



Acequias in New Mexico: Policy Recommendations
Presentation to the Land Grant Legislative Interim Committee
November 19, 2018

Background and Introduction

- Based on an annual survey, NMAA has a database of 640 acequias in 22 counties.
- Acequias contribute to the statewide agricultural economy (See attached data from USDA Census of Agriculture).
- Acequias face challenges related to water scarcity and drought and demands for water transfers. They have responded by affirming water sharing traditions and building capacity for local governance.
- NMAA works to protect acequia farmland and water rights, strengthen acequia governance, invest in acequia infrastructure, and cultivate the next generation of acequia farmers and ranchers.
- Acequias are also served by a partnership that helps to leverage federal Farm Bill dollars for acequia projects:
 - NM Association of Conservation Districts, Interstate Stream Commission, local Soil and Water Conservation Districts, NM Acequia Commission, and NMAA. (See attached ICIP and Acequia Project List. List of Acequia Funding sources).

Protect Water Rights

- **Online Notice of Water Transfers.** Provide public notice of applications for water appropriations or water transfers online. This would improve transparency and due process by requiring that the same notice published in newspapers, as required by current statutes, is also published on the State Engineer website. NMAA recommends that the same bill as SB 86 (Cisneros), which was introduced in 2017, be introduced in the 2019 legislative session.
- **Due Process in Water Applications.** NMAA is concerned about any legislation that would diminish existing due process protections in water leasing or redefines the procedure for protestants to have standing in water rights protests. NMAA supports legislation that clarifies immediate use permits for water leasing cannot be granted as long as a protest is pending.
- **Reform of the Albuquerque Bernalillo County Water Utility Authority.** NMAA will support legislation previously introduced to democratize the Board of Directors of the ABCWUA by requiring that they be elected rather than appointed and to prohibit the ABCWUA from condemning agricultural water rights.

- **Amendments to Chapter 72, Articles 2 and 3.** There are two changes NMAA is proposing:
 - Update language in Chapter 73, Articles 2 and 3 to provide more flexibility in scheduling acequia biennial membership meetings. Articles 2 and 3 apply to different counties and they have slightly different language dealing with the required dates. NMAA recommends that this be corrected by clarifying that acequias can set the date of their biennial meetings in their bylaws.
 - In Chapter 73, Articles 2 and 3 govern acequias in different counties. It is generally understood and implied that non-conflicting sections of Article 2 apply to Article 3, but a clarification is needed. NMAA recommends clarifying in Section 73-3-11 that non-conflicting sections in Article 2 apply to Article 3 acequias.
- **Irrigation Works Construction Fund.** Restore long-term solvency to the IWCF, a portion of which is a recurring appropriation in the ISC budget for the Acequia Construction Program. NMAA recommends an appropriation to the IWCF to restore some of the previous principal balance, continue of funding for the ISC Acequia Program, and limit use of the IWCF to irrigation projects. (See attached LFC Fund Balances)
- **Acequia Infrastructure Funding and Capital Outlay Reform.** When considering Capital Outlay reform, NMAA recommends that acequia leaders be included in deliberations and that acequia needs be considered:
 1. Ensure funding for engineering designs can be provided through the acequia program of the ISC to a greater extent,
 2. Build on the success of the ISC 90-10 program which is based on recurring funding from the IWCF and incrementally increase the amount available as more acequias have access to engineering designs,
 3. Incentivize a planning process that ensures the acequia has an engineering design prior to requesting construction funding,
 4. Provide adequate funding to complete projects within the same year,
 5. Leverage all available funding sources.

Acequia Regional Initiatives

- **Rio Chama Irrigation Reserve.** The Rio Chama Acequia Association and Acequias Norteñas have been working with the State Engineer and Interstate Stream Commission to manage shortages on the Rio Chama. This effort has included the acquisition of storage space with state funds in recent years and an allocation of relinquishment credits that helped to offset shortages. However, shortages persist and the RCAA is requesting a legislative appropriation to acquire contract water for seasonal storage. This project was included in the regional water plan. NMAA recommends support of an appropriation for the Rio Chama Irrigation Reserve. (See attached RCIR Prospectus)
- **South Valley Acequia Infrastructure Planning.** The South Valley Regional Association of Acequias is collaborating with MRGCD to identify infrastructure needs of acequias in the South Valley what are within the district. As part of their strategic planning, the partners may be seeking funding support to conduct a planning and design process involving multiple acequias to help leverage resources. NMAA recommends support for this initiative.

Acequia Youth and Community Education

- **Acequia Day Memorial.** NMAA is requesting a memorial be introduced declaring an Acequia Day on March 15, 2018 in New Mexico to contribute to a statewide effort of the NMAA to encourage community participation in acequias and to implement an acequia curriculum in New Mexico schools.

Attachments (available upon request):

1. NMAA Background Information (Including USDA Census of Agriculture data)
2. Acequia ICIP and Project List
3. Acequia Funding Sources
4. LFC Fund Balance for Irrigation Works Construction Fund
5. Rio Chama Irrigation Reserve Prospectus
6. NMAA Selected Resolutions 2015-2018

Acequias with ICIPs and Infrastructure Funding 2016-2018

Prepared by NM Acequia Association, October 2018

Name	County	ICIP 2016	ICIP 2017	ICIP 2018	ISC 2018	ISC 2019	RCPP 2015	RCPP 2016	CO 2016	CO 2017	CO 2018
1892 Luna Irrigation Ditch Association	Catron	x		x*							
Abeyta-Trujillo Acequia	Rio Arriba	x	x	x*							
Acequia Alto del Norte	Mora	x		x*							
Acequia Barranco Alto	Santa Fe	x	x	x*				x			
Acequia de Arriba	Rio Arriba				x			x			
Acequia de Barranco de Jacona	Santa Fe	x		x*			x				
Acequia de Chamita	Rio Arriba			x							x
Acequia de la Agua Caliente	San Miguel	x		x*							
Acequia de la Cañada Ancha	Rio Arriba	x		x*							
Acequia de la Canova	Rio Arriba	x		x*		x					
Acequia de la Cienega	Santa Fe		x	x						x	x
Acequia de la Comunidad	Santa Fe	x	x	x*							
Acequia de la Isla (Morphy Lake)	Mora	x	x	x					x	x	x
Acequia de la Jarita	Rio Arriba	x	x	x*							
Acequia de la Joya	Socorro	x		x			x				
Acequia de La Mesa De Poleo	Rio Arriba		x								
Acequia de la Muralla	Santa Fe										x
Acequia de la Otra Banda	Santa Fe	x		x							
Acequia de la Otra Vanda	Rio Arriba			x							x
Acequia de la Plaza Blanca	Rio Arriba	x	x	x*							
Acequia de la Plaza de Dixon	Rio Arriba	x	x	x*							x
Acequia de la Plazita	San Miguel			x							
Acequia de las Joyas	Santa Fe	x	x	x							x
Acequia de Los Ancones	Rio Arriba		x								
Acequia De Los Barriales RA	Rio Arriba		x				x				
Acequia De Los Barriales SF	Santa Fe		x								
Acequia de los Chavez	Rio Arriba		x								x
Acequia de los Chupaderos	Santa Fe									x	
Acequia de los Duranes	Rio Arriba					x					
Acequia de los Espinosa	Rio Arriba			x							
Acequia de Los Fresquez	Santa Fe	x	x	x*	x						
Acequia de Los Garcias (San Pedro)	Rio Arriba		x								
Acequia de los Garcias Duranes (Medenales)	Rio Arriba			x							
Acequia de los Herreras	Rio Arriba				x						
Acequia de los Indios	Santa Fe	x									
Acequia de Los Martinez	Santa Fe		x								
Acequia de los Ortiz de Nambe	Santa Fe	x		x							
Acequia de los Cuarteles	Rio Arriba						x				

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Name	County	ICIP 2016	ICIP 2017	ICIP 2018	ISC 2018	ISC 2019	RCP 2015	RCP 2016	CO 2016	CO 2017	CO 2018
Acequia de los Ranchos	Rio Arriba										x
Acequia de los Salazares	Rio Arriba		x	x							x
Acequia de los Seguras	San Miguel	x		x*							x
Acequia de los Vecinos de Los Vallecitos Wes	San Miguel	x	x	x							
Acequia de los Vigiles	Rio Arriba			x							
Acequia de Ojo Sarco	Rio Arriba	x	x	x		x					x
Acequia de Rainsville Norte	Mora			x							
Acequia de Rio Grande	Taos					x					
Acequia de San Juan Nepumuceno	Taos									x	
Acequia de San Rafael del Guique	Rio Arriba			x			x				
Acequia de Santa Cruz	Santa Fe		x								
Acequia de Sombrillo	Santa Fe		x	x							
Acequia de Tecolotito	Guadalupe		x	x							x
Acequia de Vado de Juan Paiz	Guadalupe		x	x							x
Acequia del Bosque	Rio Arriba	x		x*							
Acequia del Caño	Santa Fe	x		x*							
Acequia del Distrito	Rio Arriba										x
Acequia del Llano de Nambe	Santa Fe				x						
Acequia Del Llano Dixon	Rio Arriba			x							x
Acequia del Molino	Santa Fe	x		x*							
Acequia del Monte del Rio Chiquito	Taos	x		x*							x
Acequia del Potrero	Santa Fe	x	x	x		x					x
Acequia del Rincon	Rio Arriba										x
Acequia del Rio de la Vaca	San Miguel	x		x							
Acequia del rito de Diego	Mora										x
Acequia La Junta y Cienega	Rio Arriba			x							
Acequia Larga de Jacona	Santa Fe	x									
Acequia Madre de Las Vegas	San Miguel	x	x	x		x					x
Acequia Madre del Llano Largo	Taos				x						
Acequia Madre del Pueblo	Taos			x*	x						
Acequia Mesa del Medio	Rio Arriba	x	x	x	x						
Acequia Nueva	Santa Fe							x			
Alto ditch for the Rio en Medio ditch	Santa Fe										x
Ancheta Galaz Community Ditch	Grants	x	x								
Anton Chico Ditch	Guadalupe			x							
Archibeque Community Ditch	Sandoval		x	x	x			x			x
Cabresto Ditch	Taos					x					
Canoncito La Cueva Ditch	Mora					x					

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Name	County	ICIP 2016	ICIP 2017	ICIP 2018	ISC 2018	ISC 2019	RCP 2015	RCP 2016	CO 2016	CO 2017	CO 2018
Cerro de Guadalupe Acequia	Taos	x		x*							
Chili Ditch	Rio Arriba				x						
Citizens Ditch Questa	Taos		x		x			x			
Cleveland Mill Ditch	Mora			x							
East Puerto de Luna	Guadalupe										x
El Distrito	Rio Arriba			x							
El Guicu Ditch	Santa Fe		x							x	x
Eledge Ditch	San Juan	x		x*							
Farmers Mutual Ditch	San Juan			x							
Heredia Community Ditch	Grant	x	x	x*							
Herrera Ditch (SCID)	Grant		x								
Jarosa Ditch	Taos					x					
Jemez River Basin Coalition of Acequias	Sandoval	x	x	x							x
Jewett Valley Water Users Association	San Juan			x							
La Cuchilla y Chili Ditch	Rio Arriba	x	x					x			
La Fragua Puerticito y Saiz Community Ditch	San Miguel			x							
La Mesilla Community Ditch	Santa Fe	x	x	x	x						
La Nueva, Llano, La Comunidad	Santa Fe		x								
Las Palomas community ditch	Sierra			x							x
Lincoln Community Ditch	Lincoln						x				
Manzano Spring Community Ditch	Torrance					x					
Martinez Medio Ditch	Santa Fe		x								
Monticello Community Ditch	Sierra	x	x	x*							
Nacimiento community ditch	Sandoval			x							x
Northside Acequia Madre de Villanueva	San Miguel				x		x				
Pilar Acequia Association	Taos			x							
Pleasanton Eastside Ditch	Catron	x	x	x*							
Providencia Ditch Association	Lincoln			x							
Rainsville Norte	Mora		x			x					
Rio Chama Acequia Association	Rio Arriba								x		
Rio de la Vaca Acequia	San Miguel		x	x*							
Rio en Medio Ditch Assn.	Santa Fe	x	x	x							
San Augustine Community Ditch	San Miguel					x					
San Miguel Ditch	Sierra			x							
San Ysidro Community Ditch	Sandoval						x				
Santa Rosa Swamp Ditch	Guadalupe		x	x							x
Storm Ditch	Lincoln				x			x			
Tecolotito Community Ditch	Guadalupe				x		x				

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Name	County	ICIP 2016	ICIP 2017	ICIP 2018	ISC 2018	ISC 2019	RCP 2015	RCP 2016	CO 2016	CO 2017	CO 2018
Teodoro Y Teodora Ditch	Santa Fe			x							
Torreón Acequia Association	Torrance			x		x					
Tularosa Community Ditch Corporation	Otero	x		x*							
Turley Manzanares Ditch	San Juan	x	x	x*							
Vallecitos East and West	Rio Arriba					x					
Vigil y Romo Ditch	Taos					x					
West Puerto del Luna	Guadalupe						x				

Prospectus: The Rio Chama Irrigation Reserve

Acequias have been a presence along the lower Rio Chama for more than 400 years through drought and flood. Resilient local acequia associations have operated under the governments of Spain, Mexico, and the USA, sharing water among irrigators in times of drought. The State of New Mexico in its Constitution, laws, and programs has recognized the critical role of acequias as political subdivisions of the State.

Acequias on the Rio Chama have been working with the State Engineer and Interstate Stream Commission (OSE/ISC) through two regional acequia associations: the Rio de Chama Acequia Association, Inc. (RCAA), and the Asociación de Acéquias Norteñas de Rio Arriba (Acequias Norteñas), since 2004 to manage water shortages. This has been accomplished through traditional water management customs, or *Repartimiento*, cooperation, and communication.

In the 21st Century, Rio Chama acequias face new challenges. Rapidly changing climatic conditions and an expanding population downstream threaten an already marginal water supply. Three major reservoirs have been constructed to deal with water shortages but without much of a framework for input or participation from our acequias. Water is imported into Heron Reservoir from the Colorado River drainage to meet municipal and agricultural needs in the middle Rio Grande Valley. In years with low levels of native flows, there are depletions to the imported water as it passes through the lower Rio Chama acequias.

In recent years, these depletions have been resolved through purchases of imported San Juan Chama Project (SJCP) water with state funds. In 2018, over 2000 acre-feet were provided by the NM State Engineer, Interstate Stream Commission (SEO/ISC), and Middle Rio Grande Conservancy District (MRGCD) using Rio Grande Compact relinquishment accounts. Even with this generous action, all Rio Chama acequias had to operate at less than half of their normal diversion rights in 2018 for most of the irrigation season, with serious economic consequences.

There is adequate reservoir space available on the Rio Chama to accommodate RCAAs needs. In 2018, RCAA used \$98,800 in State Capital Improvement funds to obtain a 25-year storage agreement with the MRGCD in El Vado Reservoir. This space is reserved for RCAAs use during the irrigation season to offset the depletion of water owned by downstream users. RCAA is currently working with the NM SEO/ISC, Acequias Nortenas, MRGCD, the Albuquerque Bernalillo Water Utility Authority, and SJCP contractors (Ohkay Owingeh, Los Alamos County, and the City of Espanola) to develop a reliable source of irrigation water for the El Vado storage space.

RCAA is requesting a legislative allocation to support this endeavor. This project is included in the State Regional Water Plan for the Rio Chama, published by SEO/ISC, and is being considered in settlement discussions for the Aragon Adjudication. Permits are almost in place for Acequias Norteñas to provide water from Horse Lake for offset use by RCAA acequias and a

basin-wide water bank is being planned that will allow seasonal storage of native water in the Rio Chama Irrigation Reserve.

Critical issues for implementing the Rio Chama Irrigation Reserve include permitting at the state and federal level, compliance with the Rio Grande Compact, carryover of water from year to year, contractual arrangements for reservoir storage, accounting systems, and water sharing rules and procedures within the RCAA.

RCAA is requesting \$250,000 for the purchase of SJCP water over a 5 year period. At current rates, RCAA will be able to resolve depletion offsets in all but the driest years and continue the cooperative efforts to share water and reservoir storage on the Chama. State support of these efforts is critical.

Contact:

Tim Seaman, RCAA President
timothyjseaman@gmail.com
(505) 685-4871, 209-5677 (cell)



Interstate Stream Commission

90-10 Program: \$1.9 million for acequia projects

Acequia Loan Program: 2% Loans

- Contact: Jonathan Martinez
- 505-827-6160, JonathanC.Martinez@state.nm.us



NM State Legislature

Capital Outlay: Amount available varies, usually \$1.5 per year

- Contact: Your State Legislator, List is at www.nmlegis.gov

Water Trust Board

- Contact: NM Finance Authority 505-984-1454, www.nmfa.net



NRCS Regional Conservation Partnership Program (RCPP)

NM Association of Soil and Water Conservation Districts

- Contact: Your NRCS District Conservationist
- Contact: Norman Vigil 575-684-0042, norman.vigilsr@outlook.com
- NMAA can provide a list of names and phone numbers



USACE Acequia Program

- Funding for larger projects greater than \$500k
- Contact: Jonathan Martinez from ISC



US Army Corps of Engineers

