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THE PLANNING PROCESS: THE NEW MEXICO ACEQUIA ASSOCIATION PERSPECTIVE

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Buenas tardes, señores. My name is Paula Garcia and I am the Director of the New Mexico Acequia Association. I want to thank the Water Resources Research Institute for bringing this conference together every year; it's a great honor and great privilege to be able to be a part of this panel.

Our organization was founded about 10 years ago. We are working on a continuous struggle that began 150 years ago. The struggle remains the same, trying to retain our culture and our way of life, strengthening ourselves and our determination for our community. That struggle hasn't changed. We are now at a crossroad and a very critical era with water. We must determine whether water is to be treated as a mere commodity to be bought and sold.

The acequias have taken an interest in how water policy is going to evolve in the next few years. In

particular, our concern has been that we are very vulnerable to the potential for water transfers, for water leaving our community as water demands increase. Senior water rights are being sought by entities needing water rights for their new housing or commercial developments. This situation has made the acequias a target for those entities seeking to acquire water rights.

Acequias are concentrated in some of the forested, rural communities in the state, mainly around Taos, Mora, San Miguel, Santa Fe, and San Juan counties. Please be prepared to see challenges in our own communities in terms of addressing poverty and building our economy. Not only are we trying to protect our culture and way of life, we are very well aware that all future decisions can change our water and we know that our biggest challenge is to retain local

ownership and control of our water so we can have a voice in shaping the future of our community. That is the critical issue for us.

We have been involved in water disputes asserting our historic rights and assuring protection of the acequias. We are also making the case that water is so widely important that any decision about water should be carefully considered in regard to what our statutes say concerning impairment, public welfare, and conservation. Public welfare is of a tremendous interest to us and protects us against economic value. We have a great deal at stake in terms of the survival of our community, but we also think the broader public at large has a stake in our continued survival; we are a part of the cultural link in New Mexico.

Agriculture in the acequias is one of our leading issues and concerns our future for food production. We don't want to foreclose on any options for rural development by seeing our water moved from rural to urban areas for commercial uses.

We are also aware that our community is changing and evolving. We want to be assured that water decisions are made as democratically as possible. We want to meet our own local water needs and we do have some challenges providing drinking water for our own communities.

We are doing two things: trying to revitalize our agricultural economy so we can rely on it, and maintaining our farmland and our agricultural traditions. We are also trying to balance the need to provide for growth in our communities while our rural water systems are looking to Acequias for some of their water rights. In fact, the governing boards of the mutual domestics and the Acequias are often the same people. We are looking at how to make sure our Acequias can continue to provide their vital function in the future while we adapt to changing community conditions. Our solution so far has been to strengthen our government and policy making processes.

We are also concerned in general about the possibility that if water is viewed only as a commodity, water as well as our community can be controlled by the transferring of that water. This can occur not only through water transfers in the marketplace, but also, as has happened to some rural communities, where some land owners won't allow their water to run downstream to the Acequias.

We are seeking very specific attention to our water rights in the state water plan. Recently, we have made a small bit of progress in legislation that allows us to protect our water use laws through water banking.

We have also made some headway concerning our ability to make executive decisions that impact transfers of water out of the Acequias. We also need enforcement and protection of our rights. We are engaged in the regional planning process and the state water planning process and expect that our efforts will lead to some protection for our water rights. We are at the table and ready to work.

Thank you.