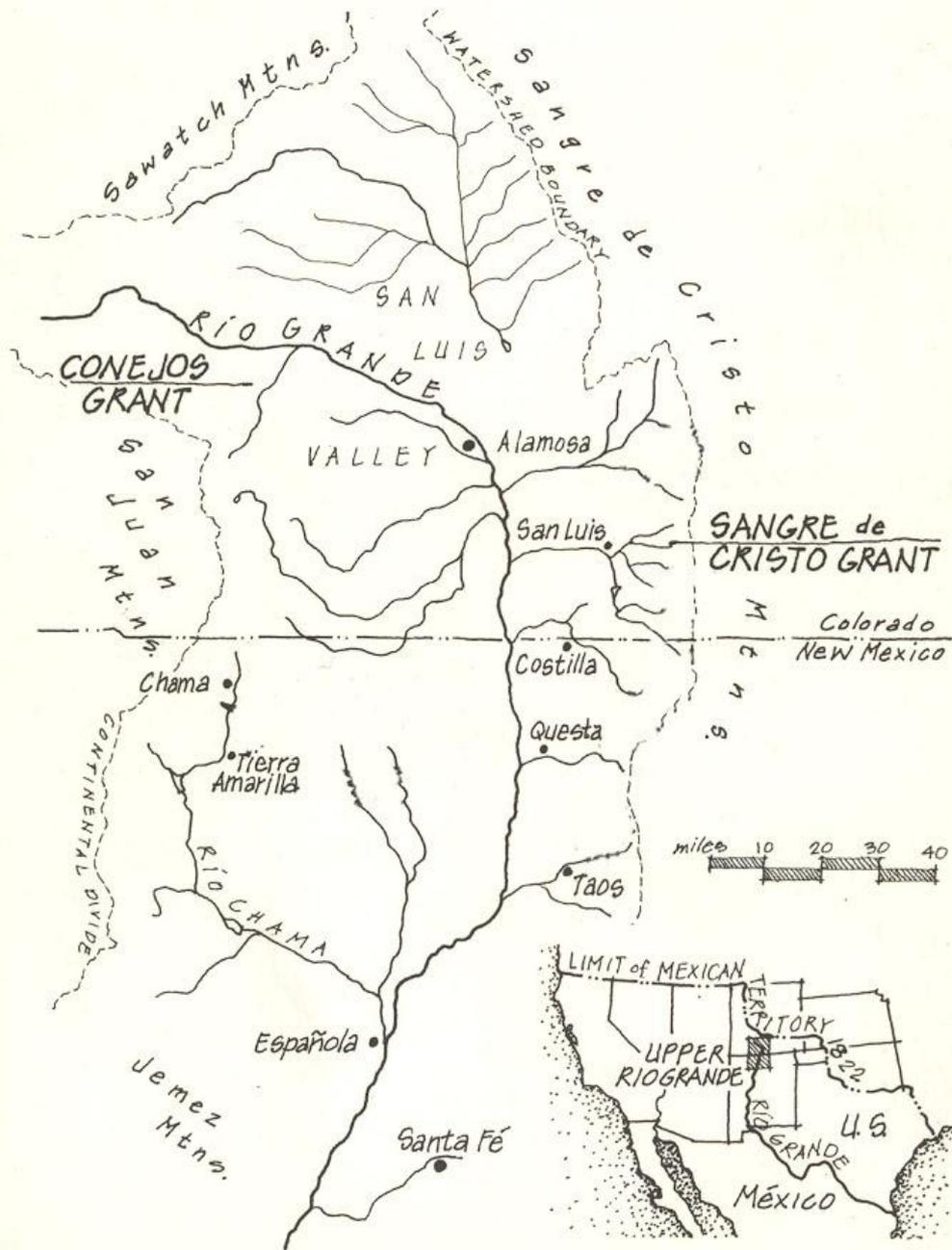


Acequia: An Indigenous Tradition of Water Democracy



Prepared for the Primer Congreso de Acequias de Colorado
San Luis, Colorado, October 20, 2012



Sangre de Cristo Land Grant, Culebra watershed



Acequia Water Democracy

The acequia is a snow-melt dependent, gravity-driven, community irrigation ditch system managed by local farmers who hold use rights and do not “own” the water itself. These use rights holders are known as **parciantes**.

The allotment of water used on the acequia is managed by a **mayordomo** (ditch rider or ditch boss) who is elected on the basis of one farmer/one vote.

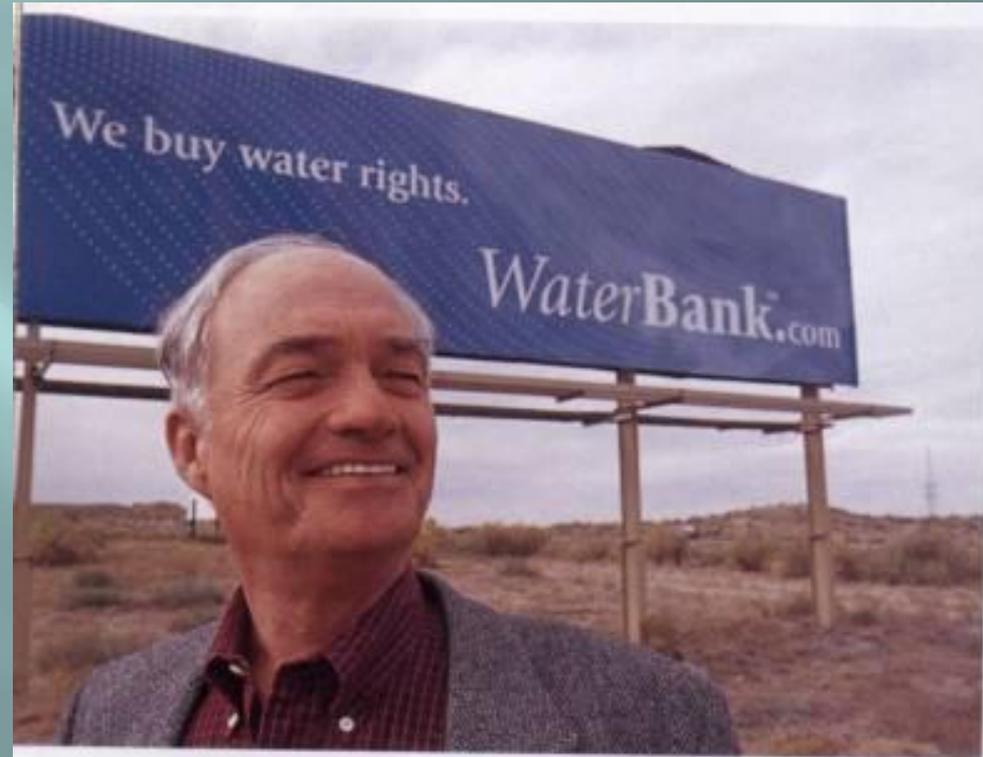
Among the customary norms of acequia governance is the principle of **shared scarcity**. In times of drought, every farmer uses less water so that all can share in the limited resource.

Another important norm is **cooperative labor** and **mutual aid**. Every year during early spring, the irrigators gather for the collective work of cleaning and repairing the ditch (*limpieza y saca de acequia*).



Annual limpieza y saca de acequia. San Luis Peoples Ditch, April 27, 2009

El agua es vida y la vida no se vende.



Water is considered an asset-in-place and cannot be severed from the landscape; it is a community asset and not a commodity.



Procession of the San Isidro Feast Day (May 15, 2008)



Acequias provide a wide-range of ecosystem services



Acequia flood irrigation using tarpolio at the cabecera to divert water into the milpa at Rancho Dos Acequias

- ▣ HB 1233-09 was passed by the Colorado legislature in April 2009 and signed by Governor Ritter.
- ▣ **The law declares that acequia institutions are among the oldest forms of local self-governance** in the Western U.S. It admits that they represent a much older alternative to the doctrine of prior appropriation and that acequia customary norms **emphasize equity and fairness and not just priority** in the allocation of water rights.
- ▣ The law also establishes that acequias and their farming communities are **worthy of protection and preservation.**

- ▣ The law allows for the **establishment of acequia ditch corporations**.
- ▣ These **may adopt by-laws** that restore some of the most significant **customary norms** of the acequia water institution including: (1) one farmer, one vote; (2) expectation of cooperative labor and mutual aid; and (3) shared scarcity.
- ▣ The law **does not allow** acequias to restore customary norms by adopting by-laws that would **prohibit the sale or transfer of water** away from an acequia.
- ▣ The law allows acequias the “**right of first refusal**” and ditch corporations may raise the funds to purchase water rights that threaten to transfer water to non-acequia users.

Summary: Comparing Prior Appropriation and Acequia Water Law

	Acequia	Prior
Governance	One farmer=one vote	Share-based voting
Operations	Mutual aid, cooperative labor (e.g., limpieza y saca; tareas)	Contractual; individual
Drought	Shared scarcity	Priority calls
Economic rationality	Water is a community asset- in-place and cannot be separated from land	Water is a commodity and can “move uphill toward money”

Key question for future of the viability of acequia water law

How do we relearn our ancestral management norms, rules, and systems that have been lost or damaged over the past 100 years because of the influence of the new water laws and policies which dismissed existing native norms and rewarded and sanctified those of the new arrivals?

Proposal: Next Congreso have an elder story-telling session about the way it used to be.



THE ACEQUIA INSTITUTE

For more information and resources please visit
www.acequiainstitute.org

<http://ejfood.blogspot.com>

Sin agua no hay vida.