

THE TRANS-BASIN ACEQUIAS OF THE MORA VALLEY,
NEW MEXICO

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Introduction

The purpose of this study was to assemble materials that can be used to define the water rights associated with the trans-basin acequias, especially historical materials that can be used to establish a priority date for each of the acequias. Given the short timeframe involved, the collection effort has necessarily been of a preliminary and partial nature.

Historically, on the western edge of the Mora Land Grant, three acequias (irrigation ditches, also known as community ditches) brought water across the basin boundary from the Río Grande basin to the Canadian basin. Nineteenth century Hispanic settlers in the Mora Valley built the acequias to augment the water supply of the Mora River. In 1882 valley residents who were building the last of these acequias became defendants in a lawsuit brought by Picuris Pueblo (Pueblo de Picurís) over the diversion of water from the Río Pueblo. Although the lawsuit was eventually dismissed, the court documents provide a record of the acequias.

The Mora Valley was not settled by the Spanish prior to the nineteenth century because the area was subject to raids by the Apaches and other nomadic tribes. In 1816, Antonio Olguín led a group of settlers from the area around Picuris Pueblo to the Mora Valley and established a settlement called “San Antonio de lo de Mora” near present day Cleveland. These early settlers built the original trans-basin acequia, diverting water from a tributary of the Río Pueblo, apparently with the consent of Picuris Pueblo.¹ This acequia is known today as the “Cañoncito-Encinal Community Ditch.” However, sometime before 1832, the immigrants abandoned their original settlement due to attacks by the nomadic tribes.²

In 1834 Matthew Kinkead, Francisco Conn, Manuel Antonio Sanchez, and Vicente Molina requested a land grant of the Mexican Government at a place called Lo de Mora. They assured the government that the area was uninhabited and that settling would not adversely affect anyone else.³ They asked for, and were subsequently given, a land grant with the following boundaries:

North -- La Mesa del Rayado. South -- El Cerro del Tecolote. East -- El Río Colorado.
West -- El Rito Astillero which is La Sierra del Picurry.⁴

As agriculture increased, the settlers once again found themselves in need of additional water. According to Arellano, the original trans-basin acequia built by Olguín's group was still in use,

¹ Unsigned Statement with Names of Parciantes, Acequias and Water Rights, Accession Number 1959-002, New Mexico State Records Center and Archives, Santa Fe, NM. (Attachment F).

² A.F. Arellano, Case Study : Acequias De La Sierra and Early Agriculture of the Mora Valley (Unpublished), Found at Jose A. Rivera Papers, Center for Southwest Research, UNM, (Attachment (number) 1).

³ Lo De Mora, 15 Pages of Translated Copies of Documents Pertaining to the Establishment of the Mora Land Grant Land Grant Collection, Accession Number 1959-113, New Mexico State Records Center and Archives, Santa Fe, NM. (Attachment G).

---Original Agua Negra Land Grant, 1821, in Spanish (Sg 12 (13?) Frame 1064), William Blackmore Land Records, Accession Number 1959-019, New Mexico State Records Center and Archives, Santa Fe, NM. (Attachment H).

⁴ Lo De Mora, 15 Pages of Translated Copies of Documents Pertaining to the Establishment of the Mora Land Grant Land Grant Collection, Accession Number 1959-113, New Mexico State Records Center and Archives, Santa Fe, NM. (Attachment G).

but more water was needed. In the 1860's, inhabitants built a second trans-basin acequia near Chacon, which has been known by several names, including "Acequia del Rito Griego y la Sierra." Residents of the valley built a third trans-basin acequia beginning in 1879, "Acequia de la Sierra de Holman," which provides irrigation in the area near present day Holman.⁵

Historical Sources About the Mora Valley

Several available histories of the Mora Valley provide context for the events surrounding the trans-basin acequias. Knowlton describes the land grant's history, emphasizing a dispute about the boundaries, especially the western boundary where the acequias in question are located.⁶ Shadow and Rodriguez-Shadow trace the efforts of speculators at the end of the 19th century, particularly Samuel Elkins and Thomas B. Catron, to acquire ownership rights to a huge portion of the land grant.⁷ This struggle coincided with the transformation of the land from a "community grant" recognized under Mexican law to "individual property" as recognized under the U.S. legal system. A more general study of Mora can be found in Hanosh's thesis "A History of Mora, 1835-1887."⁸ Also of interest is Leonard's *The Role of the Land Grant*.⁹

Just as land ownership is regarded differently in the United States than in Mexico, so rights to use water have undergone changes over the past 150 years. Baxter traces the evolution of water administration in New Mexico under Spanish, Mexican, and U.S. governments.¹⁰ Clark traces the development of water policy in New Mexico.¹¹ For several essays that comment on the relationship between land and water in New Mexico, see Briggs and VanNess.¹²

Many acequias have not been fully documented; however, several people have begun the work. Hanks¹³ and Dos Ríos Consultants¹⁴ have prepared inventories of acequia names along with

⁵ A.F. Arellano, Case Study : Acequias De La Sierra and Early Agriculture of the Mora Valley (Unpublished), Found at Jose A. Rivera Papers, Center for Southwest Research, UNM, (Attachment (number) 1).

---Bill of Complaint, Case 256, Submitted by S. Barnes on Behalf of Juan Pando, Governor of the Pueblo De Picuris (Box 8, Folder 349), Records of the United States Territorial and New Mexico District Courts for Taos County, Accession Number 1976-014., New Mexico State Records Center and Archives, Santa Fe, NM. (Attachment D).

---Unsigned Statement with Names of Parciantes, Acequias and Water Rights, Accession Number 1959-002, New Mexico State Records Center and Archives, Santa Fe, NM. (Attachment F).

⁶ C.S. Knowlton, "The Mora Land Grant: A New Mexican Tragedy," *Journal of the West* 27 (1998). (Attachment 2).

⁷ R. D. Shadow and M. Rodriguez-Shadow, "From *Reparticion* to Partition: A History of the Mora Land Grant, 1835-1916," *New Mexico Historical Review* 70.3 (1995). (Attachment 3).

⁸ E. J. Hanosh, "A History of Mora, 1835-1887," New Mexico Highlands University, 1967. (Attachment 5).

⁹ Olen E. Leonard, *The Role of the Land Grant* (Albuquerque, NM: 1970)

¹⁰ J.O. Baxter, *Dividing New Mexico's Waters, 1700-1912* (Albuquerque: University of New Mexico Press, 1997).

¹¹ Ira G. Clark, *Water in New Mexico* (Albuquerque: UNM Press, 1987).

¹² Charles L. Briggs and John R. Van Ness, eds., *Land, Water, and Culture, New Perspectives on Hispanic Land Grants* (Albuquerque: UNM Press, 1987).

¹³ Nancy M. Hanks, PhD, An Annotated Bibliography of New Mexico Acequias, Prepared for the New Mexico Acequia Commission.

¹⁴ Dos Ríos Consultants, Inc., *Excerpts for Mora County, New Mexico Acequias* New Mexico State Records Center and Archives, Available: <http://members.tripod.com/~bloodhound/ACEQFINL.htm>, Accessed July, 2008. (Attachment P).

estimates of construction dates and other general characteristics. Rivera's¹⁵ *The Acequia Sourcebook* lists state and federal organizations that can provide funding and technical assistance for acequia research. Rivera also published *Acequia Culture: Water, Land, and Community in the Southwest*,¹⁶ a guide to acequias as local institutions in Hispanic communities, with specific reference to the trans-basin acequias of the Mora Valley.

Anyone interested in the trans-basin acequias must read Arellano's unpublished "Case Study,"¹⁷ and Kammer's "Report on the Historic Acequia Systems of the Upper Río Mora," which includes a map of the Acequia de El Rito y La Sierra.¹⁸ The "Acequias y Sangrias Course of New Mexico Waters" includes an essay specifically on the Acequias de la Sierra at Holman and Chacon.¹⁹ For a remembered history of the construction of the acequias read "The Flow of Mountain Water."²⁰

In some cases support for water right priority must be developed from in-depth reconstruction of local history and genealogy. An in-depth review of the papers at the Menaul Historical Library of the Southwest may yield records of families and society around Holman and Chacon. The collection, includes indexes for two cemeteries²¹ and session minutes with baptismal records.²² There is also a 1928 report on a survey of the society and economy of the area by Bohannon.²³ The library keeps transcripts and tapes of interviews conducted in Mora and elsewhere. Also see Weatherby's thesis on the Presbyterian presence in the area.²⁴

Additional interviews may be found at the Jose A. Rivera Papers at the Center for Southwest Research²⁵ and in the Acequia Field School Archives of the Chicano, Hispano, Mexicano

¹⁵ J. A. Rivera, *The Acequia Sourcebook*, Found at OSE Library.

¹⁶ J.A. Rivera, *Acequia Culture: Water, Land, and Community in the Southwest* (Albuquerque: University of New Mexico Press, Vol. 60, 1998).

¹⁷ A.F. Arellano, *Case Study : Acequias De La Sierra and Early Agriculture of the Mora Valley* (Unpublished), Found at Jose A. Rivera Papers, Center for Southwest Research, UNM, (Attachment (number) 1).

¹⁸ David Kammer, *Report on the Historic Acequia Systems of the Upper Río Mora*. (Box 1; Folder 61), Jose A. Rivera Papers, Center for Southwest Research, UNM, Santa Fe, NM(Attachment W). 1992) #16

¹⁹ *Acequias De La Sierra, Holman and Chacon, Mora Valley, Acequias Y Sangrias Course of New Mexico Waters, Guidebook to Photo Exhibit* (Santa Fe, NM: Center for Southwest Research, UNM) (Attachment Z).

²⁰ Theresa Griffiths and Laura Robertson, "The Flow of Mountain Water," *New Mexico Magazine* 1979 (Attachment 10).

²¹ Cemetery Index for El Rito Presbyterian and Chacon Cemeteries, Menaul Historical Library, Albuquerque, NM. (Attachment R).

²² Minutes of Session, Mora, N.M., Copied from Material at the Presbyterian Historical Society, Philadelphia, Pa by J. J. Gilchrist. Includes Records of Baptisms in 1880s. Archival Box: 7.1.1.28.2; Folder: Minutes - Jan. 1883-1885., Menaul Historical Library, Albuquerque, NM. (Attachment S).

²³ C.D. Bohannon, *Report on Survey of Chacon, New Mexico Community* (Santa Fe, NM: Board of National Mission of the Presbyterian Church in the U.S.A., January, 1928) (Attachment Q).

²⁴ L. Weatherby, "A Study of the Early Years of the Presbyterian Work with the Spanish Speaking People of New Mexico and Colorado and Its Development from 1850-1920," Presbyterian College of Christian Education, 1942 (Attachment 6).

²⁵ Transcript of Interview with Pedro Abeyta About the Acequia Del Rito Y La Sierra at Chacon. (Box 5; Folder 21), Jose A. Rivera Papers, Center for Southwest Research, UNM, Albuquerque, NM. (Attachment X).

Jake Sanchez Interview (Box 3, Tape 8), Jose A. Rivera Papers, Center for Southwest Research, UNM, Albuquerque, NM. This interview was part of a series, conducted using a questionnaire that included several questions about the acequias (Attachment Y).

Program (CHMP) at UNM. The 2007 Archives include a recording of Eufracio Vigil presenting an oral history of the trans-basin acequia above Chacon.

Evolving Names: Identifying Towns and Acequias

Over the past two centuries place names in the Mora Valley have changed several times, leading to confusion about what is being referred to. The accompanying figures list variants on the names of the trans-basin acequias and nearby towns and geographical features to make it easier to identify them in the sources. The contemporary names of several towns pertinent to this discussion are: Chacon, Holman, Cleveland, and Mora. Figure 1 lists prior and alternate names and variants.

The three trans-basin acequias bring water down into the Mora Valley, where it is distributed among several canals and laterals. In the accompanying Figure 2, there are several variants of each name. In some cases, the list may contain other nearby acequias which probably distribute water from the mountain source. Due to time constraints it was not possible to verify the relationships among all of the acequias and their laterals. For instance, is the Acequia Madre de Holman a recipient of water from the Acequia de la Sierra de Holman? Probably.²⁶

Case 256 and the Trans-Basin Acequias

In 1882, the Picuris Pueblo brought a complaint against the men who were involved in building the third acequia above Holman because they were diverting water that would naturally flow down the Río Pueblo into Picuris Pueblo. Reducing the Pueblo's water supply was detrimental to its agricultural capacity. The primary materials available from this lawsuit, Case 256, Taos County, provide early documentation of the acequias.²⁷

The docket for Case 256, First Judicial District (Territorial) Court, Taos County, records events from 1882 through 1886 (Figure 3). The Bill of Complaint brought by Picuris Pueblo asserts that

. . . many years since . . . the people of the County of Mora took and diverted the water from the middle branch of said Río Pueblo and still continue the use of the same and that they also some fifteen or twenty years ago took and converted the water from and of the Northern branch of said Río Pueblo to their own use . . .²⁸

and also

²⁶ David Kammer may have already mapped some of the canals and laterals of some of these acequias. David Kammer, Report on the Historic Acequia Systems of the Upper Río Mora. (Box 1; Folder 61), Jose A. Rivera Papers, Center for Southwest Research, UNM, Santa Fe, NM., 1992 (Attachment W). Kammer mentions mapping acequias, but the maps are not included in this report.

²⁷ Case 256, Pueblo De Picuris V. Miguel Garcia Et Al., 1882, Records of the United States Territorial and New Mexico District Courts for Taos County, Accession Number 1976-014, New Mexico State Records Center and Archives, Santa Fe, NM. (Attachments A - E).

---Unsigned Statement with Names of Parciantes, Acequias and Water Rights, Accession Number 1959-002, New Mexico State Records Center and Archives, Santa Fe, NM. (Attachment F).

²⁸ Bill of Complaint, Case 256, Submitted by S. Barnes on Behalf of Juan Pando, Governor of the Pueblo De Picuris (Box 8, Folder 349), Records of the United States Territorial and New Mexico District Courts for Taos County, Accession Number 1976-014., New Mexico State Records Center and Archives, Santa Fe, NM. (Attachment D).

Figure 1: Towns in the Mora Valley and Nearby Geographic Features

Town or Geographical Feature Name	Prior Name	Source	Comments
Chacon		contemporary	
	El Rito de Agua Negra	Arellano, 1985, Case Study	
Cleveland		contemporary	
	San Antonio	Taylor Map 1881	
	San Antonio de lo de Mora	Arellano, 1985, Case Study	
	Valle de San Antonio	Arellano, 1985, Case Study	Refers more properly to the valley where the town is located.
Holman		contemporary	
	Agua Negra	Taylor Map 1881	
	Agua Negra de San Isidro	"Unsigned statement with names of parciantes"	
Jicarita Peak			The water source for the upper Acequia de la Sierra de Holman is found on this mountain.
	Jicarilla Mountain	Arellano, 1985, Case Study	
Mora		contemporary	
	Santa Gertrudis de lo de Mora	Arellano, 1985, Case Study	
	Santa Gertrudes	"Unsigned statement with names of parciantes . . ." and "The Flow of Mountain Water."	
	Valle de Santa Gertrudis	Arellano, 1985, Case Study	Refers more properly to the valley where the town is located.
Picuris Pueblo		contemporary	
	Pueblo de Picurís	Bill of complaint, Case 256	
	Pueblo of Picurry	Agua Negra Land Grant	

Figure 2: Acequias in the Mora Valley near Chacon, Holman, and Cleveland

Acequia Names	Source of Information (if known)	Notes
at Chacon		Source: Rito de la Presa and other springs
Acequia del Rito Griego y la Sierra	Ackerly, 1996; Kammer, 1992	
Acequia de El Rito y La Sierra	Arellano, 1985, Case Study	
El Rito Ditch, Rito Griego	Hanks, 1995 An Annotated Bibliography of New Mexico Acequias	
Rito Griego y La Sierra (La acequia del)	Hanks, 1995 An Annotated Bibliography of New Mexico Acequias	
Acequia de la Presa y las Sierra	Arellano, 1985, Case Study	
La Presa Sierra Acequia	Attachment 10	
La Joya Ditch	?	La Joya is registered as a separate acequia, but its water comes from the Acequia del Rito Griego y la Sierra since its source is the same
La Joya Community Ditch	Kammer, 1992	
La Acequia de La Joya (source: Rito Griego)	OSE Declaration 02851, see Attachment O	
El Quenado [sic] Trans Mountain Diversion, Rito de la Presa	Hanks, 1995 An Annotated Bibliography of New Mexico Acequias	
El Quemado Trans-Mountain Diversion	Kammer, 1992	
Quemado Trans-Mountain Diversion (El)	Hanks, 1995 An Annotated Bibliography of New Mexico Acequias	
at Holman		Sources: Rito Angostura, Alamitos Creek, and other springs
La Acequia de la Sierra de Holman	Kammer, 1992	
Sierra (South or Holman Branch of La Acequia de la)	Hanks, 1995 An Annotated Bibliography of New Mexico Acequias; Kammer 1992	
Sierra de Holman (La Acequia de la), Vigil Creek & Río Pueblo	Hanks, 1995 An Annotated Bibliography of New Mexico Acequias; Ackerly, 1997	
La Acequia de la Sierra y Arriba (source: Vigil Creek)	OSE Declaration 0879, see Attachment N	

Acequia Names	Source of Information (if known)	Notes
at Cleveland		Alamitos Creek and other springs
Cañoncito-Encinal Community Ditch	OSE Declaration 01958	
Encinal Canyon - Cañoncito Trans-Mountain Ditch	Hanks, 1995 An Annotated Bibliography of New Mexico Acequias; Kammer 1992	
Encinal	Ackerly, 1996	
Encinal Community Ditch	Kammer, 1992	
Cañoncito	Ackerly, 1996	
Cañoncito Community Ditch	Kammer, 1992	
San Antonio Ditch de Encinal	Hanks, 1995 An Annotated Bibliography of New Mexico Acequias; Kammer 1992	
Other nearby ditches		
Acequia del Medio	OSE Declaration 02445	
Acequia de Arriba	Ackerly, 1996	
La Acequia del Medio de San Antonio at Cleveland	Kammer, 1992	
Medio de San Antonio de Cleveland (La acequia de)	Hanks, 1995 An Annotated Bibliography of New Mexico Acequias	
Madre (acequia de): Holman	Hanks, 1995 An Annotated Bibliography of New Mexico Acequias, Ackerly, 1996	
La Acequia Madre de Holman	Kammer, 1992	
Medio de Holman (La acequia del)	Hanks, 1995 An Annotated Bibliography of New Mexico Acequias; Ackerly, 1997; Kammer, 1992	
Acequia de San Antonio del Medio	OSE Declaration 0900, see Attachment M	
Cleveland Community Ditch	Kammer, 1992	

. . . said defendants and their confederates have unlawfully and contrary to Equity constructed a large ditch from the Town of Agua Negra in the County of Mora on the opposite side of the Mountain herein before named to enable them to take and convert from said Southern Branch of said stream of water all or the principal part of said water in said branch stream to said Town of Agua Negra and to the lands and farms and houses and fields of the aforesaid Defendants[. T]hat the aforesaid defendants and their confederates have been engaged in said enterprise of constructing their said ditch in the direction of said Southern branch or stream of water for about three years until they have completed the same to said southern stream or branch of water aforesaid and have built a Dam on said stream and across the same in said County of Taos as aforesaid on the west of the crest of the aforesaid Jicarilla Mountain by means of which dam so constructed by Defendants they have cut off and diverted the natural flow of the water in said Southern stream . . . ²⁹

The three acequias are identified according to which tributary of the Río Pueblo supplies the water: the northern, middle, and southern branches. According to this document, the original acequia took water from the middle branch; the second acequia, from the northern branch, and the new acequia from the southern branch. The middle branch acequia had been constructed at the time of the original settlement (established 1816). The northern branch acequia was fifteen to twenty years old as of 1882, giving it a priority date sometime in the mid 1860s. Work on the new acequia, the southern branch acequia, had been going on for about three years at the time of the Bill of Complaint. (Note that the former name of Holman was Agua Negra.)

Another document pertinent to the history of the trans-basin acequias is found in the Acequias and Water Rights collection.³⁰ The document is undated but it appears to be testimony in the case about the acequias in question.* It states,

The water from the middle branch was originally taken by the individual Antonio Olguín deceased. He formerly lived in the Pueblo of Picurís and moved over the mountain to the town of Mora and was allowed to take this water. It is now used by the people of Alto Colorado and Cañoncito numbering about 20 families.³¹

The phrase “allowed to take this water” suggests that Picuris Pueblo agreed to this diversion. According to the Taylor map of 1881,³² the town of Cañoncito was located along the river between present day Mora and La Cueva. The map does not show Alto Colorado.

²⁹ Ibid.

³⁰ Unsigned Statement with Names of Parciantes, Acequias and Water Rights, Accession Number 1959-002, New Mexico State Records Center and Archives, Santa Fe, NM. (Attachment F).

* In an unpublished article Anselmo Arellano (Attachment I) quotes a document that appears to be similar or perhaps the same one, though with a different attribution. The citations for the quotation indicate that his material is from the E. V. Long Collection, but I could not find anything relevant in that collection. Dr. Arellano could not be reached for comment.

³¹ Unsigned Statement with Names of Parciantes, Acequias and Water Rights, Accession Number 1959-002, New Mexico State Records Center and Archives, Santa Fe, NM. (Attachment F).

³² Acequia del Rito y la Sierra, Propiedad De La Asequia Del Rito Y La Sierra Y Sus Laterales, April 2, 1921 - Dic. 11 1922. Chacon, N.M., Acequia Del Rito Y La Sierra (Chacon)Chacon, NM. Original was in

Between 1882 and 1884, the record indicates that Picuris Pueblo filed a Bill of Complaint, the defendants appeared before the judge, subpoenas were issued, and the defendants were granted an extension to answer the charges (Figure 3). Then, in late 1885, the case was dismissed, apparently because Picuris Pueblo had not pursued the matter. Given the tenor of the original Bill of Complaint, and assertions that the Pueblo would be totally ruined for lack of irrigation

Figure 3: Case 256 Docket

August 2, 1882	Bill filed Exhibit filed entering order for defendants to show cause R (355) docket
August 10, 1882	23 certified copies order [sic] to show cause. Subpoena and 22 copies
September 20, 1882	All defts appear except Segundo Garcia
June 25, 1883	subpoena and copy issued redocketed for September 1883 Term
May 8, 1884	time to answer extended till 1st day next term, on motion defts Rp May 1884
October 6, 1885	Dismissed on motion of deft judgment order for costs & execution Rap [?] Cust bill
March 12, 1886	Execution for costs issued return

water, the lack of follow-through is rather surprising. Had the Pueblo realized that the diversions were not as extensive as they originally perceived them to be? Had some sort of agreement been reached between the Pueblo and the Mora Valley residents? The record does not say.

The Trans-Basin Acequias Today

The three trans-basin acequias continue to provide water to the Mora Valley as of this writing. Each of them obtains a portion of its water from branches of the Río Pueblo.

The Acequia del Rito Griego y la Sierra above Chacon derives its water from three sources, Rincon Pelado (a small lake), Rincon de la Laguna (another small lake), and Rito la Presa (a tributary of the Río Pueblo), according to Eufrazio Vigil, a parciante on the ditch.³³ The acequia diverts water from a point on the Rito la Presa and sends it down Quemado Canyon to the valley.

The Cañoncito-Encinal Community Ditch obtains water from several springs and creeks. According to the Declaration³⁴, filed in 1967, the sources are Alamitos Creek, Agua Fria Creek,

possession of Eufrazio Vigil in July, 2008. Copies of 10 pages from the book are included at CSWR, UNM. (Attachment K).

³³ Hispano Chicano, Mexicano Program, UNM, *Field School Archives*, DVD set, multimedia, As of this writing, the CHMP Program is putting together an archive somewhere at UNM, 2007.

³⁴ Declaration of Ownership of Water Right Perfected PRIor to 1907 (No. 01958), Cañoncito-Encinal Community Ditch, New Mexico Office of the State Engineer, Santa Fe, NM. (Attachment AA). In June, 2008, the declaration file was missing from the Office of the State Engineer in Santa Fe. Ivan Roper

Cañoncito Creek, and Cana de los Corales [sic] Creek. Oral tradition in the acequia holds that the “source” of the Cañoncito-Encinal Community Ditch is Serpent Lake; however, Serpent Lake feeds the Rito Angostura, while Horseshoe Lake is located near the source of Alamitos Creek. Ivan Roper surmised that the chain of small lakes along the ridge below Jicarita Peak, including Horseshoe Lake, were once known as the *Serpent Lakes*.

In September, 2008, members of the Encinal Community Ditch gave the author a tour of the acequia canal system. The group consisted of Ivan Roper and Johnny Bonney, officers of the Encinal Community Ditch; Harold Trujillo, of the New Mexico Acequia Association; Alicia Paz-Solis; and the author. During the field visit, the team took photos and GPS points at numerous places in the Mora Valley and in the Santa Fe National Forest. (Refer to Figure 5, Figure 6, and the accompanying CD for details.) They visited the diversion point on Alamitos Creek, a tributary of the Río Pueblo, and followed it downstream to where it flows into the Mora Valley. In the Mora Valley, the Cañoncito -Encinal Community Ditch divides the water among two acequias, the Cañoncito Community Ditch and the Encinal Community Ditch (see Figure 1 and Figure 2). Other springs and creeks originating in the Canadian River Basin contribute water to the acequia. (Refer to Figure 3 for details.)

The Cañoncito-Encinal diversion point at Alamitos Creek is several hundred yards upstream from the place where the Acequia de la Sierra de Holman crosses Alamitos Creek. In times of normal flow, all of the water from Alamitos Creek is diverted into the acequia, for example, the creek bed below the diversion was completely dry in September, 2008. Acequia members said that at high water the creek bed serves as overflow channel; the excess water then runs past the Acequia de la Sierra de Holman and eventually into the Río Pueblo.

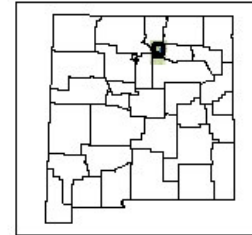
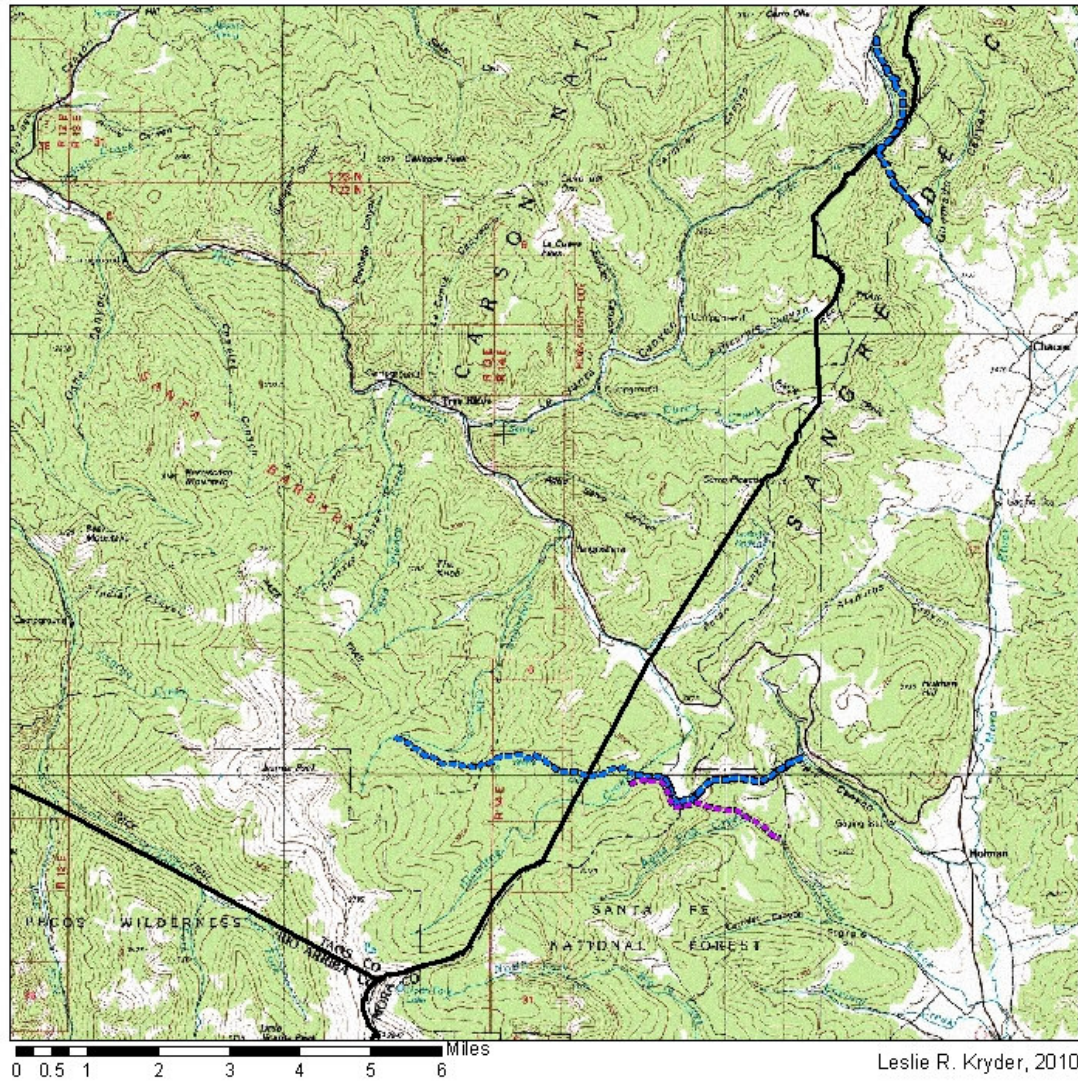
The Acequia de la Sierra de Holman diverts water from the Rito Angostura, several miles west of Alamitos Creek, into what we shall call the “upper” reach of the Acequia de la Sierra de Holman. The 7.5 Minute Quad maps for Holman and Jicarita Peak clearly indicate the path of this portion of this acequia. When it reaches Alamitos Creek, the Acequia de la Sierra de Holman empties its water into Alamitos Creek. Almost immediately below this point, the Acequia again diverts the water from Alamitos Creek (including the recently added water brought from Rito Angostura) into what we shall call the “middle” reach of the Acequia de la Sierra de Holman. In effect, the Acequia crosses the (often) empty bed of Alamitos Creek on its way down to the Mora Valley. Like the Cañoncito-Encinal Community Ditch, the Acequia de La Sierra de Holman sends overflow down Alamitos Creek.

In 2008, the CHMP field school class, together with the Mayordomo, Jimmy Sanchez, and the author hiked about four miles along the Acequia de la Sierra de Holman starting at the intersection with Alamitos Creek. Here a gate sends the water eastward toward Vigil Canyon. From their diversions at Alamitos Creek, the Cañoncito-Encinal Community Ditch and the Acequia de la Sierra de Holman flow in parallel to a point slightly beyond the National Forest Boundary, where the Cañoncito-Encinal Community Ditch flows into Cañoncito Creek and the Acequia de la Sierra de Holman flows into Vigil Canyon (the “lower” reach of this acequia).

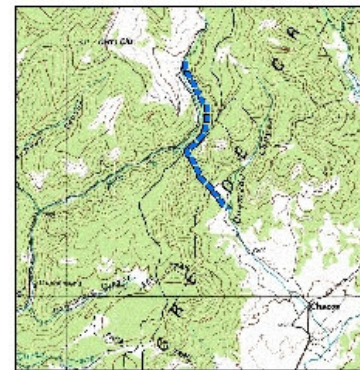
provided this copy. The name “Cañoncito-Encinal Community Ditch” is used throughout this paper because that is the name that appears on the declaration.

Figure 4: Map of Western Mora County and Southeastern Taos County with Portions of Trans-Basin Acequias Indicated

Western Mora County and Southeastern Taos County



Acequia del Rito Griego y la Sierra



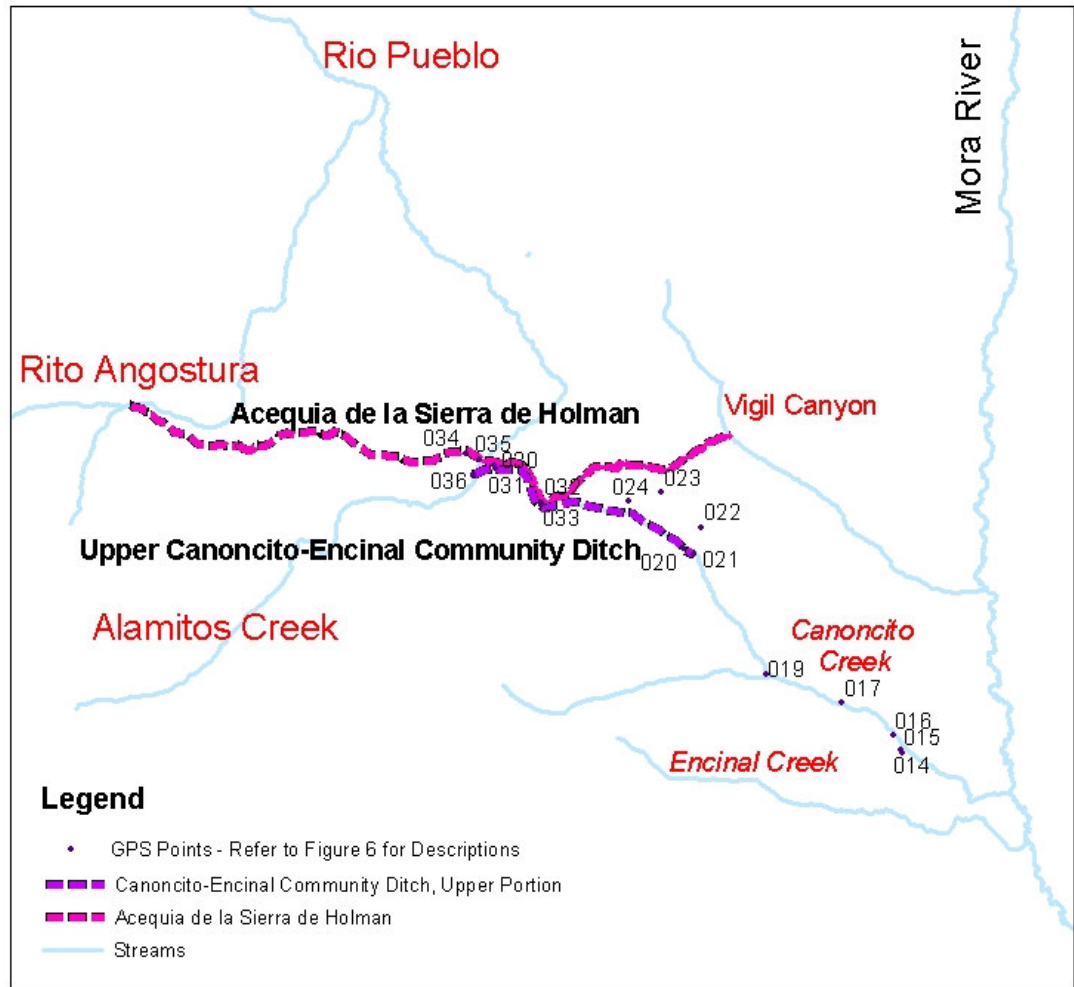
Acequia de la Sierra de Holman and Canoncito-Encinal Community Ditch



Figure 5: Upper Reach of the Cañoncito-Encinal Community Ditch and the Acequia de la Sierra de Holman

The purple line indicates the upper portion of the Cañoncito-Encinal Community Ditch; from there, the water flows into Cañoncito Creek and is diverted for irrigation by the Acequia de Cañoncito and the Acequia de Encinal. Source: Approximate acequia path based on GPS points taken September, 2009, Leslie R. Kryder

Upper Reach of the Canoncito-Encinal Community Ditch and the Acequia de la Sierra de Holman



Leslie R. Kryder, 2010

Figure 6: List of GPS and Photo Points, Primarily Cañoncito-Encinal Community Ditch, September, 2008.

This is a selection of the full set of photo and GPS points taken on this date. Some GPS points have several photos associated with them. Refer to the accompanying CD for the photos and full list of GPS points.

#	Acequia Name	Land Owner Name	Source or Inflow point?	Description
14	Encinal	unknown		Encinal Diversion
15	Encinal	Rowan Stanland		Encinal Headgate
16	Encinal			Spillway off Encinal
17	Cañoncito-Encinal	Trujillo	combined Cañoncito-Encinal stream	Cañoncito-Encinal Split
19	Cañoncito-Encinal	unknown	Inflow point of Corrales Canyon tributary	
20	Cañoncito-Encinal	Lujan	Agua Fria Canyon (comes from the west)	From here about a mile to Agua Fria Tributary (area past gate is off limits, currently)
21	Cañoncito-Encinal	Forest Service	Inflow point of ojito at pt 22 (comes from the east)	
22	Cañoncito-Encinal	Medina?	Ojito feeds from Valle de la Sierra and into Agua Fria Canyon	Starts near an orchard where there are remains of a house
23				View of western mountains (where Cañoncito-Encinal comes down over the mountain). You can see the path of the de La Sierra de Holman along the top right; path of the Cañoncito-Encinal ditch vertically at 11 o'clock.
24	Cañoncito-Encinal	Maestas		Cañoncito Ojito (main source of local water; also old trail) Is this where the mountain water comes into the valley?
31	natural creek	Forest Service	Alamitos Creek	Cañoncito Transbasin Acequia (next to point 30; distance from 30 is about 160 ft)
32	de La Sierra de Holman			Acequia de la Sierra gaging station. There is also a survey pin here: AP33 ES 518 1973
33	natural creek	Forest Service	Alamitos Creek	Cañoncito Transbasin Acequia
34	de La Sierra de Holman			Acequia de la Sierra de Holman where it crosses FR161
35	de La Sierra de Holman			Acequia de la Sierra de Holman with spillway back into Alamitos Crk
36	natural creek	Forest Service	Alamitos Creek	This is the same place as point 27, but arrived at by following Alamitos Crk (dry bed) upstream from Acequia de la Sierra

United States Geological Survey (USGS) quad maps show the Acequia de la Sierra de Holman originating at Rito Angostura. To verify this, on July 6, 2008, David Trujillo and the author hiked the upper portion of the acequia from the end of FR161 to the intersection of two small creeks. It was quite clear that the channel was a man-made ditch all along this section. (See photos on accompanying CD.). What we found was that the ditch diverts all of the water from Rito Angostura; there was no sign of a creek continuing down from that point. However, one of the breach points further east had a dry creek bed running into it from above (from the southwest), and water was running from the ditch northeastward down the hill. Perhaps the breach is letting water back into the original stream bed. At another point near there (which unfortunately, we did not photograph) it looked like there was a "desague" designed to carry overflow from the ditch back down to Rito Angostura.

Locating the Trans-Basin Acequias

The Bill of Complaint for Case 256 does not refer to the trans-basin acequias by name, but rather assigns each a name based on which branch of the Río Pueblo supplies its water: the "northern", "middle", and "southern" branches of the Río Pueblo. In order to interpret the Bill of Complaint it is necessary to associate the contemporary acequias with the appellations used in the Complaint.

It is helpful to look at a map in order to see the relationship among the tributaries of the Río Pueblo and how they correspond to the so-called "northern", "middle", and "southern" branches of the river. (Refer to Figure 7). The "northern" branch clearly corresponds to Rito la Presa, which is a source for the Acequia del Rito Griego y la Sierra. What is harder to understand is how Alamitos Creek would be called the "middle" branch and Rito Angostura the "southern" branch, since both creeks flow in a roughly northerly direction. The key lies in viewing the area from the perspective of Picuris Pueblo: rotating the map so that the top points toward the southeast (Figure 8), Picuris Pueblo appears at the bottom of the map, and the Río Pueblo runs from the top to the bottom. Imagine a traveler following the river southeast from Picuris Pueblo to where the creeks intersect it. First, the traveler would come across Rito La Presa entering from the left or northeast, making it the "northern" branch of the Río Pueblo. Continuing up the Río Pueblo, the traveler would come across Rito Angostura entering from the right or south, making it the "southern branch." Next, the traveler would continue straight ahead up Río Pueblo as fed by Alamitos Creek, making this the "middle" branch.

Conclusion

Because they divert water across basin boundaries, the three trans-basin acequias will face special challenges in the establishment of their water rights, since the water rights will be a factor in adjudication of both basins. Case 256 and other documents mentioned here help establish the age of each acequia and the relationship of the Mora Valley acequias to Picuris Pueblo. More work should be done to document historic and current water usage, and the relationship of the trans-basin diversions to the overall canal systems that distribute the water. Specific recommendations are found in an appendix to this paper.

Figure 7: Map of the Trans-Basin Acequias
 Source: GPS points taken by Leslie R. Kryder and shapefiles from the Office of the State Engineer, Santa Fe.

Trans-Basin Acequias

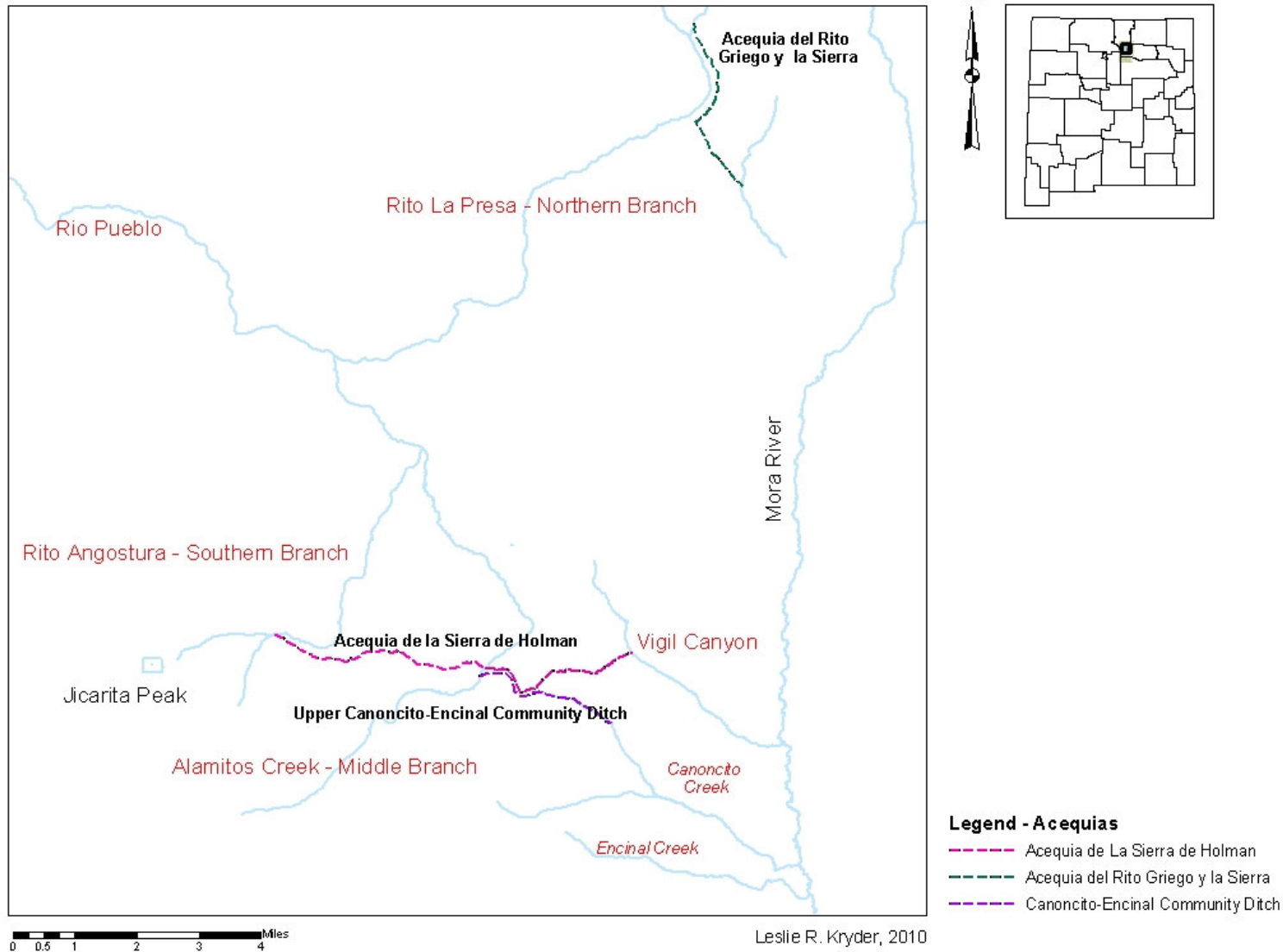
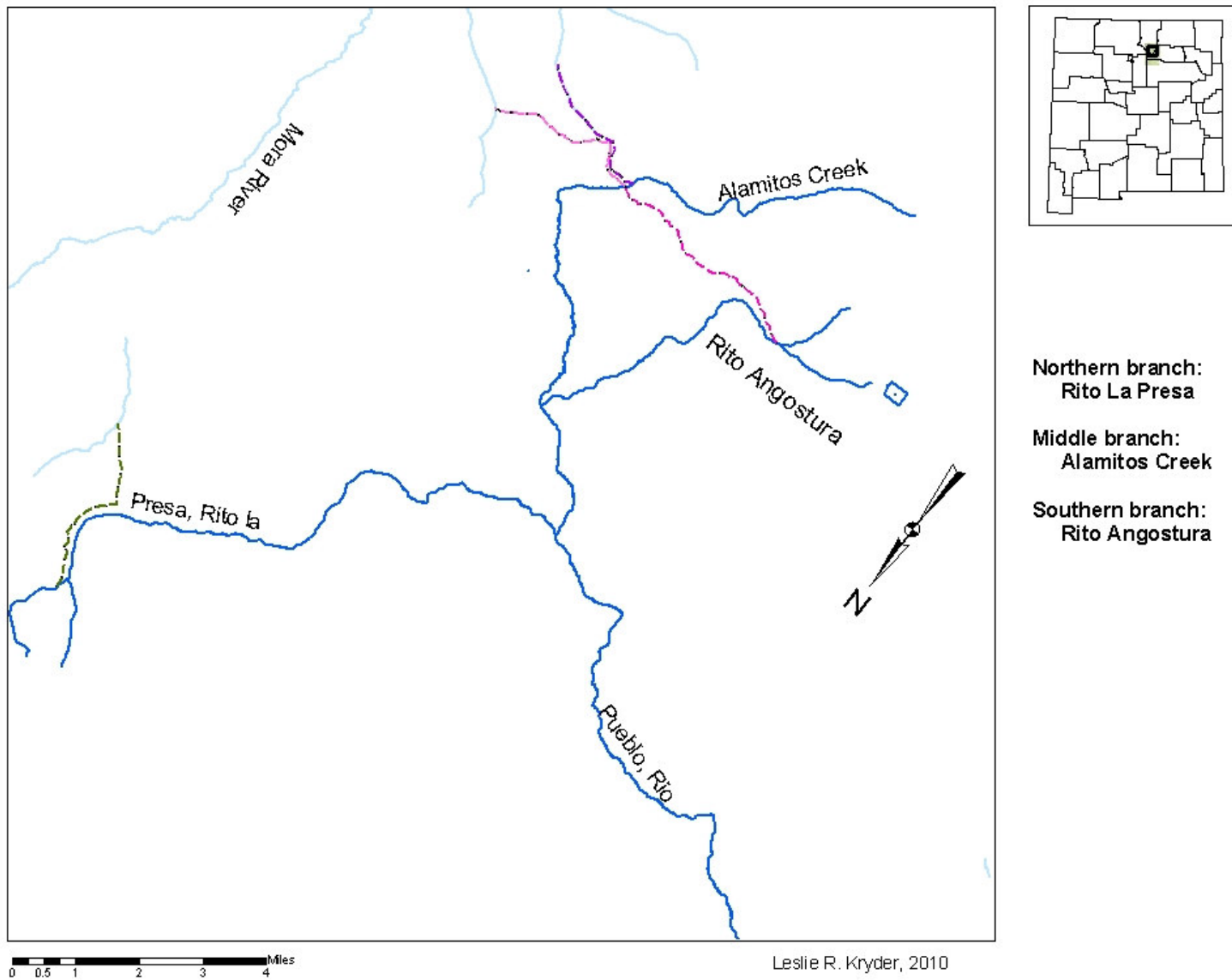


Figure 8: Rotated Map Showing the Relationship Among Three Tributaries of the Rio Pueblo
Source: GPS points taken by Leslie R. Kryder and shapefiles from the Office of the State Engineer, Santa Fe.

Rotated Map Showing the Relationship Among Three Branches of the Rio Pueblo



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Appendices

Appendix A: Summary of Flow Measurements

In a separate file.

Appendix B: Source Material

In a separate file.

Appendix C: Recommendations for Documenting the Acequias

In a separate file.