

2020-2021 Policy and Budget Issues and Recommendations



Presentation to the Land Grant Legislative Interim Committee
November 20, 2020

New Mexico Acequia Association and New Mexico Acequia Commission

Acequia and Community Ditch Infrastructure Fund (ACDIF) at ISC

- Created in statute with the passage of SB 438 (Cisneros and Campos) in the 2019 legislative session
- \$2.5 million from the Irrigation Works Construction Fund (IWCF) annually starting July 1, 2020
- Allows use of the ACDIF for planning, engineering design, and construction
- New program has not been implemented. Guidelines and staff are work in progress
- **OSE-ISC budget for FY21 included 1 FTE dedicated to ISC acequia program**
- **IWCF projected to be depleted by spending fund for OSE-ISC staff despite IWCF intended purpose for irrigation projects. Has to be addressed by LFC.**



Acequia and Community Ditch Fund (ACDF) at NMDA

Created in statute in (Section 73-2A-3) in 1988 to provide financial assistance necessary for adjudication of water rights

NM Department of Agriculture (NMDA) administers the fund, committee including NMDA, ISC, and NMAC approves allocations to regional associations of acequias.

Some regions have reached negotiated settlements and continue to need funds for legal representation.

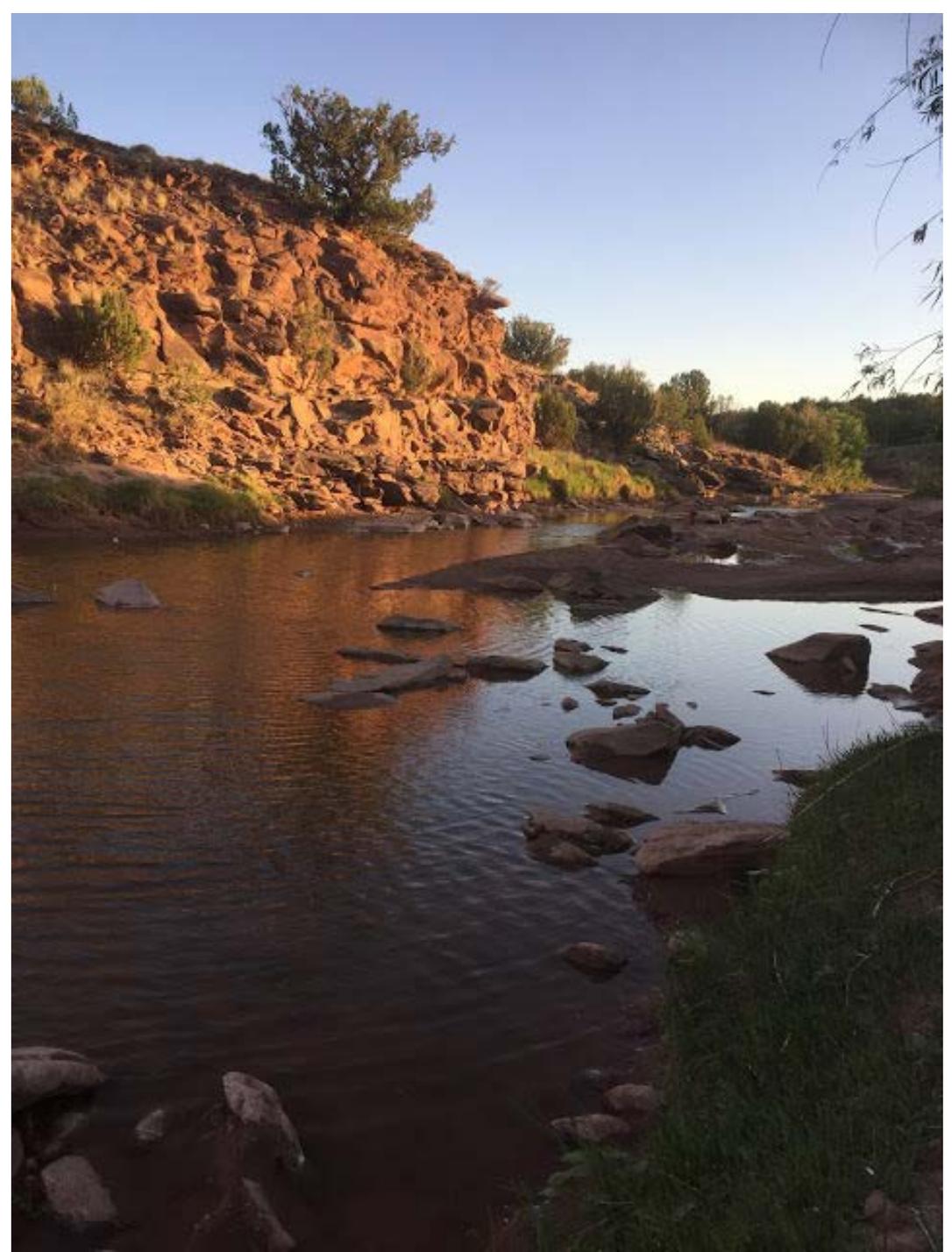
ACDF committee approved funding for Pojoaque Valley Regional Acequia Association (PVRAA) contingent on an AG opinion that association is “eligible.” The opinion is pending.

- **Depending on outcome of AG opinion, legislation may be needed to clarify eligibility for settlement implementation.**



Update on the Strickling Water Transfer

- In 2016, Strickling Ranch Partners, LLC applied to transfer water rights on the Pecos River.
- Acequias from the Anton Chico area filed a protest. The administrative hearing process has extended for 4+ years.
- On October 22, 2020, the Hearing Unit (HU) issued a Report and Recommendation with condition to protect Anton Chico areas (26cfs threshold for pumping by Strickland).
- On November 4, 2020, the HU vacated that report and issues a new decision that removed the condition requested by acequias.
- Motion for reconsideration filed on Monday, November 16, 2020.
- The financial burden of litigation has been substantial for the acequias.



Capital Outlay Projects and Regional Initiatives

- The State Legislature funded 74 projects in the 2020 session and 72 projects in 2019.
- The ISC is understaffed to process a high number of projects. Acequia commissioners are volunteers and they often need assistance with the process.
- Most of the projects have made significant progress through the many steps required to spend the funding.
- **NMAA recommends that these projects not be cut in the upcoming legislative session to give acequias time to navigate the process of implementing projects and spending funding.**
- **ISC needs additional staffing to process projects in a timely manner and to provide needed support to acequias.**



ACEQUIA INFRASTRUCTURE MASTERLIST

Prepared by the New Mexico Acequia Association

*This is not a comprehensive list of acequia projects. Agreements have additional lists.

Name	Country	ICP 2016	ICP 2017	ICP 2018	ICP 2019	ICP 2020	ISC 2018	ISC 2019	BCPP 2016	BCPP 2017	CO 2016	CO 2017	CO 2018	CO 2019	2020 Request
Bernalillo County acequias	Bernalillo														
1192 Luna Irrigation Ditch Association	Catron	x		x											x
Plantation Grande Ditch	Catron	x	x	x	x	x									x
Acequia Madre de San Mateo	Cibola				x	x									x
Archeta Galat Community Ditch	Grant	x	x												x
Herrada Community Ditch	Grant	x	x	x											x
Acequia de Teuchitlan	Guadalupe					x		x							x
Acequia de Vado de Juan Paz	Guadalupe		x	x										x	x
Acequia del Homogonio	Guadalupe				x										x
Anton Chico Ditch	Guadalupe			x	x	x									x
East Puesto de Luna	Guadalupe														x
Santa Rosa Swamp Ditch	Guadalupe		x	x											x
West Puesto del Luna	Guadalupe								x						x
Ambrusco Chavez #1	Lincoln						x	x							x
Acequia de los Rios Users Association	Lincoln					x									x
Lincoln Community Ditch	Lincoln								x						x
Marshall Acequia Association	Lincoln				x	x									x
Providencia Ditch Association	Lincoln				x	x									x
Swamp Ditch	Lincoln						x			x					x
Acequia Aho del Norte	Mora		x	x											x
Acequia de la Isla (Magaly Lake)	Mora	x	x	x							x	x	x	x	x
Acequia de Ransville Norte	Mora														x
Acequia del rio de Diego	Mora														x
Canoncito La Cueva Ditch	Mora														x
Casady Ditch	Mora				x	x									x
Cleveland Mill Ditch	Mora			x	x	x									x

Acequia de la Isla (Magaly Lake)	Mora	x	x	x							x	x	x	x	x
Acequia de Ransville Norte	Mora														x
Acequia del rio de Diego	Mora														x
Canoncito La Cueva Ditch	Mora														x
Casady Ditch	Mora				x	x									x
Cleveland Mill Ditch	Mora			x	x	x									x
Ransville Norte	Mora							x							x
ACEQUIA DE LA SIERRA	Mora														x
SANDOVAL DITCH ASSOC	Mora														x
Tularosa Community Ditch Corporation	Otero	x	x												x
Abeyta-Trujillo Acequia	Rio Arriba	x	x	x											x
Acequia de Arriba	Rio Arriba						x								x
Acequia de Chamita	Rio Arriba				x					x					x
Acequia de la Cañada Ancha	Rio Arriba	x		x	x	x									x
Acequia de la Caneva	Rio Arriba	x	x					x							x
Acequia de la Junta	Rio Arriba	x	x	x											x
Acequia de la Lomita	Rio Arriba														x
Acequia de La Mesa De Poleo	Rio Arriba		x												x
Acequia de la Mesa Pieta	Rio Arriba														x
Acequia de la Oza Y Anda	Rio Arriba				x										x
Acequia de la Plaza Blanca	Rio Arriba	x	x	x											x
Acequia de la Plaza de Diom	Rio Arriba	x	x	x	x	x									x
Acequia de Los Arcones	Rio Arriba														x
Acequia De Los Bernaltes RA	Rio Arriba									x					x
Acequia de los Charcos	Rio Arriba														x
Acequia de los Duranes (Ojo Caliente)	Rio Arriba														x
Acequia de los Espanosa	Rio Arriba														x
Acequia de Los Guzman (San Pedro)	Rio Arriba														x
Acequia de Los Guzman (San Pedro)	Rio Arriba														x
Acequia de los Guzman (Medanos)	Rio Arriba														x
Acequia de los Guzman Duranes (Medanos)	Rio Arriba														x
Acequia de los Homeres	Rio Arriba				x	x	x								x
Acequia de los Quarteles	Rio Arriba									x					x
Acequia de los Ranchos	Rio Arriba														x
Acequia de los Salazares (Los Salazares Comm)	Rio Arriba				x	x	x								x
Acequia de los Vigiles	Rio Arriba														x

Acequia de los Espanosa	Rio Arriba				x										x
Acequia de Los Guzman (San Pedro)	Rio Arriba														x
Acequia de los Guzman Duranes (Medanos)	Rio Arriba														x
Acequia de los Guzman	Rio Arriba					x	x	x							x
Acequia de los Quarteles	Rio Arriba									x					x
Acequia de los Ranchos	Rio Arriba														x
Acequia de los Salazares (Los Salazares Comm)	Rio Arriba														x
Acequia de los Vigiles	Rio Arriba														x
Acequia de Ojo Sarco	Rio Arriba	x	x	x					x						x
Acequia de Rio Chama	Rio Arriba														x
Acequia de San Rafael del Ouarque	Rio Arriba									x					x
Acequia del Bosque	Rio Arriba														x
Acequia del Distrito	Rio Arriba														x
Acequia Del Llano Duon	Rio Arriba														x
Acequia Del Medio Duon	Rio Arriba														x
Acequia del Rancon	Rio Arriba														x
Acequia La Junta y Comega	Rio Arriba														x
Acequia Mesa del Medio	Rio Arriba	x	x	x	x	x	x								x
Acequia Sarcocolla	Rio Arriba														x
Juan Fernan Ditch Association	Rio Arriba														x
La Cuchilla y Chai Ditch	Rio Arriba														x
La Cueva Ditch Association (La Cueva Ditch)	Rio Arriba														x
Pobadores Acequia #1	Rio Arriba														x
Rio Chama Acequia Association	Rio Arriba														x
Valleitos East and West	Rio Arriba														x
Valleitos West	Rio Arriba														x
ACEQUIA DE ALCALDE	Rio Arriba														x
ACEQUIA DEL MOLINO	Rio Arriba														x
MB COMMUNITY DITCH ASSOC	Rio Arriba														x
Elodge Ditch	San Juan														x
Farmers Mutual Ditch	San Juan														x
Jewett Valley Water Users Association	San Juan														x
North Farmington Ditch	San Juan														x
Tufley Manzanares Ditch	San Juan														x
Acequia de la Agua Caliente	San Miguel														x

Acequia de la Placita	San Miguel														x
Acequia de los Seguros	San Miguel														x
Acequia de los Vecinos de Los Valientes W	San Miguel														x
Acequia de Teuchitlan	San Miguel														x
Acequia del Rio de la Vaca	San Miguel														x
Acequia Madre de Las Vegas	San Miguel														x
Arcon del Galo	San Miguel														x
East Pecos Ditch Association	San Miguel														x
El Centro Ditch Association	San Miguel														x
La Fragua Particito y San Community Ditch	San Miguel														x
Las Trigas Ditch	San Miguel														x
Northside Acequia Madre de Villanueva	San Miguel														x
Acequia del Rio de la Vaca	San Miguel														x
San Agustine Community Ditch	San Miguel														x
West Pecos Acequia Association	San Miguel														x
Archobishop Community Ditch	Sandoval														x
Jenas River Basin Coalition of Acequias	Sandoval														x
Nacimiento community ditch	Sandoval														x
San Ysidro Community Ditch	Sandoval														x
Guasca Lucero Ditch Association	Sandoval														x
Acequia Barranco Alto	Santa Fe														x
Acequia de Barranco de Jacoma	Santa Fe														x
Acequia de la Capilla	Santa Fe														x
Acequia de la Comega	Santa Fe														x
Acequia de la Cañada Ancha	Santa Fe														x
Acequia de la Comunidad	Santa Fe														x
Acequia de la Moravia	Santa Fe														x
Acequia de la Osa Banda	Santa Fe														x
Acequia De La Placita	Santa Fe														x
Acequia de las Joyas	Santa Fe														x
Acequia De Los Bernaltes SF	Santa Fe														x
Acequia de los Chapadernos	Santa Fe														x
Acequia de los Quarteles de Cundiyo	Santa Fe														x
Acequia de los Espinosa	Santa Fe														x
Acequia de Los Fresquez	Santa Fe														x

Acequia de Los Fresquez	Santa Fe														x
Acequia de los Indios	Santa Fe														x
Acequia de Los Martinez	Santa Fe														x
Acequia de los Ortiz de Nambu	Santa Fe														x
Acequia de los Trujillo	Santa Fe														x
Acequia de Santa Cruz	Santa Fe														x
Acequia de Sombello	Santa Fe														x
Acequia del Cafe	Santa Fe														x
Acequia del Llano de Nambu	Santa Fe														x
Acequia del Molano	Santa Fe														x
Acequia del Rancon	Santa Fe														x
Acequia del Palero	Santa Fe														x
Acequia Del Rancho	Santa Fe				</										

DFA Local Government Division Funds

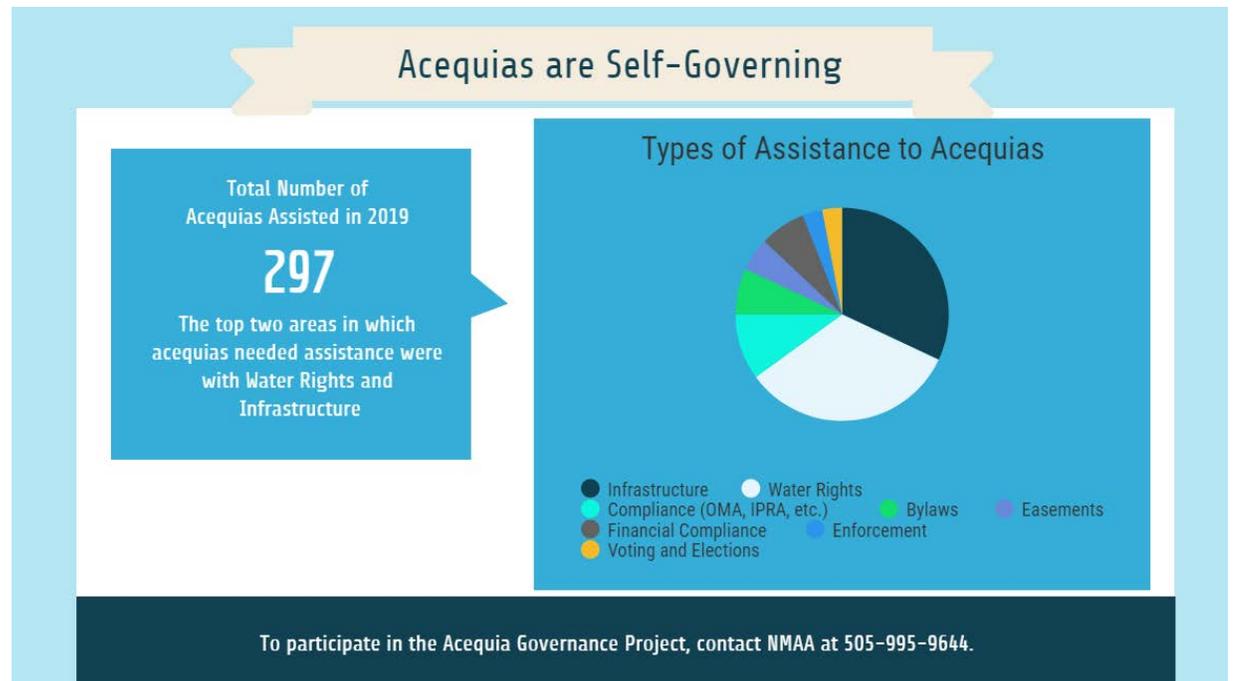
Acequia and Community Ditch Education Fund \$398.2k

- Since 2007, the NMAA has operated the Acequia Governance Project to build capacity of acequias as local governments.
- Every year, we assist hundreds of acequias, most of whom need assistance with water rights or infrastructure.

New Mexico Acequia Commission (NMAC) \$88.1k

- The NM Acequia Commission meets monthly as an advisory body to the State Legislature and Governor.

➤ **Recommendation: Retain existing funding levels.**



1	(e)	Fiscal agent contract	1,064.8		1,064.8
2	(f)	State planning districts	693.0		693.0
3	(g)	Statewide teen court	17.7	120.2	137.9
4	(h)	Law enforcement protection fund		15,100.0	15,100.0
5	(i)	Leasehold community assistance	150.0		150.0
6	(j)	Acequia and community ditch education program	398.2		398.2
7	(k)	New Mexico acequia commission	88.1		88.1
8	(l)	Land grant council	296.9		296.9
9	(m)	County detention of prisoners	2,587.5		2,587.5

15 The department of finance and administration shall not distribute a general fund appropriation made in items (d) through (m) to a New Mexico agency or local public body that is not subject to the audit of