

ACEQUIAS DE LOS VALLES

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The Taos Valley Acequia Association insures the long-term sustainability of traditional agricultural communities of the Taos Valley by protecting water rights and preserving and strengthening the acequia system.

ADJUDICATION UPDATE BY FRED J. WALTZ

In December, 2010 Congress passed the Taos Pueblo Water Rights Settlement Act and President Obama signed the legislation. In order for the settlement to become effective certain conditions precedent must be met. They include revising the settlement agreement to the federal legislation so that they are entirely consistent. All of the settlement parties must then sign the revised settlement agreement. Then Congress and the State of New Mexico must fully appropriate and make available to the settlement parties the funding necessary for the settlement. Also a judgment must be entered by the court which adjudicates Taos Pueblo's water rights as they have been agreed to in the settlement.

The deadline to complete all of these conditions precedent is 2017. We are presently involved in the phase of conforming the settlement to the federal legislation. There is still a lot of work to be done to fully implement the settlement prior to the 2017 deadline. One of the biggest tasks is to secure all of the funding from the United States and the State for the settlement.

It is vitally important to the future of the Taos Valley and all of its residents that the settlement agreement with Taos Pueblo be finally implemented. This is especially important for the acequias for the following basic reasons:

1. All water rights for every parciente and acre of irrigated land are being recognized and protected by the settlement. Taos Pueblo, the United States, the State Engineer, the Town of Taos, El Prado Water and Sanitation District and the 12 area mutual domestic water association have agreed to not challenge any of the acequias' parcientes' water rights.
2. All water sharing agreements and prior court decrees of 1893 on the Rio Lucero and Rio Pueblo are continuing as valid and binding on the Pueblo. These ancient decrees and water sharing customs are guaranteed to continue in perpetuity.
3. Taos Pueblo has agreed to not make any priority calls against the Acequias in return for the Acequias recognizing that the Pueblo has the right to irrigate 5,712.78 acres of historically irrigated land at the Pueblo. The Acequias presently irrigate about 12,000 acres.
4. The water rights of domestic well owners, many of whom are acequia paciente, are protected to the full amount of 3 acre feet for each domestic well.

There are other important benefits to the acequias in the settlement. The above items are just a few of the most important provisions of the agreement.

TVAA OFFICE NEWS

Taos Valley Acequia Association is conducting meetings with acequia officials to review preliminary updated hydrographic maps by the Office of State Engineer. The acequia officials are being contacted by Jean Trujillo for a date and time to meet. The first of these meetings was held last year for the Rio Grande del Rancho and Rio Chiquito Streams. The Rio Pueblo, Rio Lucero, Rio Fernando and the Rio Hondo meetings are being held from now through August, 2011.

You may contact Jean Trujillo at (575) 737-9196 or (575) 770-1788 regarding any questions.

The TVAA office will soon be sending out to all of its Commissioners and Mayordomos a new revised Taos Valley Water Rights Settlement Agreement booklet. Please call the TVAA office with any new Commissioners or Mayordomos so that we can be sure these will be going out to current officials.

This is our first newsletter going out to our Officials in many years and we would like to keep all of our parcientes informed. We ask that if you would like additional newsletters to go out to the parcientes, could please give us either a list to mail them out to or a number of newsletters that you would like to distribute. Please call the TVAA Office at (575) 758-9461.



Acequia del Monte Diversion see article on page 4 Photo provided by Gale Minton and Art Coca

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Thank You to TVAA volunteer Charles Hawk, Fred Waltz and Board Members Miguel Santistevan, Gael Minton and Art Coca for making this newsletter happen!

NEW MEMBERS JOIN TVAA BOARD

The Board and staff are happy to welcome new Board members for 2011.

Bennie Mondragon, Joe Mondragon and Toby Martinez will again represent the Rio Grande del Rancho. Stephen C. Trujillo, Esequiel Trujillo and David Shoemaker will also again represent the Rio Pueblo.

Amarante Chacon has been added for the Rio Lucero/Arroyo Seco area, along with returning board members Palemon A. Martinez and Leroy Graham. Joe Fernandez has been added for the Rio Fernando with returning members Miguel Santistevan and Tom Trojnar.

The Rio Chiquito has returning board members Gael Minton and Art Coca but are still lacking a board member. As well with the Rio Hondo we

have returning members Dean Archuleta and Sandra Forde but are lacking a board member. If you are members of these two acequias and would like to serve on our board please either contact one of the listed board members or the TVAA office.

We are also happy to announce that Palemon A. Martinez will again serve as President, Bennie Mondragon will serve as Vice President, Stephen C. Trujillo as Treasurer and Leroy Graham as Secretary. They are true leaders in adjudication policy, program development, and in the organization of the Taos Valley Acequia Association. We could not have had the success we have enjoyed without their effort.

Many thanks to all Board Members!

TOWN OF TAOS ACEQUIA TASK FORCE

BY MIGUEL SANTISTEVAN

The Taos Valley is blessed with 6 rivers that contain approximately 52 acequias. As the population grows, the Town of Taos has also grown, often times right on top of acequias. Some acequias have almost all but disappeared, though not in the memory of their parciantes. Other acequias are prime opportunities to undo (or redo) the impacts of development in the Town so that the acequias can flow through the Town again. If we are not successful, then Taos could go the way of Santa Fe, who used to have dozens of acequias running through their town, and now only have two.

People familiar with acequia culture are all-too-aware of the challenges we face: development pressures for water rights and irrigated land, the need for a future generation of farmers, and the potential impacts of climate change. There are many efforts and projects to address these problems to insure that acequia culture, with over 11,000 years of history, will continue into the future. One of these projects is the recently created Town of Taos Acequia Preservation Task Force.

Mayor Darren Cordova created the Task Force through the appointment of Charles Chacon, President of Acequia del Pueblo; Bobby Jaramillo, Mayordomo of Acequia del Pueblo; Rory Kenward, parciante on Acequia del Rio Chiquito; and Miguel Santistevan, Mayordomo of Acequia Sur del Río de Don Fernando de Taos. The purpose of the Task Force is to identify alternatives for preserving and restoring the acequia systems in the Town of Taos. Mayor Cordova has also directed the Town of Taos Long Range Planner, Matthew Foster, to facilitate the Task Force funding meetings and assist in identifying possible funding sources. The Task Force

is currently mapping the existing and historic alignments of the acequias in the Town's historic overlay zone and setting priorities for restoration projects.

Several meetings have revealed some funding sources through the New Mexico State Historic Preservation Division and some "Recreation and Trails" funds that can be used. Our immediate goals are to successfully complete a project that will show success for future projects. Right now we are looking at the possibility of restoring laterals of the Acequia del Pueblo to irrigate Kit Carson Park and Enos Garcia Elementary school to start. The success of the Task Force will serve to improve the Town's cultural, economic, and environmental aspects while increasing opportunities for local agriculture, food security, and resilience to climate change for the residents of Town and the greater region.



Bobby Jaramillo makes measurements on a culvert of a lateral of the Acequia del Pueblo. Mathew Foster, left, and Charles Chacon, right, stand in background. This lateral has hundreds of feet in culverts under sidewalks and parking lots that are clogged, too small, or otherwise impacted by development along Paseo del Pueblo Norte where the water cannot currently flow. The Task Force is charged to identify these problems for the Town and make recommendations for their correction. Photo by Miguel Santistevan.

ACEQUIA LECTURE SERIES AT TAOS PUBLIC LIBRARY

The series, which begins May 14, takes as its theme the 2011 town of Taos tourism marketing slogan “Be Transformed by the Land, Light and Legend of Taos.”

Lectures will take place in the Community Room of the Taos Public Library, 402 Camino de la Placita, and are free of charge. The series is funded by Friends of Taos Public Library.

July 23, 1:30-4 p.m. (Two Speakers)

The Development and Importance of Acequias: Local Lessons that Serve the World. Miguel Santistevan, executive director of Agriculture Implementation Research and Education, Mayordomo de Acequia Sur del Rio de Don Fernando de Taos. This presentation touches on the development of agriculture in the New and Old World with a focus on acequia agriculture and its development in northern New Mexico. Environmental, cultural, and political aspects of acequia survival are examined. Contemporary issues in agriculture, land tenure, and changes in the food system that affect the continuation of acequia culture are also considered.

Acequias and Legal Issues Facing Them. Attorney Fred Waltz has handled many legal issues surrounding acequias in Taos County including the Valverde Commons and the Taos Adjudication issue. He spent 17 years helping craft the Abeyta Water-Rights settlement with Taos Pueblo. Acequias encompass many legal issues that impact families for generations and their heirs. Waltz will provide an overview of the legal issues surrounding acequias and their history.

August 27, 1:30-3:30 p.m.

The Acequias in Transition; Will They Survive? Juan Estevan Arellano, writer
Though the acequias have been part of the Northern New Mexico landscape for over 400 years, they are facing an uncertain future. Not too long ago, Taos County was known as the bread basket of New Mexico, yet today not much agriculture is going on, especially around the town of Taos. What role should the town and county governments play in saving this sacred landscape?

*TVAA
Services*

- ◆ Representation of acequias in Taos Valley water rights adjudication
- ◆ Advocacy for acequias at the State Legislature
- ◆ Technical assistance
- ◆ Counseling on water law and policy
- ◆ Managerial assistance
- ◆ Water Banking
- ◆ Water right transactions assistance
- ◆ Public education and information
- ◆ Assistance with acequia Bylaws
- ◆ Provide acequias with meeting spaces
- ◆ Computerized water data management for the Taos Valley

REVIEW AND UPDATE YOUR BYLAWS

Up to date acequia By-laws is one of the most important tools commissioners, mayordomos and parciantes can use to protect your water rights. In recent years the legislature has passed a number of laws to assist acequias. One law allows “water banking” for the purpose of preventing water right loss through legal forfeiture. Another gives acequias the right to be notified, approve or disapprove of any transfer of water out of the acequia by a parciante. But acequias cannot get the benefits of many legal protections unless they are included in the acequia By-laws. Also, your Bylaws are the main tool commissioners and mayordomos use to manage their ditches. Therefore updating your Bylaws in very important. If you

want help in doing this, and particularly if you want forms and examples of the latest By-law language to consider, please call the TVAA office.

The TVAA also can assist the acequias with Water Banking. Forms and literature can be found in the office. It is very easy for an Acequia to set up a water bank. No approval of any agency is required. The Acequia can simply adopt a policy or amend its bylaws. New Mexico Acequia Association and New Mexico Legal Aid have drafted a sample bylaw for water banking. It is also easy for a parciante to place his or her water right into the water bank and then remove it when he or she is ready to use the water right again.

Does your ditch have a problem?

Do you have questions about your water rights?

Would you like to see a aerial photo of your acequia?

Please call us at 758-9461, visit our office on Chimasa Rd. or email us tvaat@kitcarson.net or visit our website at www.taosacequias.com

FUNDS AVAILABLE FOR ACEQUIA REPAIRS

The Taos Soil and Water Conservation District’s annual application period for cost share-financial assistance for ditch repairs begins July 1. Application for cost sharing assistance must be made between July 1 and December 31 at the district office in the Juan I. Gonzales Agricultural Center (751-0584).

Because acequias have priority for the funds available under this program, ditch officers should review their repair needs and apply for needed funds. Financial assistance is available on a cost sharing basis. Many of our member acequias have received essential help from this important program.

Taos Valley Acequia Association

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**DON'T FORGET TO ATTEND YOUR TAOS COUNTY FAIR ON AUGUST 27-28
SUPPORT THE TAOS COUNTY YOUTH!!**

NUESTRAS ACEQUIAS: ACEQUIA DEL MONTE
BY GAEL MINTON AND ART COCA

The two acequias diverting water from the Rio Chiquito in Taos Valley are: Acequia Madre and Acequia del Monte. Acequia del Monte was a lateral of Acequia Madre until 1917 when the State granted approval for del Monte to be a separate acequia with its own Commission and Mayordomo. At that time the water diverted from Rio Chiquito was divided two-thirds to the Madre (600+ irrigated acres) and one third to the Monte (300+ irrigated acres). The Rio Chiquito also supplies water to the Talpa Reservoir through the Talpa Reservoir Ditch with a diversion upstream from the Acequia diversion.

The Talpa Reservoir was constructed in 1920 and in 1930 the State Engineer granted a license for operation to the Talpa Water Users Association (TWUA). The sharing of water from the Reservoir for irrigation is agreed on by three Commissions: TWUA, the Madre and Monte Acequias.

In 1987, the Talpa reservoir was rehabilitated by improving the banks, installing a liner part way up the bank, placing riprap above the liner on the bank and improving the outlet gates and overflow ditch. Currently, a second major rehabilitation is underway involving negotiations with the State Engineer's Office and the Bureau of Dam Safety.

The surface water from the Reservoir and the two acequias serves approximately 400 water right owners. Acequia del Monte currently has 138 parciantes and 320+ irrigable acres. In the winter of 2005, a committee of 5 parciantes met to revise the By-Laws (last revision 1987) bringing them up-to-date with NM State Water law and new statutes related to Water Banking and Water Transfers. The By-Law Committee consulted Janice Varela of the New Mexico Acequia Association and Attorney David Benavides in this revision.

In August 2005 we submitted our first Infrastructure Capital Improvement Plan (ICIP) and request for funds. The plan has been updated every year since and the Acequia has received \$285,000 in Capital Outlay funds as well as funding from Taos Soil and Water Conservation District.

In 2010, the Commissioners and Mayordomo undertook a review of the water distribution policy and procedures. After valuable consultation with 2 experienced Mayordomos in Chimayo and Santa Cruz/Espanola and many meetings a more efficient system of allocating and rotating water was agreed on by the parciantes.

The Acequia del Monte community is invested in restoring and preserving its acequia and associated lands.