

Slide One: Slide of Sandias

- I. Rebecca Correa-Skartwed, President of the San Antonio de las Huertas Land Grant (SADLHLG).
- II. Served on the SADLHLG Board since 2014; fourth generation of my family that has served my community on the board as land grant president; great grandfather David T. Trujillo, grandfather David B. Trujillo and uncle Rumaldo Montoya
- III. The San Antonio de las Huertas Land Grant is located in Placitas NM. If you don't know where Placitas is located, it sits at the foothills of the Sandia Mountains on its northern slope. If you are traveling north on I-25 from Albuquerque, when you exit to go to Bernalillo instead of turning left you turn right, toward the mountain, and following Highway 165 about 6 miles and you will arrive at the historic village of Placitas.

Slide Two: Timeline

- IV. Timeline of our land grant - review
- V. Map our boundaries
- VI. As the new settlers stood with the Spanish officials, they not only learned about where the boundaries were located but they each held a piece of the soil in their hands and they swore they would protect the land even to the point of giving their own lives. My forefathers stood here, Andrés Aragón and Martín Gurulé.
- VII. Review the traditional boundaries of the grant.

Slide three: Family trees

- VIII. Our land grant located in Placitas, NM is seen as a populated community with million-dollar homes; but nestled within the community are the descendants to the 21 families who have fought for this land and its resources for the last 250 years. Located at the northern slope of the Sandia Mountains, SADLHLG was a defensive settlement, meant to protect the valley settlements of Bernalillo and Albuquerque from raids by both repelling these raids and by serving as an early warning system. We come from and still are survivors.
- IX. Our land grant community encompasses approximately 40% of the total population of Placitas. 65% of our land grant community falls below the poverty line. As I am speaking about our land grant community please set aside the picture that you may have of that our land grant is wealthy. Our grant struggles financially like most land grants to preserve our land, water and heritage.

Slide four: Corral de tierra

- IIX. Our land grant owns 925 acres of land that constitute our common lands. The land grant's common lands were lands that the land grant community farmed and grazed their animals on collectively. I love the story of Corral de Tierra. It's currently sitting on USFS land. It has a small remnant of corrals left but have been torn down. Corral de Tierra was shaped like a three pointed star. One point pointed to Albuquerque, One to Bernalillo and another to Placitas. Here the community brought their animals from the mountain where they grazed throughout the summer to be sheared and or readied to be sold. Those animals that went to Albuquerque were placed in the

corrals pointing to Albuquerque, the ones going to Bernalillo were placed in the corral pointing to Bernalillo and other others were placed in the corral pointing towards Placitas.

- X. I shared this story to say that the community understood that if anything was going to be accomplished it had to be accomplished together. Land grants understand the need of community. We come together and work for the greater good.

Slide Five: Picture of Acequia

- XI. The Spanish Crown understood this when they granted community land grants. Our community came together and tapped into the many natural springs in our area. The springs are one of our assets. Without water you can't raise animals. Without water you can't raise crops; without water you can't live. The community came together to dig ditches. The ditches, known as *acequias*, were used of course to water livestock but were also created to bring water to homes.
- XII. My mother, Ora Correa, who will be 90 years old in October, remembers how the ojo (spring) carried water 2 miles to her home through the acequia. There the water filled what we call El Poso— a pond. The water from the pond was scooped out with buckets and in the buckets were silver coins. The silver coins disinfected the water and this what they drank.

Slide Six: Picture of Reservoirs

- XIII. In the Village of Placitas, our forefathers created three tanques (reservoirs) from 5 different ojos. The ponds had gates that allowed the water to run to the acequias that weaved their way throughout the village. Within the greater communities other ojos just like the one my grandparents used had the same philosophy— water came from the spring lead down an acequia to a tanque and the tanque filled and was directed down the acequia's to the homes in the village.

Slide Seven: Picture of Reservoirs (2)

- XIV. The community of the past understood the importance of water and worked collectively cleaning ditches, digging out the ojos, cleaning the tanques so the water could run productively throughout the community. Not just one individual did this—it was done collectively.
- XV. In 1940 when the water was separated from the land grant three acequia associations were established:
 - a. Las Acequia de Placitas
 - b. Las Huertas Canyon Association
 - c. Rosa Costilla Acequia Association

Slide Eight: Picture of Dam in Las Huertas Creek

- XVI. I am going to point two of the acequia associations and recent issues that have arisen between the land grant and the acequia associations.

For decades our land grant has worked well with the Acequia Associations. But as more land was sold to individuals who didn't understand our relationship, things have become more complicated. The first acequia association I am going to talk you about is the Las

Huertas Canyon Association. The Las Huertas Canyon Association worked with the Soil and Water Conservation District and built a diversion point in the Las Huertas Creek to redirect water to the *parciantes* of the Association. 4 households are receiving all the water from the Las Huertas Creek. The Dam was built on Forest Service Land without a permit or a NEPA study. This unreasonable maintenance has caused irreversible damage to our community. We have fought for 6 years to have this illegal dam removed. Speaking with a hydrologist, s/he found that the diversion is contributing to the aquifers not being recharged by the water that has freely flowed through the creek bed. Wells have gone dry and the ecological system is being destroyed. Before the diversion point there are lush trees and vegetation and after the diversion point the trees are dry and dying. 100% of the water is going to 4 households. In a lawsuit filed by the grant in the 1930's and went to court concerning individuals blocking the flow of water from the creek bed and not allowing the water to flow through the creek into an acequia that went into the village irrigation system. The land grant has the water rights as well as the homeowners yet our water rights are never considered because they are vague and our name is not on the declaration.

Michael Meyer's in the "Water in the Hispanic Southwest" stated this quote: "On occasion, part of the *suerte* is designated as a Huerta, or family garden. The Huerta, by definition was an irrigated plot and therefore carried water rights. The remaining portion of the *suerte* could not be irrigated unless the water right was extended in some way."

We as a land grant have been watering the common lands through springs and the las huertas creek for hundreds of years. Michael Meyer's statement is true that the water rights are there because of the irrigation in the past and the present.

In talking to the Forest Service about this unauthorized structure, the Forest Service stated that they didn't want to get involved with Acequia Law and has largely been unresponsive. This is concerning because the effects of them not becoming involved leaves other Acequia Associations down from the diversion point without water, violating their water rights.

XVII. In the village of Placitas, we have 180 households and less than half are decedents of the land grant. Non-land grant heirs sit on the board of Las Acequias. For the first time in 200 years we have a non-land grant mayordomo. When this mayordomo came into office, our struggles began. He has challenged us because our names are not on the Declaration of Water rights, claiming that we don't have the right to the water that is coming from our land. He has blocked our right to use the water from the springs for beneficial use.

XVIII. With these challenges, we began to ask what our water rights are. And this is what we have learned:

We have two main statutes that protect our rights to the water that is located on our land. The first is the Treaty of Guadalupe Hidalgo, which is adopted into the New Mexico State Constitution in Section 2, Article 5, which states that "*The rights, privileges and immunities, civil, political and religious guaranteed to the people of New Mexico by the Treaty of Guadalupe Hidalgo shall be preserved inviolate.*" The treaty specifies our rights to our land and our water. The second is our land grant has used the water for beneficial use since

before 1907. We the San Antonio de las Huertas Land Grant, are the grantors of water rights to every individual on the water declaration, yet our names are not listed. All the outside acequia associations within Placitas were started by Land Grant. We have about 108 pages of lawsuits that we have won in the past concerning accessing water from the Las Huertas Creek and the water within the village. Yet with all this documentation our water rights are still vague and in the gray. Not one land grant has gone to court to fight for our rights using the Treaty of Guadalupe. What I understand is that the Pueblos have used the Treaty as an argument and has won in the past, but a land grant hasn't.

So this brings me to why am I giving this presentation and what can you do as our legislators and representatives for the state of NM. What we need are bills passed that gives land grants the political leverage to have access to our water. It's not our intention to take water for those who need it in the community, but it is our intention to not have to fight for the water that is located on our lands. This is where you come in. We need a clear statute that states that our water can be used by us even if our names do not appear on a declaration. It's our right to use the water that comes from our land. The statutes need to be clear and consistent.