By 1989, the year that the New Mexico Acequia Association (NMAA) was founded, acequias had survived sweeping changes in the 20th century that had profound impacts on rural, land-based people. Acequias had deep roots in human history in the ways of the arid regions of north Africa, the Middle East, and Spain and those of the indigenous peoples of the Americas. By the 1980s, acequias endured dramatic changes in agriculture and food production, rural outmigration, and urbanization in addition to enactment of laws after statehood that defined water rights in a manner that was not always consistent with long-standing tradition and cultural values. To understand why acequia leaders came together to establish the New Mexico Acequia Association in the 1980s, a decade known more for economic and cultural conformity than with grassroots social movements, we need some historical context.

Many families can recall memories about the hard work of their ancestors in creating the acequias. The carving out of the earthen waterways across the high desert landscape was an epic feat of communal labor and engineering. These humble impressions on the earth would have eroded within a few years had it not been for the community tradition of "sacando la acequia" or digging out the acequia every Spring to keep water flowing to our fields.

For our ancestors and predecessors, water for irrigation was a matter of survival. During the 20th century, our society changed in deeply profound ways that altered our relationship to the land. Communities once self-sufficient in local food production had to adapt to a new economy in which families assimilated to an economy based on wages, resource extraction, and commuting. Meanwhile, agriculture at the national level became more consolidated into subsidized commodity producers dependent on cheap and migrant labor. This had the effect of driving down food prices and putting small-scale farmers at an economic disadvantage.

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NEW MEXICO ACEQUIA ASSOCIATION

Concilio (Board of Directors):
Harold Trujillo
La Asociacion de las Acequias del Valle de Mora

Antonio Medina
La Asociacion de las Acequias del Valle de Mora

Don Bustos
Rio Quiemado, Rio en Medio, Rio Frijoles, Río Santa Cruz
Acequia Association

Alfredo Montoya
Las Nueve Acequias del Rio Grande

Santiago Maestas
South Valley Regional Association of Acequias

Jackie Powell
Upper Honda Water Users Association

Gilbert Sandoval
Jemes River Basin Coalition of Acequias

Stephen Trujillo
Taos Valley Acequia Association

Medardo Sanchez
La Asociacion de las Acequias Nortenas del Rio Arriba

Yolanda Jaramillo
Embudo Valley Acequia Association

Martha Trujillo
Las Comadres Caucus

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Finance Manager

Claire Ayraud
Payroll Manager

Lori Spillman
Program Assistant

Toribio Garcia
Acequia Education Coordinator

Chavela Trujillo
Acequia Program Assistant

Emily Arasim
Acequia Program Assistant

Donne Gonzales
Farmer Trainer and Youth Education Coordinator

Enrique Romero
Staff Attorney

Gratitude to Olivia Romo

Olivia Romo, a dedicated member of the NMAA team for the past four years, has decided to continue expanding her professional career by taking a position with Santa Fe County as a Constituent Liaison for Commissioner Ed Moreno. Olivia was a beloved staff member to many in our community for her kindness and generosity of spirit. In addition to editing the NMAA newsletter, she assisted dozens of acequias with bylaws, water rights, easement, and other governance issues. She put her heart and soul into all her projects. As an artist, Olivia breathed life into NMAA events with her poetry. With a family history of acequias and farming, her poetry that uplifts land-based people and acequias, and her tenacity in working on challenges facing acequias, Olivia has left her mark on the acequia movement.

Paula Garcia Appointed to Interstate Stream Commission

Paula Garcia, Executive Director of the New Mexico Acequia Association, has been appointed by Governor Michelle Lujan Grisham to be a member of the Interstate Stream Commission (ISC), the purpose of which is to “investigate, protect, conserve, and develop” New Mexico’s surface waters. The ISC is the body that ensures compliance with interstate water compacts, implements regional and state water planning, and administers funding for certain water projects. The ISC has an acequia program that administers acequia capital outlay projects, a cost share program, and a low interest loan fund. The ISC also plays a role in funding for acequias undergoing adjudication. Garcia is one of nine members which are appointed by the Governor to represent irrigation districts or sections of the state. In a press release, the Governor stated, “Our water is our most precious natural resource. These individuals are tasked with upholding the people’s trust and providing for a sustainable future of that resource.” Paula has worked as NMAA Executive Director for over 20 years, served two terms as a county commissioner, a term as President of NM Counties, and Chairwoman of the USDA Minority Farmers Advisory Committee.
Emergency Hemp Regulations Enacted

In 2018, the New Mexico Department of Agriculture adopted regulations for the growing of hemp in New Mexico. Hemp was legalized with legislation passed by the NM State Legislature and with new language in the 2018 Farm Bill. New Mexico’s regulations were adopted by the NM Department of Agriculture (NMDA) just in time for farmers to plan for the 2019 growing season. With the NMDA regulations in place, growers may obtain a license to transport, possess, propagate, and market Cannabis sativa L. (a.k.a. hemp) plants on an annual basis. Separate licenses are required for breeding. In 2019, the State Legislature passed the Hemp Manufacturing Act in the 2019 session to govern how the manufacturing of hemp products will take place. In order to have regulations in place for the harvest time for New Mexico hemp growers, emergency regulations were recently adopted by the New Mexico Environment Department (NMED). Separate licenses are required for storage, manufacturing, and extraction. The emergency rules go into effect August 1, 2019.

Hemp in Puerto de Luna is growing! Photo credit: NM Hemp Services

State Engineer Required to Provide Online Notice

A new law that went into effect on July 1, 2019 requires that the State Engineer provide online notice of water right applications. This is the result of a bill passed by the State Legislature and a years-long effort by the New Mexico Acequia Association to improve due process and transparency. The legislation improves access to information about water applications filed with the Office of the State Engineer, including water transfers which could potentially impair existing water rights. In addition to requiring that the OSE post online notice, the bill also sets a fixed deadline of 70 days after the notice is posted online for protests to be filed. With the online notice and a fixed deadline, the public will have improved access to information that will enable them to raise concerns about water applications through the protest and administrative hearing process. The bill was sponsored by Senator Carlos Cisneros and Representative Thomas Salazar and was endorsed by the Land Grant Legislative Interim Committee.

Acequias Receive Record Capital Outlay Awards

In the 2019 legislative session, acequias received a record amount of Capital Outlay funding. Approximately $6 million dollars were appropriated to 64 projects across the state. In addition to individual awards, $2 million was appropriated to the Interstate Stream Commission in a special appropriation for acequia projects statewide that can be used as a cost share for other state and federal dollars. The NMAA collaborated with the Office of the State Auditor and the Interstate Stream Commission to hold a workshop for acequias who have received Capital Outlay to provide information on how to access their funding, to manage the financial aspects of their respective projects, and to ensure compliance with financial reporting requirements. NMAA is available to answer questions and to refer acequias to the appropriate agency to assist in implementing and completing their projects.

Congressman Lujan Introduces Acequia & Land Grant Act

On July 19, 2019, Congressman Lujan, Assistant Speaker of the House, introduced the Land Grant and Acequia Traditional Use Recognition Act. For land grant-mercedes and acequias, it is an important affirmation of the historic rights and traditional uses on the common lands and acequias that pre-date the United States Forest Service. The legislation provides a mechanism to map the boundaries of historic land grants and a pathway for land grants to re-constitute their common lands. It also requires consultation with land grants on federal actions. In terms of acequias, the legislation recognizes the rights of acequias to make improvements on infrastructure (including replacement) within the historic acequias easement without a burdensome process for obtaining special use permits.
At a recent meeting, Pecos native Janice Varela welcomed a standing-room only crowd at the office of the Upper Pecos Watershed Association. "Thirty years ago, I brought my baby daughter with me to meetings to fight for the clean up of our river from contamination from the Terrero mine. Now, thirty years later, I'm here again fighting a new mine but this time I'm bringing my grandson to the meetings." Varela went on to say, "We need to stop mining in our watershed. I don't want my grandson to have to be here in thirty years trying to clean up the mess left by New World Cobalt."

The meeting was convened around concerns about a proposal by Comexico, a subsidiary of Australian company New World Cobalt, to do exploratory drilling in the Upper Pecos watershed in search of minerals. The company plans to drill 83 holes between 500 and 2,000 feet deep to determine the extent of mineral deposits, specifically copper, gold, and zinc. The claim within the Santa Fe National Forest extends to over 4,300 acres in an area adjacent to the Pecos Wilderness, an area prized as the headwaters of the Pecos River which feeds fisheries and numerous acequias.

The claims were made under the 1872 Mining Act, an antiquated law that allows any private interest to stake mineral claims on public lands. The US Forest Service is not authorized to prohibit mining or drilling on these claims, but any activity must be permitted by the New Mexico Energy, Minerals, and Natural Resources Department (ENMRD). Several organizations, along with residents, business owners, and farmers are banding together to oppose the mine.

According to the Albuquerque Journal, the mining of gold, silver, and zinc started in the 1880s. Mining continued intermittently until the 1990s. In 1991, a heavy snowmelt washed toxic metals into the Pecos River, killing a downstream fishery. About $28 million was spent on cleanup but the site has never been fully remediated. The local community, which relies on income from the recreation industry, was devastated with the contamination.

After the notice about the proposed exploratory mining was announced by ENMRD, several organizations, including NMAA, submitted a formal request for a public hearing to hear concerns about the application by Comexico. ENMRD replied that a hearing would be scheduled, and notice would be provided as soon as a date and location are determined.

It is vitally important that communities along the Pecos River participate in the hearing and public comment process. The NMAA and New Mexico Acequia Commission will be collaborating with several other organizations to reach out to local communities so that people are informed about the proposed mining activity and the negative impacts on the Pecos River. The Upper Pecos Watershed Association has issued a CALL TO ACTION. We urge everyone who cares about water, acequias, and the well-being of families along the Pecos River to join the local community to oppose the mine.

CALL TO ACTION
Upper Pecos Watershed Association
Say NO TO MINING in the Pecos River Canyon!

GET INFORMED.
This web page has all the latest information.
https://pecoswatershed.org/tererro-drilling-project/

GET INVOLVED.
• Email, call or write the Mining Minerals Division of NM Energy, Minerals & Natural Resources Dept. (ENMRD) requesting denial of the Comexico LLC application #SF040ER Tererro Exploration Project.
  Fernando Martinez, Director
  Mining and Minerals Division
  NM Energy, Mineral and Natural Resources Dept.
  1220 St. Francis Drive, Santa Fe, NM 87505
  476.3435
  fernando.martinez@state.nm.us

• Attend the Public Hearing of the NM Mining & Minerals Dept. on the application of Comexico LLC. Date to be determined.

• Tell your friends - to be added to UPWA’s email list for future notices please send message to: upwa@pecoswatershed.org.

• SIGN THE PETITION to voice your concern. Electronically at: www.nmwild.org/our-work/tererro-mine-project OR manually at local businesses in Pecos or the Village of Pecos offices.
Acequias and Water Quality

by Enrique Romero, NM Staff Attorney

For those of you that have gone through or are undergoing an adjudication, you may have noticed something conspicuously missing from the description of your water rights. If you take a look at your subfile order, you'll see among other things the following categories: priority date, purpose of use, place of use, and amount. Whether you’ve been adjudicated or not, these are the typical characteristics that define your water right. But what about the quality of the water you divert? Don’t water right owners have a right to clean water? Although water quality is not an element of a water right per se, water right owners have a right to clean water? Although water right owners are protected under various local, state and federal environmental laws that seek to protect the integrity of New Mexico’s stream systems. It’s imperative that acequieros stay abreast of actions that may affect water quality and get involved in the decision making process to ensure that any proposed action is not detrimental. Below are just a few recent examples of how permitting or zoning actions can have an impact on the quality of water acequias divert.

Rio Ruidoso and Rio Hondo Proposed Downgrading from Cold Water to Cool Water: In late 2017, the Village of Ruidoso and the City of Ruidoso Downs via their Joint Use Board (JUB), which controls the shared wastewater treatment plant, proposed amendments to the surface water quality standards for two stretches of river in Lincoln County: the lower Rio Ruidoso and the upper Rio Hondo. Water quality standards determine the goals and uses for a body of water and set criteria in order to protect those goals and uses. The municipalities hired a private consultant to draft a Use Attainability Analysis (UAA) to determine what the uses should be. Typically, the NM Environment Department conducts UAAs, but New Mexico law also allows third parties to do so and to petition the Water Quality Control Commission (WQCC) to change the water quality standards based on the UAA. Not surprisingly, the JUB’s consultant determined that the designation of the river should change from a cold water fishery to a cool water fishery. The change would potentially allow the municipalities to relax effluent requirements to the detriment of downstream irrigators. Along with NMAA, local acequieros filed several comments in opposition to the proposed change. Due to the public outcry, the UAA process has been put on hold.

City of Española Proposed Ordinance Protecting Acequias: The City of Española is considering an amendment to its zoning code that seeks to protect the seven active acequias within the city limits. The ordinance specifically prohibits certain land uses within the proposed “irrigated lands protection overlay district”. These uses include gas or fuel stations; petroleum or chemical extraction, manufacturing, processing or storage; and commercial service or storage of vehicles. Prohibited uses is just a small part of the ordinance. In addition, the ordinance requires acequia approval for any development affecting the “acequia network” and provides incentives to developers to keep acequia-served water rights in beneficial use. The Acequia de los Garcia is the official applicant for the amendment and has received support for it from all the local acequias, the Santa Cruz Irrigation District, and the NMAA. Although not specifically related to the draft ordinance, a recent zoning application brought to light several issues of concern. Neither of the two acequias directly affected by the proposed development were contacted prior to application, acequia easements were not indicated in the site plans, and the application lacked sufficient safeguards to ensure that contaminants would not end up in the acequias that surround the property.

San Miguel County Resolution re Hard Rock Mining Application: The San Miguel County Commission recently passed a resolution supporting clean water and opposing an application for exploratory mining permits in the Upper Pecos watershed near Terrero, New Mexico. The applicant’s mining claims cover 4,300 acres in the watershed and border the Pecos Wilderness. The NMAA submitted comments requesting a hearing on the application noting that none of the thirty-six acequias downstream from the proposed site had been notified of the permit application despite the fact that each has a tangible interest in ensuring that its members receive clean water. The Pecos area is still feeling the effects of years of remediation of a previous mine. The NMAA is working jointly with the New Mexico Acequia Commission to hold a series of informational meetings with acequieros on the Pecos River to discuss the potential impacts of hard rock mining generally and this application in particular.

These examples only scratch the surface – so to speak – of water quality issues affecting acequias. I didn’t touch on the proposed Waters of the US rule that seeks to limit Clean Water Act jurisdiction and how that might affect acequias. I also didn’t discuss the enforcement mechanisms available to acequias when they encounter pollutants being discharged directly into the acequia. In any case, the common thread in each of the case studies I mentioned is that acequias affected by a proposed change were never contacted prior to a significant action that would potentially affect the quality of the water they deliver to their parciantes. Applicants should not underestimate the ability of acequieros, and the NMAA, to quickly mobilize in response to issues affecting water quality.
Communities Honor
San Isidro Labrador, Patron Saint of Farmers

This year farmers and ranchers rejoiced with all the precipitation and prepared their fields and acequias for a successful spring. Communities across New Mexico came together to celebrate, pray and share seeds for a bountiful year.

NMAA honors Día de San Isidro and some of this year’s community celebrations of land, water and culture!

On Día de San Isidro in the small village of San Fidel, NM acequia leaders, farmers and community members gathered to bless the waters and celebrate their cultural heritage. Over 75 people from neighboring villages joined with their children in prayer with Father Avella to bless the Acequia Madre de San Jose de la Cienega. Prayers and hopes of a successful planting season were shared as rose petals were released into the acequia. After the blessing, the community feasted on chicharrones, chile, beans, and other traditional foods.

—Olivia Romo, NMAA Staff

San Isidro Day was celebrated in the South Valley of Albuquerque by more than 50 community members who gathered for the annual celebration. It was organized by the South Valley Association of Acequias and the American Friends Service Committee (AFSC) with support from La Plazita Institute and ACCESS. This year, the padrinos chosen were Procopio and Aurora Sandoval. They continue to grow chile, grapes, apples, and sheep in the South Valley despite being in their 90s. Prayers were given by local deacons as well as a teacher and student from the Native American Community Academy. Children filled the acequia with flower petals. After eating homemade green chile stew and watermelon, Procopio and Aurora sang songs with the Azteca dancers to close out the celebration.

—Sayrah Namaste, AFSC

Alex Trujillo, Mayordomo of Acequia del Rincon, hosts a tour of the acequia for a blessing and tour held in the Pojoaque Valley for Día de San Isidro. Photo: Emily Arasim.

NMAA participated in the first annual San Isidro Day Tour hosted by the Pojoaque Valley Regional Acequia Association. The tour began with a blessing of the water at the Nambe Falls Dam on Nambe Pueblo and moved down into the valley where participants visited acequia sites, farms, and local businesses. Participants shared in learning from the wisdom of fellow community members and acequia leaders, including the mayordomos of the Acequia del Rincon, Acequia las Joyas, and Acequia Larga. Food and crafts from local farmers and artisans were shared in celebration of the acequia lifeways of the Pojoaque Valley.

—Emily Arasim, NMAA Staff
Las Acequias: 
A Tribute to Josie E. Luján
By the Luján Family

Unlike 2018 (one of the hottest and driest years in Northern New Mexico), the late spring snowpack has brought plentiful water for Northern New Mexicans this year. In Chimayo, snow-fed waters have made their way down from Truchas Peak and the Sangre de Cristos to village acequias! During a quiet visita to the Santuario on Holy Saturday, we heard water coming over the spillway at the nearby Santa Cruz Dam, and on Easter morning, we were blessed to wake to the lovely sound of a slow, steady stream of water in the acequia at our childhood home.

Our mother, Josie E. Lujan, referred to these acequias as the “lifeblood of Northern New Mexico.” A former Commissioner of the NM Acequia Commission, board member of the New Mexico Acequia Association, and a long-time associate researcher for Río Quemado, Río en Medio, Río Frijoles, and Río Santa Cruz Stream System Community Ditch Associations, she was first and foremost a lifelong parciante, who fought to preserve traditional farming and acequia customs.

Her research in New Mexico and throughout Spain confirmed that acequias have been in use for many centuries, and their longevity is a testament to our ancianos who preserved and continued the ways of those before them. This communal water system traces its roots to the Spanish colonists, who brought these traditions here in the 1600s, and who themselves borrowed it from the Muslims who invaded Spain in the 8th century. To learn more about the history of the acequias, she visited some of the most famous waterways in the world, including many throughout southern Spain. She remained committed to preserving acequia history and defending water rights until her death in September 2017.

Every time we escardar, change a compuerta, or pick fruit from one of her trees, we remember our mother’s joy in her jardín. Rudolfo Anaya, renowned New Mexico writer, parciante, and dear friend of the family, commemorated her devotion to acequias in a poem, which we are honored to share with you.

Rudolfo Anaya © 3/13/19

Josie’s granddaughter Sienna in the rose garden along the acequia. Photo: Lujan family.
Do you look out your car or home window and sigh at the untouched fields, hoping someone will clear the elms and cactus and plant and irrigate them? We do. Do you ever dream of the community coming together to clear the land, many hands making light work? We do too. What if all our lamentations have a solution? Ok, if you know me, you already know I am optimistic. Hopefully we can agree that there is power and hope in a small group of people ready to work together.

When we enumerate the challenges that acequias face, we find fallow land near the top of that list. The real risk is that water rights, if lost for non-use, will not be there for future generations who want to grow food. Furthermore, if those water rights are lost, it can affect everyone on the acequia (as acequias reach a tipping point when the allowable water through an acequia’s meter is not enough to deliver it to the folks who still have water rights). These threats have a cascade of negative impacts to the health of our acequia systems, and now is the time to protect our land and water while we still can.

One strength of our acequia tradition is the community coming together. In an emulation of our tradition of sacando la acequia, a group of parciantes from across various acequia communities gathered recently to restore a piece of fallow land. The group met at Villa Enrique in Nambe on May 2, 2019, to answer the call to the question, “How can I possibly restore that field?” It started with an email/Facebook invitation to the NMAA network and yielded a morning of bonding through shared labor and a restored parcel of land.

The goal of our workshop, “Restoring Fallow Land and Protecting Water Rights,” was to learn by doing. There are so many parcels that need attention. We decided to start in the Nambe-Pojoaque-Tesuque (NPT) basin, where there is an urgency to ensure all irrigable land receives water at least every four years, and we gathered at the home of Orlando Romero (Commissioner on Acequia Nueva) and Rebecca Romero, esteemed parents of our very own Enrique Romero Esq. The Romero family cherishes their land and already have a variety of ongoing agricultural projects, including a small vineyard and orchard.

Yet, there was an area of the property that they could not get to and was clearly not in agricultural use, and thus at risk. This can happen to the best of us. We are busy working and water is often scarce. Age, lack of equipment, and many other factors can make it nearly impossible to keep up with all your property. And yet we must find a way to protect water rights and farmland for future generations.

After sharing the purpose of the workshop and building some rapport, we gathered by the newly re-excavated settling pond and Enrique explained the legal mechanisms for both protecting and losing water rights. The very short and simplified version is that the best way to protect our water rights is to keep them in beneficial use. The “use or lose it” provisions of state law state that water rights can be lost if they are not used for a certain amount of time. The actual conversation was quite in-depth with many questions pertaining to people’s specific situations.

We then examined how we would get water to the field, shared opinions, and started experimenting. We reconnoitered a flexible 4-inch diameter plastic pipe that was nearby to help direct the water flow and moved some earth to create the appropriate drop. Next, we moved to the field that was crying out for attention. Donald Martinez of Rio Arriba County Extension led us in a discussion of various methods to remove elm trees, examining the pros and cons of chemical applications and various manual and less toxic options.

We also discussed how to address the cholla and prickly pear cactus that we would need to tackle. It was suggested to burn off the spines to use them as feed for livestock. Since we were in a hurry, we simply opted to dig them out and remove them to a brush pile. At this point we started getting to work clearing the land of unwanted growth. It was a sight to behold. We were 25 individuals working as a team on certain species or corners of the field. What looked like a daunting project was complete before we knew it. We used a pick axe, loppers, hand clippers, hoes, shovels and removed loads of debris with the wheel barrow until the field was nearly cleared! While our sweat fell to the soil and we collectively recalled the ancestors who had once depended on this land we received the blessing of song, elevating our spirits and unifying us all the more. David Garcia sang Buenos Días Paloma Blanca...
and we all knew we were blessed—blessed to be on this land, working together, protecting it with our hearts and hands.

After this grounded yet ethereal experience, it was back to business. We brought out the cover crops purchased from Española County Farm Supply: common vetch (for ground cover), buckwheat (for pollinator forage), oats (soil conditioning), and field peas (to fix nitrogen). While we were mixing and dividing the seed, discussing and sharing stories of our own cover crop experiences, Donne and Edward Gonzales, our Sembradores Farmer apprentice mentors, used a small rototiller on a section of the ground and the cover crop polyculture was distributed across the field.

We then used our stiff rakes and lightly covered the seed. (Spreading the seed is my favorite part!) Finally, it was time to bring the water to the field. It was a miracle that the water was running and it was Orlando’s turn to use it. Without words, folks were using hoes to make a light lindero to guide the water across the top of the field and assisting gravity to maximize the area the water could cover. It was a short irrigation, all that could be spared from other thirsty areas of the property, but it was irrigated (!), breaking a cycle of non-use and protecting the field!

Finally, we brought in the importance of signing up with the Farm Service Agency (FSA), and reviewed some of the Natural Resource Conservation Service (NRCS) programs available to assist producers once they have returned to some sort of production. In our closing circle, we asked how folks would bring this information back to their communities and inquired what they gained from the experience. “Community” was the consensus. While we all gained knowledge and skills, it was the power of coming together that left the greatest impact, and inspired us to keep on.

We are grateful to the Romero family for opening up their land to our collective work. We hope that the example of restored land will inspire others, and create a resource in communities giving us a model of restoration to adapt to our own needs. To share your thoughts on how communities can work together to protect the land and water, email Serafina@lasacequias.org or call 505-995-9644.

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Supporting the Next Generation of Acequia Caretakers: NMAAA Youth and School Outreach

by Emily Arasim, NMAAA Staff

The future of our acequia communities depends on the encouragement and support of the next generation of acequia caretakers - our children and youth!

Over the past year, NMAA has been expanding our efforts to reach young people from acequia communities across the state through educational presentations and hands-on workshops with schools, summer programs and youth organizations.

During our visits, we guide students to reflect on and share their personal stories and experiences; learn more about the cultural and ecological importance of acequias; and deepen their sense of querencia and responsibility to the land, water and their communities. Our presentations have also provided youth with a place to grow their knowledge of acequia farming, and learn about important topics like seed saving and traditional foods!

A few highlights from our recent youth outreach and education sessions:

- Educator Miguel Santistevan worked with many different classes of environmental science and agriculture students at Taos High School and Española Valley High School, meeting with classes over several visits to share wisdom about acequia culture, history and function; farming and seeds; and practices to protect and care for our acequias into the future.

- NMAA Farm Trainer Donne Gonzales joined Miguel in Peñasco to present to elementary, middle and high school students about her journey as a young farmer and life-long acequiera!

- NMAA staff presented a series of workshops to students at Carlos Vigil Middle School, James H Rodriguez, Eutimio T Salazar, and Tony Quintana Elementary Schools in Española, and Chimayo Elementary in Chimayo, as part of the Española Public School District’s ‘21st Century Learning Center’ program. Students explored acequia heritage and farming through photos and videos, art projects, and time spent working together to make cornmeal using a hand-crank molino.

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Acequias and Climate Change: Learning Together and Adapting for the Future

by Robert Templeton, Embudo Valley Regional Acequia Association

On June 27, 2019, more than 60 acequia leaders and farmers participated in a conference called “Acequias and Climate Change: Learning Together and Adapting for the Future.” Dr. David Gutzler, UNM expert on climate change and its effects on the Rio Grande watershed was the keynote speaker.

Average temperatures have risen significantly in the last fifty years. Climate research shows that average temperatures will continue to rise into the future. As temperature increases, one concern is an increased likelihood of wildfire in our watersheds. As the effects of wildfires have been devastating on acequias in parts of New Mexico, forest health and resilience will be of great importance going forward.

For acequieros, perhaps the most important finding relates to precipitation. So far, there is no discernible change in the average amount of precipitation. There has been and will be dramatic variation in precipitation amount from year to year (Compare 2018 and 2019). What is changing is the form that precipitation will come in. On average, the amount of snowpack in the mountains has been decreasing, and, with rising temperatures, that decrease will continue. At the same time, the amount of precipitation falling as rain will increase. Unfortunately, as warming continues, that rain is more likely to come in larger, more violent episodes.

A panel following Dr. Gutzler’s presentation explored how acequias might respond to such changes. Panelists were Chuck Wright (Acequia del Llano, Dixon), Darel Madrid (Rio Chama Regional Acequia Association), Miguel Santistevan (Agriculture Implementation, Research and Education – www.Growfarmers.org). Differences between mitigation and adaptation were discussed. Mitigations are steps to reduce the severity of climate change. Adaptations are alterations of practices to accommodate climate changes. Chuck reported on rooftop rain catchment. He has no well at his home, relying only on stored rainfall. Adapting such techniques for agriculture is a possibility.

Miguel presented a variety of adaptations he uses: growing drought resistant crops, increasing soil fertility and resilience through composting, and conserving water through the use of swales and contour terracing. Mitigations include low and no till farming techniques and bio-char production both of which reduce carbon emissions while removing carbon from the atmosphere and putting it in the soil.

One effect of a warming climate is that droughts become more severe stressing traditional patterns of repartimiento. Darel discussed water-sharing on the Rio Chama including the involvement of water masters assigned by the State Engineer. Repartimiento on the Rio Chama is complicated by the San Juan-Chama diversion, various reservoirs, as well as some water being assigned to the Middle Rio Grande Conservancy District. While repartimiento in un-adjudicated watersheds is generally an internal matter between affected acequias, adjudication brings outside forces into the mix. To keep the process local, irrigators in the Anton Chico area are using the novel approach of electing a local "water master" to act as a kind of “super-mayordomo” over all of the area acequias.

Returning to the mitigation theme, Chuck provided information on the valuable contribution that farming can make to atmospheric carbon reduction by using common farming techniques. Further information about this and other agricultural mitigations can be found at the informative website: www.drawdown.org.
After lunch, people gathered in small groups to share information on issues regarding climate change affecting their acequias. Topics covered included water conservation, soil health, adaptation of seeds as well as water quality and quantity. A good deal of the discussion dealt with water sharing issues.

The final panel of the day, moderated by NMAA Director Paula Garcia, was called “Policies and Practices for Acequias in a time of Climate Disruption.” Joining Chuck and Robert from the first panel were David Muñoz (Renewable Taos and Acequia de los Lovatos), and Enrique Romero, staff attorney with the NMAA.

Enrique discussed the legal basis for water sharing and for protecting water rights. Given the potential for increased drought in the future, special consideration was given to the importance of water banking. Most acequias have the water-banking language in their bylaws, but he suggested that a more detailed and precise record keeping of the banking would be an important step in preparing for the additional stresses on acequias as water shortages increase.

David presented detailed information about Kit Carson Electric’s efforts to become self-sufficient via local renewable energy sources. This project affects acequias since current fossil-fuel energy schemes contribute to climate change as well as pollute local water sources. A core principle of Renewable Taos: “Our precious water resources are threatened by dirty energy systems, and our waters will be protected if we use renewable energy.” Similar sentiments were voiced by Chuck from his work serving on a Jemez Electric Citizen Advisory Committee on Renewable Energy.

In recent years, soils have dried out and more intense rainstorms have increased. Acequias are facing challenges related to bank stability and sedimentation during large rain events. Infrastructure challenges from Arroyo-acequia crossings are becoming increasingly common and difficult. Paula described recent acequia infrastructure projects that were designed specifically to be more resilient in flashflood situations. Robert reported on an initiative outside of the acequia community recognizing the positive role of acequia systems in processing silt and reducing river sedimentation downstream. Included is the idea that downstream entities benefitting from those acequias services should help defray the cost of those beneficial acequia operations.

A theme throughout the day was resilience. Resilience is considered central to adapting to climate change. In closing remarks, Paula reminded us of the long history of resilience in the acequia community. While climate change may bring new levels of challenge, change is not new to acequia communities. They have exhibited resilience to changes in governance through the Spanish, Mexican and U.S. periods and resilience through extreme drought and flooding. She suggested that it would be through working together as community that acequia culture would have the ability to adapt climate change.

Editor’s Note: The conference was co-sponsored by the NMAA, Embudo Valley Regional Association of Acequias, Taos Valley Acequia Association, Rio Chama Acequia Association, and the La Asociacion de las Acequias del Valle de Mora.

Summary of Dr. Gutzler’s Presentation:

- Temperature is increasing
- Snowpack is decreasing and melting earlier
- Precipitation is less certain and more variable
- Precipitation events are more extreme
- Droughts are intensified by warmer climate
Supporting the Next Generation of Acequia Caretakers continued from page 9

- In the South Valley of Albuquerque, educator Lorenzo Can- delaria has been hosting groups from many different pro-
grams, organizations and schools - offering youth the
opportunity to tour and participate in hands-on work projects
at his organic, acequia-fed farm!

- Team members Chavela Trujillo and Emily Arasim visited
youth at several different summer programs, including the Rio
Arriba County 4-H Summer Camp, the Santa Fe Public Schools
‘Hands On Heritage’ camp, and the Del Norte Boys and Girls
Club in La Puebla! After sharing their acequia stories and
learning more together, younger students got their hands on
blue corn and did acequia art projects, and teens at the Rio

Thank you, Parkview Community Ditch Association,
for sticking through to the end on an issue that began
with an acequia enforcement issue and culminated
in the vitally important question of whether acequias
can conduct their meetings in Spanish.

Congratulations to the Parkview Community Ditch Association
(PCDA) after a long and arduous journey through the court sys-
tem! After several years of contention and litigation – and two
trips to the New Mexico Court of Appeals – on June 4, 2019, the
Court vindicated Parkview, its elected officers and its parciantes
by upholding the lower court’s decision.

Although the claims and the Court's holdings are rather legalistic
in nature, the whole case started with a scenario most acequias
have some familiarity with: the unauthorized installation of a
headgate by a parciant. When the PCDA filed for injunctive relief
– an order requiring the removal of the headgate – against the of-
fending parciant, the parciant retaliated by claiming that (1) the
officers were not duly elected because of an Open Meetings Act
(OMA) violation; (2) the lawsuit for injunctive relief was not prop-
erly initiated because the PCDA did not have a meeting to vote
on it; and (3) the mayordomo’s order to remove the headgate was
invalid because he had not been properly elected.

The Court of Appeals, the first time around, dismissed the first
two claims, and sent the case back to the district court to decide
the third claim. On remand, the district court found in favor of the
PCDA on the third claim and refused to entertain the constitu-
tional question raised for the first time by the parciant, namely
that the PCDA had violated the state constitution by conducting
the election of its officers in Spanish. The parciant again ap-
pealed to the Court of Appeals.

The Court of Appeals agreed with the district court and held that
the appellants – who had alleged OMA violations – failed to wait
the required time period under the OMA prior to filing its com-
plaint with the district court. The OMA requires that prior to in-
voking the jurisdiction of the district court to enforce against
OMA violations, the complaining party must provide notice to the
public body of the allegations and wait fifteen days, allowing the
body to deny the allegations or otherwise act on the claim. In this
case, the appellants waited only nine days before filing their claim
with the district court.

The Court also decided to uphold the district court’s refusal to
consider the appellant’s claim that the PCDA violated the New
Mexico Constitution by holding its meetings in Spanish. The
Court’s decision was based on purely jurisdictional grounds – it
did not reach the merits of the argument because the district
court did not have jurisdiction to consider it. The Court also reaf-
firmed the “substantial compliance” doctrine by deciding that the
finding of the district court that the PCDA had in fact substantially
complied with the OMA was a sufficient basis for dismissing the
claim below.

With the help of the always excellent legal counsel of David Be-
navides at New Mexico Legal Aid, Holland and Hart, and the UNM
Law School’s Natural Resources and Environmental Law Clinic, the
NMAA along with the New Mexico Land Grant Council, two ace-
quias, and two land grants filed amicus curiae (“Friend of the
court”) briefs supporting the PCDA. Thank you, PCDA and its legal
counsel, Daniel Sanchez, for sticking through to the end on an
issue that began with an acequia enforcement issue and culmi-
nated in the vitally important question of whether acequias can
conduct their meetings in Spanish.

If your acequia has specific questions about the impact of the de-
cision on your acequia, or any questions about conducting elec-
tions or complying with the Open Meetings Act, please don’t
hesitate to give us a call at (505) 995-9644.

Parkview Community Ditch Wins
– for the Second Time – at the Court of Appeals

by Enrique Romero, NMAA Staff Attorney

Altogether, over the past year we have reached over 1,000 stu-
dents in Taos County, Rio Arriba County, Sandoval County,
Santa Fe County, Bernalillo County and Cibola County!

For the rest of Summer and Fall 2019, and next year, our team
is looking forward to continuing to visit schools and youth pro-
grams around the region to support New Mexico youth as
leaders and caretakers of the water and acequia culture. For
more information about our youth education program, please
contact us at emily@lasacequias.org or (505) 995-9644.

Noticias de las Acequias • Summer 2019 • Page 12
Many families adapted by keeping land in pasture to support small herds of livestock and some families continued with traditional heirloom crops that were deeply engrained in culture and local food traditions. Communities and families made these adaptations, some better than others. Amid all the changes pulling people away from a traditional way of life, there was always a core group of families that kept acequias flowing in each village and kept food traditions alive from generation to generation.

When legal challenges started in the 1960s with adjudication, most parciantes, who were Spanish speakers, did not understand the legal proceedings. Two decades later, in the 1980s, local leaders united to provide legal defense for the acequias in the adjudication process. Some of the early organizations that formed were the Taos Valley Acequia Association and the Rio de Chama Acequia Association. The formation of these regional associations of acequias was a major feat of rural community organizing that gave acequias a footing in the complex world of water right adjudications.

The 20th century was also a time when changes in the economy began to seep into the fabric of acequia community life. By the 1980s, resorts drawn to the beauty of rural New Mexico began to reshape the landscape to service the upper classes of a society that was increasingly stratified by policies that accelerated wealth inequality. As these resorts sought to build in rural areas, they needed water rights. This was when acequias became a force for resistance in New Mexico, pushing back against the view that water was a commodity and articulating other values important to the places where water is integral to community life. This conflict was the basis for The Milagro Beanfield War, a movie directed by Robert Redford and based on a book by Taos resident John Nichols, in which a local farmer took a stand to use water for a humble crop of beans in defiance of developers and state officials pushing “economic development.”

Movies, by necessity, tend to simplify conflicts. What really happened when resorts in rural areas attempted to transfer acequia-based water rights is that the acequias organized, a process difficult to capture in a movie. Local leaders had to educate themselves by pouring over technical documents about water rights, the bureaucracy of the State Engineer, and the laws governing water in New Mexico. As a result, they filed protests against water transfers out of acequias to recreational uses that would be out of reach to local people.

One of the better-known protests involved Ensenada Community Ditch in Rio Arriba County where the acequia filed a protest against a water transfer out of the acequia to a resort. The acequia argued that the water was important to the culture and farming economy and that allowing the transfer would negatively impact the community. Other similar protests were filed in against water transfers in Anton Chico, Mora, and other places during that same time frame. What emerged was a generation of leaders who were rooted in ancient tradition but who also learned (self-taught) about water rights. These cases highlighted the battle lines for acequias and set the tone for how acequias would engage in water advocacy and water policy for years to come.

By the 1980s, because of the experience in defending water rights in adjudication or protecting water rights from water transfers, there was a cadre of acequia leaders who coalesced into regional acequia associations (for adjudication defense) and into the nascent statewide organization that became the New Mexico Acequia Association (comprised of people supportive of the protests of the 1980s). The first statewide gathering of acequias was convened by Tonantzin Land Institute, District Judge Encinias was honored for a ruling in the Ensenada Community Ditch case that recognized the cultural and social values of acequias.

Encinias was honored for an important reason. He ruled in favor of the acequia in their protest against an application to move water rights out of the ditch to a resort. Among acequia advocates, it is considered one of the first affirmations of the concept of “public welfare” by a district judge. However, because there was not a statutory basis for a ruling on public...
Acequia Art Contest

Adults: 19 and up | Youth: 18 years and under

“What does acequia culture mean to you?

“Why are acequias important to your family, culture, or community?”

Submit poems, videos, paintings, sketches, mixed media, models, and MORE!

*Art participants are limited to one entry.

Acequia Photo Contest

Photo Categories:
Acequieros Working the Land
Digitally Altered Imagery
Regando
Food and Seed Traditions

*Photo participants are limited to one entry per category.

You could win the following prizes:
1st Place: $60.00 & NMAA T-Shirt | 2nd Place: $40.00 & NMAA T-Shirt | 3rd Place: $20.00 & NMAA T-shirt

*Winners will be recognized at the 2019 Congreso de las Acequias!

Art/Photos must be submitted by October 18, 2019
Submissions must be sent either by snail mail or electronically, in high resolution jpeg format. Please mail to NM Acequia Association 805 Early Street Bldg. B, Suite 203 Santa Fe, NM 87505 or email to emily@lasacequias.org along with the following information:

Name of Artist, Town, Acequia Name, County,
Art/Photo description or title(s)

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

Celebrating our 30th Anniversary continued from page 13

welfare, his decision was not upheld in the Court of Appeals. Soon after, for other reasons unrelated to this case, the State Legislature added the term “public welfare” to state statutes as one of the criteria that the state may consider in approving or denying a water transfer.

This was a formative experience for the collective of acequia leaders who were paying attention to the growing threat of the commodification of water. From within this context, an initial group of local leaders and advocates came together to form the New Mexico Acequia Association. The growing awareness about the conflict between the view of water as a commodity versus water as a community resource was the underpinning for the founding of the NMAA. At that point in time, the following understandings of water in New Mexico were coming into focus:

• Acequias would need to advocate for their own survival. Left unfettered, the forces of an emerging market in water rights could dispossess communities of the water they needed to build their own future.

• Based on their experience with protests, acequia leaders learned the importance of water policy and the impact it has on decisions affecting the continued survival of acequia communities.

• Rural communities in New Mexico were home to low-income families who managed to survive economic restructuring but were no match to economic interests who would be seeking to purchase and transfer water rights out of the community.

• Due to the economic, social, and cultural disruptions that occurred from rural outmigration, there had been a gap in continuity in acequia traditions and more community-based education would be needed to strengthen the cultural bonds that kept acequias alive.

• Community leaders would need to promote the significance and value of acequias within their own communities as well as to policymakers and other interests in the hope that their con-tributions to community well-being and quality of life would be upheld and supported.

The NMAA was founded in 1989 in this brew of consciousness, querencia, resistance, and faith. The small organization incorporated as a non-profit and set out to do education and outreach through workshops and cultural events. It was several years later, between 1998 and 2002, that some of the previously formed regional acequia associations (formed for adjudication defense) joined forces in a re-organized NMAA that was governed by a statewide governing body, the Congreso de las Acequias.

In the years to come, NMAA would grow a statewide membership base and engage in policy advocacy that would successfully make important policy reforms in the way acequia water rights are treated in New Mexico, particularly the 2003 laws giving acequias authority to approve or deny water transfers into or out of the acequias and to establish local water banks for internal reallocations of water rights to protect from loss for non-use. Today, the NMAA has a solid presence in the water policy arena, constantly advocating for the interests for acequias. Through the dedication of community leaders and a team of committed staff, NMAA serves as a resource to hundreds of acequias each year with assistance on water rights and governance issues. Additionally, the organization has youth education, farmer training, and community outreach programs that reach thousands of people each year. The mission has remained the same for many years: to protect water and acequias, to grow food for our families, and to honor our cultural heritage.

This is part one of a retrospective on the 30th anniversary of the NMAA. Part 2 will delve deeper into the stories of the people who, through years of devotion, have contributed to a broader movement of acequias and have been instrumental in strengthening local acequias, regional associations, and the NMAA.
En Memoria: Remembering Our Acequiero/as

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

Aaron Griego
February 20, 1931 - July 10, 2019
Aaron Griego, 88, a lifelong resident of Dixon, passed away on Wednesday, July 10, 2019 surrounded by his devoted family. Aaron was born on February 20, 1931. Aaron positively influenced generations of students during his long career as a teacher, coach and mentor. His interest in guiding young people often made a lasting impression as reflected by the many adults who fondly remember him as a person who made a significant impact on their lives. Aaron was devoted to the Dixon community. He served as the mayordomo and treasurer of the Acequia de la Plaza for over 50 years, was one of the founding members of the Dixon Volunteer Fire Department and a lifelong member of the Embudo Presbyterian Church. He was a veteran, proudly serving his country in the Marine Corps and was deeply dedicated to his family and friends. He was a kind man, blessed with a long life filled with love, health, happiness, and the respect and admiration of others. All those who knew him will miss his wide smile and good-natured teasing.

Cecilio E. Sanchez
November 7, 1929 - April 30, 2019
Cecilio Ernesto Sánchez was born on November 7, 1929 in Albuquerque, NM and passed away on Tuesday, April 30, 2019, in Albuquerque N.M. surrounded by family. Cecilio was in the US Army Airborne and served during the Korean conflict. During his career, he worked as a designer at Sandia National Labs, ran his own business-Centerline Graphics, and was a project engineer for Chevron Mineral Resources. As a talented artist of various media, his work has been displayed throughout the southwest and was shown at the 1964 World Fair in New York. He also illustrated several books and created stained glass windows for churches in New Mexico. Cecilio was involved with the Acequia Madre del Ojo Del Gallo during various times in his life. Cecilio would provide history of the Ojo through family accounts and personal remembrance of irrigation in the San Rafael, NM area. He served as an officer on the Ojo del Gallo (ODG) Irrigation Commission and assisted with drafting the original bylaws. Mr. Sanchez was the lead designer of the Ojo Del Gallo irrigation pipeline. He also assisted with obtaining funding for the pipeline construction. The pipeline has recently been named the Cecilio Sanchez Main Pipeline by the ODG commission. Cecilio was a devoted husband and father. He truly and deeply loved his family, with a special place in his heart for his grandchildren and great-grandchildren.

Michael F. Sanchez, Sr.
died peacefully at home on his La Villita ranch on Tuesday, December 4, 2018. Michael attended Holy Cross Catholic School in Santa Cruz and was an Española Valley High School graduate. He was a school bus contractor for the Española Public School District for 28 years. Many across the valley will remember him as the operator of bus #10. Michael was well known for his avid ranching and farming in La Villita and Tres Piedras. He served the Acequia de Alcalde in many capacities including commissioner and mayordomo for over 30 years. He brought major water infrastructure to nine of the acequias along the Rio Grande as an original steering committee member of the Nueve Acequias del Rio Grande. Michael was awarded Soil Conservationist of the year in 1984 for his accomplishment in best practices in natural resource methods. For over 30 years, Michael volunteered his time and ranching expertise by serving on the Upper Rio Grande Watershed District Board of Supervisors of the East Rio Arriba Soil and Water Conservation District. He loved spending time with his family and teaching his children and grandson how to raise livestock, grow alfalfa, irrigate and tend all things related to farming and ranching. He thoroughly enjoyed conversations and visits with friends and was generous to many in different ways.
JOIN THE NMAA & THE MOVEMENT TO PROTECT WATER!!

We can't do it without your support. Please join the NMAA today or renew your membership on our website, www.lasacequias.org or by calling our office at 505-995-9644. Thank you for all you do to keep our acequias vibrant and beautiful!!

Acequia Summer Conference
Friday, August 23, 2019
9:30am – 3:00pm
Los Luceros Historic Ranch near Alcalde, New Mexico
253 County Road 41, Off State Highway 68 just north of La Tiendita)

This interactive conference will include opportunities to learn about keeping our farmland, rangeland, and water rights in agriculture. Presentations will include:

- Resources available to acequias, farmers, and ranchers available through the Farm Bill, the Interstate Stream Commission, and local Soil and Water Conservation Districts.
- Young farmers and ranchers will speak about the support they need to keep acequia agriculture alive for the future.
- Acequia mapping projects will share their work and discuss mapping as a tool for restoration and protection.

To pre-register, go to www.lasacequias.org. Sponsorship opportunities are available!

Congreso de las Acequias!

Join us for our annual gathering and celebrate our 30th Anniversary!

Saturday, November 2, 2019
Sagebrush Inn
1508 Paseo del Pueblo Sur | Taos, New Mexico

The Congreso is the largest annual gathering of acequias where we honor our elders, uplift our youth, and prepare for our future. We will be celebrating the centuries-old acequia legacy in New Mexico and 30 years of the growing, intergenerational acequia movement.

To pre-register, go to www.lasacequias.org. Sponsorship opportunities are available!