**Legal Assistance Program Information**

OPEN TO ALL ACEQUIAS IN COSTILLA AND CONEJOS COUNTIES

The Acequia By-laws assistance program will be accepting applications for 2018 water year. We are asking that interested acequias please contact Eugene Jacquez at Eugene Jacquez **(719) 580-6850.** Eugene will get your acequia set up with and application and be able to walk you through the application process. We are asking that all applications be submitted to Sangre de Cristo Acequia Association by November 20,2017. This will allow time for the bylaws team to review the applications and then assign your acequia to a legal team to develop your by-laws. We are scheduling this first meeting with your lawyer for the Annual *Congreso de Acequias* on January 19-20, 2018.

These assistance programs are made possible by grants awarded to the Sangre de Cristo Acequia Association, Colorado Open Lands, and the University of Colorado Law School. They are also a result of the dedication of attorneys who care about the acequia community. Because of grant funding, we are limited in the number and type of applications we can accept. Please submit an application through the SdCAA. The by-laws team will review and prioritize the applications, and if your case is accepted the attorneys and student-attorneys at Colorado Law will follow up with you at the Annual *Congreso de Acequias* on January 19-20, 2018.

For the bylaws project, applications will be considered based on a number of factors: 1) acequias that do not have any existing bylaws will be prioritized, 2) we strive to serve a balance of large and small acequias, but acequias that serve a larger number of irrigators may be prioritized, 3) avoiding conflicts of interest, 4) willingness of parciantes to share information that they learned with others in their community (when applicable), and lastly, all else being equal, an application received earlier will have a higher priority.

**BYLAWS ASSISTANCE**

This is a free program that will “pair” an acequia with a team of law students and an experienced attorney to help the acequia with the following:

* Develop new bylaws or review and revise existing acequia bylaws
* Provide legal guidance on issues such as voting, enforcement, insurance, etc.
* Incorporate or re-incorporate with the state as an acequia ditch corporation (this is optional!)

**WATER RIGHTS ASSISTANCE**

If you are unsure whether you have a decreed water right or if you have been told by the state that you cannot irrigate because your water right is in question, you may be eligible to participate in our water rights assistance program. This program will “pair” a parciante (or group of parciantes if the water rights of the entire acequia are in question) with a team of law students and an experienced attorney to help the acequia with the following:

• Research your chain of title to try to determine the status of your water rights records

• If necessary, assist with correspondence with the Division of Water Resources and/or an application for a water right in water court

**In order to receive this assistance, we want to know that an acequia is dedicated to the process of working through these issues and that there will be at least one person on the ditch that is willing to be in regular communication with the acequia association and the assigned by-laws**

**student/attorney. Please be willing to host your law students for your annual ditch cleaning – they are excited to help and it is a good way for them to understand the acequia.**

**If you’re not sure whether you want help, but would like to speak to someone from the acequia association, please contact Eugene Jacquez (719) 580-6850.**

**Application for Legal Assistance**

**If you’re not sure whether you want help, or would like help completing your application, please contact Eugene Jacquez (719) 580-6850. Please return completed applications to Eugene directly or email to** **info@sangreacequias.org****. Applications received by November 20, 2017 will be prioritized.**

**Date** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Acequia Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Primary Contact #1:**

Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Role (e.g. Mayordomo) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ E-Mail Address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Primary Contact Person #2:**

Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Role (e.g. Mayordomo) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ E-Mail Address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**CU Law represents acequias and irrigators in the following areas. Please indicate which type(s) of legal assistance you are interested in.**

**☐ Researching/establishing a water right ☐ Drafting or Amending Bylaws**

**☐ Acequia Incorporation**

**1**. Is the acequia incorporated with the Secretary of State?

**2.** Does the acequia have bylaws? If so, what is the date of the bylaws?

**3.** How many irrigators are on the acequia?

**4.** Are you willing to commit time to working with law students and an attorney?

**If you are seeking assistance with drafting and adopting bylaws, please also answer the following questions:**

1. Do all of the members of the acequia agree that it would be helpful to work with the Acequia Project to establish new bylaws or change existing bylaws? If not, how many do not wish to proceed in this manner? (It is *not* important that all parciantes agree about *what* the bylaws should say, but it is important for everyone to be interested in seeking legal assistance to help with the process of drafting the bylaws.)
2. Are there any existing legal conflicts or other issues involving the acequia that would make it difficult to work with the Acequia Project, or that otherwise we should know about?
3. Will the group be available to provide feedback and communicate with us throughout the process?

1. In the past, our student attorneys and supervising attorneys have met with the acequias on their annual ditch cleaning days to assist in the clean-up efforts and to get things started on the bylaws. Does your acequia have a ditch cleaning day planned that we could attend?

1. If there is not an annual ditch cleaning day, are there any other dates available for us to meet with the members of the acequia?
2. After you have finished the process of incorporating and creating/updating bylaws, will

 you be willing to help other acequias through the process (answering questions, sharing

 your experience, etc.)? [Not required but appreciated]

We appreciate your efforts in answering these questions and we hope to hear back from you soon! Please feel free to include any questions you have for us at the Acequia Assistance Project.