

# Lands Without Water: The Conflict Between Ejidatarios and Haciendas Over Water, Naucalpan, Mexico, 1920-1940

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**Abstract:** Since 1917, a great change in land tenure took place in this country, through the endowment and restitution demanded by the towns of Mexico. In the case of the municipality of Naucalpan, in the State of Mexico, the requests for endowments and restitution of land began in 1917. It was during the 1920s when the land began to be distributed to the peasants, but the water did not reach the *ejidal* lands. The large *haciendas* (estates) were able to conserve the use of water resources by having legal license to do so. This article exposes the struggle of the peasants of Naucalpan to obtain irrigation water from the Hondo River, the main source of water in this area. The matter was partially resolved in the 1930s thanks to the Regulation of this river, although its implementation had many complications by the *fraccionistas* (persons who buy sections of the estates) of the old *haciendas*. Throughout the 1930s, the distribution of water was carried out, after almost ten years of a tense situation between the *ejidatarios* (*ejido* members) and the large properties.

**Key words:** water, agrarian distribution, peasants, State of Mexico, Ejido (communal land)

In 2008, Antonio Escobar and Martín Sánchez, together with a group of scholars, showed that historiography had paid more attention to the agrarian [1] than to the hydric. This tendency, in their opinion, came from the ideas promoted by the traditional authors of the agrarian matter, such as Andrés Molina Enríquez, Fernando González Roa and Frank Tannenbaum. This perspective has something that has been taken for granted, and it is that the endowments and restitutions had agrarian distribution at the center of their demands, and they left water aside, until the very need for irrigation made the towns demand the endowment of water to the newly formed *ejidos*.

However, the need for water was perfectly known by the towns, because for centuries, at least in this

municipality, the towns were subject to the *haciendas* allowing the use by the towns. In the case that concerns us, for centuries there were problems between the main *haciendas* and the towns that were surrounded by these productive units. These problems occurred very frequently due to the water of the River of Los Remedios that crossed the land of both *haciendas* and towns. The hydraulic works remained in the hands of the *haciendas*, and the city council, as a result of the Water Law of 1888, was somewhat marginalized from arbitration in cases of disagreement.

In January 1923, the Naucalpan de Juárez City Council sent a letter to the Governor of the State of Mexico in which he advocated for the peasants of some towns in this demarcation, emphasizing the core of the problem:

...That on the 15th of the current month, commissions representing the residents of the towns of Los Remedios, San Bartolo Naucalpan, Atengo and Santa María Nativitas presented themselves to

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this Municipal Presidency, (asking) for a favorable resolution regarding the issue of spring water of Cruz Blanca, which belongs to said towns and which the Echegaray hacienda has appropriated. Considering that it is known to you that with such a procedure the agriculture of these towns is greatly harmed and taking into account this City Council that what is requested is of the utmost justice because there are towns such as Los Remedios, in which your neighbors to see how to obtain the liquid that is so essential for life, they have to walk about two kilometers, they have considered it prudent to beg you, the citizen Governor, to resolve such an important matter by ordering that the water that they receive be returned to these towns. it belongs because with this the hacienda of Echegaray is not harmed since it has two dams that give it enough water for its irrigation and that currently they hardly use them.<sup>1</sup>

This long quote presents us with a basic truth: without water, the earth does not produce. The peasants knew this at the time. It seems that the City Council was in favor of the petitions of the towns, that they had been effectively dispossessed by this *hacienda*, and that the governor gave orders to the Local Agrarian Commission to defend what in justice belonged to the towns. However, this petition is presented at the juncture of an Agrarian Reform that was underway in this municipality, and that ended up changing the land tenure system that had been in force since the colonial period. The rights acquired by some and by others were substantially modified, through a legal confrontation and arguments that lasted many years. The participation of the Naucalpan City Council can also be perceived in this event, which with a political vision, favored the petitions of the peasants, but also functioned as an intermediary and sometimes as a witness to the long endowment and restitution processes undertaken since the end of the decade from 1920.

This paper will show that, for the peasants of Naucalpan, the demand for water was within their needs since they began their requests for *ejidos*.

Differences over the use and ownership of water have been going on for a long time. One of the questions that arises when analyzing the issue of agrarian distribution is to know if, in truth, all the peoples had fought in the revolution for the need for land. In the case of Naucalpan, there was no armed movement with this type of demands, as there was, for example, in the state of Morelos. This was already perceived by Francisco González Roa in 1919 [2]:

... Presumably the need is not very pressing in all parts of the Nation, and it can even be confirmed that in several regions the towns do not need ejidos [2].

In the case that concerns us, the lawsuits over water between the towns and the *haciendas* came from long ago. Although the towns had a land limited by the *haciendas*, from our point of view, the need for water was what motivated the requests for land, as will be seen below.

The River of Los Remedios is a body of water that rises in the Cruz Blanca springs, in the mountainous part that is located between Hondo River and the current municipality of Ocoyoacac. According to an eye view made in 1907, the water of this river flowed towards the North, driven by a ditch that had a zigzagging path until before it reached Naucalpan. From there the water ran through an old-looking masonry pipe that reached the main street of Naucalpan and ran from west to east. At the exit of the town a siphon was built with an inscription from 1874. From there the water went to a work known as the Presa Chica or Atoto, and that the waters of the White Cross were received there.<sup>2</sup> The *hacienda* of Echegaray had five intakes from the River of Los Remedios, within the jurisdiction of Naucalpan, which represented 7 m<sup>3</sup> per second. According to statements made in 1911 by its owner, Mr. Manuel G. de Rueda, this flow was used to irrigate and “*enlamar*” (to cover the fields and lands with lama) an area of approximately 800 hectares,

<sup>1</sup> Archivo General Agrario, (en adelante AGA), Exp. 33/2868, Leg. 1, f. 31.

<sup>2</sup> Archivo Histórico del Agua (AHA), A.S., Box 1407, exp. 19245, f. 11.v.

within which it had large reservoirs to use the water at the right time.<sup>3</sup>

The water referred to came from a spring known as Cruz Blanca, which was located within the grounds of the *hacienda* of Los Leones, or the Lion. However, this treatment was perhaps verbal permission, since in 1899 Don Antonio Díaz Sánchez, owner of the *Hacienda* of Los Leones, asked the Directorate of National Works of the Ministry of Communications for a concession to use the water of one from the tributaries of the River of Los Remedios for the irrigation of his *hacienda*, and which passed near the town of Santo Antonio Zomeyucan. However, this matter did not go ahead, because Mr. Antonio did not show the documents requested by the aforementioned Secretary. We can assume that there was an agreement between the owner of the *hacienda* of Echegaray and the *hacienda* of Los Leones, since it is a fact that the former continued to use this water through the masonry works that it had done for its use.<sup>4</sup> In 1902 the city council of Naucalpan tried to defend the right they claimed to have over land and water in the area, so they asked the AGN to be able to protect their rights over land and water, documents that they required to try to legalize their rights as well. that they had spoken many times.<sup>5</sup> The towns through which the river crossed, from Cruz Blanca and also through another of its tributaries called the River of San Lorenzo, took water for their domestic and public uses, but not for irrigation. This can be deduced from an inspection carried out in 1924 by Ing. Ramírez, who in his report said the following:

The inhabitants of this town (San Bartolo Naucalpan) undoubtedly used the waters of the canal in other times to irrigate their small plots of land, since in some properties that border the canal there are still parts of perfectly preserved masonry that they served as water intakes for irrigation; in one of them

you can see the samples where the gate entered that served to allow or not the passage of water.<sup>6</sup>

It is very likely that the irrigation enjoyed by these towns was interrupted at some point in the late nineteenth century, which fueled the desire of these towns to continue enjoying the irrigation of the River of Los Remedios. What the towns of Santa María Nativitas and San Bartolo Naucalpan did enjoy was water for domestic and public uses, at least until the 1920s.<sup>7</sup>

However, it was at the beginning of the 20th century that some signs began to appear that discontent over the lack of irrigation water was on the rise. In 1902, the same year that Naucalpan requested a copy of the 1616 water grant, some individuals broke the conduit that carried water to the *hacienda* of Echegaray, to divert it to their farmland. This event exposed the disagreement that nearby towns had expressed for decades for not having a wide use of this river.

In 1907 and 1910 Don Manuel G. de Rueda, owner of the *hacienda* of Echegaray, obtained confirmation of his rights to water. It should be remembered that on December 14, 1910, President Díaz issued a law that repealed those of 1888, 1894 and 1902, and made it clear that the Federation had rights over the nation's water. Channels that crossed two states, or that served a state or territory, including the Federal District, would be considered federal. Those who had been making use of these flows could obtain a water concession, and it was for this reason that Mr. De Rueda obtained confirmation of his rights in June 1910. Another stream that used this *hacienda* was the San Luis stream, which through hydraulic works built by this property, allowed him to take advantage of 5501.<sup>8</sup> In 1911, the permission to fill the water of the River of Los Remedios was reconfirmed to Don Manuel G. de Rueda, after an extensive investigation carried out by engineers, who made a detailed description of both the

<sup>3</sup> AHA, AS, Box 1412, exp. 19317, f. 5.

<sup>4</sup> AHA, AS, Box 758, exp. 10957, f. 8.

<sup>5</sup> Archivo General de la Nación México, (AGN, Búsquedas y Traslados, vol. 31, exp. 14, fs. 1-2.

<sup>6</sup> Archivo General Agrario (eAGA), exp. 33/2868, leg. 1, f. 148.

<sup>7</sup> AGA, exp. 33/2868, leg. 1, f. 151.

<sup>8</sup> AHA, AS, Box 1410, exp. 19317, f. 51.

flow and its derivations. This confirmation was granted on March 6, 1913, and published in the Official Gazette on June 7 of the same year.<sup>9</sup>

However, this confirmation did not satisfy the towns that were surrounded by this *hacienda*.<sup>10</sup> In reality, since the second half of the 19th century, the town of Juárez, as the head of Naucalpan was called, claimed to have rights over the water of the River of Los Remedios, always unsuccessfully. The disagreement continued, and the situation of the agrarian distribution gave occasion to obtain rights not only on the land, but also, and especially, on the water.

From the law of January 6, 1915, and above all, after the promulgation of the Mexican Constitution of 1917, which in its article 27 resumed the central meaning of agrarian distribution, many towns began their processes to obtain *ejidos*. For many contemporaries, the agrarian problem required a solution to the inequality that existed in land ownership. Even Ezequiel Obregón, who was characterized as one of the great critics of the agrarian distribution in 1912, recognized the need to make a change in the countryside:

...the conviction takes root in me that already in Mexico it can be transcendental and fruitful like any work aimed at radically changing the form of property [3].

The town that initiated the agrarian distribution procedures in Naucalpan was that of Santiago Tepatlaxco, by means of a letter dated February 29, 1916, in which they requested the restitution of 6 *caballerías* (land measurement) of land that the *hacienda* of El Cristo had<sup>11</sup>. To do this, on December 24, they asked the AGN for a certified copy of a lawsuit initiated in the 18th century with the convent of San Joaquín over land limits.<sup>12</sup> As has already been said on several occasions, the request for restitution did not

prosper, so it was transformed by endowment of *ejidos*. González Roa gave some data in this regard. Of the 50 petitions for restitution that had been received by 1919, only nine had been successful [2]. After changing the request from endowment to restitution, the town of Santiago Tepatlaxco obtained its endowment on October 25, 1921, affirming that the National government would proceed to the expropriation of 900 hectares of the *hacienda* of El Cristo.<sup>13</sup>

The towns of Santa Cruz Acatlán, Santiago Ocipaco, San Juan Totoltepec and San Mateo Nopala sent their requests for the endowment of *ejidos* between September and October 1917.<sup>14</sup> These processes dragged on for a long time. In 1918, the Naucalpan City Council, in a town hall session, told the Department of Agrarian Affairs that the petitions made by these towns had not received any response.<sup>15</sup>

Other towns in Naucalpan also began their application processes. Santa Cruz Acatlán sent its request for the endowment of *ejidos* in writing on September 20, 1917. In an ordinary session on February 27, 1919, the building body was notified that the town of Santa Cruz Acatlán had begun its process of requesting *ejidos*, with the help of the city council, in the hope of achieving a favorable response. But in the end, everything was in vain, because this first request was rejected.<sup>16</sup>

The City Council was interested in supporting the peasants in their agrarian requests. This was made clear when, in the ordinary session of May 9, 1921, a record was made of the peasants' request to speak so that they could meet on the upper floors of the municipal palace, to which the City Council agreed. His role as interlocutor between the peasants, the Local Agrarian Commission and its representatives, and the *haciendas*

<sup>9</sup> AHA, AS, Box 1410, exp. 19317, fs. 93-95.

<sup>10</sup> AHA, AS, Box 1407, exp. 19245, fs. 9-14 y 64.

<sup>11</sup> Diario Oficial. Órgano del Gobierno Constitucional de los Estados Unidos Mexicanos, October 4th de 1923, p. 1.

<sup>12</sup> AGN, Búsquas y Traslado de tierras, vol. 46-A, exp. 12, fs 139-212.

<sup>13</sup> Diario Oficial. 4 de octubre de 1923, pp. 1-3.

<sup>14</sup> Diario Oficial. 17 de junio de 1925, 27 de julio de 1929, August 3, 1929 y 1, 1929.

<sup>15</sup> Archivo Histórico del Municipio de Naucalpan de Juárez (AHMNJ), Council Minutes, vol. 4, exp. 8, f. 32. Acta ordinaria de 30 de mayo de 1918.

<sup>16</sup> AHMNJ, Council Minutes, vol. 4, exp. 9, f. 10 v. Ordinary sesión, 27, February 1919.

would be very important in the process of agrarian distribution.<sup>17</sup> It is from this year that things would change in this area.

In June 1921, three towns met to ask for endowment of *ejidos*, namely the town of Los Remedios,<sup>18</sup> Santa María Nativitas and San Bartolo Naucalpan. The first two, in fact, had the quality of towns, while the third was the municipal seat and had the category of Villa since 1874. However, their petitions were accepted for processing by the Local Agrarian Commission. But in these cases, the request for land was combined with that for water. In October of that same year, the Commission visited the town of Santa María Nativitas, and made certain observations when carrying out the project to endow 16 hectares located near the center of the *hacienda* of Echegaray. The engineer stated that the town's crops, which were basically corn, would also be feasible to plant alfalfa, wheat, barley, beans, and fruit trees, which would be much better if he had the

use of the water that flows down the River of San Juan, or through the water that passes through this town, which is in great quantity, and crosses the town of Naucalpan, the old El Blanco flour mill, the Atengo neighborhood, Santa María Nativitas, reaching to the *hacienda* of Echegaray whose property it is. However, that water passes through this town, it is totally forbidden for them to use it in any quantity, since they sustain themselves with what their artesian wells produce and their corn crops are produced at the mercy of the rainy season annually, being for this reason that they only obtain one corn crop per year.<sup>19</sup>

I believe that at the time that the engineer emphasized the need for this town to be able to use the water that went to the *hacienda* of Echegaray, he gave the idea for the three towns to unite and request the restitution of the waters. In the letter that they improperly sent to the National Agrarian Commission, the representatives categorically affirmed that their towns were "owners of the water". They accompanied

their request with a certified copy dating back to 1616 in which they gave the Hermitage of Los Remedios, a water orange from which it went through the town of San Lorenzo (Totolinga) and that after arriving at the Marian sanctuary, it would return the water to the mother of the river, from where it would pass through the towns of San Bartolomé Naucalpan, Santa María Nativitas and Santa Cruz Acatlán. The document emphasized that the peoples mentioned

they are those who irrigate with the said water, enjoy it for the irrigation of their lands and at no time can any person in the name of the said Hermitage, sell, barter or alienate it under penalty that this Merced is in itself none and of no value...<sup>20</sup>

It would seem that the water rights of these towns through this grant would be beyond doubt. However, and as has already been seen, the owner of the *hacienda* of Echegaray obtained confirmation of his rights in 1910, it was confirmed again in 1913. Why did this *hacienda* obtain this confirmation? The main reason is that the river that was spoken of in the colonial documents was no longer the same as the one that flowed in 1921. The hydraulic works that were carried out in the mother of the river made it possible to rectify its course, as well as control the water avenues. and distribute with several intakes, through the construction of the small and large Atoto dams. The use of water by the *hacienda* of Echegaray, in addition to having the confirmations of rights from 1910, paid water use rights to the Naucalpan City Council, which by certification of 1921, recorded the payment from 1891 to 1921 of 16 annual pesos without having any delay in that period.<sup>21</sup> It is worth mentioning that the owner of the *hacienda* of Echegaray was a character perhaps little known by historiography, but at the local level, he was a preponderant character. We can infer that, among other things, from a letter that the residents of Naucalpan sent him, in which they ask him to

<sup>17</sup> AHMNJ, Council Minutes, vol. 4, exp. 13, f. 21. Ordinary Session of May 9, 1921.

<sup>18</sup> Official Diary. July 20, 1929, pp. 1 y 2.

<sup>19</sup> AGA, Exp. 2532, leg. 1, f. 188.

<sup>20</sup> AGA, Endowment and access to water, exp. 33/2868, leg. 1, f. 6.

<sup>21</sup> AGA, Endowment and access to water, exp. 33/2868, leg. 1, f. 4.

intercede on behalf of the municipality with the governor, so that the railway lines in this territory are extended, so that the main productive units are left with a station where they can take their products to the capital<sup>22</sup>.

In November 1921, Mr. Manuel G. de Rueda's lawyer sent his argument regarding the water issue, stating that it was absolutely false that he had deprived the towns in question of their waters. The waters available to the hacienda of Echegaray are his absolute property... and for this he demonstrated the confirmation of rights dated June 8, 1910, as well as the deed of sale of the property dated 1838, which included an agreement between the Molino Prieto and that hacienda for the use of that water.<sup>23</sup>

In 1922 the *hacienda* of Echegaray faced many issues. On the one hand, there were the requests for endowment of *ejidos*, which continued their course. The legal representation of Mr. Manuel G. de Rueda was entrusted to the law firm Cancino y Riba, lawyers, among whom was Francisco Díez Barroso, a famous litigant who kept the accounts of such important companies as Tranvías, Luz y Fuerza and the El Águila Oil Company. Among his most important clients was Arthur Rubinstein, who founded, together with Silvestre Revueltas, the Mexican Music Society. In response to the request of the *ejidos* of the towns of Los Remedios, Santa Cruz Acatlán and Santa María Nativitas, Mr. Díez argued the small number of neighbors who lived in each of these towns. For example, of Los Remedios, he affirmed that *such neighbors do not constitute a town proper, but rather a neighborhood of a very small number of individuals*, and that they did not lack land. The same he alleged of the town of Santa Cruz Acatlán.<sup>24</sup>

In the year 1922 and given that no resolution was received on the requests for *ejidos* and water by the towns of the area, the situation began to become

difficult. On March 27, two of the *hacienda's* tenants sent a letter to the governor of the State of Mexico stating that General Ramón Díaz, a small owner of this municipality, had appropriated the *hacienda's* water. That this case had been resolved by filing a complaint with the Secretary of National Defense. But after the water flow had been normalized, residents of San Bartolo Naucalpan had once again taken advantage of that diversion, leaving the lands of the complainants without irrigation. They affirmed that the lands were in such a drought that they feared an increase in the deaths of cattle that lacked the usual watering hole. His anger was capitalized when he pointed out that *it is not about waters whose ownership is doubtful, but well defined, according to what appears in the documents that are in the possession of the authorities of Tlalnepantla...* Being such an important matter, the government secretary turned the matter to the municipal president of Naucalpan to give an effective punishment to those who had committed this damage.<sup>25</sup>

The report could not be clearer regarding the use that these towns made of the water:

The waters of whose dispossession the expressed gentlemen complain pass through this Headwaters, and through the towns of Santa María and Atengo, before the hacienda of San Nicolás Echegaray takes advantage of them in its irrigation; and since they run through a ditch whose level is substantially equal to that of the riparian land, the owners of the latter easily divert them and take advantage of them for their domestic uses, washing and drinking troughs.<sup>26</sup>

Is it that the city council knew about these seizures and was negligent in punishing the offenders? Could it be that the residents of the same municipal seat drank the water almost shamelessly? It is very likely that this occurred not only at the time when the endowment of *ejidos* to these towns was being settled, but it is likely that, in effect, they felt they were the owners of the

<sup>22</sup> AHMNJ, Fomento, box 2, exp. 34.

<sup>23</sup> AGA, Endowment and access to water, exp. 33/2868, leg. 1, f. 21.

<sup>24</sup> DOF, June 17, 1925, p. 882. July 20, 1929, p. 1.

<sup>25</sup> AHMNJ, Fomento, Box 2, exp. 8, f. 1.

<sup>26</sup> AHMNJ, Fomento, Box 2, exp. 8 f. 2.

flow and believed that they would win the restitution of the river. But this did not happen, as will be seen later.

The *hacienda* representative sent the copy of the 1910 confirmation of rights in January 1922, which probably delayed the opinion of the Local Agrarian Commission. He did not want or could not recognize the rights of Don Manuel G. de Rueda to the water? Or he didn't want to look bad with the request for water. The truth is that the situation was not at all easy for the *hacienda* of Echegaray in 1922. It is probable that the payment of lawyers to defend itself from a possible affectation was very high. Therefore, as of April of that year, the *hacienda* was sold in 10 sections.<sup>27</sup> With this Don Manuel de Rueda disassociated himself from the problem in addition to obtaining a significant amount of money. However, this matter was not known until years later.

The towns followed their request for water and land, asking for the support of various authorities. On January 31, 1923, the municipal president sent a letter to the governor, in which he said that what was requested was *of the utmost justice, since there are towns such as Los Remedios, in which its neighbors to see to obtain the so indispensable liquid for life, they have to make a walk of about two kilometers...*

For this reason, he asked the Governor to resolve for these towns the water that belongs to them, since this does not harm the Hacienda of Echegaray, since it has two dams that give it enough water for its irrigation and that currently they hardly use them.<sup>28</sup>

On October 16, 1923, the River of Los Remedios was declared national property water. This measure, which could favor the peasants' intentions, did not solve anything either. For this reason, they turned to the Toluca Town Attorney to advocate for speeding up the process. He sent a document to the Local Agrarian Commission to expedite the restitution process, and for this he mentioned the declaration of national water of the flow in question. However, no ruling was obtained

either, but it seems that the investigation was reactivated to determine the capacity of the applicants.<sup>29</sup>

In this sense, it is worth remembering the observation made by Frank Tannenbaum in his famous book *The Agrarian Revolution of Mexico*, where he included a very interesting testimony regarding the struggle for water:

Equally serious are the persistent conflicts with the hacendados, from whose estates the lands for the ejidos were taken. The landowners or their administrators, as has been seen in the past 18 years, have insisted on opposing the process of land distribution, not only through legal means, especially through the recourse of amparo, but also through all kinds of harassment, such as diverting water, destroying fences, and denying help to clean irrigation canals. All this has contributed to creating local agrarian difficulties and disorders [4].

In this case, it was the *fraccionistas* of the *hacienda* who, starting in 1924, began to defend their rights over the water of the River of Los Remedios. Although they did not resort to violent means, such as the diversion of aqueducts and branches, they did so with the force of acquired rights and the law. In June 1924, the confirmation of the rights granted to Don Manuel G. Rueda for irrigation with the waters of the Hondo River was published in the Official Gazette, based on the title issued on March 6, 1913, and signed by President Obregón. on May 12, 1924.<sup>30</sup> Based on this, the *fraccionistas* affirmed that the *hacienda* of Echegaray no longer existed, and therefore, the rights of the *hacienda* should pass to them, and as small owners they should not be bothered by the peasants of the surrounding towns. The struggle for water now had many fronts, as the *fraccionistas* that acquired land from Echegaray were not willing to give in in defense of their rights to water.

In November 1924 Engineer Ramírez was commissioned to investigate the capacity that could be granted to the requesting towns. The visit began with

<sup>27</sup> AGA, exp. 33/2868, Leg. 1, f. 57.

<sup>28</sup> AGA, exp. 33/2868, leg. 1, f. 31.

<sup>29</sup> AGA, Exp. 33/2868, Leg. 1, f. 46.

<sup>30</sup> DOF, 21 de junio de 1924, p. 820.

the Los Remedios aqueduct, which despite its magnitude, was not capable of carrying water to the town of Los Remedios. He considered that it was feasible to grant water to the town of Santa Cruz Acatlán, which had already received provisional possession of *ejidos* and therefore would need water for domestic and public uses and for irrigation of their lands. He also foresaw that the towns of Naucalpan, Santa María Nativitas and Los Remedios could also be provided with water, by carrying out some works and cleaning the flow, which at that time was very covered in dust, probably because the continuous litigation and the uncertain environment of the land tenure rights, prevented the daily cleaning that was done in this stream. The water that was planned to be granted would serve for the domestic and public uses of the residents of the towns, for irrigation, and especially for the cattle that they exploited. The Table 1 shows the water supply plan for the towns that had requested it.

As can be seen, in this proposal it was contemplated to give water to the residents of the town who already had land, that is, those who already occupied a land of common distribution, and these were not the same ones who asked for *ejidos*. It is something that we must verify by comparing the names of the petitioners, those registered and the owners of common land.

The provision of *ejidos* came before the provision of water. This process was something normal for the Local Agrarian Commission, which can be deduced

**Table 1 Project to provide water to the towns of Naucalpan, 1924.**

Town	Inhabitants	Large livestock	Minor Livestock	Liters per second	Annual cubic meters
Los Remedios	240	100	200	0.291	4380
Santa Cruz Acatlán	150	100	100	0.191	18565
Santa María Nativitas	150	250	350	0.3821	12045
San Bartolo Naucalpan	1000	400	800	1.2	35770

Source: AGA, exp. 33/2868, leg. 1, fs. 148-151.

from an official letter from the Directorate of Lands, Waters and Colonization of July 16, 1925, where it said that *they only awaited the definitive resolutions of the land endowments to the towns of Santa María Nativitas and San Bartolo Naucalpan, to resolve the water restitution issue* that the towns of that municipality had requested.<sup>31</sup>

On May 14, 1925, the municipal seat of Naucalpan was endowed with 250 ha, of which 24 would be taken from the *hacienda* of El Prieto and the rest from Echegaray.<sup>32</sup> On May 21, the presidential resolution of the town of Santa Cruz Acatlán also arrived, for 51 ha of the *hacienda* of Echegaray.<sup>33</sup> On December 30, 1925, the Local Agrarian Commission proposed the endowment to the town of Los Remedios of 77 ha for *ejidos*, taking them entirely from the land of the *Hacienda de Echegaray*.<sup>34</sup> But, how could this be done if, according to the *fraccionistas*, said *hacienda* no longer existed? This was the answer they gave for years, and that motivated the land endowment to be extended for several more years. In the case of the *ejidos* endowed to the town of Los Remedios, the main person affected was Mr. José Luis Cuevas, who said that the affectation of the *fraccionistas* of the *hacienda* was not appropriate, because they should be considered as small owners. With this argument, the *fraccionistas* protected themselves for a long time. In September 1926, their representative continued to affirm in his brief that they had acquired their ownership of the land together with the water, and that therefore they should conserve the use of the water, and not allow the *ejidatarios* to be endowed with that resource. He added that in view of the fact that it was national waters, who should determine the matter was the Ministry of Agriculture and Development, and not the National Agrarian Commission. Lastly, he claimed that they should be protected from the continuous ruptures that the residents of San Bartolo caused to the aqueduct, and

<sup>31</sup> AGA, exp. 33/2868, leg. 1, f. 188.

<sup>32</sup> AGA, exp. 2532, leg. 1, f. 279.

<sup>33</sup> DOF, June 17, 1925, f. 882-883.

<sup>34</sup> DOF, July 20, 1929, p. 2.



that this affected the flow that reached their *fracciones* (sections).<sup>35</sup>

The land did not reach a final resolution either, since the *fraccionistas* took legal measures, among them they reached an amparo in review that the Supreme Court of Justice of the Nation heard, resulting in the 22nd judge of the Federal District having to prosecute for acts committed by the Local Agrarian Commission, by document issued on July 7, 1926.<sup>36</sup> As is known, the amparos greatly delayed the process of endowment of *ejidos*, and even, as González Roa pointed out since 1919, *all the respective executions will also alter the general system of restitution of ejidos* [2].

The Local Agrarian Commission determined in 1925 that the arguments presented by the *fraccionistas* of the *hacienda* of Echegaray regarding the endowment of the Naucalpan *ejido*, because the endowment request was prior to the sale of the *hacienda*:

Regarding the intended division (*fraccionamiento*) of the *hacienda* of Echegaray, it should be considered null and void for the purposes of this endowment, since it took place after the date of notification of the endowment demand... therefore, legally it must be considered that such an operation, real or simulated, had no other purpose than to try to avoid the application of agrarian laws...<sup>37</sup>

The presidential resolution, of May 1, 1925, also mentioned the water issue, but in terms as confusing as the following:

The waters for irrigation of the land will be used in accordance with the general plan aimed at obtaining the maximum utility, which will always be subject to the approval of the National Agrarian Commission, and once said plan is accepted, it will proceed to the construction of the respective hydraulic works.<sup>38</sup>

As can be seen, this did not solve the problem, and left the National Agrarian Commission to continue with the conflict. It was land without water.

The matter of the other towns also dragged on for several years. The presidential resolution of Los Remedios came out on April 18, 1928,<sup>39</sup> and that of Santa María Nativitas on January 23, 1930.<sup>40</sup> Despite these endowments, and the fact that the legal arguments of the former *hacienda* of Echegaray were discarded, in reality not all *fraccionistas* were affected. And those who kept their land continued to have the right to water.

Given this, the towns that had obtained their *ejidos* continued in their struggle for water. Thanks to the regulatory law of article 27 of the Constitution, it recognized the right of towns that lacked land and water to request their endowment. If they had already obtained land, they could aspire to obtain its waters [5]. This situation allowed the people of Santa Cruz to resume their request on January 29, 1928. Their argument already alluded to the lands they had definitively received:

That in view of having our lands in definitive possession and passing through them water from the springs of Santiago Tepatlaxco, and not having the freedom to take it for irrigation and drinking water for our cattle, we have to thank you for providing us with that precious liquid, by the fact of going through a precarious situation, related to our needs...<sup>41</sup>

However, on April 26 of that year, the answer to this long process was given, in which they were given a provisional permit to irrigate 57 ha with water from the Cruz Blanca spring, while the water file was resolved by the of the agrarian authorities. But they did not obtain restitution because it was proven that the owner of the water rights was the *hacienda* of Echegaray, and that the town in question had never irrigated with those

<sup>35</sup> AGA, exp. 33/2868, leg. 1, fs. 194-195.

<sup>36</sup> AGA, exp. 33/2868, leg. 1, f. 209.

<sup>37</sup> DOF, June 10, 1925, p. 721.

<sup>38</sup> DOF, June 10, 1925, p. 722. AGA, exp. 2532, leg. 1, f. 280 v.

<sup>39</sup> DOF, July 20, 1929, p. 3.

<sup>40</sup> DOF, March 7, 1930, p. 9.

<sup>41</sup> AGA, exp. 33/2868, leg. 2, f. 140.

waters.<sup>42</sup> This permit would be provisional until a final decision on the provision of water is obtained.<sup>43</sup>

During the year 1929, an attempt was made to give a definitive solution to the water issue. The National Property Aguas Law, published that year, said among other things, that the constant currents such as the rivers, which would pass from one entity to another, would be considered from national property. The River of Los Remedios was considered within this item. This law also determined that these flows should be regulated, classifying the use made of them between domestic, industrial, public, irrigation, strength and washing production, among others. This was intended to terminate the conflicts that had been presented in that decade between the old *haciendas* and the new *ejido* distributions to the peoples.

In the case of the Hondo River and the remedies, this regulation was carried out through an investigation of the water needs throughout the flow, until its union with the Tlalnepantla River. The provisional regulation of the waters was issued in October 1929. In this first moment, the litigating towns were not included, and on the other hand, the *fraccionistas* of the *hacienda* of Echegaray, El Rosario, and upstream, the *hacienda* of En medio, were admitted.<sup>44</sup> Among the *fraccionistas* of Echegaray that were included were the aforementioned José Luis Cuevas, José Gargollo, Francisco del Conde (it is worth mentioning that Antonio del Conde had the *hacienda* in the second half of the 19th century, and it is probable that he was one of his decedents); and Alberto Blair (who was the husband of Antonieta Rivas Mercado). As we see, they were still people of distinguished origins of the nineteenth century.

One of the main complaints was that the upstream users, from the town of San Bartolito they took too much water, and therefore the applicants from

downstream did not even reach the water they used before the realization of the regulation.<sup>45</sup>

The tensions for the flow rate left that the *haciendas* and *fraccionistas* of these still did not accept to grant their rights for water. Proof of this was the destruction of one of the mouth Tomas that was presented in the Vidal dam, which belonged to the *Hacienda* of El Prieto. The inspection of the authorities determined that it had been the *hacienda* itself that had affected that shot, which was impossible to drive the liquid to the users below.<sup>46</sup>

The Federal Government left in the hands of the members of the Water Board of each flow, the inspection and surveillance of the compliance of the regulation, as well as the collection of rights due to the use of water that each of the users had to do. It was after 1934, with the Aguas Law of that year, in which it was clearly spoken about the possibility that the *ejidos* could obtain national property water, as long as they directed a letter to the Local Agrarian Commission, in which they made your request. In the case of the Hondo River or the remedies, this new law would end the litigation for the water that had spread in this area for many years. Thereafter, the number of water users was increasing notoriously, since irrigation was a priority for *ejido* endowments to succeed. Thus, was born a new era in the surroundings of the Hondo River.

## Conclusions

The fight for the land in the municipality of Naucalpan went through many times. Since the issuance of the law of January 6, which took constitutional character from 1917, the peoples of this municipality saw the opportunity to increase their cultivation lands through the affectation of large *haciendas* that had been their adjacent for centuries. However, the earth could not produce without water, which was not provided for in agricultural laws. Earth endowments were dry at first time. Water requests

<sup>42</sup> AGA, exp. 33/2868, leg. 2, f. 150-151.

<sup>43</sup> AGA, exp. 33/2868, leg. 2, f. 157-158.

<sup>44</sup> AHA, AS, EXP. 34899, f. 23.

<sup>45</sup> AHA, AS, Box 4323, exp. 52527, f. 48.

<sup>46</sup> AHA, AS, Box 4323, exp. 52527, f. 62.

increased *ejidatarios* and *haciendas* conflicts, or their *fraccionistas*. Water was an equal or more desired resource than the Earth. This study could be seen that the struggle for water sometimes took violent roads that agreed, but much less the federal government. The right to water by the *haciendas* had been assured with the law of 1910, documents that endorsed the use of water not only to the former owners of the productive units, but also to those who acquired them in fractions before the onslaught of the agrarian distribution. It was necessary to reform that law several times to ensure that the *ejidos* were successful, not only because the *ejidatarios* demanded it, but because the tensions for the water resource could have climbed violently. Therefore, the law was reformed, which constituted the water boards where the user representatives participated. That is why the so longed for water use was insured to the peoples, and not only to the former owners of the *haciendas*, prior payment of all of them of the rights for the water. These measures were

sponsored by the federal government, but it was the water boards who were responsible for the surveillance of the distribution, as well as the collection of rights. This irrigation management worked in this zone until well into the 70s of the twentieth century, a period that no longer corresponds to this article.

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