

## Reader View: Governor's acequia veto hard to swallow



Posted: Saturday, March 26, 2016 7:00 pm

By Lucy Moore

Early in my career as a mediator, I found myself managing a dialogue between local, land-based water users and the leadership of the State Engineer's Office.

The subject was how the waters of the state are managed and how things might work better for those in the north who depended on those waters for a variety of uses. To have a water right, the state engineer explained, you must show that you can put the water to a "beneficial use." Those uses are defined in law, he said, to include domestic, municipal, irrigation, livestock, industrial, power development and recreation.

Gerald Nailor, then-governor of Picuris Pueblo, said there should be a beneficial use for water in a river — in his case, the Rio Pueblo that runs through his pueblo. Struggling to understand, I asked if he meant so he could fish or picnic by the river. That would be recreational use, I suggested. No, he said, this had nothing to do with recreation. The room was silent and focused on the governor as he tried to describe the "use" he was talking about.

"What I mean is that the river has a right to have its own water for its own sake, not having anything to do with people." The governor went on. "Even if there were no people who ever saw it or used it, the river has a right to have water in it. That should be a beneficial use." The state

engineer explained that was not included in state water law. “Well,” said the governor. “Then state water law needs to be changed.”

Other objections to the management of water in New Mexico came from several acequia members. Traditional irrigators in the north needed some special consideration by the state to support their fragile, handmade systems and to ensure that their centuries-old culture could continue. The discussion turned to the protections of acequias in the law and whether or not they were adequate. This passionate discussion, while more than 30 years ago, made a lasting impression on me, and helped me understand the challenges facing both water users and water managers in New Mexico.

I recently read in *The New Mexican* (“Acequias deserve better support,” My View, March 15) that Gov. Susana Martinez vetoed funding for acequia maintenance and repairs that were passed by the Legislature this session. She maintains that the money spent would not contribute to the economy or produce new jobs, and that there are other funding opportunities. The other funding opportunities are questionable, but it is her first reason that troubles me most.

To determine the value of acequias in terms of “economy and jobs” is embarrassingly short-sighted and ignorant. The acequias not only provide the infrastructure to keep small-scale agriculture alive, but the acequia association is the key to the health and well-being of the community. The practices of cleaning ditches, making repairs to headgates, even electing officers and collecting the dues are central to the community’s identity.

Any state official, and especially the governor, should understand the state’s broad diversity of cultures and the value of the traditional lifestyles that many in Northern New Mexico struggle to sustain. These traditions often reflect different ways of viewing the natural world around us and our place in it — ways that could benefit all of us to consider. I believe that we have much to learn from acequia communities, as well as from the pueblos, about both sustainable agriculture and sustainable culture.

Of course our legal and political systems are complex, and I am sure reforms are needed to make these systems more efficient and equitable. In the meantime, I would be happy to have my taxes contribute to the health of the acequias in our state. I would be even happier if some day Gerald Nailor could have his wish granted.

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