

Valley Courier



Congreso unites irrigators

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SAN LUIS — In the name of tradition, justice and a sustainable future, acequia advocates gathered in numbers at Centennial High School in San Luis over the weekend for the first Colorado Congreso de Acequias.

Acequias – earthen, gravity fed irrigation systems unique to Costilla, Conejos, Huerfano and Las Animas counties and northern New Mexico – have had an equally unique role in the modern world of water rights, laws, rules and regulations. In order to bring them into compliance while protecting their historical and agroecological characteristics, the state of Colorado passed a bill in 2009 “promoting and encouraging the continued operations of acequias and the viability of historic communities that depend on those acequias.”

Literally taking the law into their own hands – the hands that work to keep the acequias flowing – the advocates promoted and encouraged until late Sunday afternoon through presentations, discussions and the opportunity to see acequias wind there way through the land.

This year’s presenters included Costilla and Conejos Counties’ own acequia irrigators, southern and eastern neighbors, politicians, lawyers, scholars, mothers and youth. Topics included regional challenges, legal challenges, women and youth, lessons from northern New Mexico, the coming Colorado Acequia Governance Handbook and the future of Colorado’s acequias.

Alongside the host, the Sangre de Cristo Acequia Association, agencies present included Colorado Open Lands, the Natural Conservation Resource Service (NRCS), both co-sponsors; the Division of Water Resources; the National Park Service; the National Heritage Area and the Farm Service Agency.

Rep. Ed Vigil (D) opened and closed the ceremonies, and received special recognition for taking the lead on the Colorado Acequia Recognition Law.

“Everybody has an equal portion and a chance of surviving,” Vigil said in the midst of an acequia history lesson. “Water was not considered property, but a communal shared resource. People were always happy with what they could get. We survived well. That history is going to be gone and the technology is going to dwindle it down until it disappears.”

The representative set the tone for the weekend with his speech. Whether the discussion turned to legal matters, engineering concerns or socioeconomic obstacles, the effects and tradition linked with the communal shared resource were the underlying forces.

Books for hardworking hands

A number of attorneys joined the Congreso to increase both their knowledge of acequias and attendees' knowledge of law and the role the largely undocumented shared resource compact will have to play to survive the future.

On Sunday, water attorney and Colorado Acequia Governance Handbook co-author Peter Nichols summed up Saturday's many discussions.

He first identified external pressures or threats to acequias that are not controllable and internal actions tied to acequia governance. External pressures included water transfers outside of the ditch, augmentation/replacement, water right changes, calls and priority administration, undecreed water rights, water quality, climate change/sustainability, the Rio Grande Compact and adjudication versus mediation.

Internal actions included community, ancestral norms and values, acequia unity, fractionalization, women and youth leadership, workdays, assessments, waters sharing, easements and right-of-ways, user duties and enforcement, tort liabilities and finances available for legal services.

"These are a list of issues for the handbook," Nichols said. "You have the responsibility to protect your rights."

Additional and more detailed acequia irrigator concerns included appointment of water commissioners, balancing old and new technologies and theories, and looking to the established New Mexico Acequia Association for guidance.

"It is good to be listened to, but that doesn't make policy changes," said Devon Peña, a lifelong environmental activist whose roots stem from San Acacio. "You know we don't have democracy. We need the legislature to change to transform the structure."

Peña was also skeptical about NRCS making recommendations on acequia management practices that could damage ecosystems vital to an acequia's health.

Since the acequia bill asks for acequia stockholders to file articles of incorporation, the handbook will also address proper bylaw development and implementation, particularly as a means of communicating values for current and future users.

Nichols said the state engineer's office plans to have a handbook draft ready for the end of the year and the final version published in 2013.

Where the water flows

The Congreso united acequia irrigators from Conejos, Costilla, Huerfano and Las Animas through an opportunity to compare and contrast systems. An uncertainty in the law and the changing environment - both natural and commercial - were echoed in each presentation.

“There are differences that we have across the river,” said Lawrence Gallegos, a Conejos County irrigator. “Some problems started back in the 1920s and 1930s when they established the Rio Grande Compact. We are still subject to that compact.”

He added, “It is a sustainable way of agriculture what we are doing today in the San Luis Valley. Mining the water, pumping the water is not sustainable.”

Costilla County acequia irrigator Joe Gallegos recalled memories of wanting to water the garden as a child. He lifted the gate, only wanting to do like his father, and his father only saw a violation of tradition.

“He told me I was endangering the family and that he could go to jail,” Gallegos explained about growing up on the acequia. “From that point, I knew we were dealing with something serious.”

He, too, said history is responsible for today’s problems. Mining, logging, property sales, reservoirs and water law that does not yet seem to have a place for acequias changed the face of a Valley that once filled boxcars with enough produce to feed people far beyond San Luis’ border.

From across the mountains, Jack Chavez, Las Animas County, and Amos Mace, Huerfano County, divulged another series of problems including greed, water quality, unclaimed water rights, taxes, natural resource development and pollution.



The Acequia del Cerro was part of the Colorado Congreso de Acequias tour on Sunday morning. The tour included stops at several sites including the People's Ditch just south of San Luis. San Luis native Joe

Gallegos shows Congreso attendees acequia technology. Gallegos operates his family's centennial ranch located on the People's Ditch. Courier photos by Lauren Krizansky