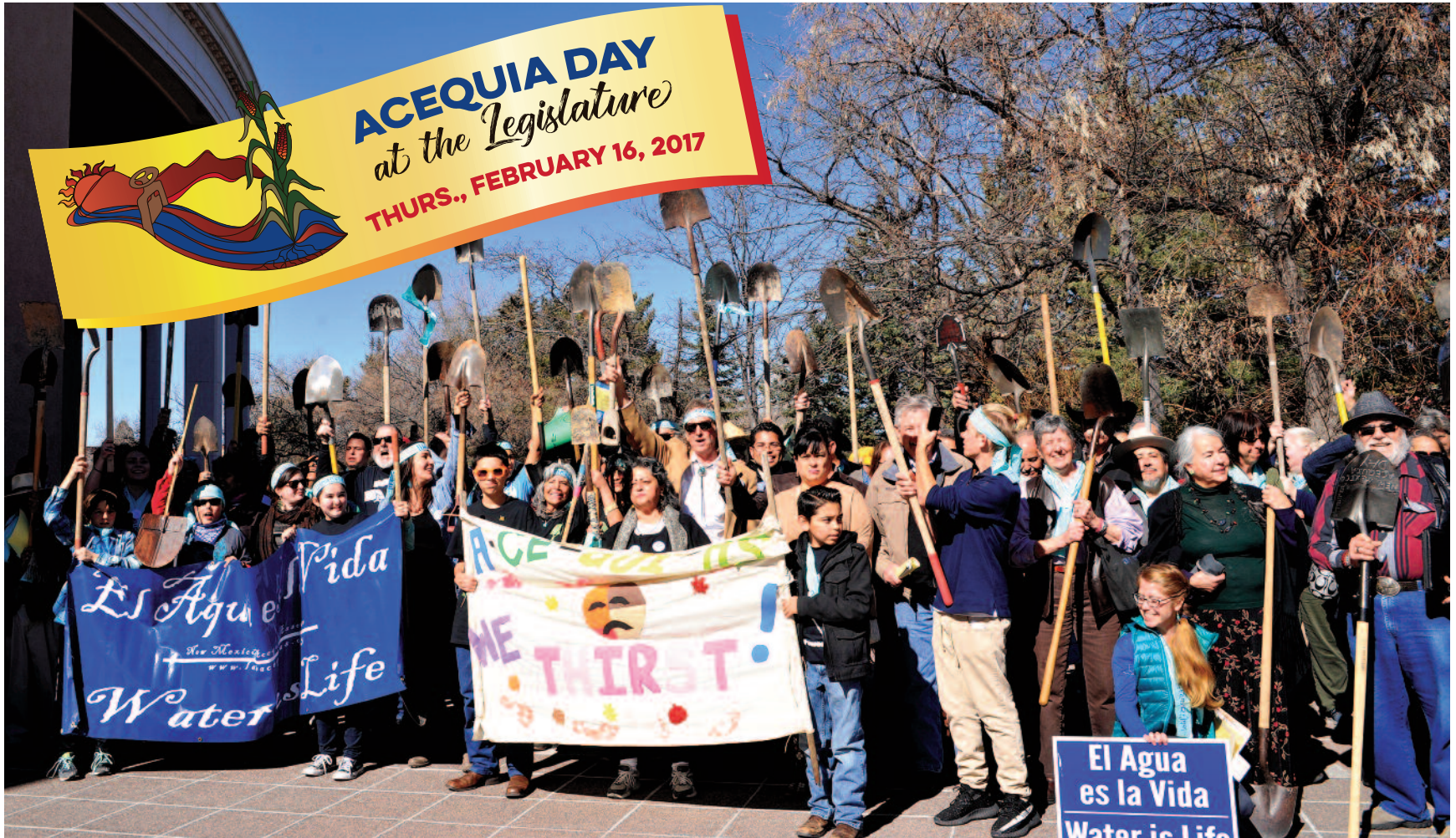
This bill will amend the definition of "local public body" for purposes of budget reporting to DFA changing the threshold from \$10,000 to \$50,000 such that any entity under \$50,000 would be exempt from reporting. This change in the law would simplify reporting requirements such that entities under \$50,000 in revenue would not be required to submit budget reports to DFA Local Government Division. This bill passed the House and Senate and at press time was waiting on approval from the Governor.

Significant Bills Affecting Water Policy

SB 435 (Wirth) No Use of Water Rights before Approvals:

This bill clarifies that the State Engineer cannot authorize use of water before the application has been approved. The same bill was introduced and passed by the Senate in 2015 and addressed a serious problem with the way the State Engineer administers water leases. In summary, the OSE allows "immediate use" of water through a permit for a water lease even if the application for the permit was the subject of a protest and therefore has not been approved by the OSE. NMAA disagrees with this practice and maintains that such "immediate use" leases are unlawful. There are no acequia water rights involved in such leases presently. The bill was introduced late in the session and was not scheduled for committee hearings.

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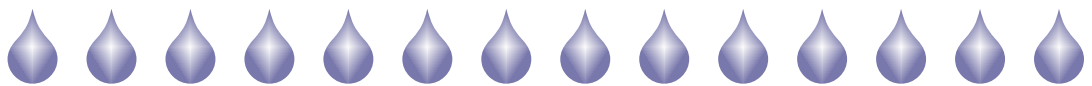


On February 16th 2017 over 200 Acequia leaders, farmers, and supporters marched in celebration of Acequia Day. The event honored acequias as vital to our cultural heritage and agricultural economy in New Mexico. The purpose was also to raise awareness about the importance of long-term sustainable water policy.

Festivities began with the recognition of several regional acequia leaders in the House and Senate who have successfully completed acequia infrastructure projects, organized acequias for legal defense in adjudication, and continue to farm and honor land-based traditions of New Mexico. Acequia leaders gathered in unity with their shovels which represent generations of hard work and dedication to maintaining the flows of the centuries-old irrigation system in New Mexico. After honoring acequia leaders, warm food and comradery were exchanged at Garret's Desert Inn where people prepared themselves for the march to the Capitol. Youth from the Sembrando Semillas program brought energy to the march and spoke during the ceremony about the importance of acequias and their dedication to the continuation of the Acequia culture.

NMAA also recognized Legislators who have been instrumental in appropriating funds for Capital Outlay projects for acequias, in addition to advocating for bills that protect acequia farmers. NMAA was happy to have Representatives George Dodge and Debbie Rodella, and Senators Carlos Cisneros and Elizabeth Stefanics present at Acequia Day, all of whom gave a short speech about their continuing commitment to acequias. Thank you to all our legislators who continue to support acequias during one of the most challenging water generations of our time!

The rotunda rang with poetry, music, and chants for the continuous strength of the acequias across the state of New Mexico. Thank you to all the acequeros who traveled from near and far to march with NMAA to show your continuous commitment to acequia agriculture! 💧



Photos: Top: Pala Power!! Middle: El Agua es La Vida. Bottom: Mark Schuetz, Taos Valley Acequia Association. All photos by Seth Roffman, Green Fire Times.

Nuestra Agua, Nuestro Futuro: Acequias Rising!

GUEST COLUMN.

This is the first of a new feature in Noticias de las Acequias where we invite other groups to share a perspective on water issues.

Fracking in the Greater Chaco Area



New Mexico Water Protectors Speak Out. Photos by Emilia Arrasim.

by Beata Tsosie-Pena, Kayleigh Warren, Marissa Naranjo and Marian Naranjo

Marian Naranjo is founder and director of Honor Our Pueblo Existence, and Beata Tsosie-Pena works with Tewa Women United's Environmental Health and Justice Program; both organizations are members of the Communities for Clean Water Coalition. Kayleigh Warren and Marissa Naranjo are youth activists and leaders from Santa Clara Pueblo.

For the scientific and archaeological communities, the Greater Chaco Area exists in a cloud of wonder and mystery. It is the epicenter of ancestral southwestern culture—a desolate place, where the desert sun beats down on scattered ruins. The area is reminiscent of all that once was, of a time long past but not forgotten. For the descendants of those who built and inhabited the Greater Chaco Area, the land is alive as ever. For us, it is a spiritual sanctuary, a direct connection point to our history, and the teachings of our ancestors. The Native world has been consumed by the United States of America, the biggest consumer country in the world, whose sustenance rests in the cheap availability of resources like oil and gas. This rich area in the southwest has been designated as a “national sacrifice zone”, and since then, the Four Corners region and her peoples have been suffering from the impacts of oil, gas, uranium mining, and mineral extraction operations. It is a matter of environmental justice that the health of indigenous Peoples, our cultural and spiritual life ways are not secondary any longer, and that the “sacrifice” comes to an end.

The Bureau of Land Management has been auctioning public lands to oil and gas companies at an irresponsible and rampant rate. In recent years, there has been a revolving door of corrupt officials expediting the industries’ access to public lands, which is expected to intensify under the agenda of the new federal administration. Fracking oil and gas wells in the San Juan Basin and in Rio Arriba county number in the tens of thousands, each of those individual wells is a threat to our watersheds and land-based existence. Recent developments in horizontal drilling has changed the game in the energy industry and is creating toxic reservoirs and countless, largely unregulated wells in its aftermath. The amount of water that each well uses is over 5 million gallons per well and is mixed with a toxic chemical mixture injected into the ground. This “fracking fluid” has been known to contaminate groundwater sources and the radioactive “fluid flow back” stored in above ground pits.

There is great concern in the encroachment of these fracking wells in the greater Chaco region, an area outside the boundaries of the national park. Chaco is a designated UNESCO world heritage site, and according to the San Juan Citizens Alliance, 91% of northwest New Mexico’s lands have already been auctioned off, with the remaining 9% in danger of being soon to follow in the greater Chaco region. According to the San Juan Citizens Alliance, there are over 18,000 oil and gas wells in northern New Mexico with 1 well inspector per 4,285 wells in that area. The BLM continues to lease our public lands without having completed an analysis of the cumulative impacts to the social, environmental, and cultural health of not only our Native brothers and sisters, but of all affected demographics.

The ethics of BLM and corporate operations come into question when considering the indifferent ways that these companies oftentimes obtain what they label as “consent” from the indigenous people nearby their operations, and those for whom the land is sacred. Article 32 of the United Nations Declaration on the Rights of Indigenous Peoples defines the human right for

tribes to receive consultation from corporations who wish to begin extractive operations on sacred or tribal land, and for said projects not to happen without obtaining free, prior and informed consent from the tribes. Article 32 also describes the inherent responsibility for corporations to do their utmost to minimize the cultural and environmental impact their operations will cause. Free, prior and informed consent is an internationally accepted principle that recognizes Indigenous peoples’ inherent and prior rights to their lands and resources, and respects their legitimate authority to require that third parties enter into an equal and respectful relationship with them, based on the principle of informed consent. In the current interactions between oil & gas corporations and tribes, the required consultations are purposely feeble. Scoping meetings are only held for the people in surrounding areas, not for those who may live further away. The scoping meetings that are held have been known to be closed to public comment, and to lack the presence of an interpreter, in areas where many residents speak only Navajo. Consultation with tribes is an inconvenience, and what effort is put forth is purely to “check a box”, so to speak.

These are some of the topics we explored in our Pueblo Gathering for the Protection of Greater Chaco; an educational and community dialogue hosted by Tewa Women United and Honor our Pueblo Existence in January of last year. At this meeting we discussed our intimate ties as Pueblo ancestors to the tribal historic cultural sites of the Greater Chaco area, and our responsibility in its continued protection. For the oil and gas industry, sites like Chaco Canyon are merely figments of the past—ruins, abandoned places deemed as collateral as they drain the Four Corners Area of her rich resources. But for the entrusted caretakers of these places, this land breathes with us. The San Juan Basin and the Greater Chaco Area are living sites—more than that, they are sacred origin places for all Southwestern indigenous people. In that fertile desert, we see the footprints of our ancestors. In the breeze that reverberates off the cliff sides, we hear their voices. This land is our pharmacy, our grocery store, our classroom, our church, and gives us a sense of sacred orientation in this vast existence. Although we are constantly healing through generations of historical trauma, we are empowered by our core values as Pueblo people to defend our living history and revitalize the health and well-being of our communities now and for generations into the future. 💧



(l to r) Navajo Nation President Begay, Beata Tsosie-Pena, TEWA Women United, and Daniel Tso. Photo by Seth Roffman, Green Fire Times.

UPDATE: BLM AUCTIONS LANDS FOR FRACKING

According to the *Santa Fe New Mexican* on January 25th:

Despite protests from Native Americans, environmentalists and others, the U.S. Bureau of Land Management on Wednesday auctioned oil and gas drilling rights to 843 acres in the Chaco Canyon region of northwest New Mexico. The rights sold for \$3 million, according to the BLM.

Inter-Basin Transfers Under Scrutiny

by Paula Garcia, NMAA Executive Director

A bill during the 2017 session of the NM State Legislature has raised interesting issues regarding water policy in New Mexico. HB 418, sponsored by Representative Gail Armstrong and titled Inter-Basin Water Right Transfer Requirements, amends state water law to require that the State Engineer consider the impacts of an inter-basin transfer on the “area of origin,” or move-from basin, when deciding whether to approve the transfer. The bill as passed by its first committee would apply to applications for water transfers over 500 acre feet and would require that the State Engineer consider the following:

1. whether the transfer would deplete the aquifer in the move-from basin,
2. whether the county commission has passed a resolution regarding the transfer, and
3. whether the transfer is consistent with the regional water plan for the move-from basin.

The bill would affect any new appropriation subject to an inter-basin transfer over a certain amount but it is most relevant to a major water transfer application in Southwestern New Mexico that is currently pending before the State Engineer. Augustin Plains Ranch, LLC, (APR) is a corporation that is proposing to drill 37 wells in the San Augustin Plains aquifer near Datil and pump 54,000 acre feet of water through a pipeline to the Middle Rio Grande.

The San Augustin application has garnered opposition from a broad group of stakeholders including the San Augustin Water Coalition which has led the effort to enlist hundreds of protestants to the water transfer. A related effort, the San Augustin Water Report, a website by locals who like many of their neighbors are concerned about the impact of the drilling on the communities of the area. Calling the proposed project an “immediate threat to rural water rights and ranchland,”



San Augustin farmers and ranchers speak out. Photo by Olivia Romo, NMAA Staff.

local opponents of the project have raised concerns about the effects of pumping on the water supplies not only within the San Augustin Basin but also impacts neighboring river basins. Opponents have pointed out that the project is a form of “water speculation” by a multinational corporation seeking to profit on the exporting of water for an indeterminate future use.

According to the application filed with the State Engineer, the project would involve pumping 0.1% of the aquifer to pump tens of thousands of acre feet (or 15 billion gallons per year) to users in the Middle Rio Grande. The only municipality that has indicated support for the project so far is Rio Rancho according to exhibits attached to the application. APR, the applicant, maintains that their hydrological studies suggest that the pumping will not deplete the aquifer because they will capture rainfall with some new infrastructure in the basin and enhance recharge of the aquifer. APR further claims that “no mining will occur” despite the lack of thorough and impartial hydrological studies.

The hydrological studies done by the applicant are likely to be challenged during the protest proceedings. The San Augustin Water Report published a summary of testimony by the late Dr. Frank Titus, a well-known hydrologist, to the Middle Rio Grande Conservancy District in 2008 when the proposal was initially being discussed. His assessment was that the plan to pump 54,000 acre feet from the San Augustin Plains aquifer was not as simple as portrayed by APR. Rather, he suggested that the extent of pumping would result in “mining” of the aquifer. Over

time, extensive pumping could create a cone of depression that could affect flows in the Alamosa and Monticello creeks into the Rio Grande near Elephant Butte. Although it could take decades, the flow of the Rio Grande could be impacted in the same amount pumped out of the San Augustin aquifer.

Titus also points out in his testimony that it is not unusual for entities to mine aquifers in New Mexico but there are generally

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Act NOW to support the ranchers and communities of the San Augustin Plains!

A message from the San Augustin Water Report:

New York water speculators, calling themselves the Augustin Plains Ranch (APR), want to mine—and export—17 billion gallons of ground water each year from rural New Mexico's San Augustin plains. Not only does the San Augustin aquifer provide water for surrounding ranches, communities and wildlife, it helps sustain the Gila River with its communities and its unspoiled wilderness areas. We are committed to halting this water grab in order to prevent it destroying the local ecosystem and economy. You can help too! Join us at one of our events, or make a donation to help support the New Mexico Environmental Law Center's efforts on our behalf.

With a new application before the Office of the State Engineer, we need to gear up for another round of hearings and possible litigation. **YOUR HELP IS URGENTLY NEEDED.** We MUST raise at least \$25,000 for the purpose of compensating our expert witnesses for their time, travel, and research in testifying before the State Engineer's Office.

Please visit our http://sanaugustinwaterreport.com/help_us_fight.html page NOW to make your tax-deductible donation to our expert witness fund. **You must act now to help us protect your water rights!** We suggest a minimum donation of \$25... though, of course, donations of any size are welcome.

Here are just a few of the reasons why our fight is important to you:

- The APR water mining attempt proposes an UNSUSTAINABLE rate of ground water withdrawal
- Water mining would reduce flow from the aquifer to the Gila and San Francisco rivers, adversely impacting two national parks and the Gila Wilderness Area, and potential reducing water available through consumer acequias
- Excessive pumping from a depth of 4,000 feet could cause the water table to drop to a level where local residents and ranchers could never afford to drill their own wells, effectively leaving them without available water
- Perched aquifers in the norther part of the plains could collapse as the main aquifer is depleted

Once you have made your donation on our "Help Us Fight" page, please scroll to the bottom of that page for instructions on sending a protest letter to the Office of the State Engineer. Sample letters are provided, along with some facts in brief to help you customize your letter.

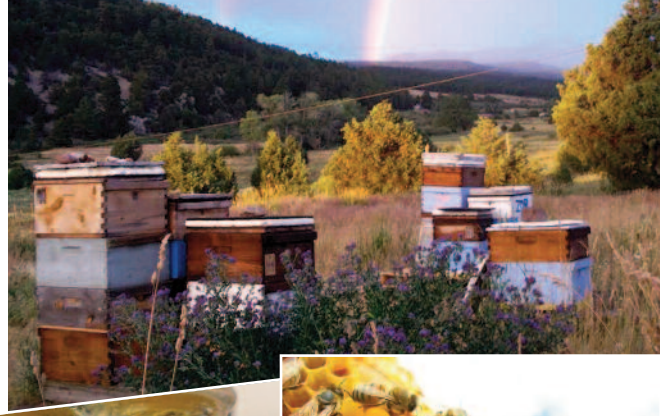
Native Medicines for NM Pollinators

by Melanie Margarita Kirby

Melanie Margarita Kirby is founder of Zia Queenbees Farm & Field Institute. She is a native New Mexican from Tortugas Pueblo and has been keeping bees professionally for 20 years. Her farm specializes in local honey bee breeding, pollination services and exquisite hive medicines. For more info, visit www.ziaqueenbees.com/zia

Sol, Agua, Tierra. The combination of sunlight, water and earth gives us sustenance by nurturing the growth of plants. These plants exchange pollen—their life giving force, and in doing so, give birth to seeds. These seeds carry on the stories of the plants, from one generation to the next. And while seeds are the stories, who are the storytellers sharing the pollen?

Those who tend to the elements are considered caretakers of creation. They are the storytellers sharing the seed stories. But before they are able to share these stories with their comadres and comadres and their communities, the seeds themselves had midwives. These midwives helped to birth these seeds by transferring pollen from flower to flower.



Photos: Top: Home of the Bees. Left: Medicine from Bees. Right: Native New Mexican Pollinators. All photos by Melanie Kirby.

This pollen is also part of the midwives tradition. Pollinators do rely on the exchange of pollen and its life giving properties to sustain their health. They rely on clean water resources and healthy plants for nectar. They collect resin from trees and shrubs to seal their home with propolis. They share their foraged medicines- transforming them into liquid starlight- honey, among other raw hive products.

Their cultural traditions are passed down from one generation to the next, just like us Nuevo Mexicanos. Their stories have been of adaptation and resilience. But sadly these days, pollinators are struggling. Between fluctuating weather, increased importation of unhealthy bee stock, pest and disease issues, and toxic pesticide, herbicide and fungicide applications, our pollinators are faced with daily challenges that can affect their ability to endure. If their habitat is compromised, then their forage and diet will be insufficient. And this statement can be true for us humanos, too. If our habitat is compromised, and our fields and waterways contaminated, our delicious cuisine and communities will be unhealthy.

There is a profound interconnectedness between all species on this planet. Those of us who work with the land, as caretakers of creation live it daily. We recognize that water is life and that along with it, the sun, the sky, the earth, the pollen, seeds, and the bees—all help to carry on our stories. Our pollinators need nurturing, too. Their stories of resilience are crumbling. They need caretakers of creation who can work with them, for them and promote their local stories.

This spring, farm led medicinal herb research is being conducted through a NMDA Specialty Crop Block grant awarded to New Mexico State University Alcalde Sustainable Agriculture Science Center. Robert Heyduck, Horticulture Research Associate for the center, along with Todd Bates of NM Native Plant Recyclers in Embudo, and Melanie Margarita Kirby of Zia Queenbees Farm & Field Institute in Truchas, are collaborating to investigate the benefits of Oregano de la Sierra - a native NM medicinal herb for pollinator and human health.

Oregano de la Sierra (*monarda fistulosa* var. *menthafolia*) is a high mountain bee balm that grows between 6000-8000'. Todd Bates has been growing this medicinal herb for several years. He has been selecting strains and harvesting their big, purple flowers and leaves for drying. He has noticed that pollinators of all sorts are very attracted to this plant. He wonders if the different kinds of bees and butterflies are medicating themselves with the nectars and oils.

It is this curious question that inspired this collaborative effort. Todd and Melanie have already steeped the flowers in NM varietal honeys as well for human health benefits. This collaboration encouraged Rob to assist and enlist scientists from various parts of the country, including Dr. Don Hyder, Chemistry Professor at San Juan College in Farmington, and Dr. Jay Evans, Director of the USDA Beltsville, MD Bee Lab. Their joint investigation will look at the medicinal benefits this native plant shares with both the bees, and with people.

A field day will be offered in June to share the wonders of this native medicinal plant and pollinators. For more information, visit www.herbs4bees.com

BE A FRIEND TO POLLINATORS

Featured NRCS Program: Helping Pollinators

Pollinators are a crucial part of healthy agricultural and natural landscapes. The 2014 Farm Bill (a Federal bill which governs many ag programs) includes pollinator conservation provisions and adds targeted support for the creation of honey bee habitat. The 2008 Farm Bill made pollinators and their habitat a priority for USDA, and authorized special consideration when determining payments for practices that promote pollinator habitat under Environmental Quality Incentive Program (EQIP). Wild and managed (both native and introduced) pollinators are to be considered during the review or development of Farm Bill conservation practice standards. Most importantly, the 2008 Farm Bill authorized the Secretary of Agriculture to encourage “the development of habitat for native and managed pollinators; and the use of conservation practices that encourage native and managed pollinators” during administration of any conservation program.

Examples of field-level opportunities
Contracting pollinator conservation projects using current conservation practices under EQIP.

Pollinator conservation practices provide permanent or seasonal habitat to:

- Increase the abundance of pollen and nectar.
- Expand the availability of blooming plants through the growing season, ideally from early in the spring (e.g., willow) through late fall (e.g., goldenrod).
- Add or protect potential nest sites.
- Provide refuge from pollinator-toxic pesticides.

You may be eligible for this program! NMAA is here to assist you. If you are already registered with the Farm Service Agency and actively farming, contact your local NRCS office and request more info on this program or simply call NMAA at 505-995-9644 and ask for Serafina.

For more info see:
<https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/plantsanimals/pollinate/help/>
<https://www.fsa.usda.gov/programs-and-services/economic-and-policy-analysis/natural-resources-analysis/pollinators/index>



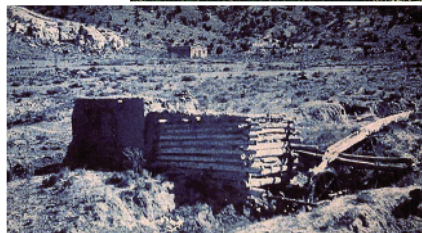
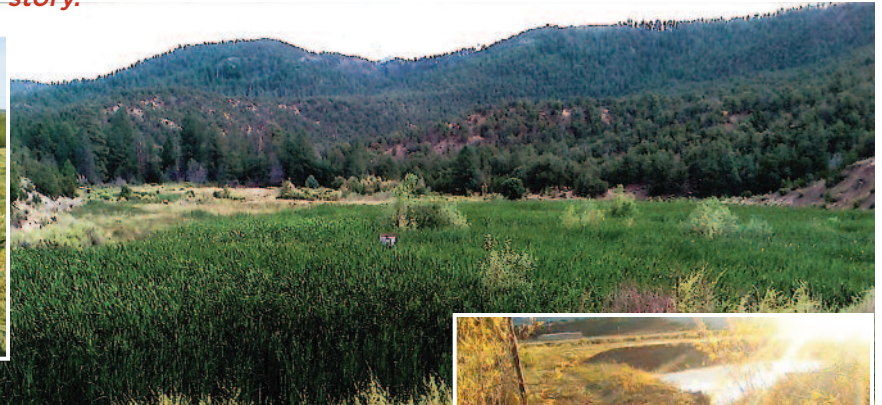
Our acequia communities are precious because of the common themes and values that we share, but also because of the unique story that every acequia has. In this section we put a spotlight on different acequia communities to encourage our readers, parciantes, and acequeros to reflect on what makes their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

San Mateo Irrigation Association

Jack Márquez was born and raised in the beautiful agricultural community of San Mateo, New Mexico. Jack moved to Missouri in 1970 after graduating from high school to pursue work then moved on to California in 1974 to start his own business. Jack started L&M Editorial Repair in Burbank California providing editing equipment to film makers and editors as the film industry developed. He left the business in 2008 and returns home to San Mateo to be with his family, farm, and become more involved with his acequia, San Mateo Irrigation Association.

On February 12, 1768 Santiago Duran y Cháves received a grant, four square leagues, about 15 square miles known as the San Mateo Spring Grant. New Mexico Governor at the time was Pedro Fermín Mendinueta and Alcalde was Bartolome Fernandez. Santiago was related to my fifth great grandfather, Pedro Antonio and his father Diego Antonio Duran y Cháves. Santiago ran around 5,000 sheep, some cattle and horses. One of his water sources was the water from San Mateo Springs. Acequias, being one of the oldest form of government- in the early 1800, the acequias were already being improved, planting crops, pastures and orchards. People could not stay for extended periods of time, for fear of attack by Apache and Navajo tribes.

In 1862, typical Spanish fashion of pobelando, water sources and protection, 15 families from Cebolleta one being our fourth great uncle, Santiago Marquez, poblarón San Mateo, beginning the community garden. It was called la Tierrita de San Mateo. Sacabán al Santo, San Ysidro Labrador a pidiré buen siembra. Below that were suertes, 1 through 36, being 150 feet wide and a mile long. Our current Cibola County mapping has the irrigation system in place before 1870. In 1935 the San Mateo atarque was built, sponsored



Top l: Barbara Marquez turning alfalfa in San Mateo, NM. Top r: To bring back la Atarque de San Mateo some day! Bottom r: Irrigating from the stock pond in San Mateo. All photos by Jack Marquez, except Bottom Middle: Gris Mill on Acequia Madre de San Mateo, photo by Charles F. Lummis 1888, Courtesy of the Braum Library Collection, Autry Museum, Los Angeles; A.1.13.

by the State Engineer together with the WPA, partly with mula y escrepa.

Our uncle Roman S. Marquez, now 91, being 8 or 9 years old at the time was sent to take lunch to his older brother, Horacio, who was 17 or 18. At lunch time when the workers were out of the area, the WPA would blast to loosen rock and soil, uncle Roman would not take the lunch all the way for the fear of the blasting, so uncle Horacio would have to come down part way to get his lunch!

San Mateo applied for ditch commission in 1940. In late 1940 or early 1950, silt was cleaned with large excavators. Our uncle Horacio was working out of town at the time: he supplied gasoline, and our dad, Thomas transported it. He must have worked security late at night, because our sister Josie remembers walking his dinner to him late in the evening. Uncle Horacio would experiment irrigating wheat, milo, and other grains. Our Dad had alfalfa, corn, pumpkins, arbejon, and a flock of 60 sheep for grazing the land that could not be irrigated. A jersey cow was a source for milk, queso, and white gravy. The two families shared a full garden.

Beginning in 1908, both young parents had to work, and the large siembras declined, but the family gardens were still going strong, and still irrigating the pastures and multiple orchards around the town. There are varieties of cherries and apricots (when they do not freeze) also peaches, pears, and apple trees that are

over 100 years old whose seeds possibly came from Spain, we do not see that kind anywhere else! Our antepasados acequia association was set up well. Our current wonderful commission has the tabla set up, the limpia organized all the way up to the ojitos y los enfrenetes beginning two weeks before the corridera April 10th to October 10th with little maintenance throughout the season as it arises.

When I was growing up in San Mateo, my favorite Mayordomo was Maximilano (Max) Barela. A kind hardworking man who would go out of his way to help everyone. He played no favorites, todos tocaban! One time, my Dad and a few of us kids were escardando la milpa, as I recall, el tanque de abajo, was close to Max's house and a half mile from our field. He told my dad, waving his arms, cuando te haga la sena, es que ya viene la agua, so my Dad did not have to keep checking for the water, buenas memorias!

Every San Mateño has a unique quality of their own, too many to mention to do them justice. San Mateo is a member of the NM Acequia Association, with their help and guidance, we look forward to improving our irrigation ditch infrastructure. All our ancestors being Native American, Anglo, Mexican, Spanish and people from all around the world, New Mexico is truly the Land of Enchantment!

Proudly,
Jack D. Márquez, Parciante of San Mateo Irrigation Association 💧

Legislative Report on Water and Acequias continued from page 2

HB 418 (G. Armstrong) Inter-Basin Water Transfer Requirements:

This bill would add to existing criteria that the State Engineer shall consider in an application for an appropriation of groundwater to transport out of an area-of-origin to another region. The additional criteria would be that the State Engineer consider whether the groundwater pumping would result in mining of the aquifer in the area-of-origin, if the county commission passed a resolution concerning the transfer, whether the transfer is part of the regional water plans in the area, and other factors. The bill passed the House Agriculture and Water Resources Committee with No Recommendation. At press time, it was waiting for a hearing in House Energy and Natural Resources Committee.

SB 157 (Wirth) Interstate Stream Commission Membership:

This bill repeals the current statute defining membership and replaces it with new language. The Commission would remain at

nine members (including State Engineer) but defines representation in a more detailed manner. Four representatives would be appointed by the Governor (one of whom should represent a tribe or Pueblo): two members of an irrigation or conservancy district, one member of an acequia or community ditch, and one representative of a small water utility. Four representatives would be appointed by the legislature (one of whom should represent a tribe or Pueblo): one member of an irrigation or conservancy district, one faculty from WRRI, one faculty from NM Tech, and one representative from a conservation organization. The bill passed the Senate and is in House Committees.

HB 468 (Romero) Elected Albuquerque Bernalillo County Water Utility Authority: This legislation would change the statute that defines the governing board of the ABCWUA from a board appointed by the City of Albuquerque and Bernalillo

continued on page 8

Meet Los Sembradores Farm Apprentices

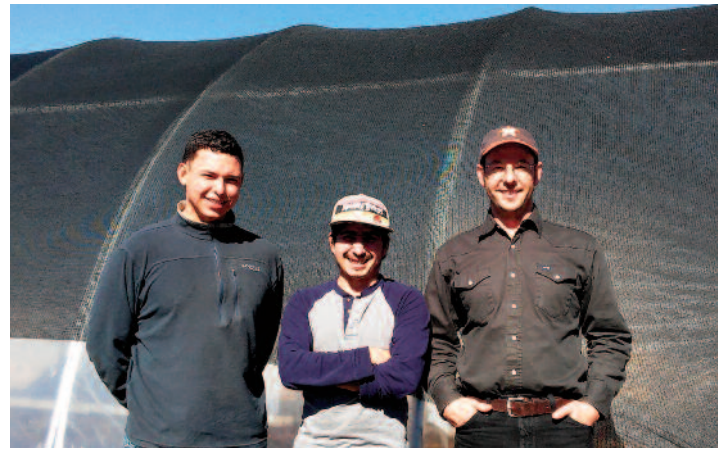
The NMAA is excited to introduce the apprentices for our new Los Sembradores Farmer Training initiative, which started in February. The three apprentices will work with our Farm Training Coordinator, Donne Gonzales, for a 11-month comprehensive training program. The apprentices will learn using a 15 point curriculum that was developed by our partners, American Friends Service Committee, based on the successful farming methods of Don Bustos. The main training site is Chicoyole Farm in Chamisal, but the apprentices will also be working on their respective farms as part of the program, as well as other area farms.

We are pleased to introduce Farmer Apprentices:



Nicanor Ortega - Taos, NM

Hello, my name is Nicanor Ortega. I am from Taos County. I am a parciante on la Acequia Atalaya de Arroyo Hondo. I am a 27 year old veteran, returned home. I grew up working acequias and having a jardin. My goal and dream is to be a full time farmer living off my land. Also to have the opportunity to feed and help our communities, especially our children. It is an honor to be part of our New Mexico Acequia Association. Thank you and God bless.



2017 Farmer Apprentices: I to r: Nicanor Ortega, Matthew Encinas and Shane Tolbert. Photo by Donne Gonzales.

Matthew Encinas - Chimayo, NM

My name is Matthew Encinas. I am from Chimayo, NM and a parciante on la Acequia de Espinosas. I am a father and also work for the Santa Fe Community College. I recently got my degree from the community college. My goals are to live off the land and to help prepare our next generation to do the same.



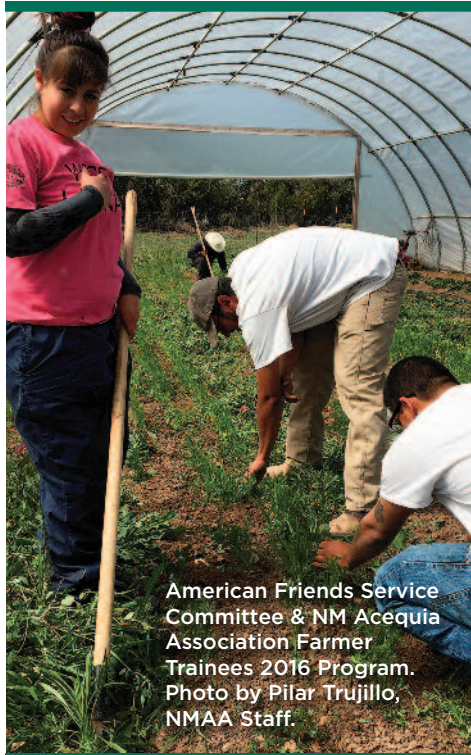
Shane Tolbert - Abiquiu, NM

Shane Tolbert is trained as an artist and relocated to Abiquiu, NM last year from Houston, TX. I am focused on farming to rebuild soil quality and provide my family, and community with healthy, organic produce. My hobbies include hiking, fly fishing, and bee keeping.



Bienvenidos to our Farm Apprentices!

Stay tuned for updates on the project and work. 💧



American Friends Service Committee & NM Acequia Association Farmer Trainees 2016 Program. Photo by Pilar Trujillo, NMAA Staff.

Los Sembradores Farmer Training Network – JOIN OUR WORKSHOPS!

Are you returning to the ranch or farm, or trying to find your way back? Are you farming but looking for support and new skills? Join us as we form a learning network of acequia farmers that are dedicated to the land and looking to increase their skill set and farm savvy. We will start by hosting 3 workshops:

March 15th - High-tunnel construction and production - and other keys to season extension

May 17th - Cold storage construction and food safety guidelines- the tools you need to market your product

Summer TBA - Irrigation and Weed Control Methods - Flood and drip irrigation techniques for beginners and pros, and innovative weed management

Please RSVP as each workshop is limited to 20 participants.

All workshops will be held in Chamisal, NM.

The network will feature farmer to farmer exchanges, valuing the knowledge and experience each person brings, while providing information and learning opportunities to complement and accelerate success. The call to work the land is a sacred one and modern times bring new challenges to this vocation. We seek to build a network of collaborators who ease some of that burden and define their own way forward. New and beginning farmers are especially encouraged to join, while folks of all ages and experience level are welcome. Contact Pilar or Serafina at 505-995-9644.

Legislative Report on Water and Acequias continued from page 7

County to a board that is elected directly by the electorate of Bernalillo County, one member from each of five commission districts. The bill would provide for more direct and accountable representation of the citizens of Bernalillo County.

SB 350 (Wirth) Agricultural Land Valuation: This legislation would allow the creation of another type of land for purposes of valuation for lands that were formerly in agricultural production but that are not in use for residential purposes. By having a valuation lower than that for residential, property owners would be protected from steep increases in property taxes when land is no longer actively used for agriculture and eligible for the special method of valuation for agriculture. The bill passed its first Senate committee and tabled in its second committee.

SB 307 (Martinez) Oil and Gas Act Powers and Penalties: This legislation updates the Oil and Gas Act with higher fines for violations and administrative authority to assess civil penalties. It clarifies that each day is a separate penalty such that each penalty is \$1000. It increases the maximum penalty for contaminating groundwater to \$10,000. It makes it a felony to falsify records among other reforms to the Act. The bill generally would place more strict requirements on the oil and gas indus-

try. The bill passed Senate Conservation and has not been scheduled in Senate Judiciary.

Bills Relating to Food and Agriculture

HB 207 (Salazar) Funding for Organic Program: Appropriates \$125,000 for program to fund staff for organic certification.

SB 379 (Woods)/HB 208 (Hall-Egolf) NM Grown Fresh Produce in School Meals: Appropriates \$1.2 million to the Public Education Department for schools to purchase local food.

HB 289 (Sweetser) Agriculture in Economic Development Act: Amends the Local Economic Development Act (LEDA) and adds agriculture to the types of business that can be funded with local LEDA funds. Passed House and scheduled in Senate Conservation.

HB 305 (Sweetser) Food Safety Compliance: Would allow NM Department of Agriculture to promulgate rules and regulations to implement the Food Safety Modernization Act (FSMA). House Business and Industry, Monday, February 27, 1:30pm. Passed House and scheduled in Senate Conservation. 💧



Jacquelyn and the Indigenous Youth Council in Standing Rock North Dakota.

by Jacquelyn Cordoba

We follow in the footsteps of those who come before us.
 The paths our ancestors have taken, have led us to where we are right now.
 The stories we tell ourselves have been passed down for generations. Through peace and through war, our people have existed. They have existed in pain and suffering. In love and joy. In confusion and doubt.
 They have persisted through the most challenging and unfathomable times
 just so that we could be alive. Right now.

The 7th Generation. The youth of today and tomorrow. These are our times to rise and shine.
 On the daily. To wake and pray. To wake, give thanks.
 To walk in a good way.

What do YOU want to pass on to your children?
 What is important to YOUR heart?
 What does God, Creator, the Great Mystery, Universe speak to YOU about these days?
 These are our guides in these times.
 When some of our elders have been poisoned with capitalism and material gain...
 Who are We to look towards for guidance?

We have each other.
 Look to your brothers and sisters, for they are living in this confusing world alongside you.
 Look to this precious Mother Earth that has nurtured you since birth, for she is still here under your feet. The support of your every beat.
 Look to the sacred Waters when times get rough, for they will show you how to flow gracefully. How to patiently chip away at seemingly immovable boulders so that one day, your children will only see a small rock.
 Look to the Sun when you are tired, for His rays will fill you with radiant strength and courage.
 And look to the Sky when everything else seems to be towering over you, for the Sky will gift you breath and perspective.
 An empty space for you to visualize a new world for your children.



Jacquelyn and her sister, Jessica Cordoba along with friends plant quinoa in Northern New Mexico

It is HARD. To be a young person today.
 It is HARD. To witness injustice.
 It is EASY. To become overwhelmed.
 It is EASY. To want to fall back asleep and let someone else take care of this mess.
 But life has never been easy for any of us.
 And there is NO ONE ELSE to look to any longer.
 WE are the 7th generation.
 WE are the ones our ancestors have been praying for.
 WE are the ones who start this journey into the crashing waves that have gained momentum over decades.
 WE are the ones who will calm the storm.
 Who will restore balance.
 WE are the ones who will remember who we are.
 Sweet beautiful children of God.
 Caretakers of Tierra Madre. Unci Maka. Mother Earth.
 WE are the ones.
 & YOU...

You are being called to take part in this very sacred mission.

Your hands will get dirty. They will be brown - covered in dirt.
 You will walk into the battlefield everyday with your Weapons of Mass Destruction.
 They are called Love & Light.
 You will burn your sage and sweetgrass.
 Your cedar and holy wood - Palo Santos.
 And you will send prayers to Creator.

You will pray for forgiveness on behalf of your ancestors.
 Because you know that if you don't, the pain will live on.
 You will ask for guidance.
 "How Creator, would you like me to walk in this world, today?"
 And then you will act in alignment with, walk alongside - hand-in-hand, the word of God.
 Because you know that if you don't, the pain will live on.

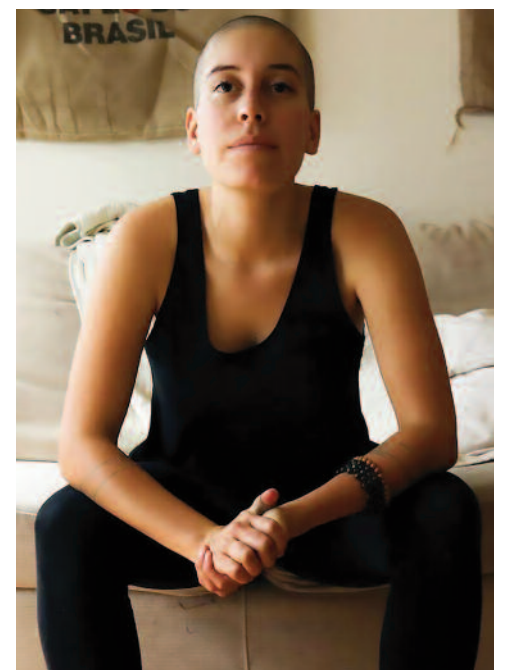
They will call us rebellious.
 They will grant us stares of disapproval.
 Yet we will remember that WE ARE GUIDED.
 They will tell us the war is too big and it can't possibly be won.
 That we should better just accept this reality and move on.
 Yet we will remember that we have been gifted A COLLECTIVE VISION.
 And when one of us speaks up, we all must speak up.
 And when we all speak up, we all start moving.
 And when we all start moving, we create a tidal wave big enough to cleanse the world of it's sins.

Greed, gone.
 War, gone.
 Disrespect, gone.
 Rape, gone.
 Abandonment, gone.

Love, present.
 Peace, present.
 Honor & Respect, present.
 Generosity.
 Compassion.
 Wisdom.

Present.

Jacquelyn Cordoba was raised along the Rio Pueblo in the high mountains of Nuevo Mexico near Placitas. Her grandparents were humble stewards of the Earth and she hopes to carry on this tradition in a good way. She is a member of the International Indigenous Youth Council, an actress, musician, and award-winning documentary film-maker. 💧



Governance Tips: Acequia Easements

Time to work on the ditch.
Photo by Theresa Webb.

by NMAA Staff

An acequia community is only as strong as the parciantes that choose to participate. Acequia customs and traditions are very much rooted in phases. Akin to planting of corn in spring or garlic in the fall, these are based in cyclical and seasonal activities. Spring time is upon us and it won't be long until mayordomos are calling parciantes to round them up for the annual limpia. The annual Acequia limpia is just as important as the winter snow pack or the summer monsoons. This article addresses easement issues associated with annual acequia limpieas and provides a brief explanation of the landowner's rights and obligations.

What is an easement?

An easement is a legal right-of-way onto another person's land. Acequias have a type of easement that is well-established and often centuries-old. An acequia easement runs along the ditch and its laterals. The "bordo" of the acequia is generally within the easement of that acequia. State law says that the width of the easement should be adequate for reasonable maintenance, use, and improvements. The easement carries with it the right to access (maintain, use, or improve) the entire length of the ditch. The acequia easement includes the right to make reasonable improvements. This includes the use of certain machinery as long as its use is for "reasonable maintenance, use or improvements." The acequia easement also includes the right to gain access to the ditch through traditional points of access, even when that includes crossing a person's property. There must be legitimate acequia business to be done each time there is entry onto someone's property.

What kind of legal document is needed for an acequia easement?

According to state law, an acequia has a legal easement as long as it has been used historically, since its establishment, for at least five continuous years. Once an easement is established, it remains intact. Acequias generally have easements that date back hundreds of years. No legal documents are required. The



easement exists because of historic use regardless of whether the acequia has documented this easement.

However, some acequias have documented their easements for purposes of informing parciantes of the acequia easement. Good documentation of your easements also helps you protect this important right of your acequia. Some ways to document your easement are as follows:

- **Inform your Parciantes**

Include a section in your bylaws that defines your acequia easement and traditional points of access. Ensure that all parciantes on your acequia have a copy of your bylaws. The NMAA has sample language to include in acequia by-laws.

- **Document your Easement**

File a map of your acequia that includes your easement and points of access with the county clerk so that it is on record for title searches.

What are some examples of violations of an acequia easement?

Access to the acequia is very important. In addition to informing your parciantes about your easement, acequia officials should also carefully monitor any actions by landowners that may be violations of the acequia easement. Some of these violations include the following:

- Building fences across the acequia which block the ability to walk or use equipment along the length of the ditch.
- Building structures like houses, decks, or corrals within the easement or across the acequia.
- Blocking access to the acequia through a traditional point of access. Landowners, particularly new ones, attempt to block acequia officials or cleaning crews from crossing their property to get to the acequia. 💧



Enrique Romero and his son Taiyari in Nambe, NM. Photo by Rita Topete.

Ask a Water Lawyer: Proxy Voting

by Enrique Romero

May an Acequia allow voting by proxy? If so, what are some concerns or issues that may come up regarding proxy voting?

The term "proxy" and "proxy voting" are terms used primarily in the context of corporate or business law. For example, a corporate shareholder may assign his or her voting power to a representative for the purposes of quorum and voting on an issue at a particular meeting that the shareholder cannot, or will not, attend in person. The assignment - which should be on a written proxy form to be valid - may direct the representative, or proxy, to vote a certain way on a given issue, or may simply direct the proxy to vote on behalf of the shareholder however the proxy feels is in the best interest of the shareholder. Even though a proxy form may appear like an absentee ballot because it may list the item or items up for vote, in corporate law the proxy is not likely considered a ballot because the proxy form is not the vote. Rather, the proxy is authorized to vote the shares at the meeting in whatever form or manner the actual voting takes place - written ballot, voice vote, etc.

The acequia statutes mention proxy voting and specifically allow it: "votes may be cast by written proxy." The use of the term "proxy" in the acequia statutes is likely a result of the quasi-corporate nature of acequias. Some acequias refer to their members as "shareholders" and vote by shares on acequia matters. In any case, acequias are not private corporations and governance is not dictated by corporate law statutes. The use of proxies is allowed by the acequia statutes and the lack of any firm guidance as to their use allows acequias some flexibility to determine when and how they are used.

For example, acequias may use proxies to achieve quorum when it would otherwise be difficult or impossible to get members

physically to show up to a meeting at which necessary business needs to be conducted. The use of proxies to achieve quorum is common in the corporate world. Along the same lines, proxies allow for participation when it is difficult or impossible for a member to attend a meeting. Participation by proxy is better than no participation at all, provided, of course, that the written proxy is valid and the member, having been informed of the particular issues to be discussed and voted on at the meeting, knowingly and willfully assigns his or her vote to the proxy.

That leads to some of the potential drawbacks to proxy voting. First, there is no substitute for in-person discussion and voting. A good turn-out at an acequia meeting makes issues at the meeting ripe for debate, leaves officers feeling like they had a meaningful discussion with their constituents, and gives officers a mandate to move forward with whatever outcome was decided by those in attendance. Regardless of how trusted the proxy is, it's important to keep in mind that diversity in opinion is a cornerstone of democracy and there is no better advocate for his interest than the member himself. Other potential drawbacks are fraud or confusion about the appropriate form or use of written proxies. Both issues can easily be addressed in the acequia's by-laws by providing the scope of a written proxy's use and by requiring certain minimal information in order for a written proxy to be deemed valid. In my experience, fraud-by-proxy is very rare. Fraud is a serious allegation and an acequia that believes that someone is misrepresenting their status at a meeting should seek legal advice.

Acequias have a great deal of flexibility in terms of determining how proxies are used. Since there is little guidance in state law, as with other governance matters, proxy voting should absolutely be addressed in an acequia's bylaws. We all know that the acequia statutes are silent on a number of issues related to how acequias should be governed - and that can be a good thing! Every acequia is unique and is a reflection of the community it serves, so let your bylaws show it!

As you are thinking about this issue, consider whether your acequia's bylaws address proxy voting, and if so, whether your acequia has forms readily available for proxy voting. NMAA's governance handbook has examples of proxy voting provisions and proxy vote forms. Call NMAA to receive a copy of the handbook and to discuss the best options for your acequia when it comes to proxy voting. 💧

How can our acequia avoid disputes with landowners over acequia easements?

In addition to the strategies at left of documenting easements and informing parciantes, an acequia can take additional measures:

Inform Parciantes & Landowners before Spring Cleaning

Many of the disputes over easements reach a critical point during spring cleaning. If possible, an acequia should use any means available to inform landowners of the cleaning day(s). If a landowner has land through which the cleaning crew must cross, it is a good idea to inform the landowner that you will be crossing the property on cleaning day(s).

During Spring Cleaning, Work as a Crew

Some disputes arise when there is confusion with regard to the official duties of the cleaning crew. Generally, during the spring cleaning, the cleaning crew should remain together. Individual peones should be discouraged from traversing the acequia unless it is part of official business of the acequia or delegated by the Mayordomo.



Maria Gallegos, NMAA Staff, with Cardinal Peter Turkson at the World Meeting of Popular Movements in Modesto, California.

2017 World Meeting of Popular Movements

by Maria Gallegos

On February 16-19, 2017, on behalf of NMAA, I traveled to Modesto, California with other members of the New Mexico Delegation and joined over 600 grassroots community leaders, organizers, clergy and bishops at the 2017 World Meeting of Popular Movements U.S. Regional Meeting. This regional meeting of U.S. based social justice organizations was an offshoot of three World Meetings of Popular Movements (WMPM), which took place in Rome (October and November 2016) and Bolivia (July 2015.) The WMPM is an initiative of Pope Francis to develop bonds of collaboration among people across the world who are struggling to attain what every person deserves for dignified living- the basic rights to *Tierra, Trabajo y Techo* (Land, Work and Housing). ♦

Join the Movimiento en Defensa del Agua Today!



Marching for the future of Acequias! Photo by Seth Roffman, *Green Fire Times*.

Acequias continue to be the lifeblood of our communities, providing nourishment through locally grown food, economic livelihood and aquifer recharge.

Acequias need your support! As acequias confront the challenges of an uncertain climate, commodification of water, and other pressures, we also see the resurgence of local agriculture and the need for healthy local produce for our communities. NMAA needs your support to meet these challenges and secure a healthy future for the next generation of acequeros.

NMAA has a comprehensive approach to fulfill our vision of acequias flowing with clean water and people working together to grow food and celebrate our cultural heritage. Our work centers on all aspects of keeping acequias thriving, including: acequia governance, water rights protection, farmer training, leadership development and organizing, policy advocacy, youth engagement, food and seed sovereignty.

Will you join the NM Acequia Association TODAY with a donation/membership to advance el movimiento en defensa del agua?

- Maiz \$1000
- Chile \$500
- Hava \$250
- Alverjon \$100
- Regional Acequia Association membership \$75
- Individual Acequia membership \$50
- Parciante/Supporter membership \$25

Membership includes a newsletter subscription.

NOTE: Donations to NMAA are tax deductible. Make checks payable to the New Mexico Acequia Association, 805 Early St., Bldg B, Suite 203, Santa Fe NM 87505 -or- Visit: lasacequias.org/donate

!Mil Gracias!



Gilbert Sandoval teaching his grandson how to plant. Photo by Juanita Revak.

Acequia Audits and Budgets: Important Deadlines

by Paula Garcia, NMAA Executive Director

As political subdivisions of the state, acequias are required to comply with the Audit Act, which includes the Tiered Reporting System for any entities with under \$750,000 in revenue. Additionally, acequias are required to comply with budget reporting through DFA Local Government Division if annual revenues are over \$10,000. NMAA, in partnership with the Office of the State Auditor and the Department of Finance and Administration, provides detailed workshops, technical assistance, and educational materials to assist acequias with compliance. NMAA is advising that acequias comply with both and is providing the following deadlines:

Audit Act Compliance:

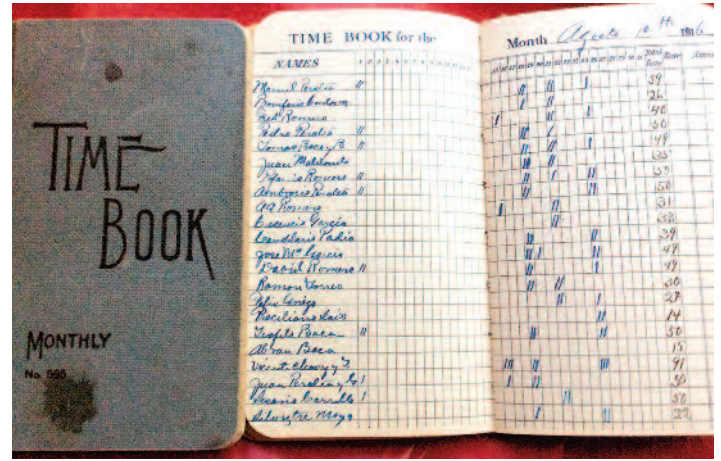
- For acequias with a fiscal year end of December 30, 2016, the deadline to submit your reports to the State Auditor is May 30, 2017 (5 months after the end of the fiscal year).
- For acequias with a fiscal year end of June 30, 2017, the deadline to submit your reports to the State Auditor is November 30, 2017.
- For Tier 1 (under \$10,000) and Tier 2 (under \$50,000), all acequias are required to complete a Certification Form online on the OSA website.
- Acequias in Tier 3 and above (those acequias with \$50,000 annual revenue or over or Capital Outlay), are required to contract with an Independent Public Accountant (IPA) to complete a financial report.

Budget Reporting Compliance (applies to all acequias with over \$10,000 in revenue or who spend Capital Outlay or other state grants):

- DFA is accepting submissions online or in a paper format. The template forms are on the DFA website.
- For acequias with a fiscal year start of January 1, 2017, the deadline to submit your draft budget to DFA was November 30, 2016 and the final budget was due January 30, 2017. Quarterly reports are due 30 days after the end quarter.
- For acequias with a fiscal year start of July 1, 2017, the deadline to submit your draft budget to DFA will be May 30, 2017 and the final budget will be due August 30, 2017. Quarterly reports will be due 30 days after the end of each quarter.

Both agencies have recently transitioned reporting to an online format. NMAA is available to assist with completing Tier 1 and Tier 2 forms and with DFA reporting. NMAA can also offer guidance to Tier 3 and above with the understanding that the financial report be prepared by an IPA approved by the State Auditor.

Another type of budget reporting is specific to acequias with Capital Outlay. If an acequia receives Capital Outlay, they are



My Great-Grandfather's ledger. Photo by Sarah Rivera-Cordova.

required to complete a Bond Questionnaire. This is usually done in March (in preparation for the June bond sale) or October (in preparation for the December bond sale.) After the acequia signs an agreement with the Interstate Stream Commission, the state agency that administers Capital Outlay, the acequia is required to complete monthly reports on the Capital Projects Monitoring System (CPMS). When an acequia gets a Capital Outlay appropriation, DFA will assign a username and password to the system for the acequia. NMAA would like to remind all acequias with Capital Outlay appropriations to update the CPMS reports for your project by the end of each month. They need to be updated even if there has been no activity on the project.

NMAA is available to provide technical assistance on any of the above topics. Please call the NMAA office for more information. 💧

La Limpia and Getting the Ditches Ready!



Acequia Rio de la Vaca. Photo by Thomas Hamm.

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

The first water and the spring are periods of most importance for acequias. It is recommended that for the first water, a crew follow the water as it flows through the acequia in its entirety. Debris and loose dirt from the limpia are removed during this exercise. As we all know, the springtime is the period when high winds, rain, etc., can occur without warning. Tumbleweeds can quickly plug a culvert or headgate and water backup can occur with the accompanying release of water outside the banks of the acequia. Water can damage buildings, walls, septic tanks and several other structures. So, early in the irrigation season is when danger from storms is the greatest.

A mayordomo's daily routine during the middle of the irrigation season has to include giving the rounds. What this means is visiting trouble areas (culverts, low slope areas, diversions, and headgates) on a regular basis, daily if possible. You will, with experience, be able to identify all the trouble areas on your acequia.

After a short period of time, a mayordomo gets to know the landscape of his/her acequia. By studying the speed of the water flowing at various sections of the acequia during normal periods, a mayordomo can tell when the flow of water is just not

right. Usually this indicates a blockage (slow moving flow) or breakage (fast moving flow) somewhere in the vicinity. Sooner, rather than later, a mayordomo will be able to count the number of trouble spots on his/her acequia. Usually a weak slope in the acequia, an improperly sized culvert or headgate, are likely trouble areas. Needless to say, troubleshooting known trouble spots becomes second nature to the mayordomo who knows his/her acequia like the palm of his/her hand. Troubleshooting is important throughout the irrigation season.

When the flow of water is just not right, one of several scenarios can be taking place. Depending on your diversion structure, you may need to adjust the flow very frequently or flush out sand and silt. During normal conditions, a diversion structure diverts a fairly constant amount of water. A blockage can change the amount of diverted water quickly as can a storm event. A mayordomo must be a weatherman whether he/she likes it or not. Familiarize yourself with your watershed and then you will be able to predict the amount of water arriving at your diversion structure. Get to know when the dark clouds above your watershed are threatening, and then you can quickly get to your diversion structure and adjust things accordingly. When you are away make sure you leave someone in charge to include monitoring the local weather.

Daily maintenance activities must include the flushing of the acequia at various points along it and checking of debris screens and culverts. Most acequias have sand traps that need periodic flushing so that the acequia does not fill up with sand and silt. The turbidity (cloudiness) of the water will dictate how often the acequia sand traps need to be flushed. Usually, once a day is required during the early run off period or during a rain storm. Culverts and headgates tend to be troublesome in that debris (weeds, branches, etc.) tends to get hung up on them. Some culverts and headgates have trash screens and these need cleaning periodically throughout the day especially during the windy season. The spillage of water over the banks of the acequia is usually caused by a backup at a culvert. Depending on the amount of water flowing out of the acequia, varying amounts of damage to property can take 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.

\$250 will sponsor 1 youth to attend a 5 day conference on leadership and social justice (Rooted in Community)

\$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!

Inter-Basin Transfers Under Scrutiny

continued from page 5

studies that the State Engineer can use to determine how much to pump and for how long before the aquifer is drawn down and depleted. He cautioned that a plan that claims to pump extensively over the long term without aquifer depletion may not be realistic.

HB 418 (Armstrong) applies only to applications to appropriate water and does not apply to changes in point of diversion, place of use, or purpose of use of existing water rights. Nor does the bill prohibit inter-basin transfers. But it adds additional criteria for the State Engineer to consider in any application to appropriate groundwater that proposes to move the water out of the "area of origin" to another basin.

Under current law, the State Engineer must consider three criteria in any application for a water transfer, which is the change in point of diversion, place of use, or purpose of use. The three criteria are impairment to existing water rights, conservation of water, and detriment to the public welfare of the state. The bill would require that the State Engineer consider other criteria regarding the impact to the move-from area. The additional criteria would be whether the transfer depletes the aquifer of the move-from area, whether the county commission has adopted a resolution regarding the transfer, and whether the transfer is consistent with the regional water plan. In a recent legislative committee hearing, the OSE attorneys pointed out that they may already consider county or regional plans or statements under current law but they had concerns about the provision relating to aquifer depletion.

In that regard, the comments by the State Engineer in the bill analysis for HB 418 are revealing. The OSE is concerned about the bill because it appears to "set a new standard for the acceptable level of regional drawdown in an aquifer caused by a new appropriation." Because HB 418 appears to limit new diversions to only that amount that is recharged, it would change the way the OSE has managed mined aquifers for the past 50 years. Specifically, the OSE defines "mined aquifers" as those where diversions outpace recharge.

Historically, the OSE has administered mined aquifers to sustain an economic life of 40 years. In other words, many of New Mexico's aquifers are "mined" and the OSE allows pumping of those aquifers so that they are essentially depleted in 40 years. This is accepted water policy in New Mexico. The OSE analysis concludes that if the new standard were to be used, i.e. that no new appropriations be allowed unless they are offset by new recharge, then no one could ever have a new diversion from a mined aquifer. The OSE analysis affirms that the official policy of the state allows for depletion of mined aquifers over a 40-year time-frame.

However, the authors of HB 418 likely considered this interesting problem in NM water policy. The bill does not require that any new appropriations should meet the standard of non-depletion. It only states that that a new appropriation that is transported out of the area of origin should meet a higher standard. From a policy standpoint, this implies that, while local drawdowns of an aquifer may outpace recharge (in accordance with common OSE administrative practice), a new appropriation to mine an aquifer solely for the purpose of moving water to another region would be unacceptable.

The proponents of HB 418 have brought forward vitally important policy issues for consideration by the State Legislature and have raised broad ethical and policy questions about water policy in New Mexico. Is there anything in our laws that would prevent a multinational corporation from engaging in water rights speculation? What is in place to prevent long-term depletion of aquifers? Should water flow to the highest bidder?

If this legislation were to pass, it would be a recognition that inter-basin transfers have a profound impact on the area-of-origin communities, who could potentially experience a net loss of water rights. It raises questions about the ethical underpinnings of water transfers including questions of whether natural resources and ecosystems should be commodified to benefit areas with higher populations or wealth at the expense of the move-from community. The issue of groundwater mining should also weigh heavily on the conscience of our policymakers. We have a choice to mine and deplete our aquifers or to treat our aquifers as an intergenerational trust that we can bequeath to future generations. 💧

Make the Most of your Spring Annual Membership Meetings!



Las Nueve Acequias del Rio Grande Annual Meeting. Photo by Serafina Lombardi, NMAA Staff

by Paula Garcia, NMAA Executive Director

During the Spring, parcientes look to the mountain snowpack in the hope of an abundant Spring runoff. As irrigators prepare our gardens and fields, the acequia comes into focus as our source of life-giving water. For many acequias, annual membership meetings in the Spring are a time-honored tradition when irrigators get together to prepare for the irrigation season. It is a good time to plan for the Spring cleaning, or “sacando la acequia,” to discuss the availability of water for allocation during the growing season, and discuss any other needs of the acequia.

Acequias have a long history of annual meetings and have their customary ways of running their meetings. This year, NMAA is asking acequias to use their annual meetings to engage more families and youth. Some of our recommendations for strengthening community, culture, and youth participation intertwined with the acequias this spring include the following:

- 1) Primer Agua** – Include in your annual meeting agenda, along with plans for cleaning the acequia, some type of Primer Agua celebration on the first day that water is released into the acequia. See the Call to Action on page 1.
- 2) Youth Involvement** – Invite youth to the annual meeting and recognize or introduce them at the beginning of the meeting. Establish a youth acequia advisory position or committee to give young people the opportunity to learn more about acequia governance.
- 3) Have a meal (or at least snacks)** – Invite your parcientes to have a pot luck on the day of your annual meeting. Food always makes meetings more festive and enjoyable.
- 4) Reports to Membership** – Have an update on positive projects relating to the acequia, highlight the work of farmers and ranchers, invite a speaker to talk about an acequia topic of interest to your acequia, etc.

In addition, acequia elected officials have important business to conduct at annual meetings. The following are some suggestions for having an effective membership meeting.

- 1) List of Parcientes.** The annual meeting is a good opportunity for elected officials to update the list of parcientes in good standing. One important responsibility of the Treasurer is to ensure that parcientes are up to date on assessments. According to statutes governing acequias, an acequia can require that the only members in good standing are eligible

to vote. In case any decisions are made at the annual membership meeting, the acequia commission should have a list of members in good standing who are eligible to vote to avoid any confusion at meetings.

2) Open Meetings Act Compliance. Acequias are required to comply with the Open Meetings Act, which means that acequia meetings are open to the public.

a. Resolution. Acequias should adopt an Open Meetings Act resolution that defines what is adequate public notice. NMAA has a template available for use by acequias that recommends 10-day notice for membership meetings and 3-day notice of commission meetings.

b. Posting of Notice. For the acequia annual meeting, NMAA recommends posting a notice in a public place 10 days in advance of the meeting with information about how to get a copy of the agenda at least 72 hours in advance of the meeting. An acequia can provide additional, optional notice through mail, email, or newspaper publication.

c. Agenda. The final agenda for the meeting should be available 72 hours prior to a meeting. The agenda can be included on the posted notice for the acequia or the notice can indicate how a member of the public can obtain a copy of the agenda. Action items are required to be on the final agenda (72 hours) which means that no actions at the meeting should be taken unless they were specifically included on the agenda. It is allowable to add information items on the day of the meeting but not action items. Sticking to this rule will make meetings much more manageable.

d. Minutes. The Secretary should present minutes of the last membership meeting for approval by the membership. The minutes should follow the same format of the agenda and should describe each action taken along with the vote. Discussion items need not have extensive detail but only a brief synopsis of the discussion.

Note: It is also a common practice to have annual meetings in the Fall, particularly among acequias who prefer to follow dates specified in statute, either in October or December, depending on the county. Statutes also suggest that a meeting can be called “as soon as practicable thereafter.” Therefore, it is fine for acequias to have their annual membership meeting at the time deemed best for that acequia.💧

***NMAA IS AVAILABLE TO ATTEND ACEQUIA MEETINGS BY INVITATION. PLEASE LET US KNOW IF YOU WOULD LIKE NMAA STAFF TO ATTEND OR TO GIVE A PRESENTATION ON A RANGE OF TOPICS RELATED TO WATER RIGHTS OR ACEQUIA GOVERNANCE. IT IS BEST IF WE COULD HAVE A TWO-WEEK NOTICE OF YOUR MEETING.**



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.

12th Annual Ówíngēh Táh Pueblos y Semillas Gathering and Seed Exchange



NM Food and Seed Sovereignty Alliance presents:



Seeds of Hope and Healing: Acknowledging Indigenous Truth

**Saturday, April 22, 2017
9:00am to 4:00pm**

Abiquiu - Rural Events Center aka County Fair Grounds
(122 NM-554, at turn-off to El Rito)

**Ceremony • Seeds • Food
Friends • Family • Presentations • Youth Activities**

Donations HIGHLY Encouraged!

Bring your native, heirloom and organic seeds to share and for the ceremony!

Pre-Register by calling:
Marian Naranjo (505) 929-2151
or NM Acequia Association,
Juliet or Pilar, (505) 995-9644

Hosted by
NM Food & Seed
Sovereignty Alliance
(NM Acequia Association,
Honor Our Pueblo Existence,
Traditional Native American
Farmer's Association, Tewa Women United),
Sembrando Semillas de Abiquiu Youth
(in partnership with Northern Youth Project),
and El Pueblo de Abiquiu Library and Cultural Center

A heart felt THANK YOU to the SPONSORS of NMAA Events:



SPECIAL THANKS to our newest Sembrando Semillas sponsor:



THANKS ALSO TO THESE ADDITIONAL SPONSORS:

Acequia del Rincon
NM Land Conservancy
The Agrarian Trust

AND THANKS TO THE FOLLOWING BUSINESSES AND ORGANIZATIONS FOR THEIR GENEROUS DONATIONS:

Acequia del Rincon
Biodynamic Association
Fire and Hops
Guadalupe Credit Union
Johnny's Selected Seeds
Payne's Nursery
Bill Pease
Rancho de Chimayo
Rio Grande Ace Hardware
Trader Joe's



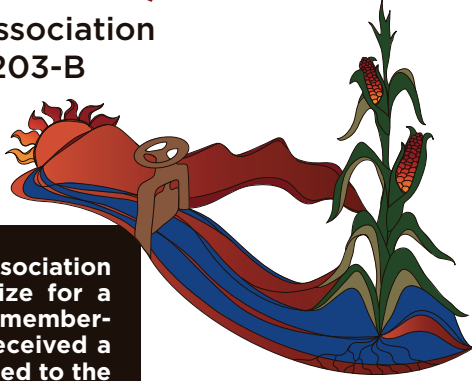
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You can reach over
6,000 households
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across the state.

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for pricing:
505-995-9644 or
lori@lasacequias.org

Noticias de las Acequias • Spring 2017

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



The New Mexico Acequia Association wishes to formally apologize for a mistake in our most recent membership appeal. Many of you received a request from NMAA addressed to the wrong name. We had a technical issue between our database and mailing service that has since been corrected. We appreciate all of our members and we will do our best to ensure that it does not happen again in the future. Thank you for your understanding and for your contributions to the NMAA.

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Spring Events:



San Ysidro Day in Agua Fria, NM. Photo by Janice Varela.

RECUERDA A CESAR CHAVEZ ANNUAL MARCHA

APRIL 1, 10AM-3PM

4th and Bridge Blvd SW, Festival at Natl. Hispanic Cultural Ctr. ABQ
www.cesarchaveznm.org

NM STATE ACEQUIA INITIATIVE FUNDING OPPORTUNITY

DEADLINE TO APPLY: APRIL 15, 2017

Program funds infrastructure improvements. Contact: Kristin Graham Chavez, Assistant State Conservationist for Programs, NRCS (505) 761-4404 or kristin.grahamchavez@nm.usda.gov And the NMAA Office for assistance 505-995-9644

NMAA PATHWAYS TO FUNDING: FINANCIAL COMPLIANCE WORKSHOP

APRIL 19TH, 9AM-NOON

Rio Arriba County Extension Offices, Abiquiu Call NMAA for more info 505-995-9644

12TH ANNUAL ÓWINGEH TÁH PUEBLOS Y SEMILLAS GATHERING AND SEED EXCHANGE

APRIL 22, 9AM-4PM

Rural Events Center, Abiquiu, NM

Food & Seed Sovereignty Alliance, bring non-GMO, heirloom and organic seeds to exchange. Donations HIGHLY encouraged. Call NMAA 505-995-9644 to RSVP.

NMAA PATHWAYS TO FUNDING: FINANCIAL COMPLIANCE WORKSHOP

APRIL 27TH, 9AM-NOON

Anton Chico Community Center (behind the church). Call NMAA for more info 505-995-9644

NEW MEXICO ACEQUIA COMMISSION MEETINGS

USUALLY EVERY 4TH FRIDAY OF THE MONTH

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

UPPER RIO HONDO ACEQUIA GOVERNANCE WORKSHOP

APRIL 29, 9AM-12PM

Hondo School, Lincoln County. Call NMAA for more info: 505-995-9644

SHEEP SHEARING AND FIBER ARTS

MAY 6, 9AM-3PM

Los Luceros Historic Ranch, Alcalde. Organized by Espanola Fiber Arts - bring the kids!

SOUTH VALLEY SAN ISIDRO DAY CELEBRATION

MAY 13TH

Procession starts at the Carousel de San Ysidro at the intersection of Isleta and Arenal and will proceed to the Armijo acequia at Sanchez Farm Open Space at Lopez Road. Presented by: El Agua es Sagrada Project, Saint Anne, Saint Edwin's, and Ascension and the South Valley Regional Acequia Association.

SAN ISIDRO DAY CELEBRATION

TBA MID-MAY

Agua Fria, Santa Fe. More info coming soon - see our E-blast for more info.

SAN JOSE DE LA CIENEGA ACEQUIA BLESSING

MAY 15, 5PM

21 Acequia Rd, San Fidel, NM. Contact Beverly for more info: blt1124@hotmail.com

LOS SEMBRADORES COLD STORAGE AND FOOD SAFETY WORKSHOP

MAY 17, 1-5PM

Chicoyole Farm, Chamisal, NM. RSVP only to NMAA 505-995-9644

REGISTER WITH THE FARM SERVICE AGENCY - ONGOING

Visit your local FSA Office. Become eligible for USDA programs, get counted in the Ag Census